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Universitat Ramon Llull

School of
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& International Relations

Ethics and Photojournalism:
the visual representation of reality

Miguel Franquet dos Santos Silva

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Introduction

At the moment of writing these lines, many forums are discussing the ethical and moral legitimacy of publishing the photograph of Aylan Kurdi, the 3-year-old Syrian boy whose body was found washed up on a beach in Bodrum, Turkey, on September 2, 2015. He had drowned after the boat in which he was travelling along with his family and 23 others had overturned. They were trying to reach the Greek island of Kos after fleeing war-torn Syria.

Over the following days, many national and international newspapers dedicated their editorials to the photograph, taken by Nilüfer Demir, with the aim of justifying its publication, whether on the front page or inside or on their website. With regard to situations like this, most professional codes of ethics admit that a greater public interest may justify that the public's right to be informed prevails over the right to privacy of the people affected by the events. In theoretical terms, posing the question in these terms does not raise many objections. It is, rather, the application to specific cases that can be deeply problematical.

For some, this photograph is necessary and the decision to publish it could be justified in terms of its extraordinary power to move readers' consciences. More than any other text and more than many other images, the shocking impact of the photo of Aylan, lying face down on the beach, has the capacity to move people. This is, in fact, the position of the photograph's author herself: "If the picture makes Europe change its attitudes towards refugees, then it was right to publish it. I have taken many photographs of the refugee drama and none had such an effect on the public consciousness" (Küpeli, 2015). According to this position, the goodness of this decision

depends on the anticipated benefits that may result from the publication of the photograph.

For others, the publication of this photograph is ethically unjustifiable and withholding its publication does not compromise the public's right to be informed. Other photos could have been used instead, such as the one showing a Turkish paramilitary craddling the body of Aylan in his arms, which some newspapers chose to publish on their front pages *(El País, The Daily Mail, The Sun, The Daily Mirror, The Times, The Guardian, The Washington Post, etc.*). Whilst also shocking, in this photograph the face of Aylan is not visible, which helps to protect his identity. However, is it as effective in raising people's awareness and mobilising political action?

In addition, the idea that news and images could transform, by themselves, social and political reality has been challenged by different authors. Perlmutter (1998), for instance, has argued that it would be an exaggeration to credit iconic photographs with the power to determine international political action, and Cohen (2001) has argued that the widespread indifference with which citizens relate to social and political injustice could be explained by a compassion fatigue effect resulting from the overexposure to graphic and violent content, which instead of driving political action would generate the opposite reaction. According to this argument, there is no need to show the photograph of the body of Aylan to raise readers' awareness of the desperate situation that many Syrian refugees are experiencing. Moreover, the publication of shocking images such as this would lead readers to become insensitive and would contribute to accelerating the horror.

Regardless of the recognition of the value of these theories, which denounce the abusive and illegitimate use of images of pain and suffering for merely commercial purposes, the question of whether, in the current political

context, the publication of the photograph of Aylan Kurdi would not be justified in terms of its exceptional nature seems to have no categorical answer. Studies on the effects, political or otherwise, that the media is capable of unleashing on society would always have enormous difficulties in isolating the relative responsibility of a specific media content, whether a photograph, a newspaper article or a television report, from the complex flow of other media contents and the set of other factors shaping a particular historical and cultural context that also influence events (Perse, 2001; McQuail, 2010). And studies on the framing and its relation to agenda setting, especially when focused on the reception of media contents, are faced with the same type of difficulties (Reese, 2001; Borah, 2011).

In *Politics as a vocation,* Max Weber states that the exercise of politics —and the press has an undeniably political function— cannot be exclusively guided by an ethics of conviction that is totally indifferent to the consequences of the decisions taken, a position that usually characterises the moralist who presumes to live in a perfect world. It cannot, however, be completely insensitive to these same convictions, since this would imply a cynical behaviour that would not hesitate in justifying any means to reach the desired goals. And it is precisely the fact that finding the perfect balance between conviction and responsibility does not depend on the application of a particular scientific formula that the exercise of politics entails a genuine vocation (Weber, 2004: 92).

To further complicate matters, the photograph in question shows the death of a child, and our relationship with death, as Sigmund Freud states in *Thoughts for the Times on War and Death* (1915), is a deeply ambivalent one (Freud, 1996b). We know that death is life's natural outcome, but we always refer to it as an accident: "We show a patent inclination to do without death, to eliminate it from life. We have attempted to silence it." (Freud, 1996b: 2110). This emotional ambivalence towards pain and pleasure before

the death of the other would be related to, from a phylogenetic point of view, the assassination of a leader of a primal horde and from the ontogenetic point of view, to the secret desire to kill one's own father. Death is, therefore, the cause of the feeling of guilt and remorse that, according to Freud, are at the origin of ethics and religion. Our behaviour before photographs of death reveals this same ambivalence. On the one hand, it could be said that photos of dead bodies hold a form of fascination for us, mostly morbid, that captures our attention. They are shocking photos that increase readership. On the other hand, however, we condemn the commercialization of their publication as an assault on people's diginity with the same intensity with which we wish to see them, declaring that death should be a private matter.

However, it is not always business and exploitation that drive the long, close relationship photography has with death. According to Susan Sontag, photography has a greater and uncomparable authority than the written word when it comes to "conveying the horror of mass-produced death". Still according to Sontag, the photographs taken in April and the beginning of May 1945 in Bergen-Belsen, Buchenwald and Dachau demonstrate the superiority of photographs over more complex narratives to define and not only record the most abominable realities (Sontag, 2003: 24).

The controversy generated over the use of photography in the press is as old as photography itself. The suspicion that what is shown may not correspond exactly to what actually happened has accompanied photojournalism since its inception. Roger Fenton, considered one of the first war reporters, was accused of promoting an extremely bloody picture of the Crimean war. Technical limitations and mainly editorial restrictions meant that the photographs he published in the 1850s in the *Illustrated London News* failed to reflect the full horror of the war. However, staging was not the only source of controversy to affect press photography. To it should be added, on the one hand, the intrusion into people's private lives, something

that would become a lucrative business from the moment exposure times were reduced and pocket cameras were introduced in the 1930s, making candid photos popular, and, on the other, the increasing ease with which the content of photogrpahs could be altered without leaving a trace of the editing process, something that was strengthened by the advent of computers and the digitalization of photography in the 1980s, calling into question the referential and indexical value of photography that has always formed the basis of its credibility.

When we consider written information, there is a set of characteristics that we associate more or less consensually with good journalism: good news should be truthful, rigorous, objective and should respect people's privacy and dignity. Without these attributes, journalism would lose its credibility, which is an indispensable condition to achieve one of its fundamental missions: to keep people informed about issues relating to their everyday lives. But what happens in the case of photographs? In what sense could it be said that a photo is true, or that a photograph is rigorous and objective? As images and words refer to reality differently, it is perfectly legitimate to ask whether the basic attributes that qualify good news should be the same as those that qualify a good press photograph and whether text and image should share the same fundamental mission.

From a semiotic point of view, the relationship between words and the objects to which they refer is, as a rule, arbitrary. In other words, it is not the nature of the objects that motivates or determines the form (signifier) of linguistic signs. In this regard, the relation between most words and things is purely conventional, i.e. the result of an agreement between the speakers. In his *Course on General Linguistics,* Saussure states that it is the arbitrary character of the linguistic sign that makes verbal language the most complex and universal symbolic system. It can, then, be considered the paradigmatic model of all other symbolic systems (Saussure, 1959, 68). And along the

same line, Paul Watzlawick et al. argue, in *Pragmatics of Human Communication,* that (digital) verbal language, by virtue of its arbitrary and conventional nature, is the best qualified symbolic system to communicate rigorously and precisely (Watzlawick, 2011). Photographs, by contrast, represent their objects analogically, by virtue of their similarity to the reference. Photographs represent their objects because, under certain aspects, they seem like them. In this regard, what photographs represent is not established by convention. For Watzlawick et al., what analogue signs may lose in determination and rigour, gain in their capacity to move people. In this sense, when compared to words, photographs not only relate to objects differently, but also relate to people differently.

In terms of these differences, it is legitimate to ask: should the credibility of the press photograph be judged according to the same criteria used to evaluate a written document? Is it legitimate to expect that images can assume the same informative functions demanded of words? What relationship should press photography have with artistic photography? What attributes should a photograph have so that it may be considered a good press photograph?

This study sets out to question the *ethos* of photojournalism principally from the analysis of a set of documents in which the ethical-moral reflection on journalism and photojournalism is conceptualized. We will mainly focus on the codes of ethics, stylebooks, internal guidelines and academic books concerning photojournalism. References to other media accountability systems (Bertrand, 2000), also dedicated to reflecting upon what a press photograph should be, as well as press associations dictates, opinion columns of newspaper ombudsmen, articles published in specialised journals and, indirectly, professional forums, will be mentioned, mainly in sections 2.4 and 2.5., through the investigations of Dona Schwartz (1992, 1999, 2003). The aim is to analyse the historical foundations upon which the predominant

concept of press photography is grounded and to challenge its theoretical legitimacy and practical utility.

This methodological decision does not disregard the distance that exists between the (normative) theory of press photography and photojournalism in practice. Nor does it ignore the fact that the practice of photojournalism also helps forge its professional identity. In other words, the *ethos* of photojournalism is also the result of the understanding reached by all those that are more or less directly involved in the activity of taking, selecting and editing photgraphs and organising how they are shown and distributed. There is no need to carry out any scientific study to confirm that the practice of photojournalism is plural and diverse. The question posed is: what relation should the much-sought *ethos* of photojournalism maintain with the various ways of understanding and practicing it? This is no insignificant question. In fact, and as highlighted by various authors, among them John C. Merrill (1974), the ethical reflection on photojournalism should not lose sight of the danger of proposing a concept of journalism that threatens its principle and fundamental condition: freedom. In this regard, proposing of a set of ethical principles aimed at the professional practice should not have as its purpose the reduction of various ways of saying or showing reality. Rather, the opposite: its diverse and plural expression should be celebrated and promoted. For Merrill, this criticism can be extended to the teaching of journalism and the imposition of profession entry criteria. Either would help legitimise a set of models standardised to look at and understand reality and to foster uniformed ways of reporting it. Susan D. Moeller in 2004 demonstrated that the biased media coverage of the existence of weapons of mass destruction in Iraq that justified the invasion of the country resulted in part from the uncritical application of the inverted pyramid model applied to news writing[1] (Moeller, 2004).

The first chapter of this study is dedicated to the relationship between general ethics and the ethics applied to journalism and photojournalism. Adopting the proposal of Paul Ricoeur (1990), we will attribute to ethics a critical and founding function and to morality, a deontological and normative function. The question we pose is how a philosophical ethics faced with enormous difficulties in legitimating itself is able to help legitimise an applied ethics, in this case, to photojournalism, that is capable of responding to the crisis in trust being suffered by press and exacerbated by the increasingly sophisticated means of digital editing.

While we have excluded the possibility of generating a wide consensus surrounding the ultimate grounding of ethics, the route proposed by Paul Ricoeur for the question posed is to assign to ethics the task of rethinking the convictions and assumptions on which the deontological reflection applied to the media are grounded. The ethical reflection assumes at this moment a hermeneutical dimension whose aim is to determine whether it is possible to reinterpret some of the widely accepted moral principles and apply them to the new challenges threatening the accomplishment of the press mission or, alternatively, whether it will be necessary to consider reformulating them. This strategy will force us to analyse the various documents that bring together the ethical reflection on journalism, and from there deduce its fundamental ethical principles. The analysis of the codes will allow us to conclude that there is a wide consensus on the three fundamental principles capable of subsuming all the other deontological rules: freedom, truth and the respect for human dignity (Cornu, 1994).

Finally, in the last section of chapter 1, we discuss the question of whether the fundamental principles that structure the concept of good news can also be applied to photojournalism.

Chapter 2 is dedicated to questioning the current relationship between objectivity and photojournalism. The methodological procedure will be similar to that followed in chapter 1. Firstly, we will analyse the central nature that the concept of objectivity has assumed throughout the history of journalism, in order to then analyse how it was applied to photojournalism. Backed mainly by studies carried out by Michael Schudson (1978) and Steven Maras (2013), we will identify the various technological, professional, commercial and political factors that have contributed to objectivity imposing itself as the a central concept in the ethics of journalism. This step will allow us to demonstrate that the adoption of the principle of objectivity was made historically in response to a set of various needs and that the understanding of it changed over time in order to adapt it to these same needs. This historical analysis reveals that the concept of objectivity went from being considered a characteristic of the subject (the journalist) or the object (the news) to being understood as a useful procedure to foster news credibility (Kovach & Rosenstiel, 2001).

In the second section of chapter 2, we analyse how historically the concept of objectivity was applied to photojournalism. From reading the studies carried out by Barbie Zelizer (1995), Dona Schwartz (1999) and Vincent Lavoie (2010), it was also concluded that, in the case of photojournalism, the adoption of the principle of objectivity was due to a set of technological, professional and commercial needs specific to a particular historical moment. This historical analysis allows us to draw two very important conclusions for our study: firstly, that the “nearly-natural” relation between photography and objectivity (the analogue photograph is the result of the direct impression of light projected by objects onto a film) served historically as an attempt to regain trust in the media, which had been severely questioned for the increasing influence of public relation services, political propaganda and commercial interests. Secondly, the analysis of photojournalism in different academic journals published in the United States

of America demonstrates that the translation of the principle of objectivity to photography recommends the application of a set photographic techniques designed to hide the intervention of the photographer and minimise the material dimension of the image (Schwartz, 1992). The aim is to obtain a realistic and natural representation style capable of fulfilling two functions simulataneously: to create an identity unique to press photography that distinguishes it from artistic photography and to attempt to ground the relation of trust in journalism on the object (the news/photograph) and not on the subject (the journalist/photograph).

Finally, in the last section of chapter 2, we discuss the theoretical legitimacy and the practical utility of this objective and realistic concept of press photography. From the analysis of the case of the winning photograph of the World Press Photo 2013, by Paul Hansen, which was accused of having been manipulated, we will show that insisting on judging the legitimacy of a photograph in the digital era from the old paradigm of the darkroom and of analogue photography is not only unproductive but, moreover, subjects photography to a constant forensic inquisitorial pressure that contributes to fostering suspicion and distrust.

The last chapter in this thesis centres on the representation of the other and, especially, the suffering of the other. As a general rule, the suffering of people should not be news. However, there are exceptions. And, unfortunately, in the world in which we live, the suffering of people is often caused by evil and injustice, which should be denounced and fought. In this regard, the representation of the suffering of the other raises two types of questions: on the one hand, it morally obliges journalists to justify that it is public interest, and not any other private interest, that determines publication and, on the other, it obliges us to raise the question of how to balance demands for denouncing evil and injustice with the need to minimise the pain and suffering of victims. This second question raises a third, more decisive,

one: shouldn't victims be consulted, whenever possible, with respect to the news that concerns them, principally in those cases in which that news affects their privacy?

Our reflection on the representation of the suffering of other will be initially based on the philosophy of Emmanuel Levinas. Although the methodological decision must be justified over the course of the investigation, there are two fundamental reasons that could be anticipated here: the first concerns the centrality that the concept of hospitality occupies in his moral philosophy and the second concerns the objections the author raises over the possibility of representing the alterity of the other and of grounding the relationship with the other in knowledge. For Levinas, the encounter with the other is simultaneously a condition of knowledge and the revealing of its limitation. The alterity of the other is absolute and, therefore, irreductible to the efforts of the subject. In this regard, no representation, whatever its nature, could ever encompass what by definition cannot be encompassed. The other is the epiphany of the infinite. For this reason, for Levinas ethics is fundamentally welcome and care.

Taken together, these two intuitions will help support two important theses for this study and will be developed in sections 3.3. and 3.4. According to the first, welcoming the other implies giving him/her the opportunity to actively participate in the relationship with other members of the community. The other needs to be given the opportunity to be seen and heard.

To apply the concepts of welcome and hospitality to photography, we will resort to the concept of proper distance, proposed by Roger Silverstone (2003; 2007). For Silverstone, the representation of the other should be thought in terms of a moral distance, understood as the middle between two extreme positions, one that errs towards excess (too close or too far) and the

other, deficiency (refusal to photograph). In the latest book by Barbie Zelizer (2010), we will find other important examples that illustrate that the refusal to photograph is not always the right option to fight suffering and injustice.

The second important thesis that the intuitions of Levinas will help to support confirms that the traditional concept of press photography, based on the canons of naturalism and realism, do not have any privilege when representing the reality of the other. This thesis will be important in helping us fight the false opposition between politics and aesthetics that threatens to paralyse the debate surrounding the image. The works by Susie Linfield (2010) and mainly Ariella Azoulay (2008; 2010a), will help demonstrate that some of the post-modern criticisms directed against photography by authors such as Roland Barthes or Susan Sontag and against what they term the aesteticization of suffering, are grounded in a general mistrust in the power of representation of the image, also shared by Levinas, and that, paradoxically, may serve as an argument for those interested in hiding injustice and violence.

Finally, in the last section of chapter 3, we include an empirical study of the representation of immigration in four Spanish national daily newspapers (*El País, El Mundo, ABC* and *La Razón*) between June 2013 and June 2014, carried out in collaboration with Dr Ana Beriain Bañares, of the Abat Oliba University and Dr Elena Real Rodríguez and Dr María del Mar López Talavera of the Complutense University of Madrid.

The study consists of measuring the moral distance with which the Spanish newspapers represent immigrants. This evaluation involved combining a set of indicators for the analaysis of photographs and for the analysis of content. Foremost among the main conclusions is the fact that immigrants are not usually the source of the news that concerns them and that, as a rule, they are photographed from afar, in groups and without any

contact with members of the local community. Although alledegly objective, this way of framing and representing immigrants reinforces stereotypes, does not help mutual understanding and ends up jeopardizing their social integration.

1. General Ethics and Photojournalism Ethics

As stated in the introduction, the aim of this thesis is to challenge some of the historical assumptions upon which the moral principles of photojournalism have been grounded. Translated into rules and regulations, these moral principles represent the consensus regarding best practices reached by the community of professional journalists and photojournalists throughout time and, in that sense, they help shape their professional identity and contribute significantly to building the *ethos* of photojournalism.

Being of a historical and temporal nature, these moral principles need to be updated from time to time, in order for them to provide the best possible guidance in the context of a rapidly evolving world. It is our contention that it would be important to challenge some of those founding assumptions as they profoundly affect our understanding of the structural principles that constitute the essence of what we could generally call “good visual information” and “good photojournalism”. In order to do so, two preliminary questions need to be addressed.

The first concerns the choice of theoretical framework. In the face of the multiple (and not always compatible) approaches to ethics, it is important to clarify our affiliations and to situate our own thought within a tradition of moral philosophy.

The second is related to methodology. Subordinated to the subject of our enquiry, the methodology used to study the *ethos* of photojournalism must be explained and justified and its limitations need to be clearly stated. The purpose of this first chapter is to address these two preliminary questions.

1.1. Ethics: the science of ethos

The first major difficulty we have in dealing with ethics is to clarify what we understand by it. As we shall see further on, different traditions of moral thought have elaborated different theories regarding ethics, each of which is based on different philosophical and anthropological concepts. In fact, if we were to try to find a consensual definition for it, one option would be to say that ethics is the branch of philosophy that dedicates itself to the study of our *ethos*. A definition that is not of great help, given that the concept being defined is mentioned in the definition. So what does *ethos* mean? What does it refer to?

According to its Greek origin, the word *ethos* had two slightly different meanings. The oldest one referred to “home”, “residence” or “dwelling place”. According to José Luis L. Aranguren, the word was first used with this meaning in the context of poetry to refer to the place where animals lived and gathered and only afterwards did it become common to use it to refer to people and to their places of origin (Aranguren, 1994: 21). When interpreted metaphorically, *ethos* alludes to the “place” where we come from, to our place in being. In this regard, the *ethos* gets an ontological meaning. It was Heidegger who recently restored this original sense of *ethos,* promoting the identification of ethics and ontology. For the author of the *Letter on Humanism* (Heidegger, 1993), ethics is a philosophical enquiry into the meaning of being human, into our particular place of residence in the realm of being, into what makes us who we are. Considered through this lens, *ethos* is the “steady ground, the foundation of *praxis*, the root from which all human acts emerge”[2] (Aranguren, 1994: 21).

The second and most common meaning of *ethos* is “character” or “mode of being”. In contrast to the modern interpretation, “character” is not to be understood here in any “biological” sense. It does not refer to any kind of given or natural way of behaving, but to a form of living that one “acquires, appropriates and incorporates throughout one’s existence” (Aranguren, 1994: 22). Our character is like a “second nature” (Aristotle) that is shaped by our habits. By repeatedly acting according to a particular set of values one gives form to what will become one’s character.

From this etymological perspective, still concerned with our habits and the morality of our acts, ethics fundamentally began to refer to the meaning of our lives and to the modes of being that correspond to our nature. In this regard, this ethical theory is linked to an ontological understanding of Man as a being that needs to become what he is, whose life is a task that requires a lifelong commitment[3].

To understand why the second meaning of *ethos* became prevalent, and why the focus of ethics moved towards habits, custom and moral acts, we must take into consideration its Latin translation. Although it is widely accepted that *mos*/*moris* have the same etymological origin as the Greek *ethos,* of which they are a mere translation (see, for instance, Ricoeur, 1990; Russ, 1995), Aranguren argues that the use of *mos/moris* has historically evolved towards the second meaning, thus reinforcing the semantic connection between *mos/moris* and habits and custom (Aranguren: 1994: 23). To provide some evidence of this semantic shift, the author mentions the fact that *moris* translates into the plural a reality that is fundamentally singular (*ethos* as *character,* a form of living).

This is probably the reason why authors who consider it useful to distinguish ethics from morality place the latter in the realm of duty and obligation, ascribing a normative and prescriptive function to morality, and

reserve the former to the more critical task of reflecting on those fundamental questions that challenge and ground obligation, duty and obedience (see, for instance, Ricoeur, 1990 or Russ, 1995).

This distinction is also perceptible when we compare the two definitions of "ethics" and "morality" given in André Lalande's *Vocabulaire technique et critique de la philosophie*. In spite of its different uses (as an adjective or as a noun), the concept of "morality" (*moral/morale*) refers to "what concerns morals, that is, the norms of behaviour in use in an particular period and in a particular society"[4] (Lalande: 1947, 636). By contrast, a look at the definition of "ethics" (*Éthique*) reveals that the emphasis is not placed so much on the norms of behaviour, but on its reflective and philosophical nature: "A science that takes as its immediate object the *judgments* of appreciation regarding the acts qualified as good or bad"[5] (Lalande: 1947, 295).

To sum up, according to its etymological origin, *ethics* is the branch of philosophy that studies our mode of being, our *character*, our *habits* and the *norms* and *rules* that we believe should govern our actions (the ones that depend on our free will). But *ethics* is also the branch of philosophy that enquires into our *ethos,* our profound nature*,* the place where we can be ourselves. In this sense, while considering "whom we should turn ourselves into" (our *character*), and "how should we act in order to become who we are to become" (our *habits*), we should take into account, as a reference point, as a criterion, our *ethos*, our *place in being*.

1.2. Ethics and moral consciousness

Going through various textbooks dedicated to ethics or moral philosophy, we immediately acknowledge that throughout history different and sometimes incompatible moral theories have been elaborated, based on different philosophical systems and anthropological concepts.

In his highly systematic book, *Le Fondement de la Morale,* André Léonard (Léonard, 1997) proposes classifying some of the most significant moral theories according to what he considers to be the core of all moral life: freedom. His purpose is to show how, by focusing on different dimensions of freedom, these moral theories end up providing distinct interpretations of moral consciousness and how the connection they establish between freedom and moral consciousness affects their capacity to ground the two main features of moral value: absoluteness and obligatoriness[6]. Moral values are absolute because they affect the core of our being, our freedom. They should be complied to no matter what we do, regardless of the object of our action. Other types of values are not absolute, as their relevance depends on the particular end we wish to achieve. Regarding obligation, and following Kant, Léonard contends that obligation must be rooted in autonomy. Moral values oblige us not because they are dictated by an external authority, but because they are posited by each one of us as rational beings.

For Léonard, there are three main interpretations of moral consciousness:

1) an archaeological interpretation of moral consciousness;
2) an interpretation of moral consciousness as absolute autonomy, and
3) a teleological interpretation of moral consciousness.

1) The archaeological interpretation of consciousness considers freedom mainly from a biological and psychological perspective, focusing on the internal constrains that affect our free will. Our freedom is limited by our corporeal nature, by the fact that we live within a body that has its own needs, that will inexorably perish and that is subjected to the same laws of nature that govern all other beings and things. But our freedom is also constrained by the unconscious activity of our psychological life. We are not completely transparent to ourselves. Among the “reasons” and “motives” that lead us to act, we must consider those of which we are not aware. All these forces must be taken into account, as they affect our moral life from within. The question here is to know whether these biological and socio-psychological constraints determine or not our behaviours; whether, regardless of their force, we are capable of acting according to our free will; in brief, if freedom is possible.

Among the moral theories classified within the archaeological interpretation of consciousness, André Léonard includes the following: a) “hedonism”, b) “eudemonism”, c) “utilitarianism”, d) “moral sociologism”, e) “moral biologism/evolutionism” and, finally, f) “moral psychologism”. All these different moral theories underline a particular aspect of our freedom and, in so doing, they contribute decisively to providing a comprehensive understanding of the structure of our moral consciousness. In fact, any given moral theory would rightly be accused of being simplistic and even artificial if it did not to take into consideration the importance for us to seek pleasure (hedonism) and happiness (eudemonism), to consider the social relevance of our acts (utilitarianism) and if it did not recognize the influence of the biological and psychological factors on our decision making processes (moral biologism and moral psychologism). Regardless of their interest and importance, these moral theories fail to provide a solid foundation for moral value. Not wishing to be exhaustive, let us briefly phrase, following closely

André Léonard, the three main reasons why any attempt to ground morality in an archaeological concept of freedom ends up being unfruitful[7]:

i) These moral theories may try to explain the *empirical* genesis of moral obligation, describing the different factors (internal and external) that constrain Man's free will. However, by focusing on those different factors that constrain his behaviour, they end up weakening the importance of freedom in moral decision-making processes. Man would not act according to certain values because they are good, but because of other reasons (because they please him, make him happy, etc.). Technically, these moral theories cannot fully account for the absoluteness of moral values.

ii) These moral theories also fail when trying to explain how is it possible for Man to overcome intrinsic impulses or extrinsic social forces in order to act according to superior rational aims.

iii) These moral theories tend to be self-contradictory, for they deny the presuppositions upon which, at the end of the day, they also rest. Two examples: hedonistic and eudemonistic moral theories that overcome a simplistic and reductive concept of pleasure and happiness, and that plead to their rational nature, end up placing reason at the origin of morality. In this regard, it would still be a rational motive that would lead people to act, and not a biological or socio-psychological drive. Another good example is provided by utilitarianism, which is a moral theory that sustains that good actions are the ones that produce the greatest good for the greatest number of people. In this case, contradiction results from the fact that although denying all metaphysical legitimation for their moral theory, supporters of utilitarianism cannot avoid, whether they want to or not, basing their

notions of “greatest good for the greatest number of people” on particular anthropological, political and metaphysical theories.

2) The idea of an absolute autonomy of our moral consciousness is based on a formalistic concept of freedom that is somehow closed within it. According to Léonard, there are two major approaches to this kind of moral theory: 2.1) freedom as one’s personal freedom, and 2.2) freedom as a universal openness of reason.

2.1) To discuss the first, Léonard chooses to focus on Jean-Paul Sartre. Freedom is considered here from an existentialist perspective: one’s freedom. Autonomous and experienced in the first person, freedom becomes the only necessary and sufficient condition of morality. As a consequence, the criterion to assess the goodness of our acts turns out to be their authenticity, that is, their intimate conformity to our inner self. There is no place to claim objective or universal values other than freedom itself. As an expression of one’s inner being, one’s freedom is, most of all, the capacity to resist nature, to resist the powers of one’s body, of one’s deep psychological impulses, and to take decisions regardless of social pressure. It is up to each one of us to create our own values.

Although able to ground the absoluteness of moral values, this theory fails to ground obedience. Complying with a set of objective or universal moral values would actually offend the main moral principal of this theory: authenticity.

The issue with this moral theory, which is inspired by existentialist philosophies, is to consider that the only absolute value is freedom itself and that the morality of our acts would be determined exclusively by the authenticity of our intention. It would not matter so much the content of our acts, but their formal aspect, their accordance to one’s authentic self. For this

reason, André Léonard believes that the existentialist moral theory, grounded as it is in authenticity, tends to become ambiguous and, at the same time, reveals itself to be unable to provide useful guidance beyond judgments formulated for particular situations.

2.2) When it comes to considering freedom as a universal openness of reason, André Léonard chooses to centre his attention on Immanuel Kant. In the case of the philosopher of Königsberg, the emphasis is on the rational dimension of freedom. Reason gives us the possibility of transcending our inner self and relating to the world through knowledge, will and desire. In this sense, reason is both the source of our freedom and a fundamental object of our moral commitment. Being a necessary condition for all morality, freedom must be desired and protected.

Although centring his moral philosophy on autonomy, Kant does not ground moral values on authenticity, but on duty. In fact, Kant is known to be the most relevant representative of deontological moral theories, which place *duty* at the core of their system.

According to Kant, we must act from duty in order to protect our autonomy and respect the autonomy of all others[8]. Acting from duty is more than just acting according to duty. In fact, it is possible to comply with duty for other reasons than pure respect for the moral principle. If this were the case, our will would have been moved by egoistic tendencies, and only accidentally would the outcome of our action seem good. In a word, in order to be autonomous one must act from duty. All other motivations emerge from factors that constrain and corrupt our will. In this sense, a good will must be a rational will.

So what specifies rational will? In short, its universal orientation. The decisive criterion here is the “proof” of universality. If I want the maxim that

guides my action to become a universal one, I can prevent myself from acting according to my subjective desires. Willing a universal good is, for Man, a duty and an imperative because of his subjective imperfection. From there Kant draws the first formulation of his categorical imperative: “Act only according to that maxim through which you can at the same time will that it become a universal law” (Kant: 2011, 71). It is categorical because “it concerns not the matter of the action or what is to result from it, but the form and the principle from which it does itself follow” (Kant: 2011, 61). To understand the connection between duty and autonomy we must introduce the concept of “self-determination”, according to which Man is capable of giving rational ends to his will. In this sense, acting from duty is the ultimate expression of autonomy. The universal law that determines my action does not impose itself from the outside, but results from my understanding and self-determination. This is the source of human dignity. In Kant’s words: “Autonomy is thus the ground of the dignity of a human and of every rational nature” (Kant, 2011: 101).

A common critique to these two moral theories concerns the fact that they both, although for different reasons, leave aside all consideration regarding both the archaeological ground and the teleological orientation of freedom. In this sense, both are “acosmic”, that is, not referred to the world: “(...) no moral inspiration is to be found in the nature of things nor in the objective elements of our human condition”[9] (Léonard: 1997, 165). They can also be accused of being “formalistic”, as their systems are grounded in a formal conception of freedom and their principles are, most of all, without reference to concrete contents[10].

3) The third interpretation of our moral consciousness is termed teleological, making reference to the Greek word *telos*, which means goal or end. The focus of this theory is the relationship between reason and being,

centring its attention not on freedom as self-determination or pure autonomy, but on its openness to all there is.

The explicit purpose of this moral theory, which Léonard assumes to be his, is to provide an ontological and metaphysical foundation for morality. According to this thesis, although necessarily mediated by reason, moral values would be founded in being. In this sense, they could be said to be "objective", being, at the same time, created and found, invented and discovered. Being itself grounded in being and open to it, our reason would be in a position to take into consideration, and even receive inspiration from, the structure of reality while considering what is right and what is wrong. Seemingly paradoxical, this thesis states that moral consciousness is, at the same time, the origin of moral values, as they are established by it, and the medium to discover them, for they are already implied or suggested by the "natural order of things".

Yet recognizing the importance of Immanuel Kant, who has had the merit of demonstrating that it is reason that grounds both the "transcendence of moral obligation as it compels me (...) and its immanent character as it is imposed to me from within, that is to say, from conscience"[11], Léonard argues that reason must not be taken as the absolute origin of morality (1997: 172). According to him, only assuming the fundamental orientation of reason towards otherness, it is possible to overcome the excessive formalism of Kant's theory and, thus, propose concrete moral ends to a moral consciousness no longer enclosed in itself. Natural law would be the expression of those concrete moral principles, established and discovered by reason by contemplating the essences of things and of Man in the first place. God, as the creator of all there is, would be, according to this argument, the ultimate rule of morality. Leonard's purpose is to declare, little by little and going through different levels of mediation, God as the "supreme objective rule" of morality and natural law as its "mediated objective rule" (Léonard,

1997: 215). In this sense, and in order to remain loyal to what he calls Kant's "fundamental" and "definitive" finding, according to which "the essence of moral value and, as a consequence, the rule of moral consciousness, must be founded on the *conformity* of human action *with reason*"[12] (1997: 172), Léonard is forced to distinguish between "subjective" and "objective" rules of morality. Moral consciousness is, according to this thesis, and which Léonard revives from Thomas Aquinas, the "subjective rule of morality". At the end of the day, ethical decisions are taken within our personal moral consciousness. It is up to each one of us to decide how to act. Nonetheless, and due to its openness to transcendence and capacity to conceptualize and thus to understand beings not only in their singularity, but also in their universality, reason would also be able to establish and understand concrete moral principles which aspire to be universally and objectively good. This is what the author means when he states that reason, now called "right reason", is the "proximate objective rule of morality". Although still immanent and proximate, right reason is also in close relation with the "natural order of things". In this sense, reason would function as the necessary mediation between the subjective and the objective orders of morality.

In contrast to Kant's pure practical reason, which is *a priori* obliged to respect the categorical imperative, right reason is engaged with concrete moral principles implicitly inscribed in the nature of things. Taken as a whole, these moral principles form the natural law, considered the "objective and mediated rule of morality": "objective" because it would comprehend a set of *universal* moral principles; and "mediated" because those moral principles are not explicitly available among natural things, but are seized and established *by* right reason.

Accepting that universal moral principles could be deduced by contemplating the essence of things and of Man in the first place, we could then ask the question, as Léonard does: "what or who is the origin of these

essences and of their intrinsic ends?" (1997: 222). Léonard's answer is worth quoting in its entirety: "If we admit that metaphysics pursues the question of being until achieving God, then the answer will be that the dynamism of the essences proceeds from the Creator's intelligence and will"[13] (Léonard, 1997: 222-223). This is what it means for God to be the "objective and supreme rule of morality".

It is the figure of *otherness,* lived and experienced firstly in the encounter with others, secondly with being and thirdly with God that helps the author establishing his thesis. This "dependency" on *otherness* led Léonard to argue that universal friendship is the concrete imperative of this teleological moral theory: "Friendship, which seeks the good and the promotion of the other, is the fundamental moral value resulting from the openness of human reason to the structure of freedom and to the mystery of being"[14] (Léonard, 1997: 202).

Regardless of the difficulties associated with trying to ground ethics in ontology and, furthermore, in metaphysics, difficulties that will be mentioned below, André Léonard's thesis has, nevertheless, the merit of placing our relationship with the *other* at the core of moral life. As we shall see further on, this anthropological and ontological purpose, which Léonard assumes is close to the work of contemporary authors such as Martin Buber and Emmanuel Levinas, will be of great help and inspiration in developing our own approach to media ethics and, in particular, to establish the basis of an ethical framework capable of providing us with an insightful ethical guidance for the visual representation of the other (chapter 3).

At the end of this résumé of Léonard's views on ethics, it becomes clear that ethics or moral philosophy depend largely on preliminary concepts of Man and reality. As we have just seen, at the core of the divergence between different moral theories, the understanding of freedom and reason play a

crucial role. Since it is not possible to demonstrate theoretically freedom, nor even to find a minimum scientific consensus on it, we find ourselves in the situation of having to bet on its possibility and to seize it by looking at its concrete manifestations. It would be nonsense and contradictory to consider ethics and moral philosophy whilst not presupposing at the same time that Man is a rational being capable of acting according to his free and rational will. This should not prevent us, though, from acknowledging the fragile nature of our human freedom, constrained as it is by so many different internal and external factors, as we have just seen. Our freedom, as Léonard, following Ricoeur put it, is *motivated*, *embodied* and *contingent* (Léonard, 1997, 78). The big question is to know how to conceive freedom and reason. Léonard's classificatory scheme helps make it clear how different traditions of thought, each of which is based on different ontological and epistemological concepts, end up elaborating divergent, if not irreconcilable, anthropological and moral theories.

Although this is not a study on moral philosophy and general ethics, it is important for our purposes to underline the connection between ethics, philosophical anthropology and ontology, for it makes clear that any ethical discussion must go through a previous enquiry into our faculties and capabilities and also into the fundamental orientation of our freedom. In the case of photojournalism ethics, *mutatis mutandis,* the same requirements are present, as it would be impossible to understand and eventually challenge professional moral principles without at the same time assessing the conditions of practice and discussing what aims and ends are to be considered good[15]. We will come back to this point later. Before doing so, there are two related questions that need to be addressed: the first relates to the difficulties implied in finding a solid ontological ground for morality, and the second concerns the relationship between general and applied ethics.

1.3. General Ethics and Journalism Ethics

As Jacqueline Russ (1955) stated, ethical thinking faces the paradoxical situation of being considered the answer to many of our contemporary social issues and not having answers for its own lack of legitimacy: “It is within an absolute emptiness that contemporary ethics is created, in a place where the traditional ontological, metaphysical, religious bases of pure ethics and applied ethics have been erased” (Russ, 1995: 7). The foundations of ethics and morals have disappeared. Among the reasons for this “ethical emptiness”, Russ identifies the following: 1) the rise of nihilism, associated with the death of God as the supreme and transcendent support of morality (Nietzsche), 2) the crisis of legitimation affecting ideologies and the grand narratives, characteristic of our “postmodern condition” (Lyotard), 3) the rise of a new form of individualism, where narcissism and hedonism take the place of autonomy and freedom and, finally, 4) the relentless development of new technologies that increase significantly Man’s power to determine the outcome of his actions (Russ, 1995).

It is within this context of “ethical emptiness”, characterized by the enormous difficulty in establishing an ontological or metaphysical foundation for morality that the connections between general and applied ethics are to be sought. Two important questions arise here: 1) Does this lack of ultimate legitimacy undermine the attempt to establish a well-grounded professional applied ethics? If not, 2) What sort of help and orientation should we expect from general ethics in order to establish a coherent and legitimate journalism ethics?

A possible answer to the first question can be found in the work of Paul Ricoeur. In the *Postface au Temps de la Responsabilité* (Ricoeur, 1991),

Ricoeur argues that it would be “too damaging” to consider that the lack of an objective and transcendent reference for morality should jeopardize or sacrifice all enquiry into the *content* of moral precepts: “It is always, I believe, with reference to preliminary convictions that we pose the question of the foundation”[16] (Ricoeur, 1991: 256). Although recognizing that this lack of justification ends up leaving all moral questioning pending, Ricoeur is convinced that this “provisional regime” is sufficient for guiding individual and collective behaviours. Having been invited to write the postface of a collective book (Lenoir, 1991) dedicated to exploring the distinct ethical challenges posed by our increasing capacity to transform reality, particularly sensitive in the case of environmental ethics and bioethics and also significant in the case of business ethics and media ethics, Ricoeur observes two trends that seem to confirm his thesis:

1) Regardless of the irreconcilable disagreement existing between Christians and agnostics and between supporters of an ethics of dialogue and an ethics of individual alterity/otherness, there is a significant consensus on the main moral principles ruling the distinct fields of praxis. Moreover, the existing disagreements regarding professional principles do not overlap with the ones concerning foundations.

2) While focusing on the various contributions to this collective book, Ricoeur identifies two main attitudes: one that claims that the possible answers to these new ethical challenges must be sought within a set of common and enduring convictions, and another that argues that we need to formulate new convictions or to reformulate the old ones.

In this sense, and in line with Ricoeur’s thesis, we will also argue that the lack of an ultimate ontological justification for morality should not undermine the attempt to establish well-grounded professional ethics. So the question now is: what sort of help and orientation should we expect from

general ethics in order to establish coherent and legitimate journalism ethics? To answer this question it is useful to recall the distinction between ethics (or moral philosophy) and morality and to highlight the different and complementary roles played by each one of them. As we mentioned previously (section 1.1), *ethos* and *mos*/moris have the same etymological origin: the Latin *mos/moris* is a mere translation of the Greek *ethos.* Nevertheless, some influential authors, such as Paul Ricoeur himself, consider it useful to distinguish the two concepts and to assign to each one a different and complementary role: “It is, therefore, by convention that I reserve the term “ethics” for the aim of an accomplished life and the term “morality” for the articulation of this aim in norms characterized at once by the claim to universality and by an effect of constraint” (Ricoeur, 1992: 170). Still according to Ricoeur, it is possible to recognize in these two different orientations the opposition between two heritages: the Aristotelian one, centred on the “aim at a good life” and thus characterized by its teleological perspective, and the Kantian one, focused on duty and on the obligation to respect the norm, and thus characterized by its deontological approach.

For the author of *Oneself as Another*, there is no reason to consider these two approaches incompatible, for “they belong to two different dimensions of practical philosophy” (Ricoeur, 1996: 691). According to his famous thesis, the relationship between ethics and morality should be considered as follows: “1) the primacy of ethics over morality; 2) the necessity for the ethical aim to pass through the sieve of the norm; 3) the legitimacy of recourse by the norm to the aim whenever the norm leads to impasses in practice” (Ricoeur: 1992, 170).

It is within the horizon drawn by this ethical theory that we are going to look for an answer to the question we asked above: what sort of help and orientation should we expect from general ethics in order to establish coherent and legitimate journalism ethics?

By stating the primacy of ethics over morality, Ricoeur is, at the same time, subordinating a deontological approach to morality to a teleological approach to ethics. This means that, according to this thesis, the ultimate justification for moral principles must be sought within the scope of a wider enquiry into goals and aims. An interesting link to professional and applied ethics could be established here, for this thesis makes it clear that if we are to assess or establish guiding principles for journalism and photojournalism (the question of knowing to what extent should they be taken together will be discussed further on in the next section), we must previously discuss what journalism is for. Only afterwards would it make sense to establish concrete rules for action. This sort of approach to media ethics may be found in the different works of authors such as Boris Libois (1994), Daniel Cornu (1994; 1997) and Benoît Grevisse (2000). Other authors, although not claiming the heritage of Paul Ricoeur, such as for instance Bill Kovach and Tom Rosenstiel (2001; 2011), develop, nevertheless, their theories in accordance with this philosophic theory. It should also become clear that the debate regarding the functions and purposes of journalism entails taking a position on its multiple political, ethical, social and cultural roles in society. In this sense, all journalism ethical theories rely, in one way or another, more or less explicitly, wishing it or not, on a previous philosophical conception of Man and society. In this sense, and in spite of the issues surrounding its own legitimacy, ethics can still play a fundamental role in enquiring about the ultimate purpose of journalism and in submitting rules and regulations to a critical analysis. As Paul Ricoeur declared in his speech delivered in Barcelona in 2001, when the University Ramon Llull awarded him the degree *Doctor Honoris Causa*, the work of an ethical enquiry is “(...) to seek a more solid grounded basis for moral obligation than that of a simple “you must”[17] (Ricoeur, 2001, 32).

An insightful reflection on the sources of obligation, later applied to journalism ethics by Daniel Cornu (1994), can be found in Otfried Höffe’s

Political Justice: foundations for a critical philosophy of law and the state (Höffe, 1995[18]). According to Höffe, it is possible to distinguish three different levels of obligation, hierarchically ranked, each of which correspond to a different meaning of the word “good”:

- The first is merely technical and instrumental and concerns procedures. No reference is made here to objectives or to ultimate ends. “Good” here means “good for something” (Höffe, 1995: 29); there is no intrinsic value within it. At this level, obligation is taken in its weakest sense. It compels for technical and strategic reasons.

- The second meaning is referred to as pragmatic. In this case, “good” means “good for someone”. Actions are good if they are useful and advantageous. Their value results from the consequences they produce in particular situations. The logic here is utilitarian. It is the welfare of all affected parties that constitutes the source of obligation.

- Finally, the third level is called ethical. It is at this level and at this level only that “good” is referred explicitly to ultimate ends and obligation gets its strongest meaning. What is “good” obliges us not because of any extrinsic reason, but because it imposes itself from within. It is from this ethical level of obligation that the two other subordinated levels, the technical and the pragmatic, receive their ultimate legitimacy.

Applying the thesis of Otfried Höffe to journalism, Cornu argues that it pertains to ethics to enquire into the ultimate goals and ends of journalism and to define, accordingly, the main ethical attributes of what we could call “good information” (Cornu, 1994: 133-136). This is a crucial point, for the possibility of assessing the propriety of professional moral precepts and eventually challenge their ability to answer to some of the new ethical challenges that arise in the new media landscape, relies on this previous

critical enquiry. Moreover, it is this concept of ethics, which we have been drawing with the help of Paul Ricoeur, Otfried Höffe and Daniel Cornu, that supports our own research project.

As we mentioned in the introduction, the main purpose of this study is to enquire into some of the long-standing assumptions upon which photojournalism ethics has been grounded. It is our contention that photojournalism's credibility should no longer rest on the old paradigm of analogical photography and that a reformulation of some of its basic assumptions is paramount if photojournalism is to maintain its social function and thus be faithful to its *ethos*. It is, therefore, in the face of photojournalism's ultimate ends and goals that professional moral principles and the convictions upon which they rest should be assessed. In this regard, the critical dimension of this concept of ethical thinking is intrinsically linked to its teleological orientation.

Before proceeding to the next section, which is dedicated to critically discussing journalism's basic principles, it is worth underlining yet another important contribution of this ethical theory to journalism ethics. Our attention will now be focused on those situations where norms lead to impasses in practice, that is, when it is not clear what norms should be applied in particular situations.

As we have seen above, according to Paul Ricoeur, although highly important for their "claim to universality" and "effect of constraint", norms can still lead to impasses. How should we act in those situations in which different courses of action seem to be legitimated by different and competing norms? According to Paul Ricoeur, knowing what to do in those circumstances may require the "recourse by the norm to the aim". In this sense, acknowledging that there are different levels of journalistic obligation, and that among them it is possible and even desirable to establish a ranking

of importance, can be extremely useful. As we have seen with the help of Otfried Höffe, some rules compel more than others.

More dramatic situations occur when the norms in competition belong to the same level. The obligation to inform the public, on the one hand, and to respect the privacy of those affected by the news, on the other, constitutes a typical example of this sort of journalistic ethical dilemma. In these cases, the recourse to the aim requires from each one a sort of *practical wisdom* capable of deliberating on, for a particular situation, what counts as the "specification best suited to the ultimate ends pursued" (Ricoeur, 1992: 175). Hans-Georg Gadamer also comments on the concept of practical wisdom, which he also takes from the Aristotelian *phronesis*, while discussing in *Truth and Method* "the hermeneutical relevance of Aristotle". Gadamer's observations on the topic are of enormous interest, for they concern the question of knowing how to apply general laws to particular situations. While discussing the nature of *practical reason*, in the context of legal hermeneutics, Gadamer introduces the Aristotelian notion of *epieikeia* (equity), which he defines as "the correction of the law" (Gadamer, 2004: 316). The law is always in a "necessary tension with concrete action", not because of any intrinsic deficiency, but because it does not fully match with our "imperfect" human reality (*Ibidem).* In this sense, applying the law entails a particular kind of knowledge that is not merely technical. In some circumstances, the one to apply the law may "have to refrain from applying the full rigor of the law (...) not because he has no alternative, but because to do otherwise would not be right" (*Ibidem*). In the case of a craftsman, whose work also involves applying rules (though technical ones), fulfilling a particular request may oblige him to readapt the usual procedures, but not to challenge the technique itself. In the case of moral deliberation, "restraining the law" may in some circumstances be synonymous with "finding the better law" (*Ibidem*). What is at stake with moral knowledge is the ability to understand "what the concrete situation asks" of each one of us (Gadamer,

2004: 311). And there are no methods, special techniques or magic formulas available. Choosing the right means to achieve the pursued ends depends on us. As Gadamer put it, moral knowledge implies “deliberating with oneself” (Gadamer, 2004: 318).

Before continuing, let us briefly summarise the main conclusions reached in this section:

1) The difficulty in finding a consensual source of legitimacy for moral philosophy should not jeopardize the attempt to establish a well-grounded professional applied ethics.

2) Despite this crisis of legitimacy, there is a broad consensus on the main moral principles ruling the different fields of praxis, including, as we shall see further on, journalism ethics.

3) In order to face the ethical challenges that arise in the new media landscape, it is important to challenge the enduring convictions that support journalism ethics.

4) The ethical enquiry into those enduring convictions must take into account not only the ultimate ends of journalism, but also its conditions of practice.

5) The main characteristic of moral knowledge or practical wisdom is the ability to understand what is right in a given situation.

It is on the basis of this concept of ethics, which we have been drawing little by little, that we now go on to look at journalism’s ethical moral principles.

1.4. Journalism: essential moral principles

The purpose of this study, as has already been stated, is to critically examine some of the enduring assumptions upon which photojournalism ethics has been grounded. It is our contention that some of those long-standing convictions can no longer help in dealing with the major challenges that news outlets face in the current media landscape. This question is particularly relevant in the case of the visual representation of reality.

The impressive level of sophistication reached by the various technologies of the image has contributed to generating a simultaneous effect of fascination and suspicion. Never before have our daily lives been overwhelmed by pictures and videos. Pictures are everywhere. Nonetheless, and regardless of their "omnipresence", our faith in their truth-value may have never been so threatened. At least with regards to journalism, pictures are accused of depicting staged events (or pseudo-events), of being doctored, of distorting reality through framing techniques and even of representing different things from those mentioned in their captions. Verification, in the context of visual journalism, has become increasingly demanding, as technology has reached higher and more sophisticated levels.

In spite of all the criticism, we strongly believe that a "good" press requires "good" pictures. Now, what do we mean by "good" pictures? What is proper of a "good" press photograph? What are the essential moral values that help configure a "good" press photograph? Briefly, what defines the *ethos* of photojournalism? And what should be the best method to seize it? Is it reasonable to expect photojournalism to share the same ends and goals as journalism *tout court*?

In order to answer these questions, some considerations have to be made. The first concerns the fact that the mission of the press will be analysed here from a Western perspective, within the inheritance of the liberal political thought of John Milton, John Locke, Thomas Jefferson and John Stuart Mill. It is not the purpose of this study though to go through the history of political thought or to elaborate on the roots of freedom of speech and freedom of the press. Our purpose here is significantly humbler. We wish to identify the main political and social functions of the press within the Western tradition and accordingly examine its basic moral principles. This does not mean, however, that we are willing to accept uncritically the heritage of a pure liberal theory of the press. On the contrary: history has shown us that a free press must be protected from other influences than just the political one and that the mission of the press must go beyond the role of watchdog. Insightful considerations on the issue can be found, among others, in works by Daniel Cornu (1994), Boris Libois (1994) and Carlos Ruiz (2010). While it would be naive and ultimately deceiving not to declare the historical and cultural background that informs our own theories, this recognition raises two interrelated questions that need to be addressed: 1) Are we condemned to ethnocentrism? and, 2) Is it possible to reconcile this affiliation with universalism?

These two questions lead us to a second consideration concerning the debate between universalism and communitarianism, which made its entry in media literature in the 1990s, due mainly to its importance for public journalism theories (Black, 1997). On the basis of these theories lays the idea that the aim of journalism is to strengthen communitarian bonds. For the supporters of these journalism theories, sometimes also called civic or communitarian theories, citizens and members of local communities should be able to take part in important editorial decisions and should be given the opportunity to have a say in what journalists are to investigate and what questions are to be addressed. In this sense, the definition of “good”

journalism should be thought by and for the members of each local community. Regardless of their evident interest, these theories need to deal with an important threat: relativism, and how to overcome it. According to Christians (1997a), it is possible to reconcile communitarianism and universalism. The touchstone is the concept of “common good”, that is, goods that are valued by real communities. According to Christians, universalism and communitarianism should enrich each other mutually. On the one hand, “universal values provide a framework for bringing our community conventions under judgment as necessary” (Christians, 1997a: 22) and, on the other, by rooting universal moral principals in “common goods”, it is possible to prevent universalism from becoming excessively “formal” and “static”. The important thing is to make sure that “(...) appeals to universals must be done without presuming traditional versions of foundationalism”, considered context-insensitive and excessively objectivistic (Christians, 1997a: 23). The argument used to overcome a purely formal legitimacy is to establish an intrinsic link between values' universal claim and the existing worldwide consensus on them. This does not mean though that their universality could be deduced directly from consensus: “common goods” are ultimately grounded in our human oneness, that is to say, in an ontological understanding of our nature. The role of this communitarian consensus is to strengthen their legitimacy. In other words, the function of this intersubjective agreement is to help ratify the universal nature of those values. Nevertheless, and regardless of this argumentative effort, the ultimate source of legitimacy remains in dispute, as there is no necessary reason for this worldwide consensus on universal values to exist.

Taken together, these two preliminary considerations allow us to state the following conclusions:

1) It is possible to explore the ultimate ends of journalism and photojournalism within a particular tradition of thought without renouncing to

the ambition of stating their universal value, thus avoiding accusations of ethnocentrism and relativism.

2) The idea of a wide consensus on particular “common goods” may provide a powerful argument for establishing the mission of the press and journalism’s basic moral principles.

As we have seen, according to Paul Ricoeur (1991), regardless of the difficulties in ultimately justifying morality, there is wide consensus within distinct fields of activity regarding their professional moral principles. In the case of journalism, studies carried out by different authors corroborate this thesis. With the purpose of enquiring into the mission of the press and journalism’s most fundamental moral values, we must now review some of those studies.

Our strategy will be the following: firstly, and inspired by the work of Otfried Höffe (1995) and Daniel Cornu (1994), we will argue that the three main moral principles of journalism are: freedom, truth and respect for human dignity. Secondly, and in order to reinforce this thesis, we will compare it with two other studies focused on journalism’s universal shared values (Elliot, 1988; 2009) and journalism’s main elements (Kovach & Rosenstiel, 2001; 2011). Finally, and throughout the next section, we will discuss the question of knowing to what extent journalism’s moral principles should be applied to photojournalism.

Applying the distinction between the three levels of obligation established by Otfried Höffe to journalism’s codes of ethics, Daniel Cornu (1994) concludes that it is possible to organize their contents according to four main categories: *mission of the press*, *freedom*, *truth* and *respect for human dignity*. The first establishes the purpose and aim of journalism, while the other three stand for the ultimate moral values that subsume all technical

and pragmatic aspects of information. This does not necessarily mean, however, that all these documents explicitly organize their contents around these four main categories. Some deliver them rather randomly. In some cases, it is even possible that no explicit reference is made to any one of them. The case of “truth” is paradigmatic. Some codes of ethics omit explicit references to this fundamental moral value, opting for alternatives such as accuracy, precision or exactness, which could all be taken as its pragmatic correlatives, that is, as different and complementary means to achieve it.

References to the *mission of the press* are generally included in the headings and preambles of journalistic codes of ethics. In spite of the plurality of their formulations, most of these references highlight the key role played by journalism in democratic societies, providing citizens with information required for them to take decisions regarding their individual and collective future, serving as a counter-power by playing the role of watchdog, denouncing violations to the social contract and to citizen rights, or helping to generate a forum for public debate. While stressing the political and social function of the press, these documents also justify their own legitimacy and importance. As Claude-Jean Bertrand stated, if it was not for its impact on and importance for society, there would be no need for any sort of journalism ethics.

Freedom of the press plays a particular role within journalism ethics, for it is at the same time a condition of its possibility and one of its most important values. It would be nonsense to suggest how journalists and news media should carry out their work if they were not free[19]. Authors such as Benoît Grevisse (2000) hold that it is contradictory to claim a more responsible press while at the same time blaming external factors for the faults of journalism (technological determinism; lack of time; pressure of public relations organisations, etc.). Freedom of the press is not only a necessary condition of journalism ethics, but more broadly of journalism

itself. In this sense, it is a moral duty for journalists to protect their freedom and to disclose all attempts to control it.

While there is an important role played by the political power in developing a legal framework that guarantees and protects freedom of the press, and provides journalists with the legal rights required to carry out their work, there is also an important role played by journalists themselves in order to safeguard the independence of their work.

Among the different rules that can be found in journalistic codes of ethics that set out to promote and protect freedom of the press, it is possible to identify four main groups: 1) disinterest; 2) refuse political and commercial propaganda; 3) resist all attempts of manipulation and pressure; 4) the rights of journalists.

Regarding disinterest, codes of ethics recommend that journalists do not accept gifts and rewards from their sources or from those they cover, for it could raise public criticism regarding their independence. As the saying goes: *Caesar's wife must be above suspicion.* For the same reason, journalists are recommended not to accept having their travel expenses paid by those who invite them to cover international affairs. Finally, journalists should avoid working on stories linked to their personal interests.

A second set of rules concerns the refusal of commercial propaganda. The major threat identified here is the influence of advertising over editorial content. The more news media depend on advertisers to fund their projects, the more their editorial independence is threatened (McQuail, 2010). Environmental journalism is, among others, particularly sensitive to this kind of influence. The 2007 United Nations' report on media coverage of climate change has concluded that news media's room for manoeuvre to report on climate change is limited by the fact that the majority of polluting companies

are also important advertisers (Baykoff and Roberts: 2007). More information on the subject can be found in Allan *et al*. (2000).

A third set of rules concerning freedom of the press focuses on political and economic manipulation. Journalists are encouraged to resist all attempts to influence their work. This is probably one of the major topics concerning press freedom. Together with commercial propaganda, economic and political pressure expose the limits of an ethics centred exclusively on journalists and their individual responsibilities (Cornu, 1997). Resisting political and economic pressure is something journalists will not be able to do without the support of their organizations. Refusing to be manipulated by political and economic powers is also a moral duty for news organizations themselves.

Finally, the fourth set of rules related to the freedom of the press focuses on journalists' rights to refuse to act against their own moral consciousness and against the editorial principles of their company.

Truth is, at the same time, journalism's most important and most controversial moral principle. As mentioned before, there are even some codes of ethics that simply omit explicit references to it, opting instead for "soft" versions or pragmatic correlatives (accuracy, exactness, rigour). Since discussing truth always involves taking a position with regard to metaphysically, ontologically and epistemologically complicated questions, no theoretical approach to it is without criticism. The multiple versions in use, which range from "real truth", "religious truth", "scientific truth", "objective truth", "journalistic truth", etc., are symptomatic of the pluralistic understanding of truth. Regarding journalism, the discussion is generally centred on the relationship between truth and objectivity, which is another highly controversial concept. Chapter 2 is dedicated to exploring the historical roots of objectivity in journalism and its application to the ethics of

photojournalism. It is our contention that it was the need for photographers to be accepted within the circle of professional journalists that forced them to commit themselves to the ethical guidelines of written journalism, regardless of the fundamental differences existing between words and pictures. Given that the means through which the former and the latter represent reality are intrinsically different, the means to provide a thorough and truthful account of reality must also be different. Before going through the technical and pragmatic dimensions of truth in photojournalism, however, we must demonstrate that truth is actually one of the founding moral principles of journalism.

Despite the numerous issues surrounding the concept of truth, journalistic codes of ethics provide a set of rules aimed at promoting it. According to Daniel Cornu (1994), it is possible to group them in the following categories: the relationship with the sources of information; the refusal of disloyal methods of gathering information; the obligation to rectify incorrect information; the protection of sources.

Regarding sources of information, there are two main kinds of concerns: on the one hand, journalists are required to take into account the ideas and opinions of all those involved in a story. Not doing so would jeopardize the possibility of a thorough and comprehensive report. Subtle forms of discrimination take place when certain groups, especially minorities, are deprived of actively participating in the public discussion. And it is worth mentioning here, as Kovach and Rosenstiel (2001: truth...), among others, do, that it is a mistake to insist on the idea that there are only two sides to a story. Some authors argue that this dualistic understanding of reality could be the result of applying the polarized structure of American politics, dominated by the opposition between Republicans and Democrats, to journalistic narratives (Kovach & Rosenstiel, 2001). On the other hand, codes of ethics recommend journalists to identify their sources of information, for the

credibility of their work relies on it. Political journalism is particularly sensitive to this question. In fact, the use of confidential sources in political matters is not always justified and when not used carefully it can lead to manipulative control of the press.

A second set of rules related to the promotion of a truthful report of reality concerns the methods of gathering information. Journalists should strive to use only moral and legal methods to document their stories. This set of rules has a particular relevance for photojournalism: the use of hidden cameras, telephoto lenses or images available on social media provides some examples of debatable questions. The use of dishonest or even illegal means to seek information is only justified if there is no other way left to get it and if this information is considered of public interest.

The obligation to rectify incorrect information is also present in most international journalistic codes of ethics. Regarding this point, Cornu underlines that complying with this moral obligation is sometimes the result of not having conducted a thorough investigation beforehand. These situations reveal that it is possible to comply with the letter of the law while violating, at the same time, its spirit.

Protecting confidential sources of information is the fourth set of rules aimed at seeking truth in journalism. Besides being a moral obligation, the protection of sources is also a right protected by national constitutions in many countries. The disclosure of sensitive inside information is often risky for sources, as they may not dare to share it with journalists if their identities were not properly protected. Breaking this agreement would only be justified if journalists could demonstrate that they had been intentionally manipulated by their sources. In practice, news media prefer to deal with accusations of delivering false information than to disclose their confidential sources and publicly charge them for wrongdoing. The recent disclosure of classified

information from the National Security Agency by Edward Snowden to *The Guardian* and other news media (starting 2013) revealed what is probably the current biggest threat posed to journalism, for it seriously compromises the possibility for journalists to protect their confidential sources.

Still regarding truth seeking, there is one important category not mentioned by Daniel Cornu: image manipulation. The inclusion of rules in journalistic codes of ethics proscribing post-processing techniques that mislead readers by affecting the integrity of news images became common in the mid 1990s. That is probably the reason why there is no mention of it in Cornu's book. The digitization of photography and the numerous challenges it poses to journalism ethics will be discussed in the next chapter.

The respect for human dignity is the third fundamental journalism moral principle and, according to the insightful expression of Daniel Cornu, it "sets limits to the public's right to know" (Cornu, 1994). Going through the various journalism codes of ethics, it is possible to identify distinct recommendations that specify what respect for human dignity consists of: protection of honour, reputation and privacy; protection of the identities of those involved in legal research and presumption of innocence; respect for the public's sensitivity and for minorities.

The first set of rules is centred on the protection of personal rights. Journalists must take extreme care not to offend people's honour and reputation. Accusations without proof must be considered unacceptable in any circumstance. Slightly different is the situation concerning the protection of people's privacy, for most codes of ethics admit exceptions to this general rule whenever there is an indisputable public interest. The difficulty here is defining what constitutes public interest. The code of editors of the former Press Complaints Commission, now the Independent Press Standards

Organisation (IPSO), is one of the few that tried to define it, although more or less loosely: “Public interest includes, but is not confined to:

i) Detecting or exposing crime or serious impropriety;

ii) Protecting public health and safety;

iii) Preventing the public from being misled by an action or statement of an individual or organisation”[20].

While abusive interpretations of public interest are being used to “justify” unacceptable intrusions into people’s privacy, restrictive interpretations are also preventing people from accessing important information. The major implications of this situation for photojournalism will be discussed in chapter 3.

A second set of rules meant to promote the respect for human dignity include those that refer to the protection of the identities of those involved in legal research, especially if they are underage, and the presumption of innocence. Some codes of ethics also mention the need for journalists not to publish images or information that could identify children involved in crimes, especially if they are violent or of a sexual nature. The presumption of innocence is another form of respect for human dignity. When reporting on cases being investigated, journalists should be extremely careful not to incriminate anyone or suggest people’s guilt before a final judgment is pronounced.

Finally, a third set of rules concerns the respect for public sensitivity and for minorities. Both of them have important implications for photojournalism. The first refers to questions of taste and public morality. Journalists should be scrupulous when publishing graphic content photographs. What is at stake here is not so much the integrity of the photograph, but its inappropriateness (considered too violent, obscene, etc.). As happened with

the concept of “public interest”, “public sensitiveness” can also be used as an argument for withholding important (visual) information. We will come back to this point in the next section.

Regarding minorities, codes of ethics prohibit all sorts of discrimination based on sex, race, nationality, language, religion, ideology, culture, class, sexual orientation and disability. The representation of the *other* is another major topic within journalism and photojournalism ethics. Given that the *other* is generally depicted differently from the *same,* it could arguably be said that media ethics is also about geography. It is about physical and symbolic distances, for both determine the way people are portrayed and the opportunities they are given to express themselves and thus to actively participate in the public sphere. We will come back to this point in chapter 3.

1.5. Challenging Daniel Cornu's theory

Following our strategy, we will now challenge Daniel Cornu's thesis, according to which journalism's fundamental moral principles are freedom, truth and respect for human dignity, by referring to the theses of Deni Elliott (1988; 2009), Bill Kovach and Tom Rosenstiel (2001; 2010).

In a very concise text published in 1988, titled *All is not relative: essential shared values and the press*, Deni Elliott sustains that journalists share a set of essential moral values that, "though rarely articulated", define journalism's identity and provide the standards for deciding what behaviour is acceptable and what is unacceptable (1988: 29).

Recognising that these shared values could not be proven by surveys or any other "nose-counting techniques", and that empirical evidence could only provide an approximate description of them, Elliot contends that these essential values can be considered "universal, normative and definitional" (1988: 30). To test their essentiality, the author suggests a negative procedure: "The way to check out whether or not some value is essential to a field is to see what would happen if that essence were removed" (Elliott, 1988: 30). Although basing her theory on the American reality, Elliot contends that these shared moral values have a universal dimension, being perfectly appropriated for guiding 21st century journalism: "This author identified three shared values that are sustained across culture and time, and paradigm shifts as well" (Elliot, 2009: 36). As we shall see further on, besides Deni Elliott, Bill Kovach and Tom Rosenstiel are also convinced that the basic journalism moral values are as legitimate and appropriate now as they were in the past, regardless of the important transformations journalism is undergoing.

For Deni Elliott, there are three essential moral values in journalism. According to the first, journalists should strive to publish “balanced, accurate, relevant and complete” information. According to the second, journalists should strive to publish balanced, accurate, relevant and complete information “without causing harm that could be prevented”. Finally, according to the third, “journalists should strive to give citizens information that they need for self-governance” (2009; 36-37). Considered the “defining principle of the practice of journalism”, the third moral principle is also the one that justifies that, in particular circumstances, when information is of public interest and there is no alternative, harm could be done to people.

Despite the similarities, Deni Elliot and Daniel Cornu’s theories do not completely coincide. Three important differences can be observed.

The first concerns the fact that for Elliott “giving citizens the information they need for self-governance” is a moral value, while for Cornu it is the mission of the press. It is unquestionable that the mission of the press has a moral nature and that it is good for journalists to comply with their mission. But technically it is worth maintaining the difference between what constitutes the purpose of journalism and the moral values governing information. The former establishes the criteria for assessing the appropriateness of the latter. If the mission of the press were different, the moral values governing information would have to be reconsidered.

The second main difference is the lack of reference to freedom in Elliott’s theory. For Cornu, freedom is not only a condition *sine qua non* for the practice of journalism, but is also one of its fundamental moral principles. The legal recognition of the right of freedom of speech and freedom of the press does not guarantee a free and independent press. For journalists, it is a duty to protect and promote them.

Finally, the third major difference is conceptual. Bearing in mind Otfried Höffe's theory of obligation, it could be said that Elliott's enquiry is confined to a pragmatic level, not a moral one. *Balance, accuracy, relevance and completeness* are means to promote a truthful report of reality and *avoiding harm*, an expression of the respect for human dignity. In this sense, the values proposed by Deni Elliott are not as essential as those proposed by Daniel Cornu, for the former could be subsumed in the latter without completely reducing their meaning.

Among other possible strategies to establish the mission of the press and accordingly define journalism's moral values, the one adopted by the Committee of Concerned Journalists in 1997 (at the time led by Bill Kovach and Tom Rosenstiel), which resulted in the publication of *Elements of Journalism: What news people should know and the public should expect* (Kovach and Rosenstiel, 2001), is a very interesting one. One of the main focuses of interest relates to the fact that the authors decided to involve not only professionals in the discussion about the press's mission, but also academics and citizens.

In the introduction of their book, the authors say that the idea of carrying out a comprehensive study on the fundamental elements of journalism came up as a result of an important meeting that gathered some of the top American newspaper editors, influential names in television and radio, top journalism educators and prominent authors at the Harvard Faculty Club, in June 1997, to discuss the lack of credibility affecting journalism. The fact that many among them conceded that the public had good reasons not to trust news media organizations led them to take action. A plan was undertaken to engage journalists and the public to examine what journalism was supposed to be. For two years the Committee of Concerned Journalists carried out "the most sustained, systematic, and comprehensive examination ever conducted by journalists of news gathering and its responsibilities" (2001: 4).

This huge project included 21 public forums, which were attended by 3,000 people and allowed more than 300 journalists to share their views on the subject; it also involved a team of academic researchers who 1) conducted more than a hundred interviews with journalists about their values; 2) produced surveys about journalists' principles; 3) organized academic meetings with journalism scholars about the First Amendment and, 4) in collaboration with the Project Excellence in Journalism, carried out different studies on news reporting.

The outcome of such a comprehensive examination was a "description of the theory and culture of journalism" that citizens expect journalists to apply and that could be summarized in the following ten core principles:

1. Journalism's first obligation is to the truth.
2. Its first loyalty is to citizens.
3. Its essence is a discipline of verification.
4. Its practitioners must maintain an independence from those they cover.
5. It must serve as an independent monitor of power.
6. It must provide a forum for public criticism and compromise.
7. It must strive to make the significant interesting and relevant.
8. It must keep the news comprehensive and proportional.
9. Its practitioners must be allowed to exercise their personal conscience.
10. Citizens, too, have rights and responsibilities when it comes to the news[21].

(Kovach & Rosenstiel, 2001: 5-6)

In order to challenge Daniel Cornu's theory, we could now ask: do these elements of journalism include any new fundamental moral principles to journalism ethics? Or is it possible to subsume all their content under the three essential moral values already identified (freedom, truth and respect for human dignity)?

Following the same methodological procedure already used when challenging Cornu's theory with Elliot's essential shared values in journalism, it is possible to argue that among the ten elements of journalism, three are related to the mission of the press, four to freedom, three to truth and one not strictly related to journalism practice.

Among the elements referring to the mission of the press, clause five claims that journalism "must serve as an independent monitor of power"; clause six states that journalism "must provide a forum for public criticism and compromise" and clause seven holds that journalists "must strive to make the significant interesting and relevant". These three principles complement the "primary purpose of journalism", which, according to Kovach and Rosenstiel, is to "provide citizens with the information they need to be free and self-governing" (Kovach & Rosenstiel, 2001: 12). As we have seen with the help of Daniel Cornu, most of these principles are commonly mentioned in journalistic codes of ethics. In their headings and introductions, these documents stress the political function of the press, not only underlining its role as a watchdog, but also the important mission of providing an equitable access to the public sphere. In this context, the most original remark is the one that stresses the importance of abandoning conventional journalistic formulas in order to make "the significant interesting and relevant". The inverted pyramid writing technique is one of those paradigmatic formulas the two authors believe should be challenged (Kovach & Rosenstiel, 2001: 189). There is no fundamental reason why storytelling should be limited by this long-standing technical convention. Long before Kovach and Rosenstiel, John C. Merrill advocated for broadening journalist's room for manoeuvre (Merrill, 1974). In his *Imperative of freedom,* the Emeritus Professor at the University of Missouri also contends that journalistic techniques learnt in schools of journalism end up promoting a standardized depiction of reality, impoverishing diversity and plurality, which, according to the liberal theory of the press, are two fundamental instruments

for favouring the disclosure of sensitive information. For Merrill, the use of plural and original reporting techniques is paramount in order to provide a comprehensive and thus truthful account of reality. It would be interesting to consider whether this productive argument could also be applied to the visual representation of reality. We will come back to this interesting hermeneutical question further on in chapter 3.

Regarding the elements of journalism that could be subsumed under the category of “freedom”, clause two states that journalists’ “first loyalty is to citizens”, clause four claims that journalists “must maintain an independence from those they cover”, clause five contends that journalists must “serve as an *independent* monitor of power” (our italics) and clause nine states that they “must be allowed to exercise their personal conscience”. When comparing these different elements with the rules identified by Daniel Cornu, we come to the conclusion that most of them are quite similar. The first one concerns journalists’ loyalties. By stating that journalists’ first loyalty is to citizens, the authors emphasize the social responsibility of the press and its political function. Moreover, journalists would not be free if they had to account for their actions mainly to their chiefs, to their peers or to the medium itself. Their first moral obligation is to society and to citizens. They work in the public interest.

Concerning the most “controversial moral value”, the first principle is straight and clear: “Journalism’s first obligation is to the truth”. All other elements of journalism can be subsumed under this first one, that is, they can be taken as a means to promote a thorough and truthful account of reality: clause number three declares that journalism’s “essence is a discipline of verification” and clause number eight states that journalists must “keep the news comprehensive and proportional”.

Among the ten constitutive elements of journalism there is not a single one explicitly dedicated to the respect for human dignity. It is as if the ethical concern about how journalists should address the representation of other human beings was not essential for providing a "description of the theory and culture of journalism" (Kovach & Rosenstiel, 2001: 6). Even when authors refer to *minorities,* for instance, they do so to underline the need for newsrooms to be ethnically diverse in order to provide a plural depiction of reality. In other words, minorities are referred to within the debate on journalism and truth, not in the context of a wider discussion about the respect for human dignity. It is worth noting that at the start of this comprehensive study that resulted in the publication of *The Elements of Journalism* there was widespread concern about the lack of public trust in news media. In this sense, it is understandable that the focus of the research was on freedom and truth and on the means available to promote them.

Finally, there is one constitutive element of journalism that could not be subsumed under any of its three fundamental moral principles identified by Daniel Cornu: the one related to citizens' responsibilities regarding news. It is worth recalling that this tenth principle was not originally included in the first edition of *Elements of Journalism: What newspeople should know and the public should expect* (Kovach & Rosenstiel, 2001), but added later on in the second edition (2007).

The idea of involving the public in media ethics is not new. Among others, Claude-Jean Bertrand (1997, 2000) was one of its most committed advocates. According to Bertrand, the development of a responsible press relies upon the existence of a demanding public. Professionals committed to moral values are "too few and too vulnerable to confront economic and political forces alone. They need the support of the masses of media users with their great voting and purchasing power" (Bertrand, 2000: 210). This is why it is so important to establish a pedagogical relationship with the public,

and to explain how news media operates, what people should expect from it and what its limitations are. Besides contributing to enforcing media ethical standards without compromising the *freedom* of the press, Media Accountability Systems (M*A*S*), which Bertrand defines as “any non-State means of making media responsible towards the public” (Bertrand, 2000: 205), should also assume this pedagogical function.

Regardless of the importance of involving the public in journalism ethics, it is doubtful whether we could properly included it among journalism’s core moral principles. In a strict sense, the three journalism moral principles (freedom, truth and respect for human dignity) refer to journalists —or to journalism practitioners— and to their work, not to the public or to citizens. The contested question of knowing who should be considered a journalist will be discussed in the next section.

In 2010 Kovach and Rosenstiel published a book titled “Blur: how to know what is true in the age of information overload” (Kovach & Rosenstiel, 2010). In this second book, the authors challenge the ability of the established elements of journalism to grasp the essence of an activity that is going through important changes, as it is now characterized by an increasing participation of the public. Journalism, the authors declare, “is no longer a lecture. It is more of a dialogue -and potentially richer than ever before” (Kovach & Rosenstiel, 2010: 172). And they continue:

> *As the press changes, however, we believe certain standards and values of the traditional vision of journalism remain. If anything, indeed, they become more urgent, since those values are the primary way that consumers can distinguish reliable information from the other kinds of media vying for their time.*
>
> (Kovach and Rosenstiel, 2010: 172)

Besides confirming that the classic elements of journalism are as fundamental for the new journalism as they were for the old, they add eight functions especially linked to this new dialogical concept of journalism:

1. Authenticator: in the current overwhelmed media environment, where everyone can be a media outlet (Shirky: 2008), journalists can function as authenticators, helping people distinguish which contents are true and reliable. This function is especially relevant in the context of photojournalism. For different reasons, which will be discussed later on, trust in images depends more on their author than in the image itself.

2. Sense maker: significantly deprived of their traditional role as gatekeepers, journalists are now called to work as sense makers, providing a broader context to their stories and including links for additional information and further reading.

3. Investigator: journalists are expected to keep holding power into account and to "expose what is being kept secret" (Kovach & Rosenstiel, 2010: 177). The traditional *watchdog* role played by the press is as fundamental now as it was in the past.

4. Witness Bearer: to bear witness and to monitor events, people and places considered important for maintaining a "basic civic integrity" is another crucial mission of the press (*Idem*, 2010: 178).

5. Empowerer: the possibility of providing people more information than that actually made available in news articles and to share with them the means to access multiple sources of information empowers citizens. For the same reason, inviting people to participate in the process of newsmaking also empowers journalists. It is a mutual *empowerment* (*Idem,* 2010: 178)

6. Smart Aggregator: journalists are also called to function as *smart aggregators,* helping people find reliable information. There are good reasons not to trust computer algorithms and generic news aggregator websites.

7. Forum Organizer: Creating forums of debate on topics of public interest is another important function of journalists in this new era. This function is especially relevant at local levels.

8. Role Model: Given that everyone is potentially a media outlet (Shirky, 2008), journalists must acknowledge that they can function as role models for citizen journalists.

While most of these eight functions are linked to the mission of the press in the new dialogic news media environment (investigator, witness bearer, empowerer, smart aggregator, forum organizer and role model), there are two clearly connected to truth seeking: authenticator and sense maker.

To sum up this point, and after having gone through the constitutive elements of journalism and the eight added functions of the press in the twenty-first century proposed by Bill Kovach and Tom Rosenstiel, it is possible to conclude that they could all be considered either specifications of the mission of the press or subsumed under one of the three fundamental journalism moral principles identified by Daniel Cornu: freedom, truth and respect for human dignity. The only exception is the tenth element, which concerns the responsibility of the public, which, strictly speaking, should not be considered within the boundaries of an ethics for journalism practitioners. In this sense, we could state, although provisionally, following Daniel Cornu (1994), that good information must be at the same time free, truthful and respectful towards people.

The question of knowing to which extent these essential moral principles should apply to photojournalism will be discussed in the next section.

1.6. Journalism ethics and photojournalism ethics

After having identified the fundamental moral principles that should govern the practice of journalism, we must now ask if those essential shared values are also the appropriate ones to guide the practice of photojournalism. Some may say that this question has an obvious answer, for photojournalism is a form of journalism and, therefore, should abide by the same ethical standards. In spite of the legitimacy of this rationale, we firmly believe that this thesis should be demonstrated little by little. As the saying goes, *the devil is in the details*.

Our purpose is to highlight that although sharing the same essential moral values, journalism and photojournalism do not share exactly the same technical and pragmatic obligations. And this is a crucial point. Given that the means by which verbal language and visual language that refer to the world are different, their means to promote a truthful and respectful account of reality must also be different.

Throughout chapters 2 and 3 we will try to provide sufficient arguments to demonstrate that, besides what we could call *historical motives*, there are no strong reasons to sustain that news photos should limit their means of expression exclusively to the aesthetic norms of realism and naturalism. The idea that photographs represent things as they are, mirroring reality, has been subjected to criticism almost since the invention of photography in the late nineteenth century. Notwithstanding, it is possible to find in some photojournalism practices and in various documents related to press photography (codes of ethics, internal guidelines and text books) the traces of this reductive conception of visual truth. But before elaborating on the differences between journalism's and photojournalism's technical and

pragmatic levels of obligation we must first briefly demonstrate that both share the same fundamental ethical principles.

Following the same strategy that we have already used to establish journalism's fundamental moral principles, we will have to enquire into the *telos* of photojournalism. According to the moral theory that we have adopted, there is an intrinsic connection between the mission of the press and journalism's essential values. This does not mean though that *freedom*, *truth* and *respect for human dignity* are valuable just because they favour the accomplishment of the mission of the press. They are good in their own right. In the words of Clifford Christians (1997a), these moral values are rooted in our "human oneness". But we have also seen that the justification of morality is a contested terrain. The development of diverse metaphysical, ontological and scientific concepts of freedom and of moral consciousness gave birth to different and sometimes irreconcilable moral theories. Recognizing that it would be ultimately impossible not to take sides in this complex debate, and after having set the horizon of our own moral thinking within the moral theory of Paul Ricoeur, we have decided to follow the path drawn by Deni Elliot (1988, 2009), Daniel Cornu (1994), Clifford Christians (1997a), and Bill Kovach and Tom Rosenstiel (2001, 2010) and to enquire into the mission of the press and journalism's essential moral principles within some of the expressions that reveal the shared and enduring convictions about the *ethos* of journalism.

In order to demonstrate that journalism and photojournalism share the same mission and essential moral values, we will proceed according to the following strategy: firstly, we will briefly show that general journalism codes of ethics are also aimed at photojournalists. Secondly, we will analyse the National Press Photographers Association's (NPPA) code of ethics, which is one of the first codes specific to visual journalism (1946) and one of the most influential (Lavoie, 2010). The purpose here is to prove that its rules can also

be subsumed under the three essential journalism moral principles. Finally, we will consider the current debate surrounding the definition of journalist and journalism to determine whether they are sufficiently comprehensive to include the practice of visual journalism.

With regards to the question of knowing whether general codes of ethics are also aimed at people involved in capturing, editing and disseminating news photos, and thus whether the three essential journalism moral values also encourage photojournalists, the answer is yes. On the one hand, in their preambles and headings, these codes of ethics do not discriminate between journalists and photojournalists. On the other hand, however, they generally include, even if only *en passant*, rules regarding pictures. In this sense, and taken together, these two features support the idea that general journalism codes of ethics also encourage photojournalists and that, at the end of the day, they consider them journalists *tout court*.

Still with reference to the first point, we have shown elsewhere that despite also being aimed at photojournalists, general codes of ethics do not provide useful guidance with regard to certain important challenges currently affecting visual journalism (Santos Silva, 2011). Most journalism codes of ethics include rules proscribing the manipulation of news photos, the unjustified invasion of privacy, the intrusion into grief and suffering and some recommend best practices regarding the depiction of children. But they generally fail to provide guidance regarding, for instance, the use of violent and graphic pictures (Keith, Schwalbe & Silcock, 2006), the use of post-processing editing tools, or the use of user-generated content.

After having seen that general journalism codes of conduct also encourage photojournalists, it is now time to take a look at the situation regarding the specific codes of ethics of visual journalism. It is worth noting here that in many European countries such as Portugal, Spain, France,

Norway and the United Kingdom, there are no specific codes of ethics for visual journalism, even though in some of them there are professional photojournalists' associations, such as the *Asociación Nacional de Informadores Gráficos de Prensa y Televisión,* in Spain, *Union des Photographes Professionnels,* in France, the *Foto Journalisten* in Norway, and the *British Press Photographers Association,* in the United Kingdom.

In order to establish the thesis according to which the essential moral principles of photojournalism are freedom, truth and respect for human dignity, we will now analyse the National Press Photographers Association (NPPA) code of ethics.

Regarding the mission of "visual journalism', the NPPA code of ethics is in line with the majority of journalism codes of ethics. In its preamble, the NPPA states that visual journalists' "primary role is to report visually on the significant events and varied viewpoints in our common world" and to "expose wrongdoing and neglect, inspire hope and understanding and connect people around the globe through the language of visual understanding" (NPPA, 2004).

Going through the nine clauses of the NPPA code of ethics, we are forced to conclude that they can all be subsumed under one of the three essential journalism moral principles identified by Daniel Cornu (1994).

Among the rules that express means to protect and promote freedom, clause eight forbids visual journalists from "accept(ing) gifts, favors, or compensation from those who might seek to influence coverage", and clause nine reminds journalists not to "intentionally sabotage the efforts of other journalists". In the first case it is journalists' independence that is at stake, while in the second, it is the freedom of others to work that must be guaranteed.

Regarding truth seeking, the NPPA code is quite complete. Clause one declares that visual journalists must “be accurate and comprehensive in the representation of subjects”. Clause two states that journalists must “resist being manipulated by staged photo opportunities”, and clause three asks them to “be complete and provide context when photographing or recording subjects” and to “recognize and work to avoid presenting one’s own biases in the work”. Clause five encourages journalists not to intentionally contribute to, "alter, or seek to alter or influence events”. Regarding post-processing techniques, clause six states that “editing should maintain the integrity of the photographic images’ content and context”, specifying that it is forbidden to “manipulate images or add or alter sound in a way that can mislead viewers or misrepresent subjects”. Regarding the means of gathering (visual) information, the code proscribes “pay(ing) sources or subjects or reward them materially for information or participation”.

Finally, concerning the respect for human dignity, clause three states that visual journalists should “avoid stereotyping individuals and groups”, whilst clause four asks journalists to “treat all subjects with respect and dignity”, and to “give special consideration to vulnerable subjects and compassion to victims of crime or tragedy”. Furthermore, it reminds them to “intrude on private moments of grief only when the public has an overriding and justifiable need to see”.

The code then adds seven more recommendations that visual journalists should “ideally” follow. Although more general, this second set of rules could still be subsumed under one of the three fundamental principles of journalism. Among them, the first adds specifics to the mission of journalists, saying that they should “strive to ensure that the public’s business is conducted in public”. To make it possible (freedom is a condition *sine qua non* for the practice of journalism), the code adds that visual journalists should “defend the rights of access for all journalists” and underlines that

journalists should “strive for total and unrestricted access to subjects” (rule number three). Still regarding journalists’ freedom, the code states (rule number 4) that journalists should “avoid political, civic and business involvements or other employment that compromise or give the appearance of compromising one’s own journalistic independence”.

When it comes to the promotion of truth, besides asking journalists to “respect the integrity of the photographic moment” (rule number 6), the code includes two other interesting recommendations. The first asks visual journalists to “think proactively, as a student of psychology, sociology, politics and art to develop a unique vision and presentation” and to “work with a voracious appetite for current events and contemporary visual media” (rule number 2). The second asks them to “recommend alternatives to shallow or rushed opportunities, seek a diversity of viewpoints, and work to show unpopular or unnoticed points of view” (rule number 3). These two recommendations, which taken together constitute an appeal to the use of creative and original reporting strategies and points of view capable of favouring a pluralistic and diverse depiction of reality, are in line with one of the constitutive elements of journalism established by Kovach and Rosenstiel, according to which journalists should abandon conventional journalistic formulas in order to make “the significant interesting and relevant”. We will come back to this interesting hermeneutical question in chapter 2.

Finally, with regard to the due respect for human dignity, the code states that, ideally, visual journalists should “strive to be unobtrusive and humble in dealing with subjects” (rule number 5).

Given the importance and influence of the NPPA on the community of photojournalists, the fact that all its rules and recommendations could be subsumed under one of the three essential journalism principles constitutes

an important argument for our thesis: journalism and photojournalism share the same essential moral principles.

Finally, the question of knowing who is a journalist is a contested one, as it always has been. And it has become increasingly complicated, now that virtually everyone can be a media outlet (Shirky: 2008).

Whilst this is not the place to elaborate on the subject, it is nevertheless possible to briefly mention the main arguments in contention: on the one hand, authors such as Peters and Tandoc claim that it is crucial to establish a definition of journalist. Their main argument is linked to the need to grant journalists legal protection. According to the authors, legislators need to define who is to be considered a journalist in order to decide who should be given the right not to disclose confidential information (including pictures and videos) or sources of information in legal proceedings (Peters & Tandoc, 2013). Willing to provide a descriptive definition, Peters and Tandoc have analysed and identified the common elements used to conceptualize a journalist by a variety of different sources from academic, legal and industrial domains. Their goal was to reflect how journalists are commonly defined. This is what they established:

> *A journalist is someone employed to regularly engage in gathering, processing, and disseminating (activities) news and information (output) to serve the public interest (social role).*
>
> (Peters & Tandoc, 2013).

The main problem with this definition, the authors recognize, is that while used to decide who may be granted with legal protection, this definition leaves unprotected “a large number of actors in the journalism ecosystem in the position of fulfilling community needs for news”, which is particularly worrying “when their work provokes backlash” (Peters & Tandoc, 2013). But

this definition is also “unwise” because it might “de-incentivize innovation in news production and distribution by limiting shield protections to traditional outlets and journalists” (*Ibidem)*.

On the other hand, authors such as Josh Stearns argue that it is time to “stop defining who is a journalist, and protect all acts of journalism” (Stearns, 2013a). Not providing protection to those who practice journalism, regardless of the venue or their professional status, would significantly limit the development of new forms of journalism performed by unpaid bloggers, activists, hobbyists and citizen journalists and thus diminish the diversity and plurality of news coverage. According to Stearns, there is growing consensus on the need to abandon traditional definitions of journalist. The fact that at its 2013 annual meeting the Society of Professional Journalists (SPJ) debated a proposal to change its name to Society for Professional Journalism is considered a sign of this changing attitude. Not having reached the necessary backing to pass the proposal, the organization decided nevertheless to vote in support of a resolution that “rejects any attempts to define a journalist in any way other than someone who commits acts of journalism” (SPJ, 2013, quoted from Stearns, 2013a). Restricting who counts as a journalist, the SPJ contends, is “an affront to journalism and to First Amendment rights of a free press” (*Ibidem).*

Given the difficulty in providing a clear and consensual definition of “acts of journalism”, Stearns proposes establishing the debate around three complementary dimensions: ethics, behaviour and service. No matter who performs them, acts of journalism should comply with the highest ethical standards, generally listed in codes of ethics, and should be considered a service to the community, that is, it should be “driven by audience needs” rather than by a business logic.

Although not proposing any definition of “acts of journalism” of his own, Stearns finds “very functional” and comprehensive the definition included in the Free Flow Information Act of 2013, put forward by the House of Representatives, according to which:

> *(...) ‘journalism’ means the gathering, preparing, collecting, photographing, recording, writing, editing, reporting, or publishing of news or information that concerns local, national, or international events or other matters of public interest for dissemination to the public.*
>
> (The Free Flow Information Act of 2013, quoted by Stearns, 2013a)

Both the “descriptive” definition of journalist provided by Peters and Tandoc (2013) and the definition of journalism included in the Free Flow Information Act of 2013 seem sufficiently comprehensive to include the activities performed by photojournalists. But the most interesting thing about this debate is the move from a traditional notion of journalist towards an ethical conception of the *acts of journalism.* Jane Singer and Cecilia Friend (2007) also share this approach to the phenomenon. For them, the categories of professionalism and process are no longer appropriate to distinguish journalists from non-journalists:

> *We would suggest instead that journalists in our current media environment are best defined not by who they are or even what they do, but by how and why they do it. What is definitive from our perspective is the journalist’s ethics or norms, as well as the principles that underline those norms.*
>
> (Singer & Friend, 2007: 47)

A journalist is someone who does journalism. And what distinguishes journalism from other activities related to gathering, editing and disseminating information to the public is its *ethos.* In this sense, the ethics of journalism and photojournalism is an enquiry into the nature of each of these activities,

an enquiry into *what is proper* to each one of them. In the words of Vincent Lavoie, “the ethics of photojournalism is, after all, ontology, for it is still the essence of this activity that is at stake”[22] (Lavoie, 2010b: §18). But this essence, or nature, is not to be understood as something fixed and static, something that could be established once and for all. The *ethos* of journalism and the *ethos* of photojournalism are dynamic, for their mission and the means by which they are called to accomplish them are constantly evolving.

Photojournalism, Lavoie contends, is a “fundamentally unstable category that is constantly reconfigured by [historical] discourses” (Lavoie, 2010b: §18). In his *Photojournalismes: revoir les canons de l'image de presse,* Lavoie shows how different histories of photography and photojournalism have contributed to configuring diverse understandings of what photojournalism is, highlighting, at the same time, the decisive role that ethical considerations play in shaping those diverse understandings (Lavoie, 2010a).

It may now become clear why we have been avoiding providing a definition of photojournalism: we wanted to highlight that photojournalism is a constitutive form of journalism and that it is their *ethos* that ultimately defines them and distinguishes them from other similar activities. This is why it has been important to establish the essential moral principles of photojournalism before proposing a definition. Throughout this first chapter we have tried to demonstrate that although dynamic, their mission and essential moral values are well grounded. Regarding the mission of the press, the most essential and at the same time comprehensive definition is probably that proposed by Kovach and Rosenstiel, according to which journalism should “provide people with the nformation they need to be free and self-governing” (Kovach & Rosenstiel, 2001: 12). And regarding ethical standards, the most fecund account is that provided by Daniel Cornu, according to which the essential moral principles of journalism (and photojournalism) are: freedom, truth and

respect for human dignity. In this sense, any tentative definition of photojournalism should at the same time incorporate this comprehensive understanding of its mission and its essential moral principles. And there is yet another important characteristic that should not be underestimated: “The basic unit of photojournalism is one picture with words” (Hicks, 1973: 5). Words are needed to help people understand what pictures show. Each one of them has its own mode of referring to reality, with its advantages and disadvantages, and it would be an error to ask them to function as something they are not. We will come back to this question further on.

To conclude this first chapter, we could propose the following tentative definition of photojournalism:

Photojournalism is the activity involved in providing people with information of public interest through a combination of words and pictures in a free, truthful and respectful way.

It must be clear that this tentative definition has no normative ambition. Its purpose is to underline that photojournalism’s basic unit is the combination of words and pictures, and that to serve the public interest photojournalism practitioners must be free, truthful and respect people’s dignity.

The next chapter is dedicated to the history of the ethics of photojournalism. We focus on objectivity and how different photojournalism textbooks and codes of ethics have incorporated it among their rules and recommendations. Our purpose, as has been stated, is to demonstrate that, besides certain conjectural motives, there are no fundamental reasons not to challenge the narrow understanding of visual truth that is related to the historical interpretation of photographic objectivity.

2. Objectivity and photojournalism ethics

The aim of this second chapter is to question the concept of objectivity that, since the end of the 19th Century, has been shaping our understanding of what a good press photograph should be. It is our conviction that the profound revolution photojournalism underwent after the invention of digital photography in the 1980s has forced us to revise the bases on which the credibility of press photography was founded and to rethink the comparison between journalistic and artistic photography.

With the aim of looking into the historical roots of the predominant concept of press photography, we will begin by analysing the development of the concept of objectivity in American journalism since the 1830s, bringing to light the different technological, professional, commercial and political factors that have driven its development.

We will then analyse the development of ethical reflection in photojournalism, which will allow us to understand why and how the concept of objectivity was applied to press photography.

Finally, and starting from the analysis of a specific case — Paul Hansen's award-winning World Press Photo 2012—, we will attempt to demonstrate that the promotion of photojournalistic credibility within the framework of the old paradigm of the darkroom is not justifiable either from the theoretical or practical point of view. It is not from the theoretical point of view because it is not possible to demonstrate the epistemological privilege of realistic photography. And it is not justifiable from the practical point of view because basing trust on press photography on a control system and forensic monitoring will end up fostering generalised suspition.

2.1. The rise of objectivity in journalism

> *Perhaps no question is as central to an understanding of objectivity in journalism than that of its origin.*
>
> (Maras, 2013: 22)

Although being a highly contested concept, objectivity has played a central role in the development of modern journalism. As David T. Z. Mindich put it in his *Just the facts: how objectivity came to define American journalism:* "If American journalism were a religion, as it has been called from time to time, its supreme deity would be 'objectivity'" (Mindich: 1998: 1).

Going through the literature available on the subject, it becomes clear that the lack of consensus surrounding the concept of objectivity mirrors an analogous dispute on why and when newspapers started developing new procedures meant to make their reports more credible. Some authors attribute this change to technological factors, such as the invention of the telegraph, others to the shift from a partisan to a more commercial press in the wake of the 20th Century and others to the increasing claims of professionalization by journalists themselves.

It is not our intention in this study to take a position regarding the relative importance of each of the different factors or to dispute with historians the exact moment in time when the new journalistic routines were implemented. Our purpose is rather different: we want to understand the extent to which the rise of objectivity in journalism may have helped shape the ethos of photojournalism since its early days. In order to do that we need to be able to provide a guiding definition of what objectivity means in journalism and also to understand the reasons behind this cultural movement by going through the factors that have brought it about.

The fact that most of the literature on the subject is centred on American journalism raises two important methodological questions: the first concerns the extent to which objectivity can be considered a cross-cultural ethical principle and the second concerns the possibility of considering the American case paradigmatic.

Regarding the first question, it is important to distinguish a normative from a descriptive approach: the first deals with the question of knowing whether objectivity should be considered a universal moral value and the second with the question of knowing whether objectivity has effectively become a core moral value in different journalistic cultures besides the United States.

With regard to the legitimacy of considering objectivity as a universal moral value, authors have different opinions, reflecting their different understandings of what objectivity really means. Supporters of public or civic journalism, like Jay Rosen, for instance, consider that one of the most important missions of the press is to strengthen communitarian bonds between citizens and help them take decisions regarding their *polis*, and that objectivity, understood as a form of detachment, does not help accomplish that fundamental mission (Traquina & Mesquita, 2003). Others advocate for the need to clarify the concept, which in their opinion has been misinterpreted (Kovach & Rosenstiel, 2001) or to redefine it according to our current epistemological theories (Ward, 2004). In all these different approaches, authors subordinate objectivity to the mission of the press. This was also the point we made in the previous chapter. Following the theory of Otfried Höffe, we suggested that objectivity should be considered a pragmatic value in journalism, that is, a means to promote a truthful and credible account of reality.

Regarding the question of knowing to which extent objectivity has influenced other journalistic cultures besides the American one, Stuart Allan contends that, although with regional differences, the ideal of objectivity has a wide reach. Still according to Allan, besides the economical, technological and political factors, it was the call for professionalism and the response to criticism regarding the bias that followed the coverage of the First World War that brought about this shift in many different countries (Allan, 2010).

The question of knowing whether the American model of objectivity should be considered paradigmatic, Steven Maras contends that existing studies that focus on the subject in Canada, Australia, France and the UK support the idea that, in the context of journalism, objectivity is an Anglo-American invention (Maras, 2013: 6).

Things get even more complicated when it comes to defining objectivity and identifying the main historical factors that contributed to its development. To guide us in this complex subject we will follow closely Steven Maras' book, *Objectivity in Journalism* (2013), which provides a critical overview of the literature on the subject.

Acknowledging that the concept of objectivity is "polysemic" and that it has been interpreted differently among different countries and cultures, often being associated with various concepts such as impartiality, neutrality, balance, accuracy, honesty and fairness, Maras proposes considering objectivity as an ideal that involves three related aspects: values, process and language.

Regarding values, and following Everette E. Dennis, Maras suggests that being objective implies: "1) Separating facts from opinion; 2) Presenting emotionally detached views of the news; 3) Striving for fairness and balance" (Dennis & Merrill, 1984: 111, cited by Maras, 2013: 8). These three duties are

meant to minimize the role played by the subject in shaping news. Journalists should stick to what is objective, that is, literally, to what is external regarding them. Their own prejudices, preconceptions and preferences should not influence their report.

With respect to processes, the author contends that objectivity requires "providing a contrasting, balancing or alternative viewpoint, using supporting evidence, ensuring close attribution through quoting, and finally organizing the story into a familiar news format" (Maras, 2013; 9). These processes link objectivity and verification and consider them means to seek the truth. It is interesting to note, as Maras does, that in practice values and procedures are not necessarily linked to one another and that journalists may eventually contest the value of objectivity while, at the same time, recognize that these procedures are part of their working routines.

Regarding language, which Maras believes is the least understood aspect of objectivity, authors underline its rhetorical capacity to "give the impression of authority and trust, especially in core descriptions and information such as who, what, when, etc." (Maras, 2013: 9-10). The use of the inverted pyramid style of writing is a good example of these linguistic devices that are meant to distinguish a journalist-fact approach to reality from other non-journalistic genres. But it is not the only one. In features, for instance, where journalists are allowed more flexible writing techniques, conventions on the use of language focus on other rhetorical devices centred on authenticity.

Citing Schiller, Maras remarks that language functions as an "'invisible frame' through which the story comes into existence on its own, independently of the reporter" (Maras, 2013: 10). This rhetorical device is useful when it comes to creating the idea that journalists "report" instead of produce the news. As we shall see further on, these rhetorical devices play a

crucial role in translating into the language of visual journalism the ideal of objectivity.

These are basically the main traits that draw the ideal of objectivity as it has been understood and applied —although with regional variations— in Western countries. Together with the concept of truth, which it is closely related to, the concept of objectivity in journalism has been subjected to intense criticism, having been accused of being grounded in naïve ontological and epistemological theories. As a result, in some countries (the UK, the U.S, Portugal, Spain, France, etc.) references to objectivity have been excluded from codes of ethics or replaced by other concepts such as accuracy, impartiality or professional integrity. We will come back to this point further on. For the moment it is enough to remark that objectivity has played an important role in shaping the *ethos* of journalism.

Regarding the reasons that contributed to the development of objectivity in journalism, Maras, building on the studies of Michael Schudson (1978) and Stuart Allan (2010), identifies four related factors: a) professionalization, b) technology, c) commercialization and d) politics (Maras, 2013: 23).

a) The professionalization argument. According to this argument, the rise of objectivity can be understood as a result of the process of professionalization that journalism underwent between the late nineteenth and early twentieth century. In a context of rapid industrialization, newspapers were forced to reconfigure themselves in order to serve politically heterogeneous audiences and to respond to an increasing lack of public confidence. In response to these two trends, journalists were encouraged to stick to the facts, covering all sides of the story and allowing readers to judge for themselves and form their own opinions.

Schudson (1978) also remarks that through education journalists were introduced into a scientific concept of the world that, by then, was profoundly empiricist and positivist. By the end of the nineteenth and early twentieth century it was the model of natural sciences, based on methodologies that favour the use of mathematics to describe reality and manipulate facts that served as the dominant epistemological paradigm in social sciences. The emergence of journalism schools in this academic context helps explain the place given to objectivity in journalistic practice. As Maras puts it: “(...) objectivity was fast-tracked as a way to characterize the profession, as well as indicating a point of mutual interest for practitioners and educationalists” (Maras, 2013: 25).

Despite being the most common explanation for the rise of objectivity in journalism, professionalization was not the only factor that contributed to its emergence. Other interrelated factors must be taken into account if we want to rise above the superficial explanation of it.

b) The technological argument. According to this argument, the rise of objectivity in journalism is mainly linked to the invention of the telegraph and to the series of constraints this technology imposed on language: “The wire services seemed to have imposed a lean, unadorned “objective” style: a form of writing stripped of locality, regional touches and colloquialisms” (Maras, 2013, 28). Besides being expensive, the use of wire services was constantly threatened by technical problems, leading its users to be brief and to place the factual and novel information at the beginning of their messages. In this sense, the telegraph may have been at the origin of the creation of the inverted pyramid writing style. In the words of James Carey, “the origins of objectivity may be sought, therefore, in the necessity of stretching language in space over the long lines of Western Union” (Carey, 2009: 162, cited by Maras, 2013: 29). Moreover, for Carey, the telegraph not only reconfigured the use of language in journalism but it also reconfigured our sense of

awareness by establishing a strong link between the facts that people should know and a specific and standardized linguistic mode of addressing them.

Although acknowledging the enormous influence that technology has on journalism, scholars warn of the danger of falling into a technological determinism that would prevent us from recognizing the impact of other factors in shaping journalism practice. News agencies, for instance, are among the most influential factors with respect to the adoption of an objective and factual language in journalism. It is also interesting to note that the rise of objectivity in journalism is also linked to “medium-specific issues”, such as radio and television. The “immediacy” of the former and the “eye-witnessing account” of the latter reinforced a trend towards objective reporting.

c) The commercialization argument. The general thesis of this argument is that objective and politically neutral information serves the wishes of advertisers in reaching large heterogeneous audiences. According to this argument, objectivity does not only respond to claims of professionalism or technological determinisms, but also concerns business logic: instead of focusing on specific niche targets, news media should produce and deliver news for the masses. This concern with pleasing advertisers led news editors to favour what could be called a “stick-to-the-facts” approach to news, and to avoid the risks involved in providing interpretations that might not please all their readers. But there is another factor that links objectivity and business logic: productivity. Sticking to the facts and to the version provided by news sources and not having to engage in deep research reduces costs, besides allowing reporters to swap between sections, liberating them from acquiring specialized knowledge. To sum up, procedures associated with objectivity may have been historically adopted for their ability to generate efficiencies and to attract audiences.

d) The political argument. According to the political argument, no comprehensive account of the rise of objectivity in journalism can neglect its political dimension. Against a widespread belief, according to which the penny press supressed the partisan press, favouring the rise of objectivity in journalism, Michael Schudson argues that it was the need for news agencies such as Associated Press to deliver contents to a wide range of newspapers —each with their own political affiliations— that helped develop a more neutral and impartial approach to news. It is not true then that, due to its business logic, the penny press prompted the death of the partisan press.

Other interpretations of the importance of the political factor in the development of objectivity in journalism claim that commercial newspapers developed their editorial strategy by assuming the central political function of surveilling the public good. Holding the powerful to account and providing citizens with objective and reliable information was one of the missions of the press in the context of American liberal thought.

Alternative accounts of the relationship between politics and the rise of objectivity in journalism suggest that the reason why the nineteenth century press moved from being partisan and politically committed to more central and detached could be related to a progressive detachment from politics that occurred in the US, especially from the 1850s onwards (Maras, 2013: 34-35).

Equally complicated in determining which of these factors was more influential in the development of objectivity in journalism is knowing exactly when this development started. This question is particularly knotty not only because there is no consensus on the meaning of objectivity among historians of journalism but also because the understanding of the concept has evolved over time.

To cope with these difficulties, Maras proposes discussing the issue in terms of a general "'orientation' towards objectivity", that is, "an approach to news production disposed towards the fact" and placing its origin in the 1830s (Maras, 2013: 42).

Following Stephen Ward (2004) and Michael Schudson (1978), Maras calls the period between 1830 and 1880 as the "proto-objective era of news as commodity", characterized by the "triumph of 'news' over the editorial and 'facts' over opinion" (Schudson, 1978: 14, cited by Maras, 2013: 42-43) and by an increasing concern for factuality, independence and impartiality (Maras, 2013: 42). It must be stressed that these values were not contrary to the kind of journalism practiced by the penny press, which was mainly focused on crime, the activities of the local police, the courts of law and with all sorts of faits divers and city life. Targeted at an increasing urban population, the penny press delivered news in a simpler and entertaining way, using a kind of language that everyone could read and understand. As we have already seen, the possibility of reaching a massive audience required political detachment, which does not mean that the commercial press did not assume a political function, mirroring the interests and aspirations of the working class and challenging traditional aristocratic values (Schudson, 1978; Mindich, 1988; Maras, 2013). Certain important procedures associated with objectivity became common in this period, such as the use of the "lead" sentence, fostered by the increasing use of the telegraph in the 1840s. Regardless of all these new trends, Schudson considers that it would be risky to place the birth of objectivity in journalism in this period, for "American journalism had not yet become an occupational group or an industry" (Schudson, 1978: 60, cited in Maras, 2013: 46).

The rise of the figure of the reporter during the last two decades of the nineteenth century represents the second important step in the orientation of journalism towards objectivity. With the telegraph, the reporter displaced the

editor as the prototype of the journalist and favoured the division of journalistic labour. Reporters gained autonomy and control over their work and editors became responsible for policing accuracy and separation of facts and opinions.

According to Schudson, it was probably the organization of the daily work and the need to establish new routines in news production that fostered an attachment to the facts. But the end of the century was also the era of the yellow sensationalist press of Joseph Pulitzer and his *New York Word*, and of William Randolph Hearst and his *New York Journal*. Besides following the penny press with regard to news subjects, which mainly focused on crime, faits divers and city life, newspapers of the end of the century developed what Schudson calls “self-advertising”: a set of stylistic techniques meant to draw readers attention to the newspaper itself, including the use of illustrations, colourful and appealing headlines, etc. (Schudson, 1987: 94). The circulation of newspapers in major cities like New York increased enormously and with it, their influence. As Schudson remarks, newspapers of the end of the century extended the revolutionary changes introduced by the penny press in the late 1830s, reinforcing their independence and detachment regarding politics, promoting the separation between facts and opinions, while at the same time using a simpler language, including illustrations and focusing on the needs and interests of a growing urban population.

The third major contribution to the rise of objectivity in journalism is associated with a new informational ethical model represented, among others, by the editorial project of the *New York Times*, especially following its acquisition by Adolph S. Ochs in 1896. According to Maras, when compared to the yellow press, the *New York Times* represented an alternative approach to news, grounded in a clear distinction between entertainment and information, setting a new paradigm to analyse objectivity in journalism,

which until then was mainly conceived in terms of political detachment and of separation of news from opinion. According to Ochs himself, the *Times*' aim was to give "all the news in concise and attractive form", to give it "impartially, without fear of favor, regardless of any party, sect, or interest involved" (Ochs 1896, cited by Maras, 2013: 50). The purpose of newspapers like the *Times* is not to sell stories, though reliable as they may be, but to provide citizens with important information to help them take decisions regarding their community. Within this new informational ethical model, objectivity became an ethical claim in itself. Regardless of the fact that this new informational model of objectivity has monopolized our contemporary concept of quality press, it would be a mistake to underestimate the role of the sensationalist and popular press in promoting and dignifying everyday life and thus in extending the boundaries of the concept of public good (Schudson, 1978; Conboy, 2002).

Nevertheless, according to Schudson it was only between the 1920s and 1930s, partly in response to the criticism directed towards the press in the aftermath of the World War I, that the ideal of objectivity in journalism became fully articulated. Concerns with the propagandistic use of the media and with the increasing influence of public relations generated a sentiment of suspicion among journalists regarding the informative value of the "sticking-to-the-facts" principle and among the public in general regarding the media itself. However, the ideal of objectivity in journalism is also the result of the reaction to a complex, multi-faceted cultural moment marked, on the one hand, by developments in theoretical physics that questioned the existence of a stable, uniform reality, by the works of Freud that questioned the transparency of the conscience to itself, by an artistic avant-garde that questioned the power of representation and, on the other, by the influence of neopositivism in many academic and scientific circles. Therefore, instead of becoming the culmination of a process based on the belief that facts speak for themselves, objectivity in journalism reached its full articulation mainly as

“a method designed for a world in which even facts could not be trusted” (Schudson, 1978: 122). According to Maras, more than an “expression of professional excellence”, objectivity became “an expression of professional anxiety” (Maras, 2013, 52-53).

As a result, calls for professionalization have intensified, the recourse to specialized journalists has increased and a new genre of interpretative reporting has developed. The understanding of objectivity in terms of the inverted pyramid, non-partisanship, detachment, balance and verification gradually started to take shape in codes of ethics and academic textbooks.

In short, alongside the concept of objectivity based on naïve empiricism, an alternative vision developed that conceived objectivity as a method designed to minimise the distortion and bias that inevitably affect news production. For Walter Lippmann, who, according to Schudson, “was the most wise and forceful spokesman for the ideal of objectivity” (1978: 151), in order to reverse the subjectivist tendency in journalism and protect citizens from manipulated journalistic coverage, journalists should receive professional training, acquire expert knowledge and adopt a more scientific approach to reality. It should come as no surprise that in this context, the use of photography was generally seen as a positive contribution to the promotion of news credibility. The belief in the objectivity of photography, which was grounded in the idea that photographs were the result of a chemical process performed by a machine, was pretty much in line with the widespread enthusiasm for all sorts of scientific and technological developments.

Since the 1950s and 1960s onwards, two parallel concepts of objectivity have coexisted side-by-side: one that considers objectivity as a biased doctrine and another that considers it a doctrine of credibility. According to the first, the set of procedures meant to foster an objective depiction of reality

end up serving the interests of those in power, favouring the Establishment and the *status quo.* Neutrality and balance are good examples of procedures traditionally associated with objectivity that undermine the watchdog role of the press, for they recommend treating equally what ultimately is not equal. For instance, minority voices that deny, against worldwide scientific evidence, human responsibilities in global warming and climate change should not be given the same prominence in the media as those who do (Kovach & Rosenstiel, 2001). Other critical remarks on objectivity, formulated by supporters of public journalism, claim that it fosters political detachment and discourages civic engagement.

When it comes to considering objectivity as a doctrine of credibility, authors such as Bill Kovach and Tom Rosenstiel (2001) and Stephen Ward (2004) highlight the fact that, regardless of all criticism directed at certain naïve epistemological understandings of knowledge, the concept of objectivity may still play an important role in journalism. For them, it is precisely because people cannot rid themselves of their preconceptions that makes it important for journalists to adopt a set of procedures and techniques meant to promote an (as much as possible) credible and free-from-bias account of reality. This alternative understanding of objectivity is based on the idea that the political function of the press only makes sense if journalists are able to provide citizens with objective, impartial and politically detached information.

In summary, following Schudson (1978), Maras (2013) believes it is possible to demonstrate that the orientation towards objectivity, which started to develop in the 1830s with the adoption of strategies that promote the separation of facts from opinions and the dissociation of the journalistic discourse from its politically biased ties, would reach its full articulation in journalism in an era (the 1920s) in which few no longer believed in the possibility of news free from bias and would end up becoming, in our time,

the object of a doubly antagonistic attitude: on the one hand, there are those who consider it a form of mystifying the authority and legitimacy of a debate inevitably mixed up in personal interests and, on the other, there are those who consider that objectivity should be understood as a way of fostering the credibility of news through various mechanisms that allow readers to participate in the news process (Kovach & Rosenstiel, 2010; Ward, 2010).

The next section of our study focuses on the ethics of photojournalism. Through a brief historical analysis, we aim to demonstrate that the orientation towards objectivity, which started to develop in journalism in the 1830s, will be reflected in the debates that attempt to legitimise the use of press photography as an instrument of news dissemination and not just an illustrative and decorative news feature. Moreover, the history of photojournalistic ethics provides enough evidence to support the idea that the media industry has promoted an understanding of photography as a mirror of reality, favouring its denotative and referential functions over its connotative and expressive ones and thus basing trust and credibility in news photos on the photographs themselves, that is, on their own integrity, rather than on the relationship between publishers, journalists and readers.

2.2. The origins of photojournalism ethics

After having reviewed the rise of objectivity in journalism we will now turn our attention to the origins of photojournalism ethics. Our purpose is to highlight the historical development of two common assumptions regarding the *ethos* of photojournalism: 1) news photographs should embrace the ideal of objectivity and thus favour their referential function; 2) news photographs should avoid similarities with artistic photographs.

By revealing the historical roots of these two rhetorical assumptions, we aim to denaturalize them and challenge their ambition to continue determining our current concept of what photojournalism is and should be. It is our contention that these basic suppositions continue to shape debates surrounding two of the most important aspects of photojournalism ethics: the credibility of images and the representation of people's suffering (Lavoie, 2010: 127-129).

Throughout this chapter we will argue that these two longstanding assumptions are no longer appropriate for promoting credibility in news photos. The increasing difficulty of detecting digital manipulation and, moreover, of establishing a clear and consensual criterion to determine what is legitimate and what is not suggests that we need to find a new ground in which to anchor the credibility of photojournalism.

In next chapter we will attempt to demonstrate that, by centring the debate on the representation of suffering with regard to its aestheticization, these two longstanding assumptions have excluded from this debate its intrinsic moral and political dimension, shifting the centre of discussions from the people who suffer to the form and style of photographs.

In order to challenge these two suppositions, we first need to go through the history of photojournalism ethics to understand how they came to define its *ethos,* which raises the complicated question of the starting point: where exactly should we place the origin of photojournalism? Addressing this question, Vincent Lavoie has recently shown that there are two main tendencies in the historiography of photojournalism: the first, supported by most historians of photojournalism, considers that photojournalism has its roots in the history of photography itself, being a "natural" development of it; the second, popular mainly among professionals and practitioners, refuses to associate photojournalism with the history of photography and places its origin between the two World Wars (Lavoie, 2010: 12-13).

This finding is interesting, for it shows how history can be used to give rhetorical support to different interpretations of what photojournalism should be. For press photographers, breaking with former uses of photography that were mainly associated with arts was important in order to create a strong new professional identity (Lavoie, 2010: 13). According to them, photography should be considered revolutionary for having introduced a set of new features in journalism that none of the previous forms of visual representation was ever capable of: speed; mass market appeal, reproducibility and promptness (Lavoie, 2010: 12).

Nevertheless, and regardless of the accuracy of this claim, there are good reasons to believe that the origins of photojournalism ethics should be sought in the illustrated weeklies of the 1830s, whose successful editorial strategies inspired the next generation of illustrated newspapers. According to Dona Schwartz (1999), the *Penny Magazine*, a British newspaper that appeared in May 1832 and was sponsored by an organization devoted to social reform called Society for the Diffusion of Useful Knowledge, deserves special mention for its pioneering role in the use of images.

Building on Patricia Anderson's *The printed image and the transformation of popular culture, 1790-1860* (1991), Schwartz remarks that the *Penny Magazine* "was the earliest inexpensive serial publication to realize the commercial possibilities of mass-reproduced imagery" (Schwartz, 1999: 163). According to its publisher, Charles Knight, the *Penny Magazine*'s goal was to assume an important social mission by providing the working class with less radical and dissident views than the ones offered by the partisan press. Through "high quality, wood-engraved images" used mainly to reproduce fine art works, the *Penny Magazine* made available for all the most "valuable accessories of knowledge [and] instruments of education" (Anderson, 1991:70 cited by Schwartz, 1999: 163). The combination of political detachment with an educational use of images proved to be a huge editorial success, allowing the *Penny Magazine* to achieve unprecedented circulation, which quickly reached one million readers.

The Illustrated London News, considered to be the first newspaper to reproduce a news photo (Sousa, 2011; Schwartz, 1999) —which at the time was still a drawing based on the original daguerreotype taken by Carl Friedrich Stelzener in 1842, depicting the consequences of a fire in the city of Hamburg[23]—, followed a similar editorial strategy to the *Penny Magazine,* attributing an educational role to images. In line with the *Penny Magazine, The Illustrated London News* refused to dedicate itself to the kind of stories typical of the popular press, which mainly focused on crimes, scandals and the like: "*The Illustrated London News* claimed the moral high ground, positioning itself as a periodical suitable for the drawing-room table" (Schwartz, 1999: 164). Besides these similarities, the *Illustrated London* diverged from the *Penny Magazine* with regard to its concept of "art": while for the *Penny Magazine* the wood-engraved images were considered vehicles for reproducing the real artistic values present in painting, sculpture and architecture, for the *Illustrated London News* the engravings were considered artistic themselves. This new concept favoured a more "light

entertainment" approach to the educational mission of the periodical. Instead of focusing on the reproduction of works of art, the *Illustrated London* promoted moral values through a variety of different genres such as illustrated literary fiction, fashion news, recipes and articles on art, science and current events.

The use of images of an educational purpose was grounded in the nineteenth-century belief that visual arts were universally comprehensible and that they could contribute to the common good by exposing people to transcendent and universal moral values. And it is worth noting that faith in the universality of visual images was intrinsically linked to their capacity to objectively represent events. The following public statement by the *Illustrated London News* regarding its wood-engravings is paradigmatic of this linkage between art and factuality: "The public will have henceforth under their glance and within their grasp, the very form and presence of events as they transpire, in all their substantial reality, and with evidence visible as well as circumstantial" (Fox, 1988: 12, cited by Schwartz, 1999: 164).

It is interesting to note that for publishers of the 1830s and 1840s the artistic dimension of illustrations did not compromise their objectivity or factuality. Moreover, together with political detachment and a proper sense of decorum, the combination of objectivity, factuality and art allowed these illustrative periodicals to become appealing to both elites and the working class and thus to reach a mass readership. The pictures that Roger Fenton took in the Crimea Wars for the *Illustrated London News* in the 1850s, for instance, were still published with the help of the wood-engraving process. And regardless of the technological limitations that made it impossible to capture motion and action, and regardless of the editorial censorship that prevented Fenton photographing the horrors of war, these pictures are often considered to be at the origin of what would later be called photojournalism (Sousa, 2011: 41). The link between war and photography would be

increasingly strengthen in the 1860s during the American Civil War, with photographers such as Mathew Brady, Alexander Gardner and Timothy O'Sullivan contributing to transforming war photography into one of the most emblematic genres of photojournalism (Lavoie, 2010: 20).

The association between news images, art and factuality would not last forever in the history of photojournalism and over time the credibility of sketch artists to reproduce faithfully photographic events started to erode. Nevertheless, the replacement of wood engravings by photographic images would only be completed by the 1920s. At first, photographs were not able to capture action and motion, as they required long exposure times. Furthermore, until the 1870s there were no means of printing photographs directly with type, which made it very difficult for mass-circulation newspapers to run photographs regularly. Their use was soley limited to serving as models for sketch artists, who were entrusted to copy them so that they could be reproduced on wood engravings. It was only in the 1880s that halftone technology facilitated the process of mass reproduction of photographs in the press. Alongside these technological developments, the rise of artistic avant-garde movements that challenged the canons of artistic representation also contributed to displacing the claims of objectivity and factuality from hand-made images towards camera-generated photographs. As Schwartz points out, "The universality and factuality of art were the cornerstones upon which the illustrated press had built its claim to a mass audience, and photography appeared the logical heir to wood engraving" (Schwartz, 1999: 167).

On the other side of the Atlantic, the sensationalist newspapers of the late nineteenth-century, of which the *World* of Joseph Pulitzer was one of the most successful, followed a similar strategy to its British predecessors, mixing information and entertainment and using pictures to attract readers. It should come as no surprise that in an increasingly competitive market, grabbing readers' attention required using increasingly sensational pictures.

It was in this context that discussions regarding the invasion of privacy resulting from the use of hand cameras made their entry in specialized publications (Lavoie, 2010b). Among the first expressions of this new ethical attitude, Lavoie points to two articles voicing concerns about the invasion of privacy and the use of candid photos. The first, titled “The ethics of hand cameras”, was published in 1890 in the *Photographic Times* by Henry Harrison Suplee, and the second, titled “The Casuistry of Photographic Ethics”, was published in 1899 in the *American Journal of Photography* (Lavoie 2010b).

The need to protect privacy and intimacy became even more relevant in photojournalism ethics throughout the 1930s, in a time when the competition for audiences between illustrated magazines led to both an increase in photographic activity and to some undesirable excesses. According to Lavoie, the most important books on press photography of that time included if not a whole chapter, then at least a substantial part dedicated to the representation of otherness. A remarkable expression of this ethical concern can be found in a book published in 1939 by Duane Featherstonhaugh titled “Press Photography with the Miniature Camera” (see Lavoie, 2010b). Building on the existence of an “unwritten code of ethics”, the author urges photographers to act with tact and sensitivity when depicting events such as accidents, fires or natural disasters. Recognizing the right for pictures in public places to be taken, and foreseeing a short career for those photographers who resist taking sensationalist snapshots, Featherstonhaugh places the discussion on photojournalism ethics within the classic dialectic tension between market forces and moral obligation.

In the absence of a code of ethics specific to photojournalism, which would only appear in 1946, press photographers were invited to commit themselves to the same ethical standards that ruled the printed press. James C. Kinkaid, for instance, included the whole code of ethics of the American

Society of News Editors of 1922 in his book *Press Photography,* published in 1936, stating that is was imperative for photojournalism to replicate the same moral guidelines established for the press. For Lavoie, the fact that photojournalists were willing to adopt the same sort of regulating systems that already existed in the domain of the printing press is symptomatic of two ambitions: the first, to increase the legitimacy of photojournalism by committing it to the same ethical standards of the printed press; and the second, to subordinate photography to a regulating system that was already institutionalized.

For the authors of *Pictorial Journalism,* published in 1939, ethics was no longer efficient when it came to protecting people's fundamental rights against certain abuses perpetrated by the press. Legal protection was required:

> *The passing of laws is made difficult by the determination of the press to guard its freedom, guaranteed by the Constitution, yet if publication is deemed injurious to citizens and prejudicial to justice, it can and should be restricted.*
>
> (Vitray et al., 1939: 386)

Among the topics under examination, authors include "photos that cartoon or misrepresent the subject", "newsphotos that horrify", "rights of privacy" and "pictures that are faked". Regarding the last, two interesting observations are worth mentioning: the first concerns the fact that authors accuse critics of not being as hard with "reputable" newspapers as they are with the more sensationalist ones: "When the fake is accompanied by a certain amount of sensationalism, then everybody is up in arms" (Vitray et al., 1939: 391). This observation is interesting for it reveals the existence of a long-standing tendency to use double standards when it comes to judging newspapers. But their observations on fake photographs are interesting for yet another reason. According to the authors, fake photographs were

becoming rare: “The truth is that real photography has driven the fakes out of the field so completely that current examples would be difficult to find” (Vitray et al., 1939: 391). The exaggerated tone of this statement reveals the enthusiasm generated by the new technological innovations and the faith people had in the power of the photographic camera to record reality. Among the types of faked photos that nevertheless could deceive readers, the authors identify three: 1) photos developed from something that was not a photograph, which at the time were mainly drawings; 2) photos posed by models to represent actual news events, a kind of practice sometimes used to illustrate electrocution to which the cameraman had no access; 3) photos made up of parts of several photographs, known as “composographs”, which differed from photomontages because they were intended to mislead readers by pretending they were real photographs.

It is remarkable that the major ethical concerns regarding news photos from the 1890s until the 1940s were mainly focused on the protection of people’s dignity. Trust in photography was not yet in question. In fact, as Schwartz (1999) and Zelizer (1995) point out, the credibility of photographs served as an important rhetorical device for editors and publishers from the 1920s onwards in reversing the extended suspicion regarding the work of journalists, accused of buckling under the pressure of governments and public relations. At a time when it was commonplace to say “you can’t believe all you read in the newspapers” (Schwartz, 1999: 168), photographs proved to be very useful both for boosting public trust in journalism and for engaging with readers and increasing circulation.

The technological improvements of the 1930s, including the development of smaller cameras, better lenses, faster film, and better means for transmitting photos, with the popularization of the Associated Press’ Wirephoto services (1935), which allowed the transmission of photos over distance, contributed definitively to converting news pictures into accepted

and common means of conveying information. According to some interpretations of the history of photojournalism, especially popular among professionals, the new methods for gathering and disseminating news photos constituted a complete novelty when compared to the previous uses of news images, making it possible to say that the 1930s represented photojournalism's ground zero (Lavoie, 2010). For Gisèle Freund (1980), for instance, the history of photojournalism begins when, for the first time in the history of journalism, it is the image itself that tells the story. This subordination of words to pictures was an essential feature of the new photojournalistic genre —called photographic essay— that news magazines such as the French *Vu* (1928-1940) and American *Life* (1936-1972) made popular in the 1930s.

As a consequence of the increasing popularity of news photos between the 1930s and 1940s, print journalists started to feel that their authority, legitimacy and power were being threatened and decided to react. According to Barbie Zelizer (1995), two different rhetorical strategies were used to deflate the authority of photography as a journalistic tool: 1) to limit photography to its recording function and 2) to disembody the figure of the photographer, suggesting that their role in the process of taking pictures was almost irrelevant. Both strategies were grounded in the idea that "photography needed print journalism in order to make sense" (Zelizer, 1995: 146).

Regarding the first strategy, and building on Roland Barthes and Stuart Hall's theory according to which photographs fulfil both a denotative (referential) and a connotative (interpretative) function, Zelizer contends that the idea of limiting photography to its referential function was a way to bypass its "potentially threatening connotative role" and thus reduce the possibilities of having photography assume an alternative and possibly a primary role in journalism (1995: 146). By claiming that the mission of news

photographs was simply to record events, print journalists tried to domesticate photography and to subordinate its influence and authority to the power of words. Photographs could work next to words and complement their mission, but by no means could they replace them: “In short, the running comparison with words generally worked against a recognition of what photographs could do that was different from what could be accomplished with other tools of documentation” (Zelizer, 1995: 146).

The second strategy consisted of disembodying the photographer, suggesting that the camera could eventually get by without human intervention. According to Zelizer, most discussions on news photography between the 1930s and 1940s ignored the role played by photographers, centring the attention on the camera itself and its ability to record and mirror reality. This strategy allowed print journalists to claim their own presence in discussions on photography and to deflate the authority of photographers. This is also the opinion of Dona Schwartz, for whom “photographers have been conceptualized as camera operators rather than artists or authors, technicians who initially received no credit or byline for the work they produced” (Schwartz, 1999: 173).

For Zelizer, the situation of photojournalism changed with the entry of the United States into World War II, as photographers were called to “document the inadequacies of print journalism” (Zelizer, 1999: 152). According to the general view, photographs were more capable than words of showing events as they really happened and documenting the events of “‘real’ life” (*Ibidem*). Moreover, photography’s participation in war was not limited to the work done by professional photographers, many of who were attached to military divisions. Advanced amateurs with some training and even complete amateurs with no previous training, operating with their own private cameras, also participated in the massive photographic documentation of World War II.

For Zelizer, the “victory of news photography was tied up with the photographer’s ability to record, reference, and report reality, rather than interpret it” (Zelizer, 1999: 153). Photography’s denotative function ended up imposing itself over its connotative function, which may have had negative consequences, as news organizations dedicated little attention to clarifying the rules governing the relationship between words and pictures, including captions, credit lines, etc. It is as if news photos spoke for themselves and were able to mirror reality. Still according to Zelizer, this assumption became harder to challenge from the moment images were co-opted as part of the war effort: “In playing down the photographer’s role as interpreter in order to stress that of the documenter, the photograph and the photographer were thus codified somewhat propagandistically in a way that would help secure military victory” (Zelizer, 1999: 153). Hiding the fact that photographs involve interpreting events serves the interests of those who want to hide the fact that photographs can also be used to manipulate. Moreover, insisting on the idea that photographs document reality, rather than interpret it, mirrors another dangerous idea according to which history is a scientific and rigorous account of the past.

By the end of the war, the role of news photos in journalism was no longer in question. The increasing social recognition of the importance of visual journalism was accompanied by calls for professionalization and schools of journalism around the United States started to include in their academic offer courses on news photography. In 1942, the dean of the School of Journalism at the University of Missouri, Frank Mott, used for the first time the expression “photojournalism” to label the programme of academic training offered in his school and in 1946 the National Press Photographers Association (NPPA) was born, with the explicit purpose of defending the rights of press photographers and of improving public trust by promoting the highest standards in visual journalism. The heading of its first code of ethics, included in the founding documents of the association,

declared: “The National Press Photographers Association, a professional society dedicated to the advancement of photojournalism, acknowledges concern and respect for public’s natural - law right to freedom in searching for the truth and the right to be informed truthfully and completely about public events and the world in which we live” (Lester, 1990).

It is remarkable that the code included no explicit references to the setting up of pictures, the manipulation of images and most of all, to the invasion of privacy. After having gone through the history of photojournalism ethics, one gets the feeling that the explanations of these absences provided by John Ahllauser in the *NPPA Special Report on Photojournalism Ethics*, published in 1990, are all but convincing: “Given the technology of the times, some of what we consider wrong today, was tolerated by newspapers or even required as good practice when bulky 4x5 cameras, slow lenses and film, flashbulbs and tripods and time exposures were routine on any assignment” (Ahllauser, 1990).

The absence of a clear reference to the protection of people’s privacy is especially surprising taking into account that the genesis of photojournalism ethics is intrinsically linked to it. Regarding setting up pictures and altering of images, although not explicitly addressed, the code nevertheless states that “It is the individual responsibility of every photojournalist at all times to strive for pictures that report truthfully, honestly and objectively” (Lester, 1990: 98).

The difficulty in reaching a broad consensus among journalists, editors and publishers, which was absolutely necessary if codes of ethics were to be efficient tools of self-regulation, was probably one of the reasons why this first code was general and loose. Nevertheless, the work done by the NPPA since the first years of its inception has been important in reinforcing and institutionalizing the role photographs play in the news process, in assuring

the right of press photographers and in intensifying the debate on photojournalism ethics.

The late 1980s witnessed the introduction of revolutionary technologic transformations in the field of photography that deeply challenged the credibility and future of photojournalism. “We are under attack”, proclaimed the president of the NPPA, John Long, on the occasion of the presentation of the new “Digital Manipulation Code of Ethics” that the association adopted in 1991 (Lavoie, 2010b). It is ironic, Schwartz remarks, that “the technological nature of photography, which once seemed to assure its truthfulness, now raises suspicion” (Schwartz, 1999: 174). According to Schwartz, the current scrutiny of press photos is similar to the “disrepute” that sketch artists faced by the end of the nineteenth-century. The ease with which photographs can be doctored has undermined the public’s confidence in the power of photography to truthfully represent reality, forcing the industry to take measures. Newspapers have restated their commitment to photographic integrity, adopted internal guidelines ruling the use of digital editing software and increased self-scrutiny and reassessment. Nevertheless, as Lavoie (2010b) and Schwartz (1999) remark, the response from the industry to the new challenges was basically guided by the old paradigm of the darkroom: the use of digital editing tools should be limited to those that were commonly accepted in the darkroom for editing analogue photographs: tonal and colour corrections, dust spot elimination, cropping, burning and dodging. The use of other tools remained controversial, if not prohibited, for they could possibly compromise photographic integrity. This means that while framing and even cropping techniques may be legitimately employed to exclude an object from appearing in a photograph, other computer editing techniques remain unacceptable.

The strategy adopted to preserve photography’s credibility was based on the idea that what the camera recorded should not be manipulated

afterwards. In this sense, the general response to the new threats posed by digital-imaging technology of the late 1980s and 1990s echoes the rhetorical stances that have been shaping photojournalism's *ethos* since the end of the nineteenth century, favouring the referential and denotative functions of photography over the expressive and connotative ones and undermining the active role the photographer plays in determining how subjects and events are represented.

After this brief historical overview, it is now time to take a look at the current situation in photojournalism ethics. Throughout the next section we will compare eight European and American codes of ethics that apply to photojournalism, even if they are not all specific to visual journalism. In fact, in most European countries, there are no specific codes for photojournalism and photographers are recommended to abide by the general ones.

2.3. Photojournalism and Codes of Ethics

With the aim of analysing the situation of the ethics of modern photojournalism, we decided to compare seven codes of ethics prevailing in Portugal, Spain, France, the United Kingdom and the United States of America. The selection of these codes follows a doubly relevant criterion: national context and specific subject. For each country, whenever possible, we chose two codes: one general and one specific to photojournalists. The aim is 1) to verify if the updates introduced in some of the codes signals an increasing awareness of the importance and specificity of visual news in the current context of integration and convergence fostered by the Internet; 2) to reflect on the ways to improve general codes with contributions from specific photojournalism codes; 3) to confront some of the intrinsic difficulties affecting news regulation.

From Portugal, we will only analyse the code approved by the *Sindicato dos Jornalistas Portugueses* (SJP, 1993), as there is no representative photojournalists' association. In the case of Spain, we will analyse the code of the *Federación de Asociaciones de Prensa de España* (FAPE, 1993) and the former code of the *Asociación Nacional de Informadores Gráficos de Prensa y Televisión* (ANIGP-TV, 2007), respectively. Although ANIGP-TV decided to abandon its code, the fact that in most European countries there is no specific code for photojournalists justifies our inclusion of the Spanish code in our study. In France, the *Syndicat National des Journalistes* (SNJ) is the most representative association of journalists. Its code of ethics was updated in 2011. Moreover, it is important to note that the *Association Professionnelle des Photojournalistes* (Freelens) merged with the *Union des Photographes Créateurs* (UPC) in 2010 to create the *Union des Photographes Professionnels* (UPP). As a result of this paradoxical merger,

the code of ethics of this new association no longer regulates photojournalistic activity. It therefore does not form part of our study. From the UK, we analyse the code of conduct of the recently created Independent Press Standards Organisation, which in 2014 substituted the Press Complaints Comission (IPSO, 2011), having adopted its Editor's Code of Practice. The UK also lacks a code of ethics dedicated exclusively to photojournalists. From the USA we analyse the ethics code of the Society of Professional Journalists (SPJ, 2014) and the National Press Photographers Association (NPPA, 2004).

2.3.1. Methodological Considerations

Regarding the specificity of this study, which aims to carry out a reflection on the self-regulation affecting photojournalists' activity, it is necessary to take a position on an important methodological consideration: should we favour a broad or limited interpretation of the ethical norms? In other words, should we consider, for comparative effects, the rules that, despite not mentioning images or photojournalistic activity, are, nonetheless, applied to them?

This decision is neither innocuous nor without consequences. In fact, the risk of favouring a literal interpretation is to promote a reductive interpretation that strengthens the idea that codes of ethics are more centred on acts than on agents. Taken to the extreme, this idea would lead us to defend the notion that all action not set out in the letter of the law would be permitted. The codes of ethics would contain thousands of pages and would still not exhaust the infinite possibilities of human action. Leonardo Rodríguez Duplá, in the article "Ética Clásica y Ética Periodística" [Classical and Journalistic Ethics] notes that Plato, in his *Republic* (Rep. 426e), compared the project of an exhaustive legislation encompassing all possible cases (...) with the attempt to decapitate a hydra, the mythical monster whose heads

multiplied when cut (Rodríguez Duplá, 1995: 72). And Daniel Cornu, in *Journalisme et Vérité*, warns of the risk of formalism that this type of literal interpretation entails. Respecting the letter of the law is not always synonymous with respecting its spirit (Cornu, 1994). A classic example? Correcting inaccurate news that has not been confirmed by independent sources or that simply served to strengthen the impact of a news item.

Warned of the risks of a too literal interpretation, we have chosen an intermediate path: we will admit that in some cases (to be identified) the rules should be broadly interpreted and should also be binding photojournalists. In controversial cases, whenever a rule refers explicitly to images or photojournalistic activity, we will consider it separately.

Following the proposal of Daniel Cornu (1994), we will divide the analysis of the codes of ethics into four basic principles: 1) the mission of news media; 2) freedom as a condition; 3) truth as a fundamental duty; 4) the respect for the dignity of people as a boundary. The various norms set out in the codes will be considered specifications of these general principles.

1) For the purposes of this study, we will not go into the proposals specifying the media's mission that generally head the preface of these documents. Belonging to a cultural tradition explains why most codes of ethics analysed defend a responsible free press capable of balancing the rights of citizens with news of public interest.

2) Freedom is a fundamental principle of good journalism. Codes of ethics usually specify this general principle in rules relating to disinterest and independence, the rejection of political or commercial propaganda and resistance to pressure. Codes of an "educational" vocation, such as the Munich Declaration (1971) or the FAPE code (1993), also include in their articles a set of rights guaranteeing conditions for good professional practice,

amongst which freedom takes precedence. By its very nature, the defence of freedom includes all journalists, and is also, therefore, not included in our comparative study. It is important to remember that we are still referring to the declaration of principles. On reviewing the complaints and petitions of professional associations we can confirm that in practice not all are equal before the law: photojournalists still face great difficulties when it comes to exercising their profession freely.

3) Despite its importance, truth continues to be controversial within journalistic ethics. Considered unattainable, subordinated to the domain of subjectivity, prisioner of the point of view, it makes its appearance in certain documents “timidly” under terms such as “rigour” and “exactitude” (SJP) or “accuracy” (IPSO). We will avoid from the outset the disputed as well as, until now, fruitless debate, taken to extremes in the case of photography, if we initially limit ourselves to analysing the rules specifying truth as related to news.

4) The respect for the dignity of people as a limit to the right to inform is the fourth fundamental principle that constitutes good news. A great part of the ethical debate on journalism and photojournalism in particular is centred on human dignity. Exceptions are allowed in the name of greater public interest. The big question is knowing how to determine it.

2.3.2. Analysis of the codes of ethics

2.3.2.1. Rules specifying the ethical commitment to the truth

2.3.2.1.1. Banning the use of unfair methods.

All the codes of ethics analysed include rules that prohibit the use of unfair methods of news gathering and that, for the most part, make specific reference to the taking of pictures. Of all the codes, the IPSO code most comprehensively sets out the methods that cannot be used: hidden cameras

or microphones and the hacking of private telephones, messages or e-mails. Neither does it consider acceptable the obtaining and publication of documents or photographs taken without authorisation (“removal”) or obtained through accessing private information available on digital media without consent. No other code includes this last rule. The prohibition of the use of these methods is only excepted under two conditions: that there is no other way of accessing information and that it is of public interest.

At a time when the media is increasingly using material provided by the public, especially on their online versions, reference to the rule, found in the preface to the IPSO code, that obliges British editors to respect the rules enshrined in the code even when the material to be published has not been obtained by their team of journalists, takes on special importance. This rule has a particular impact in promoting truthful, good-quality visual information. Furthermore, its compliance represents an ethical challenge the media cannot neglect.

The fall in resources affecting the press, which is clearly harming original journalistic production, especially in the international arena (see, for example, Moore, 2010), will oblige traditional media to increasingly refer to news providers of the countries of interest. Not to do so would be to jeopardise news pluralism even further. This situation gives rise to a new set of ethical questions for journalists and the media and should foster, following the proposal of Jeff Jarvis, the adoption of a new Golden Rule of Links in journalism: link unto others’ good stuff as you would have them link unto your good stuff” (Jarvis, 2010).

Finally, and in addition to harassment (FCC), persecuation and intimidation (ANIFGP-TV) there is another means of obtaining images that photojournalists should avoid (the degree of disapproval varies from code to code) (ANIFGP-TV, SPJ and NPPA): paying for news and participation. The

specificity of this method and the importance for the ethics of photojournalism justifies it being considered separately.

2.3.2.1.2. Avoiding staging.

Among the codes analysed, apart from the two specifically regulating photojournalism (ANIGP-TV and NPPA), only the SPJ code refers to this practice. However, none of the three rejects it outright. The SPJ code states "(...) if a representation is needed to tell a story, it should be mentioned". The NPPA code is more exhaustive: "resist being manipulated by staged photographic opportunities." And it adds: "do not pay for (...) participation". The ANIGP-TV code states that the photographer should avoid paying or receiving money in exchange for illustrations or stagings that offer news of public interest that do not correspond with reality. Of the three codes of ethics, that of the NPPA most clearly draws attention to the fact that staging can be the result of a premeditated act by the subject of the photograph. The professionalization of communication that has invaded many sectors of the public sphere requires us to avoid rushing into making judgements on the authenticity of what we call reality. In *Regarding the pain of others,* Sontag draws our attention to the fact that, despite the fact that the photo taken by Eddie Adams of February 1968 in which the head of the South Vietnamese national police, Brigadier General Nguyen Ngoc Loan, executes a suspected Vietcong in the streets of Saigon was not questioned, it is clear that this photo was staged. Sontag states that General Loan "would not have carried out the summary execution there had they not been available to witness it. Positioned beside his prisoner so that his profile and the prisoner's face were visible to the cameras behind him, Loan aimed point-blank" (Sontag, 2003: 60-61).

2.3.2.1.3. Influencing events

With regard to staging, the influence of the reporter on the progress of events can be formally considered the subject of a separate rule. The NPPA code, the only to take a position on this subject, though of a fairly generic formulation, maintains the distinction. Its article states that press photography should not intentionally alter, attempt to alter or influence events.

2.3.2.1.4. The prohibition of manipulation and the limits of editing

Although the history of photography confirms the idea that image manipulation is not exclusive to the digital era, the truth is that, among the codes analysed, only those that have been ratified or updated after the second half of the 1990s include rules that reject this practice. The international impact of certain cases such as the one to affect Time magazine, which was accused of deliberately darkening a photograph of O. J. Simpson, which was published on the cover on the June 27 1994, would have contributed to this situation. This case is paradigmatic because it reveals that the boundaries between legitimate editing and manipulation can be extremely tenuous. Among the rules analysed, the ANIGP-TV rule is the most comprehensive. It recommends that the photographer defend the image as it was taken, demanding that at no moment should it be manipulated if this leads to the total or partial obscuring of reality. Reading between the lines, the possibility of legitimate editing is accepted, although it does not provide a rule to regulate this. The same could be said of the NPPA code, which imposes as a condition the maintainance of the integrity of the content and context of photographic images. Considered a secondary act with respect to the original act of photography, limited editing distances itself from manipulation by not attacking “visual information” or the “original image” taken by the camera.

Many other editorial decisions raise questions for which there are probably no definitive answers. Many of these cases are related to photographs that testify to evil and human suffering and that are usually decided on the basis of “taste”, that is, appealing to a personal sensitivity that is often determined by cultural context and not based on a universal rule. We will come back to this point further on.

2.3.2.1.5. Providing contextual information that improves coordination between text and image.

Apart from the two codes specific to photojournalists, in none of the general codes can references to the need to provide contextual information that improves the coordination between text and image be found, which reinforces the idea that visual information is still relatively subordinate to written information. The decision to encourage proper coordination and fair combination between text and image does not depend on the photographer but the media outlet. The ANIGP-TV code poses the question thus, emphasising that without this commitment there is no such thing as good information. The NPPA code, which in this regard is less educational, limits itself to recommending that photojournalists be thorough in their news coverage and that they supply contextual information. The difficulties posed by questions of the semiotics and the rhetoric of the image do not justify the silence of most codes in this regard. Providing information on who is in the photograph, where it was taken, when it was taken, what it shows and in what circumstances is very important in order to help readers make sense of what they see. In some cases, silence can be an accomplice in the manipulation.

2.3.2.1.6. The duty to present a variety of shots and angles of the events.

To encourage good editing, and aware of the subjectivity this can entail, the ANIGP-TV code, in an explanation of its motives, urges the photographer to provide a photo taken not just from one vantage point, but a range of shots. Once again, only those codes aimed at photojournalists include this rule. The NPPA code recommends the photojournalist be thorough in the representation of the events. It is impossible to see the six sides of a cube at the same time.

2.3.2.1.7. Safeguarding the media's photographic archive.

The introduction of this rule in the ANIGP-TV code should be understood as "pedagogical", as its compliance does not only depend on the will of the photographer. No other code refers to the need to document and guarantee the conditions of good preservation of archive images. In the digital context, access to photographic databases can be, and in some cases is, an income source for the media and, at the same time, a service for historic awareness.

2.3.2.1.8. Fostering the correction of errors.

All the general codes analysed oblige journalists to correct false information. With the exception of cases of manipulation, errors affecting the press photograph have their origin, above all, in the betrayal of the word. In this case, the ANIGP-TV code recommends that the photographer demands that their employers correct it. The NPPA says nothing in this respect, which seems to indicate that it does not blame the photojournalist for these types of errors.

2.3.3. Rules specifying the duty to respect the dignity of people.

2.3.3.1. The respect for privacy and image rights.

Determining the boundaries to the right to inform is a concern that has accompanied journalistic ethics from very near its inception. In effect, the right to inform involves, at the same time, a duty to respect the dignity of people, something fundamental to journalistic ethics. Indepedently of the fact that personality rights, including honour, privacy and image, are enshrined in law and that the right is best qualified to assure its effective protection, all the codes of ethics analysed include rules that oblige journalists to respect them.

With regard to the activity of photojournalists, the analysis of the codes of ethics allows the identification of three types of questions relating to the protection of privacy and image rights: 1) the protection of minors and vulnerable people; 2) circumstances and methods by which photographs can be taken; 3) the respect for situations of pain and suffering.

With the exception of the SNJ code, all the others include recommendations that endorse the protection of the privacy of minors. In this case, the IPSO code is fairly restrictive, prohibiting the interviewing or photographing of under-16-year-olds without the consent of their parents or guardians and in schools without the consent of the authorities. To this specific concern with minors, the FAPE and IPSO codes add recommendations that urge extra care in the case of sick people or people in hospital or similar institutions.

The second type of questions related to privacy is concerned with the circumstances and methods by which photographs can be taken. In this regard, the IPSO code is the most original and also the most restrictive, prohibiting the taking of photographs of people in private spaces without their consent, defining private spaces as public or private properties where there is a reasonable expectation of privacy. This definition has the advantage of not limiting private space to private property, making it clear that even in public

spaces citizens have the right to privacy. To reinforce the meaning of this rule, the code adds another that specifies that journalists cannot continue photographing people when asked to stop, without specifying whether people are in public or private places.

All these rules allow exceptions when there is a case for greater “public interest”. Once again, the IPSO code is the only one to attempt to clarify what “public interest” might be. In addition to the freedom of expression itself, information of public interest is that which aims to:

- detect or report crimes or serious irregularities;
- protect public health and security;
- prevent the public being deceived by the actions or claims of an individual or organisation.

Although still in agreement with the IPSO code, only exceptional public interest could justify the application of this clause in cases involving under-16-year-olds.

We could introduce the third type of question related to the protection of privacy and image rights with the following question: What purpose could justify the taking and publishing of inappropriate images or images showing severe pain and suffering?

Most of the codes analysed recommend that journalists are especially sensitive in cases of pain and suffering, with the aim of avoiding unjustified intrusion that does not provide relevant information to the understanding of events. However, whilst it is true that on many occasions the difference between morbid voyeuristic exploitation and informative need is easy to establish, since the confusion of the two is the result of the imposing of economic values over moral ones, in others it is more complicated.

The ANIGP-TV code takes a position on this question by introducing a distinction between images that record the consequences of a terrorist attack, conflicts etc., in which professional photographers should avoid

unjustified intrusion into feelings, and photographs that should serve to raise the public's awareness to situations of injustice related to suffering, misery or famine.

We ask: What criterion could help us decide whether and how to publish the award-winning photograph taken by Pablo Torres Guerrero of the series of attacks that took place on 11 March 2004 and published on the front page of *El País* and other international newspapers, including the *Daily Telegraph* or *The Guardian*? In an article with the suggestive title Beyond Taste: Editing Truth, published on the Poynter Institute's website, Kenneth Irby (2004) suggests that questions such as these require considering, on the one hand, the public sensibility and, on the other, the duty of truth. When they consider that a particular photograph is overly inappropriate and violent and liable to harm the public's feelings, newspaper editors should choose another photograph. However, what if, as Clemente Bernad claims, Torres Guerrero's photograph was an essential image? (Bernad, 2009). What argument could justify the manipulation to which many newspapers subjected photographs by deleting or hiding the visible remains of human bodies? Shouldn't we admit, as Pepe Baeza does that the duty to respect the privacy of people is being used for other purposes than fostering journalistsic ethics and morals? (Baeza, 2001). This appears to be the opinion of Susan Keith et al., who, in a study titled *Images in Ethics Codes in an Era of Violence and Tragedy*, recommend that codes make it clearer that the commitment to the truth can clash, at least temporarily, with the media's interest in keeping their readers satisfied (Keith et al., 2009).

It is important to recount that, in addition to the ANIGP-TV code, in none of the other codes we have analysed can journalists find a rule that helps them decide whether to publish or not inappropriate or overly graphic photographs. The study carried out by Susan Keith et al. (2009), which analyses more than forty American ethics codes, reaches similar conclusions. In this regard, the ANIGP-TV code, despite the fact that its formulation could be improved, is important as it confirms the importance of

showing photographs whose aim is to raise people's awareness and safeguard their fundamental rights.

2.3.3.2. Prohibition of the identification of victims of sexual crimes and minors involved in criminal acts.

The analysis of the codes reveals, with respect to this rule, a difference of position between English-language countries, which are more permissive with regard to identifying minors who may have committed crimes, and continental European countries. The IPSO code only prohibits the identification of under-16-year-olds who have been victims or witnesses of sexual crimes. In the case of adults, it allows identification when justifiable and when the law does not prohibit it. The SPJ code, which is even less restrictive, only recommends precaution when identifying minors suspected of, or victims of, sexual crimes. Among the European codes analysed, with the exception of the SNJ code, which does not include this rule, the prohibition of identification is extended to all victims of sexual crimes and minors involved in criminal activities. The difference in positions is maintained when we analyse the codes specifically aimed at photojournalism: the ANIGP-TV code does not allow the taking of images of minors when they are involved in criminal activities, while the NPPA code makes no mention of it.

2.3.3.3. Rejecting discrimination of minorities and the use of stereotypes.

With the exception of the SNJ code, all the others prohibit the discrimination of minorities and, in the case of the American codes (SPJ and NPPA), "stereotyping". The formulations vary and are being updated to respond to an increasing sensitivity with respect to new minorities, the most comprehensive including race, colour, religion, sex, sexual orientation, disability and mental illness (IPSO). Two of the most assertive codes in this

regard (FAPE and IPSO) recommend that no mention is made of information relating to these categories, except when this information is relevant to the news. In the case of the two American codes, the SPJ code warns of the risk of imposing one's own cultural values upon the other, while the NPPA code recalls the need for journalists to recognise their own prejudices and to make sure this is not reflected in their work. Despite the implications of this in photojournalism (see, for example, Dente Ross & Lester, 2011 or Moore, 2010), none of the general codes relates this norm with the image.

2.3.4. Conclusions

Our comparative study demonstrates that general codes of ethics prevailing in the countries analysed are still formulated for written journalism, dedicating little attention to questions specifically related to photography.

With respect to the fostering of the truth and news credibility, most of the codes limit themselves to prohibiting post-process manipulation of photographs, leaving to one side questions related to staging and photographic opportunities, which only the codes specific to photojournalism consider. Even so, very little is said of image editing tools or the boundaries between legitimate editing and manipulation. As we shall see further on, these types of rules usually figure in the style books and internal guidelines of the media outlets themselves, although their application is not without its complications.

The fact that none of the codes analysed makes mention of other forms of manipulation related to the intervention of the photographer (framing, composition, light, etc) is also significant. In this respect, the codes of ethics confirm a trend that we have already identified when we analysed the history of photojournalistic ethics: the protection of the credibility of press

photographs still focuses on the camera and its near automatic capacity to reproduce reality.

However, the codes still do not include rules regulating coordination between text and image and do not require published photographs to be accompanied by basic information that helps readers understand what they see. It is also significant that the codes do not refer to the increasing use of visual material obtained by non-professionals, citizen journalists or witnesses.

With respect to the protection of human dignity, significant differences can be observed between codes of the various countries, with the British IPSO code specifying in greater detail the conditions in which photographs can or cannot be taken. It is also the only code to extend the right to privacy beyond the private space by considering the possibility that even in the public space people's privacy should be respected. Another significant point is the almost complete absence of references to the use of images of violent content. The only exception is the ANIGP-TV code, which considers the publication of photos showing pain and suffering if the aim is to "raise the public's awareness and safeguard human life".

The following two sections of this second chapter are dedicated to challenging some basic assumptions upon which the credibility of news photos has been grounded. It is our contention that the old paradigm of the dark room, which mirrors a narrow understanding of objectivity, is no longer suitable for promoting trust in news photos. Recent discussions on the integrity of certain award-winning World Press Photos reveal how difficult it has become to establish a consensual criterion on the legitimate and illegitimate use of digital-imaging technologies.

2.4. Forensic analysis and media ethics[24]

The controversy surrounding the integrity of Paul Hansen's award-winning World Press Photo of the Year 2012 is a good example of how developments in digital technology are moving the debate on ethics and news images into a new and highly sophisticated technical level only accessible to skilled professionals and forensic experts.

The dramatic photograph, dubbed Gaza Burial, depicts a crowded funeral procession in the streets of Gaza after an Israeli air strike killed Suhaib and his brother Muhammad, 2 and 3 years old, respectively, and their father, Fouad Hijazi, on 19 November 2012.

Like many other professional photographs, this one has been digitally enhanced, according its author "to recreate what the eye sees and get a larger dynamic range", raising concerns regarding the extent to which the editing process has preserved the authenticity and integrity of what was depicted. Although traditional techniques such as cropping, burning and dodging are considered morally legitimate, as they are analogous to those employed in the old darkroom, new digital editing tools are blurring the boundaries that define what is fair and unfair, thus creating a sense of uncertainty.

At the core of the ethical debate surrounding Hansen's photo is the question of knowing whether the image he produced and edited was the result of the combination of different images, in which case it should be considered composite, a technique that does not meet the ethical standards of photojournalism. Although the codes of ethics analysed are not very explicit with respect to the boundaries between legitimate editing and

manipulation, the practices accepted by the industry and newspapers and news agencies' internal guidelines usually prohibit the cloning or sustracción of pixels and, consequently, the creation of an image from two separate images (Campbell, 2014).

For Neal Krawetz, author of *The Hacker Factor Blog* and computer forensic expert, this was exactly what happened with Hansen's photo. According to him, the Gaza Burial image was produced using a technique known as "high dynamic range" (HDR), which allows the combining into one single image the lightest and darkest areas of multiple images or versions of an image, allowing photographs to resemble a scene as our eyes would have seen it.

An HDR image, Krawetz contends, may be produced basically through two different techniques: (1) by combining a series of different images; or (2) by combining a "series of variants" of the same image with the help of programs such as Photoshop (Krawetz, 2013). Some cameras, even smartphone cameras, equipped with HDR produce these images automatically. Should HDR images be considered composite, even when they result from a combination of a "series of variants" of the same RAW image? It seems quite obvious that the answer to this question depends on what we understand by "variants" of an image. If we favour the argument that considers a digital image's mathematical nature (digital images convert light into binary codes), then we are forced to admit that each "variant" of an image has its own particular digital (numerical) configuration, which marks its difference to all other images. In this regard, and strictly speaking, every "variation" in an image creates a different one.

The controversy generated by Paul Hansen's photo led the organizers of the World Press Photo to hire the services of Hany Farid and Eduard de Kam, whose forensic analysis determined that the image was not composite.

After having compared the RAW file with the JPEG image provided by Hansen, the two experts concluded that "(...) the published photo was retouched with respect to both global and local colour and tone. Beyond this, however, we find no evidence of significant photo manipulation or compositing" (World Press Photo 2013).

This public statement seems to corroborate Paul Hansen's version of the facts. In an interview given to the news website news.com.au, Hansen declared:

> *In the post-process toning and balancing of the uneven light in the alleyway, I developed the raw file with different density to use the natural light instead of dodging and burning [...] To put it simply, it's the same file – developed over itself – the same thing you did with negatives when you scanned them.*
>
> (Paul Hansen cited by Sharwood, 2013).

The lack of consensus among the various forensic experts regarding this case is not surprising. In fact, given that in the digital age photographs result from processing data recorded in cameras' sensors, post-processing procedures should no longer necessarily be considered synonymous with manipulation. In fact, all digital images require processing in order to become viewable images. Before that they are just an approximate "amount" of data. This process of transforming data into an image may take place automatically inside the camera, with the help of built-in software, or outside the camera, with the help of digital image computer software.

What is at stake with this case is no longer the question of knowing whether Hansen's picture has been post-processed or not, but whether the post-processing editing has significantly changed the data as first recorded in the RAW file. The problem here is to determine accurately what "significantly"

refers to and to provide a rationale for the criterion used to distinguish between legitimate and illegitimate proceedings. Should this criterion have a technical nature that would allow manipulation to be measured? What sort of rationale should justify that technical criterion? Should it be purely conventional, or should it be rooted in a more fundamental grounding? If arbitrariness is not sufficiently convincing, then the alternative seems to be to challenge the representational power of photography itself. In fact, and regardless of the technical rationale, some important moral questions remain unanswered: did the digital editing affect the integrity and authenticity of what was depicted? Did it deceive the public? If so, why? Was it because it misrepresents what actually happened? Was it because we were told, after a complex metadata forensic analysis had been carried out, that the image had been digitally enhanced? Given that the general public has had access to different versions of this image, how can the experts' analysis affect the public's own judgment? Finally, and most fundamentally: should credibility in news photos be dependent on a technical and forensic analysis?

John Long, chairman of the NPPA's Ethics & Standards Committee, seems to refuse to discuss the use of HDR photography in purely technical terms. According to him, public trust in news photos is based on conventions and on a "general understanding of what makes an honest photograph" (Long, 2012). And although recognizing there is something "inevitable" and "greatly to be desired" in the use of HDR images and other new techniques, Long believes its time is yet to come:

> *In this day and age, the public has a perception of what makes an honest photograph. True, this is in many ways just convention. But there is a general understanding of what makes an honest photograph and HDR and other new techniques are not part of this perception, at least not yet.*
>
> (Long, 2012)

In another interesting remark, Long underlines the fact that some HDR images result from “multiple ‘moments’ that are combined”, which is something that contrasts with the traditional concept of photography as a realistic representation of a single, if not decisive, moment. For Long, HDR images belong to the “world of art” (Long, 2012).

The argument set out by Long is interesting for two reasons: firstly, because it broaches the historical dimension of trust. By contending that public trust in news photos is based on conventions, which may evolve over time, Long recognizes that trust has a dynamic nature. Because trust is a relationship, it can be strengthened and weakened over time. It is therefore important to question how to improve and where to ground trust in news photos. The historical development of digital photography suggests that it is becoming increasingly harder to base trust on photographs themselves, for their indexical dimension is being constantly threatened. The alternative seems to be to base trust on the relationship between people. In this case, news photgraphs would be trustworthy because readers trust those who share those pictures with them. But Long’s argument is also interesting because it suggests that photojournalism should be defined in opposition to the world of art. When considered together, these two statements suggest that for Long, improving trust in news photos is incompatible with challenging the relationship between journalistic and artistic photography.

It is worth noting that the controversy surrounding Paul Hansen’s photo revolves precisely around these two issues: first, as we have seen, it is not clear whether the editing process used in this case is fair and whether or not it affects the integrity of the representation and, second, because the assertion regarding its informative value does not go against its artist quality. Rather, the opposite. The World Press Photo of the Year was also selected for its beauty. In this regard, Fred Ritchin warns of the danger that, in the highly competitive world of a media already saturated with images, aesthetics

is becoming as important, if not more so, to editors than content (2013b).

Whether from the pressures of technological advancement, or from the pressure of an increasingly competitive media market, what is certain is that the foundations of photojournalism's social identity and legitimacy appear to be threatened.

2.5. Digital era, analogue conventions

John Long notes that the credibility attributed to photography lays in part in historical conventions and is therefore temporally "defined". To understand how this image of credibility surrounding press photography came to be, we need to go back to the origins of photography itself and, more specifically, to the increase in its use in the press at the end of the nineteenth century.

In contrast with illustrations, which they replaced, photographic images were not only able to reproduce an accurate portrayal of something, but were also the result of the direct action of this something, their footprint. Photography, William Henry Fox Talbot declared in the presentation of its invention at the Royal Society in 1839, "record(s) images permanently on special treated paper without any aid whatever from the artist's pencil" (Mitchell 1994: 3). As famously expressed by Roland Barthes, photography testifies that something "was there", that what has been photographed was really in front of the camera (Barthes, 1981). This testimonial role was extremely useful in legitimizing the social role of photography and, moreover, in helping to restore press credibility, which had been severely tarnished following the rapid increase in sensationalist newspapers during the industrial era of the first decades of the twentieth century.

As we have seen in previous sections, these reasons, together with the understandable enthusiasm generated by this innovative contraption, explain the overrating of photography's objective dimension and the consequent playing down of the active role played by the photographer him/herself. It is as if personal decisions that each photographer needs to weigh up before pressing the button were insignificant and did not influence photography's

meaning. Since its early days, professional ethics has revolved around promoting the image of photography as a neutral, almost transparent, medium.

According to Dona Schwartz, the translation of the ideal of objectivity into photojournalistic parlance is carried out through the adoption of the visual code of naturalism, which the author defines as a "communicative strategy which seeks to obscure the articulatory apparatus utilized in the production of a message, diminishing the perceived presence of an author and the significance of intent or point of view" (1992: 97).

Her analysis of the most important photojournalism textbooks published in the United States of America reveals the different instructions relating to framing, composition, lighting and colour or tonal value recommended to generate objective images of reality:

> *Conventions of framing, composition, lightning, and color or tonal value guide the translation of newsworthy subjects into the two-dimensional photographic image. But the representational devices employed by photojournalists are designed to be transparent (...) In their careful crafting of images, photojournalists ascribe to a formal code of naturalism, preserving the objective aura cast around the photographic image.*
>
> (Schwartz 1992: 96)

The attempt to create photographic images that mirror reality requires carrying out a series of technical procedures whose aim is to eclipse the materiality of the medium itself. The purpose is to allow reality to express itself as it is. Photography would then be a "window" open to the world.

Paradoxically, news photos are also meant to generate an emotive response on behalf of readers. As we have just seen, since its early days photographs have been used by newspapers to increase engagement with

readers and expand circulation. In this sense, and in order to grab readers' attention, news photos need to be increasingly spectacular, which means that besides depicting their subjects faithfully photographs also need to be formally captivating. The creation of Magnum Photos in 1947 and the institution of international contests of photojournalism such as the Pictures of the Year International in 1944 or the World Press Photo in 1955, are both indicators and accelerators of this tendency (Schwartz, 1990; Sousa, 2011)

Meanwhile, it should also be mentioned that this is not the only use to which photography is put. Much like journalists who have strived to defend the concept of photography as an objective mirror that reflects reality, in the realm of the arts many have dedicated themselves to exploring its expressive potential and to combating the idea that it is the photographed object that determines the form and meaning of the photographic image (Schwartz 1990; Fontcuberta 2009).

As we have seen, and regardless of all the different uses to which photography has been put, the journalistic industry has always favoured its documentary and referential functions, basing public trust on the indexical dimension of photography. But with the advent of digital photography, the trust engendered in the photographic representation of reality has been seriously shaken. William J. Mitchell, back as far as 1992, declared that the digital era is the "Post-Photographic Era" and, clarifying what he meant, does not shy away from comparing digital photography with painting: "Although a digital image may look just like a photograph when it is published in a newspaper, it actually differs as profoundly from a traditional photograph as does a photograph from a painting" (1994: 4). The potential for open manipulation, storing, transmission and copying of the digital image, which is made up of discrete units (pixels), is increasing exponentially.

Despite the enormous impact that the digital revolution has had on

journalism and photojournalism in particular, the truth is that, twenty years on from the invention of Photoshop, the most important ethical codes and editorial guidelines still operate within the paradigm of analogue photography. The "darkroom" is still the standard reference for establishing which procedures are legitimate for image production (Lavoie 2010b; Schwartz 2003). However, despite the current inadequacy of the analogue model of legitimacy, no suitable alternative has been proposed.

In her interesting study on the replies provided by the industry and professional journalists' associations in answer to the challenges presented by the digital era, Dona Schwartz identifies three distinct strategies:

1. "Publish only photographs that depict the subject as the 'camera sees it'";

2. "Publish only photographs that depict the subject as someone present at the scene would have seen it";

3. "Authorize photographers to take decisions regarding image production consistent with the prevailing norms governing journalistic representations across communicative modes" (2003: 45-46).

Immediately apparent is the disparity between these answers. Taken together, they reveal the situation of impasse in which photojournalism finds itself and what Vincent Lavoie declared in 2010: "photojournalism is a fundamentally unstable category which is being constantly reconfigured by different narratives" (2010b: 18).

The first two strategies create more problems than solutions. Regarding the first, it should be noted that it is virtually unfeasible. Given that what the camera "sees" depends on the algorithm created by each manufacturer to

process the data recorded by camera's electronic sensors and convert it into viewable images, this solution would only make sense if all photographers were to use the same cameras. Otherwise, it would be impossible to prevent the depiction of events from being diverse. In some extreme situations, for instance the lack of light, pictures taken with different cameras vary widely. Moreover, this first strategy is based on the premise that the problem that needs solving is the diversity in the modes of representing reality, a problem which technological advances have only aggravated. Those who support this strategy insist, therefore, on finding formulas that ensure that photography can provide an objective representation of reality. Furthermore, the concept of public trust resulting from this strategy depends on constant vigilance, which aims to guarantee that the rules of play are not violated. In short, it offers a technical answer to a question that is ethical, even ontological, in nature.

The second strategy, though less restrictive, appears equally naïve and unfeasible. As Schwartz states, this option seems to disregard the fact that human perception is influenced by so many diverse factors that it would be impossible to detect, for each situation, what would be the common or average perception. People's perception is mediated by an infinite amount of historical, cultural, social and biographic factors and could not be reduced to a kind of mechanical operation performed by our senses. Furthermore, as with the first strategy, this one has been thought up to solve the problem of the disparity in the modes of representation of reality. In this regard, these first two strategies both support the thesis postulated by Nelly Schnaith, for whom the main problem regarding photographic realism is, first and foremost, its hegemonic aspirations (2011).

The third strategy differs radically from the first two, firstly because, by making photojournalists responsible for their work, the debate surrounding public trust is brought back to an ethical-moral terrain. It pertains, states

Schwartz, to establishing a “social contract” between the media and its public, which requires, above all, transparency in the processes of newsmaking and accountability. Providing more contextual information regarding photographs and the production process will help the public to become gradually familiar with photographic language, to trust the media and to be better informed. Secondly, and fundamentally, this third strategy liberates photojournalism from the hegemonic constraints of photographic realism. As Schnaith argues, the realistic representation is certainly legitimate and even important but has no right to impose itself as the only form of visual access to reality (Schnaith, 2011).

Good news photographs are those that allow us to perceive the unperceived, something that helps reveal hidden facets of phenomena. The realist canon does not have, in this respect, any special privilege. In short, grounding photojournalism’s credibility in a paradigm other than that of analogue photography and reconsidering photography’s relationship with art may well be the two most significant questions to be addressed by contemporary photojournalism.

To sum up this chapter, it could be said that the idea of grounding photography’s credibility in its referential and objectivist functions raises some issues: first, it contributes to reducing the understanding of manipulation to its digital post-processing dimension, obscuring the fact that many other important problems related to photojournalism ethics lay elsewhere. Some of those other important questions will be addressed in the next chapter. This restrictive understanding of manipulation is also problematic because it creates the illusion that the difference between legitimate and illegitimate photographs should be established in technical terms. Public trust in news photos could then be based on constant surveillance meant to guarantee that post-processing procedures do not transgress accepted technical standards, most of which are inspired by the

old paradigm of the darkroom. In this regard, besides preventing the general public from participating in debates on ethics and photography, which have become restricted to highly qualified forensic experts, this understanding of manipulation contributes to spreading a feeling of suspicion regarding photography. Given that manipulation has become so sophisticated, only computer experts are actually capable of spotting it. In this context, all photographs should be considered fake until forensic experts demonstrate they are not.

Furthermore, centring the discussion of manipulation on the technical level involves yet another risk: it conceals the debate on the foundation of the technical criterion itself. In fact, this technical criterion only makes sense within a framework of an understanding of press photography that should be centred on its referential and objective aspect. However, that press photography should be so is not the result of a technical criterion. And although this understanding of photography has been naturalised, hiding its origin, the analysis of the history of photojournalistic ethics has revealed that this concept of photography is the result of a set of historic vicissitudes and specific technological, commercial and professional factors that could, and in our opinion should, be questioned (see section 2.1. and 2.2.).

Finally, making the social function of press photography depend on its capacity to realistically reproduce reality entails forgetting (or hiding) the fact that photographic realism and naturalism are also styles and that realistic photographs are the result of the application, by the photographer, of a set of specific techniques (Schwartz, 1999). In this regard, photographic realism is not a “non-style”. The aim of this set of techniques is, on the one hand, to hide the material dimension of the photographic signal, making it transparent and, on the other, to conceal the role the photographer plays in determinating what the photograph shows or hides. The review we have carried out of the history of photojournalism suggests that this concept of press photography

serves two fundamental purposes: firstly, to transpose onto the field of photography the pretense of objectivity that started to become popular in written journalism and secondly, to reinforce press photography's professional statute as opposed to artistic photography.

It is our belief that press photography should overcome this type of "mimetic illusionism" (Dubois, 2008: 52), based on the identification of the inconic and indexical functions of photography, in order to be able to uncouple its documental and testimonial power from the reductive view of visual representation. The revolution that digital photography represents to photojournalism and the infinite manipulation of potential sources of visual information require that trust in press photography be no longer based on an intended objectivity of photography itself but on the relationship between the various protagonists of the informative process, including the public. This does not mean that objectivity has lost its ethical or moral value. In fact, if referring to the method used to produce and share contents with the public, the concept of objectivity is still useful and up-to-date (Kovach & Rosenstiel, 2001; Ward, 2004).

3. The visual representation of the other

Our reflection on the photojournalistic representation of the other will initially base itself on the philosophy of Emmanuel Levinas. As mentioned in the introduction, there are methodological options that cannot be fully justified from the outset of a study, but gradually as it begins to take form (Aranguren, 1994: 12). In this regard, opting to frame an ethical reflection of the representation of the other on Levinas' philosophy will have to be justified in some way by itself over the course of this rumination. Having forewarned the reader, we can, nevertheless, identify the reasons that, in our opinion, make this choice pertinent. We begin by summarising them according to their order of importance. Each one will then be expounded, in reverse order, in the following section. We start with the most general issues relating to the dialogue between Emmanuel Levinas and Edmund Husserl's phenomenology.

The first reason relates to the fact that, for Levinas, the ethical relationship with the other is characterised in particular by hospitality and welcoming the other. The face of the other is both plea and authority, misery and magnanimity. From his fragility and misery, the other commands me: "Thou shalt not kill". His bare, exposed face challenges me and calls me into question. Not respecting his radical difference and otherness would be an act of violence. But the other is also authority. His face is a trace of the infinite, of this absolute otherness that is irreducible to the constituent and legislative activity of the ego. In this regard, respect for the other is neither shame nor commiseration. Nor is it a duty of reciprocity: I would respect you and your freedom so that my freedom and I could also be respected. The moral relationship in Levinas is asymmetric and free, expecting nothing in return. This approach will be particularly interesting in the context of the visual representation of pain, suffering and denunciation of injustice.

The second reason is related to the fact that Levinas rejects considering the question of the relationship with the other under the categories of knowledge, for this would mean reducing the transcendence and radical alterity of the other to the realm of immanence and totality. For Levinas, the representation of the other is an undertaking forever condemned to failure. To represent the other is to give them form, to define them and to impose limits upon them. This suspicion of the power of art and the image in general, which Crignon (2004) considers uncommon among 20th century philosophers, is an additional point of interest to us and in some way helps to point out the limits of the representational power of the image.

Finally, Levinas' work is also an excuse to make a brief reference to phenomenology, considered one of the most influential European schools of philosophy of the 20th century. In fact, it would not be possible to understand Levinas' thought without making reference to the philosophical project of phenomenology's founder, Edmund Husserl. In the following pages, we introduce some of the most important aspects of Husserlian phenomenology, focusing our attention on those questions that allow Levinas' thought to be better understood.

3.1. Husserl and the question of intersubjectivity

In order to enter Edmund Husserl's philosophical project, we will refer to, in first place, the text that gathers the five lectures given by him between April 26 and May 2, 1907, in the University of Göttingen, which were published under the title *The Idea of Phenomenology* and which were dedicated to questions on the philosophy of knowledge (Husserl, 1950).

In the synopsis he wrote to introduce the lectures, titled *The train of thought in the lectures,* Husserl starts by stating that what distinguishes philosophical thought from natural thought typical of the sciences and everyday knowledge is its concern for the possibility of knowledge itself. Sciences, oriented towards their objects, are, in this regard, naïve in that they presuppose without question the possibility that things allow themselves to be known, that the laws of logic that govern thought can be applied to objects and that, ultimately, they allow things themselves to be understood. Philosophy, on the other hand, cannot be indifferent to this question. What method should a science or form of knowledge that aims to question the very possibility of knowledge adopt? How can a science progress without the use of any previous knowledge, that is, without a presupposition? In other words, the radical question underlying Husserlian thought is to establish a science that is able to fully legitimise itself and that is able to dispense with any type of presuppositions.

Referring explicitly to Descartes, Husserl states that the method of Cartesian doubt would be a good starting point. Even doubting everything, I am forced to recognise the existence of the mental process that puts everything in doubt. "The *cogitationes* are the first absolute data" (Husserl, 1950: 2). In this regard, it is the *ego cogito* that constitutes the safe grounding

upon which the foundations of a science without presuppositions and thus capable of self-legitimisation can be laid.

The need to circumscribe the field of the legitimacy of knowledge to the field of the *cogito* and its cogitations would lead Husserl to propose the *epoché,* according to which “everything transcendent (that which is not given to me immanently) is to be assigned the index zero, i.e., its existence, its validity is not to be assumed as such, except at most as *the phenomenon of a claim to validity*” (Husserl, 1950: 4). This means, still according to Husserl, suspending natural thinking and its naïve belief in the possibility of knowledge and to put the world into brackets, in other words, to “*exclude all that is transcendently posited”* (Husserl, 1950: 4). This does not mean, though, denying the existence of things. What Husserl intends is to focus on things as they appear to us and on the modes through which things are given to our consciousness, a process achieved through the *phenomenological reduction*. Phenomenology is, thus, the “activity of giving an account, giving a *logos*, of various phenomena, of the various ways in which things can appear" (Sokolowski, 2000: 13). One could now ask: what is the point of enquiring into the ways in which things appear to us? What is the relationship between those modes of appearance and things themselves? In order to answer these questions, it is important to introduce the Husserlian concept of consciousness and his doctrine of intentionality.

For Husserl, our consciousness is always consciousness *of* something, which means that every act of consciousness is intended towards some kind of object, whether it be an object of perception, imagination, desire or thinking. And although it may not look like it at first glance, this is quite a revolutionary idea. For Sokolowski, the doctrine of intentionality challenges the traditional philosophical concepts of human consciousness and experience that have dominated our culture for the last three to four hundred years and which were shaped by Descartes, Hobbes and Locke (Sokolowski,

2000: 9). According to this traditional understanding, our consciousness is like a “bubble or an enclosed cabinet” *(Ibidem)*, a closed box where our impressions of the outside world are stored with the help of concepts conceived as internal images of real things. These mental entities would function, therefore, as “bridges” between the world and ourselves. They would represent things inside our minds, raising the difficult question of knowing how we could guarantee the “match” between those mental entities and real things. Being so used to understanding our human consciousness as something “inside”, we become perplexed at the idea of ever reaching the “outside”.

The phenomenological doctrine of intentionality shatters this traditional concept of consciousness and experience, claiming that there is an essential correlation between consciousness and the world, that is, between intentions and objects. For Husserl, the multiple modes through which things appear to us are part of their being. Things are as they appear and appearing is their mode of being. In this sense, when we think about a particular object, it is not an internal image of that object that shows up mysteriously in our mind, but the object itself, given in a particular intentional act. In this regard, there are no “mere appearances”. Things are as they appear. According to this new understanding of consciousness, “things that had been declared to be merely psychological are now found to be ontological, part of the being of things” (Sokolowski, 2000: 15).

This new understanding of the relationship between our consciousness and things themselves restores our lost faith in the world and in the possibility of knowing it. As Sokolowski remarks, “the most important contribution phenomenology has made to culture and the intellectual life is to have validated the truth of prephilosophical life, experience, and thinking” (Sokolowski, 2000: 63). Phenomenology is, then, a contemplation of those

different sorts of intentionalities through which things are given to consciousness.

But for phenomenology to become a “doctrine of essences”, a second form of reduction, called “eidetic abstraction”, is required (Husserl, 1950: 6). This new form of reduction is meant to help grasp the objective and universal meaning of things as they appear to the consciousness, “to grasp the meaning of the absolutely given, the absolute clarity of the given, which excludes every meaningful doubt, in a word, to grasp the absolutely ‘seeing’ evidence which gets hold of itself” (Husserl, 1950: 10).

The eidetic abstraction aims to discard what is accidental and contingent within the modes of appearance of an object in order to seize its *eidos*, that is, its essence. The process involves imagining the multiple and diverse modes through which objects can be given to consciousness (a method known as the *free imaginative variations*) in order to see what remains invariable, that is, their *eidos*. This means bringing the multiple and diverse to a unity through a process Husserl calls the synthesis of identity. This process is also known as constitution. Through transcendental reduction and eidetic reduction, the ego aims to constitute the ideal meaning of things. The free imaginative variations method provides the means to seize what remains invariable within the diverse data given in contingent experiences.

In order to keep faithful to the requirements imposed by the project of developing a philosophical thinking that could absolutely legitimate itself and not having to rely on any given presuppositions, Husserl ended up creating a method that is often accused of being solipsistic. According to Paul Ricoeur, this criticism must be considered very seriously, for it could jeopardise the whole phenomenological project. For Ricoeur, the big question Husserl had to explain was: “How should a philosophy whose principle and foundation is the ego of the *ego cogito cogitatum* specify the meaning of the other than me

and of everything that depends on this fundamental alterity" namely the constitution of a world that, by definition, is not only my world but a common world, an objective world (Ricoeur, 1986b: 197).

We are, thus, faced with the paradox of having to reduce all being to the phenomena intended by the transcendental consciousness and, at the same time, consider the intersubjective constitution of the objective world, which is neither the world of the ego nor the alter ego, but a world formed intersubjectively.

It is true that the thesis of the ideality of meaning, according to which there is an immanent universal meaning in each phenomenon that is attainable through eidetic reduction, makes communication between consciences possible, since all of them can refer to the same objectivity. In fact, what is being communicated is the ideal meaning and not a particular or possible mental image. Nevertheless, the possibility of the constitution of the objective world remains to be demonstrated. The enduring problem is knowing how to constitute a plurality of absolute consciences based on the method of phenomenology that obliges this constitution to be formed in the heart of a pure and absolute consciousness. This is the fundamental question to which Husserl dedicated the *5th Cartesian Meditation* (Husserl, 1960). According to Paul Ricoeur, Husserl's intention is to transform the objection into an argument and to demonstrate how it is possible that "in this progression in the direction of the other, to the world of the others and to the others as the world, the privilege of the ego can be maintained, which is the only primary principle of transcendental phenomenology" (Ricoeur, 1986b: 198)

Faced with this difficulty, Husserlian phenomenology will have to confront two apparently opposing requirements. On the one hand, in order to remain faithful to its principles, Husserl has to guarantee that the constitution

of the meaning of the alter ego is formed *in* and *by* me. On the other, in order to describe the originality and specificity of the experience of the other who is distinct from me, the author of the *Cartesian Meditations* is forced to discover within the realm of the self the reasons that allow the “transgression” of the meaning of the ego to the alter ego. That the other is also a body that I can perceive as I perceive other things does not make him/her a thing. The other, like me, is a constituent subject. A subject called to participate intersubjectively in the constitution of our objective world, that is, our common world. It is this need for the other to appear in my consciousness not only as an empirical reality among others but as another consciousness involved necessarily in the constitution of the unity and cohesion of the world that raises the greatest problems.

> *We must, after all, obtain for ourselves insight into the explicit and implicit intentionality wherein the alter ego becomes evinced and verified in the realm of our transcendental ego; we must discover in what intentionalities, syntheses, motivations, the sense “other ego” becomes fashioned in me…*
>
> (Husserl, 1960: § 42)

Husserl himself recognises, in his *Formal logic and transcendental logic* (§96), the difficulty of this question. In order to specify the meaning of the *alter ego*, the German philosopher resorts to a new form of *epoché* that makes it possible to demarcate within the transcendental realm of the consciousness that which concerns the particular form of transcendence which is the other. This “peculiar kind of *ephoché*” is the prime requirement for what Husserl call the "reduction to my transeendental sphere of peculiar ownness" (Husserl, 1960:§ 44). Through this latter form of reduction, the ego abstracts all that is different from him in order to exclusively consider what is his. For Ricoeur, this abstraction of all the constitutive operations that involve the other results from a logical requirement to affiliate meaning within the interior of the ego’s reduced sphere (Ricoeur, 1986b: 202). This does not

mean that the experience that I have of myself chronologically precedes the experience I have of the other. Admitting it would entail the possibility of recovering any “savage experience preserved in the heart of my experience of culture” (Ricoeur, 1986b: 203). The aim is to determine the previous grounding to all the work of the proceeding constitution, purifying all that is not me. This process of abstraction aims to specify the essential structure of the transcendental ego that founds the intentional acts that intends the other. As a result of this reduction, the world is reduced to the horizon of my own body (*Leib*), this “isolated totality” that I am without distance, a specific psychophysical reality whose nature allows me to feel a member of a group of things that go beyond my monadic being. Here, the category of the own body assumes a decisive role. It is through an “analogical apperception” with the body of the other that I “transfer” the meaning of my ego to the meaning of the alter ego. The other, like me, is also a being that thinks, feels, loves and suffers. The other is not a thing among other things. However, the fact that it is impossible for me to live the experience of the other —otherwise they would be an extension of myself—, and that I can only describe their experiences based on an analogy that I establish with my own experiences, represents a limit to any attempt to constitute the other with the same clarity with which I can constitute other objects. Could it be any other way? Considered from within the Husserlian phenomenological framework it does not seem so. In this regard, as Levinas would say, the other is not a phenomenon. The other does not appear as other things appear. The being of the other resists any attempt at definition.

3.2. Levinas and the absolute alterity of the other

Following this brief reference to the thought of Edmund Husserl, we are now in a position to be able to enter into the works of Levinas. Far from wishing to go into his complete works in detail, our intention is to only highlight two aspects of his thought that could instruct and inspire our own reflection on the moral dimension of the photo-journalistic representation of the other. The first relates to the question of the representation itself, whilst the second relates to dialectic relationship between humility and height and the category of hospitality.

To enter into Levinas' moral philosophy, a good starting point would be the first sentence of the preface to *Totality and Infinity*:

> *Everyone will readily agree that it is of the highest importance to know whether we are not duped by morality.*
>
> (Levinas, 1979, 21)

There are many reasons to be suspicious of ethics and moral philosophy. "War and violence" rather than "peace and love" seems to be the norm that governs human behaviour.

Born in 1906, in Kaunas, in today's Lithuania, into the heart of a Jewish middle-class family, Emmanuel Levinas was forced to emigrate along with his family to Karkhov, in today's Ukraine, in 1914 to flee the First World War. Between 1928 and 1929 he moved to Freiburg to study with Edmund Husserl, meeting on that occasion Martin Heidegger for whom he initially held a deep admiration. However, this admiration was to severely wain over time, mainly due to the increasing involvement of Heidegger with Nazism. The fact that he accepted the post of Rector of the University of Freiburg in 1933 in

the same month that Husserl was banned from using the university's library due to *racial laws,* would have been particularly disappointing (Hand, 2009: 15). After obtaining French nationality, Levinas enlisted in the army in 1939, but was then captured and held as a prisoner of war in a labour camp in Fallingsbotel (Germany) in 1940. Many from his family were killed by the Nazis. It is not surprising, therefore, that of the many horrors experienced throughout the 20th century that engulfed the world in darkness, it was Auschwitz that, for Levinas, represented the paradigmatic model of the most gratuitous and incomprehensible human suffering. For the occasion of the publication in English of "Reflections on the Philosophy of Hitlerism" (1990), originally published in the progressive Catholic journal *Esprit* in 1934, Levinas stated:

> *The article stems from the conviction that the source of the bloody barbarism of National Socialism lies not in some contingent anomaly within human reasoning, nor in some accidental ideological misunderstanding. This article expresses the conviction that this source stems from the essential possibility of elemental Evil into which we can be led by logic and against which Western philosophy had not sufficiently insured itself.*
>
> (Levinas, 1990: 62, cited by Hand, 2009: 28)

For Levinas, neither our theories nor our institutions have been able to realise goodness. According to Morgan (2015), it is clear that for Levinas all the diabolic horror, extreme violence and gratuitous human suffering exposes the limits of our practical and theoretical reason to understand, explain and control evil. It is the end of theodicy. In face of this scandal and absolute lack of understanding, the only possible response is opposition and "senseless kindness". Our responsibility towards the other human being is prior to any sort of philosophical examination. What Levinas is suggesting is the need for an "ethics without ethical system" (Levinas, cited by Morgan, 2011: 25). Before anything else, the encounter with the other forces me to share, to be generous and to respect his absolute alterity. And this is a crucial point. For

Levinas, our Western philosophy has not been able to ensure itself sufficiently against the possibility of elemental Evil because of its tendency to reduce the other to the same: “Western philosophy has most often been an ontology: a reduction of the other to the same by interposition of a middle and neutral term that ensures the comprehension of being” (Levinas, 1969: 43).

In a study published in the *Revue de Sciences Philosophiques et Théologiques*, in 1987, titled “Une introduction a la lecture de *Totalité et Infini”,* Adriaan Peperzak states that what is fundamentally under question in Levinas’ work is the idea itself of “autonomy or legislation of the Same” inscribed in the root of Western philosophy, which aspires to integrate all things under the immanence of total knowledge and to the “reduction of all alterity to the reflexive identity of a higher consciousness” (Peperzak, 1987: 196).

In *En découvrant l’existence avec Husserl et Heidegger* (1949), Levinas undertook an interpretation of the history of philosophy based on the Platonic concept and the Cartesian *ego cogito*. Starting from the definition of philosophy as a dialogue of the soul with itself (*Sophist*, 263 and 264 a) and considering the revealing of the truth as a process of remembering (*Phaedo*, 73 and subsequent chapters), Plato launched the basis of a philosophy of the “Same” that would culminate in the so-called metaphysics of subjectivity, according to which all philosophical activity is built and is based on the activity of the ego. Nevertheless, Levinas still finds in Plato and Descartes the principles of another thought capable of resisting the narcissistic philosophy that places the self at the centre of all reality. It is the Platonic notion of Good, to which the dialectic ascension of philosophy aspires — defined in *Phaedrus* as a dialogue of the soul with the gods (*Phaedrus*, 273e – 274a)—, and, especially, the Cartesian idea of the Infinite, that hint at another form of conceiving the alterity and transcendence of the other and

that would force the thought to break with the notions of autonomy and immanence that everything reduces to the same.

According to Stéphane Mosès, what inspired Levinas in the third *Metaphysical Meditation* was not so much the "logical form and causal argumentation" that sustain the proof of the existence of God, but Descartes' "speculative gesture" that opens "a way out of itself of thought through the idea of the Infinite" (Mosès, 1993: 80). For Levinas, the idea of the infinite in myself is not constituted in the realm of thought, in any intentional relation of the consciousness, arising instead as the result of the "irruption in the heart of subjectivity itself of a transcendence that, at the same time, completely overflows it"[25] (Mosès, 1993: 80). Being "beyond" all possible understanding, the Infinite is neither the unlimited nor the encompassing, nor the universal —otherwise it would be further reduced to the realm of totality and the system—, but the absolute alterity. The possibility for thought to think of the absolute other represents an exception and the recognition of a "vulnerability typical of a thought open to the idea of the Infinite, an inherent disposition of thought to be injured in its own sufficiency"[26] (Mosès, 1993: 80). It is the recognition of this insufficiency that introduces heteronomy in a consciousness now incapable of a pure presence of itself. My consciousness, far from being the ultimate possession of itself, finds itself forever possessed by the alterity of the world and of the other who finds themselves in front of me. The break with Husserl's phenomenology occurs here. While for Husserl alterity was relative to what my consciousness is aware of, for Levinas it is the opposite: my consciousness does not have an awareness of itself other than from the fundamental alterity that constitutes it.

Though paradoxical as it may seem, subjectivity, states Levinas in the preface to *Totality and* Infinity, contains more than it is actually capable of containing, which is the reason why "(...) intentionality, where thought remains an adequation with the object, does not define consciousness at its

fundamental level", for "all knowing *qua* intentionality already presupposes the idea of infinity, which is preeminently non-adequation" (Levinas, 1969: 27).

The question that arises now is that of knowing what type of experience is the experience of the Infinite. The first problem that needs to be overcome in order to characterise it is conceptual. Being absolute alterity, the infinite is what, by definition, resists all conceptualization. In this regard, the experience of the infinite cannot be given in any act of contemplation. It is not the result of an experience of knowledge. This means that the experience of the infinite cannot be given in an intentional act, since this is characterised precisely for being an adequation with the intended object, and the infinite is, by definition, inadequation.

We have seen the effort undertaken by Husserl in the *5th Cartesian Meditation* to provide an accurate account of the intentional acts in which the other person is given. The recourse to the "analogical apperception" has exposed the difficulties involved in constituting the meaning of the other within transcendental consciousness. Others' internal experiences cannot become the object of a clear and apodictic seeing. Their otherness resists the powers of the self. The other is non-adequation and absolute alterity. And this is the crucial point. For Levinas it is here, in the encounter with the other, that the experience of the Infinite is made possible. But precisely because the other is absolute alterity, their mode of being is radically different from that of all other phenomena. The other is not even a phenomenon, otherwise their alterity would be reduced to the realm of immanence. As we shall see further on, the mode of being of the other is not appearance, but calling and demanding. Now this may seem paradoxical: how is it possible to experience the Infinite in the encounter with the other if they are not a phenomenon, if their mode of being is not appearing? How does the infinite difference of the other show up, break through, spring up? For Levinas, the answer is the

face. It is the naked face of the other that expresses their absolute and radical otherness. The face of the other is the *epiphany* of the infinite.

In an interview held with postgraduate students in Paris in 1986, Levinas addressed the question of the paradoxical status of the face in these terms: “I am not at all sure that the face is a phenomenon. A phenomenon is what appears. Appearance is not the mode of being of the face. The face is, from the start, the demand of which I was just speaking. It is the frailty of the one who needs you, who is counting on you” (Wright, Hughes, & Ainley, 2002: 171). In this sense, the experience of the infinite becomes an ethical experience. But before elaborating on the ethical dimension of the face-to-face encounter, and to explore some of the enriching insights that it can introduce into the debate on the visual representation of the other, let us first focus on the absence of phenomenality of the face.

It has been said that considering the face as a pure phenomenon would compromise the radical alterity of the other by reducing it to the realm of the same. The alterity of the other resists all forms of categorization and generalization. It is infinite difference. In this regard, the physical traits of one’s face can only point out relative differences, not to any sort of infinite and radical difference. Even recognizing their ability to refer to our interior states of mind, the fact that those traits are perceivable makes it impossible for them “to stand for” something that, by definition, is unperceivable. Strictly speaking, the alterity of the other is not visible and, consequently, could not be represented. In Levinas’ words, “(...) one can say that the face is not ‘seen’. It is what cannot become a content, which your thought would embrace; it is the uncontainable, it leads you beyond” (Levinas, *Éthique et Infini* quoted by Crignon, 2004: 103). And for us, this is one of the reasons why the philosophy of Levinas can be so productive when it comes to thinking about ethics and photography. As Philippe Crignon points out in an interesting article dedicated to *Levinas and the Image*, the fact that Levinas

was one of the few contemporary philosophers who did not share the general enthusiasm for arts and of having been a “fierce and unwavering iconoclast leads us to suspect that he perceived, perhaps better than others, something considerable at stake in the image” (Crignon, 2004: 101). It is true that Levinas’ reflections on the arts are mainly focused on paintings and not specifically on photography, but as Crignon underlines, they could also be applied to other techniques of image production, including photography and video (Crignon, 2004: 100). In fact, what is fundamentally at stake for Levinas is the possibility of representing the absolute alterity of the other, for representing implies shaping, giving a form, imposing limits. In this sense, the representation is a form of knowledge that brings the alterity of the other into the realm of the same or, to use Levinas’ terms, into the realm of totality. According to Crignon, the alterity of the other “can never be perceived since to see is already to have —if only to have before one’s eyes— and therefore to possess and to grasp, to dominate and keep (...) The alterity of the Other cannot therefore stem from any sort of visibility” (Crignon, 2004; 102).

The face of other is thus unfigurable and should not be reduced to its anatomical traits. Moreover, although being that which cannot be seen, the face is nevertheless that which sees. This means that the visual representation of the face reverses the direction of the gaze: the other becomes the object of spectatorship, if not of voyeurism. In this sense, Crignon concludes, the representation of the face implies a double violence: 1) the reduction of the vivid expression of the face to the “somatic place of its epiphany”, and 2) the exhibition of the blinded face to the gaze of others. For Crignon,

> *In fact, we should not exclude the possibility that the representation of the face, and, in its wake, perhaps all figuration, participates in a certain violence or an impulsive wounding [griffure].*
>
> (Crignon, 2004; 104)

As we shall see further on, criticism of the violence associated with the visual representation of the other is also present in the work of other authors who have written extensively on photography. As Chouliaraki points out, some of these critics echo the main denunciations of the critical theory, according to which the commodification of media products and of cultural goods in general jeopardizes their intrinsic value, transforming them into tools at the service of economic and political interests (Chouliaraki, 2013). Questions related to the intrusion into people's privacy, the publication of graphic content photos, or the exhibition in museums and art galleries of pictures of people suffering are often addressed within the framework developed by the authors of the Frankfurt School. But as we have just seen, the focus of Levinas' criticism lays elsewhere. For the author of *Totality and Infinite,* the visual representation of the other is intrinsically violent, for it reduces the alterity of the other to the realm of the same. In this regard, no visual representation of the other —neither the more realist and naturalistic, nor the more expressionist, surrealist or abstract— is ever capable of grasping their absolute alterity. This point is worth underlining, for it reinforces the thesis that we sustain in chapter 2 by which, besides historical motives, there are actually no major reasons not to encourage more creative uses of photography in journalism. Realistic and naturalistic techniques should not be given any sort of privilege when it comes to grasping the alterity of the other.

As we have tried to show, the movement towards the professionalization of photojournalism fostered the opposition between journalistic and artistic uses of photography. In order to be recognized as professional photojournalists, reporters using cameras felt the need to abide by the same ethical standards that governed traditional journalism and to commit themselves to truth and objectivity (Lavoie, 2010b). For various reasons, including an initial enthusiasm surrounding the ability of photography to provide an objective image of reality free from all sorts of bias

introduced by human manipulation, press photographers have favoured a set of techniques meant to produce realistic and naturalistic representations of reality (Schwartz, 1992, 1999). One of the interesting things about this trend is that these techniques have been naturalized. It is as if they did not proceed from a prior set of decisions that could eventually be different (Schnaith, 2011). Their aesthetic dimension has been put in brackets. This is an important point, for it makes it clear that there is something artificial and conventional in the opposition between journalistic and artistic uses of photography. As we shall see later on, arguments claiming that objective and realistic photographs have no aesthetic dimension are fallacious.

Levinas' views on representation are also interesting, for they oppose a widespread understanding of art according to which works of art would have a privileged access to the ultimate secrets of reality. According to Wyschogrod, "The view which Levinas rejects is the fashionable but erroneous dogma which assumes that the function of art is to 'express', to convey the ineffable, to bypass the vulgar perceptions of everyday life in order to rescue language from banality" (Wyschogrod, 1974: 71). What Levinas refuses to accept is an understanding of art that identifies it with "metaphysical intuition" (*Ibidem*). This means that, for Levinas, no legitimate direct link should be established between the aesthetic and the epistemological value of a work of art. As Wyschogrod remarks, for Levinas, art is intrinsically unable to teach and should not be expected to become the tool of ethical imperatives. The work of art must, therefore, be submitted to criticism, to a hermeneutical enquiry aimed at restoring its historical and cultural nexus.

If we now apply this remark to means of visual representation other than paintings, as Crignon does, we could argue that photographs on their own could not fulfil any ethical and political functions, for they could easily lead to misunderstandings. Pictures need words to explain the temporal

sequence of events, of which they represent a frozen moment. Contextual information must be provided in order to diminish the possibilities of misjudgements. That is the reason why Hicks insisted that “the basic unit of photojournalism is one picture with words” (Hicks, 1973: 5).

At the beginning of this section we stated that we believe there are two main reasons why the philosophy of Emmanuel Levinas is so productive when it comes to enquiring into the ethical dimension implied in the visual representation of the other. We have just outlined his theory of representation. It is now time to conclude this section by highlighting the moral dimension of the face-to-face encounter.

Being an expression of the absolute alterity of the other, the face resists all attempts of reification or appropriation. For Levinas, the infinite difference expressed in the face of the other is “unencompassable” and “transcendent” (Levinas, cited in Wright, Hughes, & Ainley, 2002: 170). In this sense, the face is not a phenomenon whose meaning could be constituted by the transcendental activity of my consciousness. In other words, appearing is not the face’s mode of being. For Levinas, the face is foremost a call: “The face is, from the start, the demand of which I was just speaking. It is the frailty of the one who needs you, who is counting on you” (Levinas, cited in Wright, Hughes, & Ainley, 2002: 171). Through their naked face the other is made present to me in their vulnerability and destitution. As Crignon remarks, a naked face is an unprotected and defenceless face, a face exposed to violence (Crignon, 2004: 104). But for Levinas, the face is not only plea: it is also commandment: “thou shalt not kill”. In the mentioned interview with his postgraduate students in Paris in 1986, Levinas recognized the paradoxical dimension of the face: “There are these two strange things in the face: its extreme frailty —the fact of being without means and, on the other hand, there is authority. It is as if God spoke through the face” (Levinas, cited in Wright, Hughes, & Ainley, 2002: 169). The face of the other burdens me with

responsibility and singles me out for an appeal and a demand: “Hence to be I signifies not being able to escape responsibility” (Levinas, “Transcendence and Height”, in *Basic Philosophical Writings,* 17, cited by Morgan, 2011: 66).

The radical alterity of the other implies that there is no symmetry or reciprocity in the ethical relation we establish with one another. Within this ethical “report”, the ego cancels itself before the other for disinterested generosity. Reciprocity would mean paying back, doing to the other what they had previously done to me, a commerce that characterizes economic exchanges, but not an ethical commitment. According to Georges Hansel, in *Totality and Infinity* Levinas reverses the traditional concept of morality as understood as an effort performed by the self in the “quest for perfection”. “The ethical impulse no longer comes from me: it comes from the revelation of the other, namely the other man” (Hansel, 2009: 64). This inversion of the traditional understanding of ethics is another very interesting reason to explore the philosophy of Levinas. In fact, and regardless of the difficulties implied in developing a whole moral theory around the idea of the infinite, as pointed out by Jacques Derrida (1999), by placing the absolute alterity of the other at the origin of morality and by considering the face-to-face encounter as a “moral summons”, Levinas somehow refuses to ground moral obligation in any sort of previous rational grounding. Our responsibility towards the other is prior to any sort of philosophical enquiry. For Levinas, my liberty is only meaningful in the acceptance of the infinite responsibility for the other; to reject it would be, ultimately, to reject myself. This seems to be the existential meaning of the epigraph that accompanies the last of the three texts in *Humanisme de l’autre homme*, which Levinas takes from the Babylonian Talmud: “If I do not answer for myself, who will answer for me? But if I answer only for myself, am I still myself?” (Babylonian Talmud, Treatise Aboth, 6a, cited in Levinas, 1987: 95). Facing the other obliges me to share, to be generous and to welcome the other. For Levinas, ethics is foremost hospitality. And true hospitality begins, Levinas tells us, when we are

overwhelmed by a recognition of the infinite and asymmetrical responsibility before the face of the other. We are not called simply to treat the other as we would want to be treated ourselves, but rather, Levinas contends, to “tak[e] up a position in being such that the Other counts more than myself” (Rosen, 2011: 365).

To sum up this point, for Levinas, welcoming the other and their absolute alterity is a moral summons. And neither our institutions nor our theoretical and practical reasons will ever be capable of promoting goodness if they stay enclosed within themselves and refuse to embrace that which, by definition, will always remain beyond their reach.

The next section of this study is dedicated to discussing the importance for news media to welcome the other and to provide the means for them to be seen, heard and understood. None of the most important political and social missions of the press could be properly accomplished if the media refused to assume its responsibilities towards the ones that, having less means to reverse their situation, are victims of injustice.

3.3. **Proper distance *and the suffering of others***

As we previously said, the purpose of this third chapter is to enquire into the ethical dimension implied in the visual representation of the other. Of particular concern are those situations involving violence, suffering and distress, which require special care and sensitivity.

As we saw in chapter 1, respect for human dignity is one of the most important ethical principles governing the practice of journalism/photojournalism. Most international codes of ethics include norms and rules proscribing the unjustified intrusion into people's privacy, only admitting exceptions when an overriding public interest is at stake. But given the difficulty of defining this concept and putting it into practice, it should not be surprising that abuses are being committed precisely in the name of public interest. It is our contention that the concept of public interest is being unfairly invoked both to disclose unnecessary and intrusive content and also to withhold important visual information.

As we saw in chapter 2, the exhibition of unjustified and intrusive visual content has been at the top of the agenda of journalism's ethical debates since the invention of small portable cameras in the late 1930s. For a long time the yellow and tabloid press have incorporated into their editorial strategies the publication of candid pictures of famous people caught in bizarre and awkward situations. But there are circumstances where the publication of pictures that intrude into people's privacy without their authorization may be justified. And there are even other occasions where people themselves in one way or another express their will to have their stories and pictures printed. The focus of our attention will be on these sorts of situations where there are reasonable reasons to publish potentially

intrusive content. The purpose is to go through the arguments supporting those decisions and to discuss how the other should be represented, especially the other who is suffering.

Inspired by the philosophy of Emmanuel Levinas and Hannah Arendt, Roger Silverstone suggests that the discussion surrounding the representation of the other should be considered in terms of distance (Silverstone, 2003; 2007). Not a physical or social distance, but a moral distance the author defines as

> *(....) the more or less precise degree of proximity required in our mediated interrelationships if we are to create and sustain a sense of the other sufficient not just for reciprocity but for a duty of care, obligation and responsibility, as well as understanding.*
>
> (Silverstone, 2007: 47)

Echoing the Aristotelian concept of *mesotes* (which means “mean” or “intermediate point”), Silverstone argues that the proper distance should be found between two extremes, one that implies excess and the other deficiency. According to this principle, misrepresentations can be produced when the media is “too close”. Paradigmatic examples of this moral excessive proximity are the use of embedded journalists, the unjustified intrusion into people’s private lives and the use of exotic images in global advertising. Other kinds of misrepresentation result from the media being “too far”. That is often what happens when Western media depicts Muslims, Iraqis, Palestinians or the converse, when Arabic media represents Jews or Americans (Silverstone, 2003).

Invoking the etymology of the word “proper” (from the Latin *proprius,* which means “one’s own”, “particular” and “peculiar”), and highlighting the different meanings the word has in English (“sense of belonging”, “conformity

with a rule", "adaptation to some purpose or requirement"), Silverstone goes on to argue that proper distance cannot be set in advance with the help of a fixed criterion, but, on the contrary, must take into consideration the singularity of the situation and that of those people involved in the story (Silverstone, 2003: 475). Grounding his own media ethical theory in the moral philosophy of Levinas, Silverstone contends that our relationship with the other, either with our neighbour or with a stranger, should be based on a "duty of care, obligation and responsibility, as well as understanding". Acknowledging that there is always something that remains beyond reach when we try to understand the other and that their infinite difference makes them unique and irreplaceable, the author contends that no journalistic account could ever substitute theirs. For that reason, welcoming the other implies creating the necessary conditions for them to be seen, heard and understood. Preventing the other from accessing the public sphere is not only an exercise of discrimination, which is offensive towards their dignity, but is also an exercise of censorship, which, as highlighted by the media's classical liberal theory, constitutes an obstacle to the emergence of the truth (Merrill, 1970; Cornu, 1994; Silverstone, 2007).

Ethical debates in journalism should not ignore that, as important as challenging how events are being covered, it is to question why some of them remain constantly disregarded. What is shown is no more important than what remains hidden and invisible. The suffering of the other, and especially of the distant other, is too often portrayed through a different kind of lens than the one that is used to portray the neighbour. Not all are equally welcome. In this sense, it could be said that media ethics is also about geography. The analysis of the representation of immigration in four Spanish daily newspapers included in the last section of this chapter provides some empirical evidence of this tendency (see section 3.5).

The use of this double standard is also noticeable, for instance, when we look at the representation of death in the news. Hanusch (2010) has recently shown that, besides publishing fewer and fewer pictures of dead bodies, Western newspapers are more likely to publish them if those bodies belong to distant others. Although acknowledging that there are still many questions related to the depiction of death in the news that remain unanswered, Hanusch contends, following Herman and Chomsky (1988), that government restrictions and self-censorship play an important role in the understanding of the political economy of images of death (Hanusch, 2010: 63). These findings, which are in line with previous studies on media production (McQuail, 2010), point to what Silverstone calls a distortion in our communication system that contributes to "polluting" our mediated public sphere, which the author calls "mediapolis" (Silverstone, 2007).

Silverstone's ambition is to charge the media with the responsibility of contributing to the generation of an ethical civil society that extends beyond states and that encompasses an idea of global citizenship. In this regard, the respect for the dignity of people to whom journalists and the media are obliged should not be limited to the realm of political citizenship. In this context, the question of the representation of the other becomes absolutely crucial. Given that the media has become "environmental" and "increasingly intertwined with the everyday" (Silverstone, 2007: 5), our perception and understanding of the world around us has also become more and more dependent on the images and words used to represent it. As Silverstone points out, although not being a space of judgment and decision making in itself, "(...) the mediated space of appearance nevertheless provides the setting where such judgements and decisions are presented and represented, debated, and sometimes, to all intents and purposes, made" (Silverstone, 2007: 30).

Following Hannah Arendt's analysis of the historical realizations of the Greek *polis,* Silverstone contends that what is fundamentally at stake when we think about the *mediapolis* as a space of appearance is "(...) the nature of power that is enabled by such appearance" (Silverstone, 2007: 32). The problem for Silverstone arises when freedom of expression is restricted or even denied and when appearances are intentionally transformed by their representations, all of which contributes to corrupting power and generating tyranny and violence. This is why it became so important to challenge the procedures governing access to the media and to be critical with regard to the images through which the media represents the world. The creation of a pluralistic, diverse and moral *mediapolis* depends also on our capacity as users to require from them a commitment to the highest ethical standards.

If we now try to apply the concept of "proper distance" to the controversial question of the depiction of suffering, the first thing to do is to identify the two extreme positions between which the proper distance should be set. One of these extremes should imply excess and other, deficiency.

On the side of the excess should be placed all those depictions of suffering that exploit and take advantage of the vulnerability of the other. According to Silverstone, this happens when "the media trade in otherness, in the spectacular and the visible, and, in so doing, inevitably refuse the possibility of connection and identification" (Silverstone, 2007: 47). The "trade in identity" that occurs when depictions elide the difference between the other and the same are equally exploitive. Both attitudes are disrespectful and end up offending the dignity of the other. It is as if they did not belong to our unique humanness.

On the side of the deficiencies we could place the invisibility or absence of depiction. This happens when stories are considered not sufficiently interesting or appealing by the media, when the characteristics of a particular

event are not in line with the news values prevailing in the industry. This is particularly problematic in those situations where people's suffering is the consequence of injustice and violence. Bearing in mind that in our mediated *polis,* visibility is closely connected with power and influence —by not providing publicity to stories of suffering and injustice, the media are, at the same time, diminishing the probabilities for those situations to be reversed.

Having conceptually established these two extremes of the improper depiction of the suffering of people, it is important to underline that no proper distance can be decided in abstract or in advance. In this sense, the decisive thing when it comes to determining the proper distance is the situation itself and the needs and requirements of those affected by it.

Given that depicting people suffering from a proper distance requires promoting "a duty of care, obligation and responsibility, as well as understanding" (Silverstone, 2007: 47), some questions immediately arise: what should be told and what should be shown regarding the suffering of others? What is or should be the function of images of suffering? Do they help understanding? Do they foster political and civic action? What sort of link do they establish with us, an emotional and affective one or a rational one? And most important of all: in those cases when the depiction of suffering is justified, how should publicity and protection of people's dignity be balanced? None of these questions has a clear and simple answer. A brief overview of the literature available on the image and photography makes it clear that there are multiple and often conflicting understandings of their nature and epistemological value.

3.4. The aestheticization of suffering

Susan Sontag, for instance, is quite sceptical with regard to the use of photographs of people suffering. In her influential book *Regarding the pain of others,* Sontag declares: “Harrowing photographs do not inevitably lose their power to shock. But they are not much help if the task is to understand. Narratives can make us understand. Photographs do something else: they haunt us” (Sontag, 2003: 89). According to her, “Perhaps too much value is assigned to memory, not enough to thinking” (Sontag, 2003: 105).

The problem with remembering through photographs, the author contends, is that it may eclipse other forms of understanding: “To remember is, more and more, not to recall a story but to be able to call up a picture” (Sontag, 2003: 89). Pictures of concentration camps taken in 1945, for instance, would be much of what people associate with Nazism and with the horrors of the Second World War. A memory made of images and frames would be a memory with little or no consciousness of the temporal dimension of the events, a memory deprived of contextual and historical references.

Addressing this same issue and referring himself to Sontag, Neil Postman remarks that photographs are never taken out of context, for photographs do not require one. In fact, taking images out of context in order to show them under a new perspective is actually the point of photography. The problem with this dismembering of reality and atomization of the world is that it conceals any sense of beginning, middle and end. And in “a world of discontinuities, contradiction is useless as a test of truth or merit, because contradiction does not exist” (Postman, 2005: 110).

Besides that, pictures create the illusion that the suffering of distant others could be somehow experienced by those who look at them. By blurring the distinction between reality and fiction, photographs generate a false sense of proximity. The widespread use of expressions such as “unreal”, “surreal” or “like a movie” to refer to real events, though surprising or unexpected as they might be, is symptomatic of the increasing hybridization of reality and fiction. This confusion is particularly dangerous, for it erodes our “*sense* of reality”. Looking at photographs of real events as if they were not real will end up sapping “our capacity to respond to our experiences with emotional freshness and ethical pertinence” (Sontag, 2003: 108-109).

For Sontag, since the Spanish Civil War (1936-1939), which is considered the first war to be covered in a modern sense, with pictures of the battlefront being rapidly sent to newspapers and magazine newsrooms, images of suffering have been used to feed an insatiable industry of entertainment:

> *Whatever the moral claims made on behalf of photography, its main effect is to convert the world into a department store of museum-without-walls in which every subject is depreciated into an article of consumption, promoted into an item for aesthetic appreciation.*
>
> (Sontag, 1990: 110)

This “aestheticizing tendency of photography”, the author argues, ends up neutralizing the distress it aims to convey. Photographs that are too artistic displace people’s attention from what is actually shown to the means of its representation. And although strongly criticizing news media for taking advantage of this commodification of human suffering, Sontag also recognizes that this aestheticization is somehow inherent to photography: “Even those photographs which speak so laceratingly of a specific historical moment also give us vicarious possession of their subjects under the aspect

of a kind of eternity: the beautiful" (Sontag, 1990: 109). In *On Photography,* Sontag proposed an ecology of images as an antidote for this frenetic and voracious attempt to photograph everything in search of some kind of hidden truth or beauty under the surface of things. In this sense, the author remarks, photography was responsible for de-Platonizing our understanding of reality, reversing the ontological primacy of ideas over images: "Photographs do not simply render reality - realistically. It is reality which is scrutinized, and evaluated, for its fidelity to photographs" (Sontag, 1990: 87).

Although acknowledging that the call for an "ecology of images" she makes in *On Photography* is impracticable, for no "Committee of Guardians" will ever be able to prevent news media from disclosing shocking and horrific images of people suffering ("If it bleeds, it leads"), Sontag insists on the idea that looking at pictures of people suffering will not make us understand or imagine what people have gone through. In order to illustrate the impossibility to communicate suffering, Sontag decided to conclude her book *Regarding the pain of others* by commenting on the large-scale realistic photomontage by the Canadian artist Jeff Wall titled "Dead Troops Talk (A Vision After an Ambush of a Red Army Patrol near Moqor, Afghanistan, Winter 1986)", which shows Soviet soldiers talking to one another after being killed in combat during the Soviet-Afghan war in 1986. What struck Sontag's attention in Wall's "visionary photo-work", which she believes could be a revised version of the final scene of Abel Gance's film *J'accuse* (1919), is the fact that none of the dead-living soldiers is looking out of the picture to seek our gaze. It is as if they had nothing to tell us, for they realize we would not get it even if they tried.

Sontag's decision to use a work of art to illustrate the limits of representation and to make us think about the horrors of war is remarkable, for it works as a statement against what she identified as being "the most common exaggeration" affecting the dual powers of photography, which

consists of opposing its capacity to produce documents and to create works of visual art (Sontag, 2003: 76). Although some could consider this statement paradoxical, bearing in mind all the objections formulated by the author against the use of pictures of people suffering, there are good reasons to interpret it as the recognition of the subject's complexity and the proposition of a more nuanced view than the one previously offered in *On Photography*. At the core of this exaggerated position that opposes beauty and truth, Sontag intuits a moral condemnation of photography itself: "It is felt that there is something morally wrong with the abstract of reality offered by photography" (2003: 118).

In line with this nuanced position of Sontag, Mark Reinhardt also argues that, ultimately, the anxieties generated by the "aestheticization" of suffering "prove to be about the very nature of photographic representation itself" (Reinhardt, 2007b: 15). Although aware of the risks involved in "aestheticizing" suffering —risks that influential thinkers such as Abigail Solomon-Godeau, Martha Rosler, Allan Sekula, Susan Sontag and also some of the early members of the Frankfurt School such as Theodor Adorno and Walter Benjamin have criticized for being "both artistically and politically reactionary, a way of mistreating the subject and inviting passive consumption, narcissistic appropriation, condescension, or even sadism on the part of viewers" (Reinhardt, 2007b: 14)—, Reinhardt contends that oversimplifying the relationship between photography and suffering may contribute to empowering the position of those who may take advantage of its withholding.

In order to underline the political and social functions of photography, and thus to emphasize the importance of providing visual accounts of suffering, especially when linked to injustice, Reinhardt invites us to consider those "pictures that one cannot see - for, as a response to suffering, the refusal to picture may pose the most problems of all" (*Idem*, 15).

It could be argued that, as a general rule, withholding graphic pictures of suffering and death is a moral imperative, and that publishing them is only justified when there is an "overriding public interest" at stake and when seeing those pictures does change significantly people's knowledge and attitudes regarding news events. But as we suggested before, there are good reasons to believe that abusive interpretations of the concept of "public interest" have been used to justify withholding important visual information. In this regard, the coverage of the "war on terror" operation, which began in the aftermath of 9/11, offers a well-documented case study[27].

Mentioning the study by Judith Butler's *Precarious life: the powers of mourning and violence* (2004), Reinhardt remarks that pictures of casualties among Iraqi ordinary citizens were barely shown in American news media and the destruction caused by the airstrikes was predominantly depicted from the "imperial" distance of the aerial view. Having hidden violence and destruction, these editorial choices made it harder to contest the claims by the American administration regarding the war in Iraq.

Bodies and faces of American soldiers were also absent from the reporting of the conflict. According to a comprehensive study by James Rainey for the *Los Angeles Times,* neither the *Los Angeles Times* nor *The New York Times, The Washington Post, Time* or *Newsweek* published a single picture of a dead American soldier between September 11, 2004 and February 28, 2005 (Rainey, 2005, cited by Reinhardt, 2007b: 18). Stories of American casualties were generally accompanied by photographs of memorial services and grieving families. Rainey's study also notes that minor regional newspapers that published photographs of dead American soldiers had to face outrage from readers. And according to Barbie Zelizer, Sidney Schanberg faced the same negative reaction in 2005 when he wrote for the *News Photographer,* the magazine edited by the National Press Photographers Association, in a commentary titled "Not a pretty picture: why

don’t U.S. papers show graphic content”, arguing that by withholding graphic pictures American newspapers were undermining journalism’s obligation to tell the truth (Zelizer, 2010: 21).

In *About to die: how news images move the public,* Barbie Zelizer showed that editorial decisions undertaken by American news media to suppress pictures of dead bodies were not necessarily motivated by ethical concerns, but by a complex set of instrumental reasons (Zelizer, 2010). Centring the analysis on three different events —the killing of Taliban soldiers by beating in 2001, the beheadings of journalists Daniel Pearl and Nick Berg in 2002 and 2004, and the hanging of Saddam Hussein in 2006—, Zelizer contends that the decision to publish pictures of their impending deaths instead of pictures of their dead bodies helped American newspapers to attain three different strategic goals: firstly, to protect themselves against accusations of immorally taking advantage of people’s death; secondly, to accommodate their report to different interpretations of death caused by war, maintaining a sort of equidistant position that intended to reinforce their authority and thirdly, because pictures of people-about-to-die depict unsettled events, which require from the public an active participation in order to complete the missing information, these pictures end up increasing people’s engagement with the news.

The cases of the beheadings of Daniel Pearl and Nick Berg and the hanging of Saddam Hussein are remarkable, for they reveal that editorial decisions were undertaken considering the general state of mind regarding war and execution and also considering the need to maintain control and authority over the flow of information within a media environment where non-journalists are increasingly active and influential. Having to compete with the Internet, where there are virtually no limits to the exhibition of graphic content, the traditional news media opted for pictures that could be

repeatedly shown without having to face accusations of betraying journalistic ethical codes.

In the case of the killing of Taliban fighters by Northern Alliance forces, Zelizer's findings are particularly relevant, for they challenge the reasons why the news media withheld important visual information about an event of undisputable public interest. Although available, photographs of the dead bodies of Taliban soldiers beaten to death in pubic in November 2001 were not shown in the U.S. news media, which instead opted to run pictures of their impending deaths. Again, it could be argued that this editorial decision protected people's privacy and dignity. But going through the captions that accompanied those pictures, we are forced to concede that it was not a moral concern with those men that drove journalists not to publish photographs of their dead bodies. As Zelizer points out, most captions were ambivalent and none of them clearly identified those deaths as certain.

> *Framing the Taliban deaths by beating as uncertain and, at best, only possible, instead played to its "as if" –to the photos' role as subjunctive markers of a story more supportive of the U.S. aims. Attention was thus deflected from the fact of the Taliban deaths while heeding the larger message of the war's continued prosecution.*
>
> (Zelizer, 2010: 277)

According to Zelizer, these editorial decisions challenge the traditional understanding of the social and political function of news images and of journalism itself. Rather than being used to provide evidence supporting news stories, these news images are meant to render events contingent and just probable, making it much harder to hold those in power to account. In this sense, when considered together, these observations on the coverage of the "war on terror" by the U.S. news media show that the refusal to photograph is not necessarily the right option when it comes to dealing with

death and suffering. This does not mean, though, accepting all sorts of visual approaches to suffering, of course. But between the absence of images, on the one hand, and the trade in suffering caused by the use of exploitative images, on the other, it must be possible to find a middle point, that is, a proper distance.

For Reinhardt, this alternative understanding of the relationship between photography and suffering requires challenging the assumption according to which regardless of the efforts and good intentions of photographers themselves, there is something intrinsically aesthetic in photography that ultimately contributes to the denigration of subjects, the commodification of their suffering and the exploitation of their dignity. It is this assumption, the author contends, that is on the basis of the criticism directed at the work of important contemporary photographers such as Sebastião Salgado and James Nachtwey, who are accused of producing images of suffering that are too aesthetical (Reinhardt, 2007b).

Regarding this issue, Ariella Azoulay takes a more radical approach: for her, we should get rid of the long-established opposition between the aesthetical and the political (Azoulay, 2010a). According to this theory, popularized by Walter Benjamin and which has had an enormous influence in contemporary debates on photography, all those who condemn the horrors of the modern world should inexorably "resist the aestheticization of the political that is identified with fascism and choose the politicization of art identified with Marxism" (Azoulay, 2010a: 245).

For Azoulay, one of the problems with this theory is that it has naturalized this opposition, paralyzed the debate surrounding photography and confined it to the circle of professional spectators (art critics, curators, scholars, etc.) who are to judge whether a particular picture is *too aesthetical* or *too political,* with the paradoxical consequence that these "political

judgements of taste" end up ignoring the photographed individuals, subordinating them to a professional gaze that is meant to see "above and beyond" them (Azoulay, 2010a: 246).

In a clearly ironic tone, Azoulay states that these experts are remarkable not only for their ability to identify what pictures are *too-aesthetic,* but also for their "hurry to announce publicly that those images are not worth looking at, and even to encourage others to adopt their judgement and ignore them, exile them from their field of vision" (Azoulay, 2010a: 246). Among those experts Azoulay includes the "postmodern theorists" Roland Barthes, Susan Sontag and Jean Baudrillard, all criticized for "proceeding to unburden themselves of the responsibility of holding onto the elementary gesture of looking at what is presented to one's gaze" (Azoulay, 2008: 11). In this respect, Azoulay is not alone. The reaction against the postmodernist theorists who disdain the social and political function of documentary photography is shared by Susie Linfield, who, in her *Cruel radiance: photography and political violence*, declares: "But it is Sontag, more than anyone else, who was responsible for establishing a tone of suspicion and distrust in photography criticism, and for teaching us that to be smart about photographs means to disparage them" (Linfield, 2010, XIV).

For Azoulay, these judgments of taste that intend to classify images according to this mutually exclusive opposition are based on three false suppositions: according to the first, the aesthetic character is not intrinsic to photographs and some could even have no aesthetic dimension whatsoever, being completely devoid of stylistic components. According to this presupposition, photographs meant to raise awareness of injustice, political violence or suffering should avoid any aesthetical features. The problem is that even those photographs that intend to minimize all subjective intervention in order to be as objective as possible result from a set of techniques that, at the end of the day, form a style in itself. This is the first

reason to challenge the opposition between aesthetical and political photographs, for no political photograph could ever be devoid of stylistic components.

According to the second, photographs are the product of photographers alone. In this sense, what is seen is somehow subjugated to the intention of the photographer. It is the photographer who, having decided how to frame, compose, focus, etc., determines how the photographed scene should be understood. If this were the case, photographers would have the power to deprive photographs of their political dimension by opting to depict them in an aesthetical fashion. This second presupposition is grounded in a naive understanding of the creation of meaning, according to which the sender of a message masters its meaning. Besides ignoring the influence of what Paul Watzlawick calls the relationship aspect of communication over the content of the message (Watzlawick, et al. 2011), this second supposition also seems to neglect the participation of the photographed people in the signification of the photograph. They are simply not taken into account.

Finally, according to the third presupposition, the aesthetical and the political are attributes of photographs themselves. This supposition ignores the fact that the aesthetical is inherent to all photographs and that the political dimension of photographs does not depend on their aesthetic style but on people's attitudes and actions regarding one another.

To sum up, for Azoulay, besides being grounded in false presuppositions, the opposition between the aesthetical and the political undermines the potential of photography to raise awareness of suffering caused by injustice:

> *(...) too often I heard too many people - myself included - sentencing an image and pronouncing it an utter aestheticization of the political - or, even more currently, the 'aestheticization of the suffering of others' - while the image at hand, I want to suggest, could easily serve as a rich source of knowledge about the world and people appearing in it, who by their presence address not only the spectator's professional gaze.*
>
> (Azoulay, 2010a: 246)

This does not mean, though, that Azoulay is not conscious of the problems caused by the visual exploitation of human suffering. Commenting on the famous essay by Roland Barthes titled "Photos-Choc", first published in the French edition of his *Mythologies*, where Barthes explains why shocking photos generate insensitivity (Barthes, 1970), Azoulay remarks that, paradoxically, the popularization of this discourse on *insensitivity* "participates in the acceleration of the horror". By declaring that the omnipresence of horrific photos makes them invisible and that people are no longer moved by them, critics displace the focus of their analysis from people's suffering to the techniques employed to render it. In this sense, the author argues, critics end up mirroring the position of those who trade in suffering for entertainment purposes. Both discourses "place the photo's reference - horror - in brackets and facilitate the passing of judgments that grade or classify it into irrelevant categories" (Azoulay, 2008: 165).

In his brief essay, Barthes argues that it is the over-constructing character of these photographs that prevents them from affecting those who look at them: "Reduced to the state of a pure language, photographs are unable to disturb us"[28] (Barthes, 1970: 99). The only photographs that actually shock are those taken for news agencies, precisely because they deliver the subject "literally" and "naturally", obliging the spectator to actively engage in the quest for their meaning. It is important to recall here that when Barthes wrote "Photo-Chocs" (1957), the dissemination of horrific

photographs in newspapers was still quite exceptional, which is certainly one of the reasons why they were so unsettling back then.

In both cases, regardless of their ability to shock, it is the aesthetic character of these photographs, and not what they actually show, that determines the viewing experience. For Azoulay, Barthes ends up falling into an "essentialist trap", for he considers this "something" disturbing that challenges our interpretation, which in *Camera Lucida* (1982) he called *punctum*, a characteristic of the photograph itself. At the end of the day, this theoretical framework to interpret photography engenders a "vicious aesthetic circle", according to which a good photograph must be able to affect the spectator by its own means, that is, through its *punctum*, a *punctum* that, paradoxically, must be established by the spectator themselves (Azoulay, 2008: 163). In this regard, the major problem of this approach is that it ends up reducing photography to the printed photograph and does not take into account the importance of reconstructing the photographic event, that is, the real encounter between the photographer, the camera and the photographed people. And reconstructing the photographic event implies going beyond what is shown in the photograph, which provides only partial evidence of what "was there". Barthes is obviously aware of it. But since for him this "call" to extend the interpretation outward is subordinated to the stylistic components of the photograph itself, Barthes ends up exonerating the spectator from their duty towards those photographed.

Like Sontag, Azoulay also believes that looking at pictures of horror and suffering is not morally wrong if one is capable of doing something about it. But while for Sontag the vast majority behave as voyeurs, not having the power or the will to "do something about it", for Azoulay we are all called to assume our civic skills and within our local responsibility struggle and oblige others to struggle "against the injuries inflicted on those others, citizen and noncitizen alike" (Azoulay, 2008: 14). Photography, Azoulay claims, is a space of realization of the political. A space that can elude the intervention of

the ruling powers and that is not limited to the boundaries of nation-states or economic contracts. Its political function is based on an unwritten civil contract of photography, which Azoulay compares to the social contract of Jean-Jacques Rousseau, and whose existence is attested to in every act of photography. Since its invention in the nineteen-century, photography has created new forms of encounter between people and generated new possibilities of political action and forms of managing its visibility. In this sense, photographs can function as political statements. It is our duty as members of the cross-border community established by photography to actualize this civil contract and, within our means, assume our responsibility towards our co-citizens who, through photography, address us, asking for help (Azoulay, 2008).

Following Roger Silverstone, we have claimed that the discussion on the representation of the other could be enriched by being thought in terms of moral distance, considered a middle point between two extreme positions: *too close* or *too far.* Applying his theoretical framework to the case of the representation of human suffering, we have proposed illustrating the two antithetical poles with two paradigmatic figures: the exploitation of people's suffering and the refusal to photograph. Although acknowledging that the evaluation of the proper distance cannot be done in abstract, that is, independently of the real-life situations, the theoretical discussion on the relationship between photography and suffering should be able to take a step further in order to justify the recourse to these antithetical positions and to challenge some established assumptions that could freeze the debate surrounding what should and should not be done. It is important to recall here that this enquiry is focused exclusively on those stories that need to be told, that is, those that are of public interest. Publishing pictures of grief and suffering that have no public and political expression against the will of those photographed must be considered exploitative and immoral.

The coverage of the war on terror by the U.S. news media provided enough arguments to support the thesis by which the refusal to photograph is not necessarily the right decision. When the public interest is at stake, this refusal can even be seen as immoral, for it denies what Azoulay calls the "right to see" (Azoulay, 2008: 144). Accepting being photographed is part of a civil contract of photography that is meant to protect all citizens against injustice and abuses of power. This right to see implies a duty towards the other, a duty to reconstruct the photographic event and to engage in civic action. Supporting this political dimension of photography obliges us to challenge the assumption popularized by Sontag and others according to which looking at photographs of people suffering is satisfying voyeuristic impulses.

With regard to those pictures that need to be seen, debates tend to focus on the aestheticization of suffering. Following Benjamin, and also Sontag and Barthes, many argue that photographs beautify suffering and, as a consequence, naturalize it and transform it into an object of aesthetic contemplation. The problem with this kind of approach, besides being based on the false premise by which it is the photographer who, through a set of techniques, determines the meaning of photographs, is that it ends up exonerating the spectator from their responsibility towards the other. The political transcendence of photography could not be reduced to any stylistic option. This discussion implies photojournalism directly, as conventions regarding news photos have favoured an objective and realistic depiction of reality. In Barthes' words, news photos should look "natural" and "literal" if they want to engage us and force us to ask questions about what is shown. Arguments presented in this section indicate that neither the truth-value of photographs nor their political and social functions rely on their aesthetic character.

Moreover, this aesthetic discourse tends to reduce photography to the printed photograph, neglecting that the photo only partially accounts for the photographic event. As a consequence, “photography is presented as a dispenser of photos that requires nothing more than sorting, grading, presenting, rejecting, or framing” (Azoulay, 2008: 153). The necessary reconstruction of the photographic event and the participation of the photographed people in the process are too often relegated to second level.

The next section of this third chapter is dedicated to the representation of immigration in the Spanish press. Within the theoretical framework elaborated throughout this chapter, which is grounded in the ethics of hospitality developed by Levinas and applied to journalism by Silverstone, the empirical analysis evaluates the distance over which four Spanish daily newspapers (*El País, El Mundo, La Razón, ABC)* depicted immigrants between June 1 2013 and June 31 2014.

3.5. The distant other: representation of immigrants in four Spanish daily newspapers[29]

Within journalism ethics, the issue of the representation of the other, of the foreigner, of the member of a minority group, is highly relevant. In fact, the execution of the press's most important socio-political roles, the most prominent of which include the promotion of public space for pluralistic debate and the defence of social integration (McQuail, 2010; Cornu, 1994; Kovach & Rosenstiel, 2001; Silverstone, 2007), depends on the moral commitment the media and journalists are willing to assume with members of their community and not just with those belonging to the main or most powerful groups.

Within the context of the representation of the other, reference to immigrants has acquired certain topicality in recent years, given the increasing migrant pressure on southern Europe's borders, especially in Italy, but also in Spain, as a consequence of war and political instability affecting many countries in North Africa, South Sahara and the Middle East. The intensity of these migrant influxes has led various authors to argue that the creation of ethical media spaces should be capable of recognising the same rights of those to whom countries confer citizenship as those they do not (Silverstone, 2007; Azoulay, 2008). Their ambition is to charge the media with the responsibility of contributing to the generation of an ethical civil society that extends beyond states and that encompasses an idea of global citizenship. In this regard, the respect for the dignity of people to whom journalists and the media are obliged should not be limited to the realm of political citizenship.

As we shall see next, self-regulation related to immigration is sensitive to this question and therefore includes rules that prohibit the use of expressions such as “undocumented” or “illegal immigrants”. Unfortunately, the fact that these recommendations exist does not guarantee that the treatment of immigrants is always the most correct. In fact, recent studies on the treatment of immigration by the Spanish media confirm that immigrants are usually represented stereotypically and in a depersonalised manner, being on the whole photographed in groups, interacting amongst themselves and having no contact with members of local communities (Batziou, 2011; Ardevol Abreu, 2008; Igartúa, Otero and Muñiz, 2006).

The aim of this study is to assess the representation of immigration in the four main Spanish daily newspapers —*El País, El Mundo, La Razón* and *ABC*— in terms of “proper distance” (Silverstone, 2003; 2007). This novel analytical perspective involves not only analysing how the media actually frames immigrants, but also evaluating the opportunities they are given to communicate directly with newspapers’ readers. For this purpose a set of indicators has been established for the analysis of text and images that will help measuring the moral distance with which the four Spanish papers represent immigrants (see section 4 Methodology).

The next section presents the current Media Accountability Systems (Bertrand: 2000) available in Spain most relevant to the media treatment of immigration. The general principles referred to in these documents are meant to help journalists and the media to determine the degree of proximity or distance suitable for each story.

3.5.1. Ethical principles applicable to the media treatment of immigration

With regard to the media treatment of immigration, codes of ethics and other mechanisms of journalistic self-regulation provide instructions to avoid breaching the most basic ethical principles. The deontological code of the *Federación de Asociaciones de Periodistas de España* (FAPE) calls for discriminatory situations to be avoided:

> *"7. Journalists will raise their professional standards with regard to the rights of the weakest and discriminated. Therefore, they should maintain a special sensitivity in those cases of information or opinions of potentially discriminatory content or that are liable to incite violence or humiliate human activities.*
>
> *a) They should, therefore, avoid alluding to, pejoratively or in a prejudiced manner, the race, colour, social origin or gender of a person or any illness or physical or mental disability that they may suffer from.*
>
> *b) They should also abstain from publishing such information, unless of direct relation to published information.*
>
> *c) Finally, they should generally avoid expressions or statements that could be offensive or detrimental to the personal condition of individuals and their physical and moral integrity."* (FAPE, 1993)

The *Declaración de principios de la profesión periodística* of the *Colegio de Periodistas de Cataluña* (CPC) incorporates an innovative feature by also including diligence in opinions. Article 12 states that journalists should "act

with particular responsibility and rigour in those cases of information and opinions of content that could cause discrimination through reasons of sex, race, belief or social and cultural extraction or that incite the use of violence by avoiding expressions and statements that could be offensive or detrimental to the personal condition of individuals and their physical and moral integrity." (CPC, 1992). The *Manual de estilo sobre minorías étnicas,* published by the *Colegio de Periodistas de Cataluña*, gives the following recommendations:

> *1. There is no need to include the ethnic group, skin colour, country of origin, religion or culture if it is not strictly necessary for the overall understanding of the news item.*
>
> *2. Generalisations, Manichaeisms and simplifications of information should be avoided. Non-Europeans are as varied as native Europeans.*
>
> *3. Negative or sensationalist news should be actively refrained from. Conflicts and their dramatization should be avoided. The search for positive news should be encouraged.*
>
> *4. Impartiality in news sources. Institutional versions should be verified. Versions from ethnic minorities should be encouraged and special care should be exercised with information relating to countries of origin* (Giró, 2002: 13-14).

With respect to the internal guidelines of the print media, *El País*'s *Style Book* contains specific references relating to immigration. The section *Ethical Principles*, under the heading "obscene expressions", states the following: "Words or phrases that are offensive for the community should never be used. For example, 'le hizo una judiada', 'le engañó como a un chino', 'eso

es una gitanería'…" (*El País,* 2014: 36). *El Mundo*'s *Newsroom Guidelines* makes reference in article 2 to minorities: "*El Mundo* will be especially sensitive to the rights of minorities". Nevertheless, it is in their *Style Book* (*El Mundo,* 1996: 111) where the theme is addressed in more detail with the inclusion of an interesting section on *Racist or ethnic, social or religious supremacy expressions,* which states:

> *"Derogatory expressions about ethic groups, religions or determined groups are prohibited, and vigilance should be applied to those cases in which a mention is apparently not racist but turns out to be so within the context. For example, the mention of the detention of "gypsies" or "Moroccans" in incidents in which the origin of those detained is as irrelevant as if they were from Aragon, blond or Seventh Day Adventists. Naturally, derogatory expressions such as "le engañaron como a un chino", "una merienda de negros" or "fue una judiada" should be avoided at all costs."*

In their *Style Book* (2003: 21), Grupo Vocento, in the section *Journalistic Principles*, states: "Journalists shall not discriminate against any source through social, political, racial, religious or gender reasons etc.". Furthermore, article 9 of Agencia EFE's *Newsroom Guidelines* states: "The treatment of EFE news material will avoid any type of discrimination for reasons of religion, origin, social situation, culture, ethnicity, sex or any illness or disability". And in article 15: "EFE will try to give voice to individuals and collectives affected by some form of social exclusion" (Agencia EFE, 2006).

In addition to the codes of ethics, stylebooks and newsroom guidelines, there are other interesting documents such as the recommendations of the Audiovisual Councils. The *Consejo Audiovisual de Cataluña* (CAC) is explicit, exhaustive and clear in its *Recomendaciones sobre el tratamiento*

informativo de la inmigración (CAC, 2002). Among other aspects, it stresses the need to verify information, to use a range of sources beyond those from the police or the judiciary, and to include those from the immigrants themselves. It emphasises that, in the interest of news quality, journalists should make an effort to understand the circumstances and reasons that lead immigrants to leave their countries of origin. This "helps the audience to think about and to contribute to the undoing of stereotypes". It states that the relation between immigration and delinquency or marginalisation should be avoided, whilst fostering positive information that shows immigrants in everyday contexts of integration. It defends the right to the dignity of immigrants with respect to their image and privacy. Aware that all the effort and demands should come from the governing bodies of the media companies themselves, this document asks the media for its collaboration in public policies regarding the incorporation of the immigrant population, in addition to the establishment of a climate of social dialogue. Therefore, the information disseminated by the media should not be one-sided but complete and contextualised and should serve not only the native population but also, and perhaps more so, the integrated population. Non-discrimination depends on the good use and correct selection of the terms to employ in the construction of each phrase and the avoidance of a discourse lead by fear or the idea that immigration is a threat. The use of terms that could be derogatory or that could generate false alarm should be avoided.

For its part, the *Consejo Audiovisual de Andalucía* (CAA), in its *Recomendaciones sobre el tratamiento de la información en los medios audiovisuales* asks for the depiction of immigration as illegal, when not done so in the case of delinquency, to be banished in order to "convey the idea that it concerns people who arrive in our country in need of help and in a situation of abandonment" (CAA, 2006.). The Council asks for the permanent specialisation and training of journalists with the aim of avoiding decontextualized, excessively simplified information with a terminology based

on stereotypes and discriminatory language. In this regard, expressions such as “illegal” or “undocumented” should not be employed. And reference should only be made to race, ethnicity, origin or nationality when necessary to the understanding of the information. Furthermore, the Council calls for the avoidance of exaggeration or generalisation and for an effort to be made to inform in order to understand and not judge.

3.5.2. Hypothesis

With the aim of analysing whether the news coverage of immigration by the four newspapers under study here respect the moral distance that Silverstone refers to as “proper distance” and whether it meets the ethical-deontological principles to which journalists and the media are obliged, the following hypotheses are proposed:

H1: Immigrants do not usually have the opportunity to communicate directly with the newspapers’ readers.

H2: There are significant differences in the treatment of immigration by the four Spanish newspapers.

3.5.3. Methodology

This study centres its analysis on a sample of news items and reports on immigrants and immigration published in four Spanish national daily newspapers —*El País*, *El Mundo*, *La Razón* and *ABC*—, between June 1 2013 and June 31 2014. Articles published in the International, Opinion and Sports sections were excluded with the aim of focusing the study exclusively on news about the situation of immigrants in Spain. To obtain the sample, six days of each month, corresponding to different days of the week, were randomly selected. 91 editions of each newspaper —364 in total— were

analysed. Of the 289 articles identified as relating to immigrants, 179 that were accompanied by one or more photographs were studied.[30]

To confirm the proposed hypotheses, the study analysed text and images. With regard to the latter, the samples were coded into six main categories:

1. Generic identification data: newspaper, date of publication, section, author/source of photographs.

2. Placement of photographs: on the front page, on an inside page (odd, even), size of photographs, presence of legend (yes or no).

3. Angles used in the photographs: straight on view, high-angle shot, low-angle shot, close-up, medium shot, medium-close shot, ¾ shot, general shot.

4. Number of people photographed: large groups (more than 10 people), small groups (less than 10 people), individuals.

5. Origin of the people photographed.

6. Social interaction and visual contact with the camera.

With regard to the text, the analysis was divided into two complementary procedures: one dedicated to the body of the news article, with the aim of determining whether the immigrants are consulted as sources, and the other dedicated to the titles, with the aim of analysing in which contexts immigrants are usually represented.

The information obtained was analysed using a T-Test of proportions that allowed a comparison to be made of the data in a table, cell by cell, in categorical variables of independent samples (Wimmer, R. D. & Dominick, J. R., 2011). Using this test, the values in two cells of the same row can be compared with respect to the columns of the table. For each column, the test is carried out under the hypothesis that the population size of case A and that of case B are equal, versus the hypothesis that they are significantly different (whether by being much higher or much lower) at a confidence level of 95%. The statistically significant differences are represented in the tables in capital letters, placing the letter of the column with that considered to be of unequal proportion.

3.5.4. Results

3.5.4.1 General analysis of news items on immigrants

Of the 289 news items about immigrants from the newspapers analysed, 30.4% appear in *El Mundo*, 26.6% in *ABC,* 22.5% in *El País* with, lastly, *La Razón* being the newspaper with the least numbers of news items on immigrants during the months in which the study was carried out, with 20.4%. News items on immigrants appeared in general in the Spain (58.3%) and Madrid (27.1%) sections. *El País* and *El Mundo* mainly published news items on immigrants in the Spain section (71.9% and 72.7% respectively). The exception is *La Razón*, which significantly publishes them in the Madrid section (44.1%).

3.5.4.2. Analysis of the news items on immigrants accompanied by photographs

Of the 289 news items on immigrants identified, 61.9% were published with photographs.

3.5.4.2.1. Authorship

With reference to the authorship of the photographs, 39.7% were credited to a photographer and 34.6% to an agency. To a lesser extent, 5.6% were archive photographs. 2.8% of the photographs were taken by the police and/or by the *Guardia Civil* and 1.7% by the protagonists themselves. 12.3% of the published images did not identify their author. The behaviour of this variable does not present any statistically significant differences with respect to the presence or not of immigrants in the photographs.

Among the newspapers analysed, it can be observed that photographs with a credited author are more frequent in *El País* (55%) and *El Mundo* (50.9%). No significant differences were observed for the use of agency photographs. *La Razón* stands out for having published the greatest number of uncredited photographs (29.5%).

Table 1: Authorship of photographs

	Total	***El País* (A)**	***El Mundo* (B)**	***ABC* (C)**	***La Razón* (D)**
Total	179	40	53	42	44
	%	%	%	%	%
Author of photo					
Photographer	39.7	55CD	50.9D	31	20.5
Agency	34.6	35	30.2	38.1	36.4
Archive	5.6	2.5	3.8	11.9	4.5
Guardia Civil/ Police	2.8	-	1.9	7.1	2.3
Protagonists	1.7	-	3.8	-	2.3
TV video frame	0.6	-	1.9	-	-
Other	2.8	-	3.8	2.4	4.5
Uncredited	12.3	7.5	3.8	9.5	29.5ABC

(Source: authors)

3.5.4.2.2. Placement

Placement is an important indicator when determining the relative importance attributed to the various news items. This study confirms that reports on immigration and/or immigrants are not usually published on the front page. In fact, of the 179 articles analysed that were accompanied by photographs, only 4.5% appeared on the front page, a behaviour similar to all four newspapers, with no differences between photographs featuring immigrants or not.

The other significant data relates to the presence of more news items published on even pages (61.5% even pages, 47.5% odd pages). This data was not affected by the headline or the appearance of immigrants in the photos. With regard to the size of the photographs, the newspapers normally publish 1/4 page (49.2%) or 1/2 page (30.7%) images. In comparative terms, *El Mundo* and *La Razón* publish the largest photos, at 1/4 page and 1/2 page. *El País* tends to publish 1/4 page photos, while *ABC* publishes images of a smaller size. The presence or not of immigrants does not influence the size of the photographs.

The large majority of the photos are usually accompanied by text (94.4%), a percentage that descends to 86.4% in the case of *La Razón*, with no statistically significant differences being observed with regard to the presence or not of immigrants in the photographs.

Table 2: Placement of photographs

	Total	***El País* (A)**	***El Mundo* (B)**	***ABC* (C)**	***La Razón* (D)**
Total	179	40	53	42	44
	%	%	%	%	%
Photo on front page item					
Yes	4.5	5	7.5	4.8	-
No	95.5	95	92.5	95.2	100
Photo placement					
Even	61.5	60	56.6	57.1	72.7
Odd	47.5	45	43.4	54.8	47.7
Photo size					
1.5	2.8	-	1.9	9.5D	-
Whole	0.6	-	-	-	2.3
Half	30.7	17.5	41.5AC	11.9	47.7AC
Quarter	49.2	57.5C	54.7C	33.3	50
Eighth	14	25BD	1.9	33.3BD	-
Less than an eighth	2.8	-	-	11.9ABD	-
Photo with caption					
Yes	94.4	100D	98.1D	92.9	86.4
No	5.6	-	1.9	7.1	13.6AB

Source: authors

3.5.4.2.3. Shots

With regard to shots, the long shot and/or full shot are those most employed by all four newspapers (45.8%), followed by the medium-short shot (27.4%), the ¾ shot (16.8%) and close-up (10.1%). This tendency is common to all four papers and independent of the origin of those appearing in the images.

Table 3: Shots used

	Total	***El País*** **(A)**	***El Mundo*** **(B)**	***ABC*** **(C)**	***La Razón*** **(D)**
Total	179	40	53	42	44
	%	%	%	%	%
Shots					
Close-up	10.1	10	7.5	9.5	13.6
Medium-short shot	27.4	27.5	20.8	31	31.8
¾ shot	16.8	17.5	24.5	14.3	9.1
Long shot	45.8	45	47.2	45.2	45.5

Source: authors

3.5.4.3. Analysis of the representation of immigrants in photographs

Of the 179 news items accompanied by photographs, 88.3% feature people, though not necessarily immigrants, with a higher presence of men (76%) than women (26.3%). In fact, immigrants are present in only 60.8% of the photographs, a tendency which is common to all four newspapers analysed. In those photographs that feature non-immigrants, the presence of politicians (Minister for Home Affairs, Secretary of State and their European counterparts), members of the police, *Guardia Civil* and other security forces is notable with Spanish citizens appearing to a lesser degree.

3.5.4.3.1. Size and origin

68.2% of the photographs analysed show groups of people, with a preference for groups of less than 10 individuals (54.2%) which are mainly composed of Spanish citizens (36.5%) or sub-Saharan citizens (30.2%). With regard to the four newspapers analysed, *La Razón* stands out for the lower presence of groups of less than 10 people (36.4%).

In groups composed of more than 10 individuals, sub-Saharan immigrants are again the protagonists (69%). In those images featuring just one person, 27.8% of them show a Spanish citizen, followed by a sub-Saharan (19.4%) and a Latin American (16.7%). This data is significant given that the units of study are news items on immigration.

In the photographs showing immigrants and members of the local community, the most frequent are those showing sub-Saharans (10.1%). Only 4.5% show Spanish citizens with Asians, North Africans or Latin Americans.

Table 4: Size of groups and origin of immigrants

	Total	***El País*** **(A)**	***El Mundo*** **(B)**	***ABC*** **(C)**	***La Razón*** **(D)**
Total	179	40	53	42	44
	%	%	%	%	%
Size of group in photo					
Individual	20.1	25	20.8	16.7	18.2
Total groups	68.2	70	71.7	73.8	56.8
Small groups (less than 10)	54.2	57.5	62.3D	59.5D	36.4
Large groups (more than 10)	14	12.5	9.4	14.3	20.5
Nobody	11.7	5	7.5	9.5	25AB
Origin of the protagonists					
Total Sub-Saharans	28	28.6	25	36.8	21.6
Total Asians	4.9	7.1	2.5	7.9	2.7
Total Latin Americans	7	10.7	7.5	5.3	5.4
Total North Africans	2.8	0	7.5	2.6	0
Total Spanish	26.6	28.6	25	28.9	24.3
Total European	7	7.1	7.5	2.6	10.8

Source: authors

3.5.4.3.2. Interaction

With regard to social interaction of the immigrants in the photographs, we observed that in 12.3% of cases, the immigrants appeared alone while in 24.6% they were interacting with others. Other interactions involving immigrants include the following: with the police or *Guardia Civil* (7.3%), with Moroccan police (1.7%), with politicians (6.7%), with health workers (4.5%) and with members of the local community (3.9%). Comparing the behaviour of the four newspapers analysed, the only data of note is that *ABC* publishes more photographs of immigrants interacting amongst themselves, that is, not relating to members of other communities (38.1%).

Among the different immigrant communities, the sub-Saharans and Latin Americans are those that appear most frequently accompanied by the police and/or *Guardia Civil*, health workers or politicians. Regardless, these types of images, taken together, make up no more than 20% of the sample.

Table 5: Social interaction

	Total	***El País* (A)**	***El Mundo* (B)**	***ABC* (C)**	***La Razón* (D)**
Total	179	40	53	42	44
	%	%	%	%	%
Social interaction by the immigrants					
Individual immigrant	12.3	15	13.2	4.8	15.9
Immigrants interacting among themselves	24.6	17.5	20.8	38.1A	22.7
With Spanish police or Guardia Civil	7.3	10	5.7	4.8	9.1
With Moroccan police	1.7	5	1.9	-	-
With politicians	6.7	2.5	11.3	4.8	6.8
With health workers	4.5	7.5	3.8	4.8	2.3
With civilians/locals	3.9	2.5	9.4D	2.4	-

Source: authors

3.5.4.4. Sources of information and visual contact with the camera

With respect to sources of information, immigrants usually do not have a voice in the news items in which they appear (65.4%). In fact, on analysing those news items accompanied by photographs featuring immigrants, only 30.3% publish the immigrants' version of events. In *La Razón*, this figure is only 18.2%, which is significantly lower than that for *El País* (45%) and *ABC* (40.5%).

In those articles whose photographs feature sub-Saharans, these themselves are the source of information in 35% of the cases. This is similar for those featuring Latin Americans (30%). In contrast, we observed that when the images featured Spanish protagonists, this percentage rises to 52.6% and to 50% for Europeans. Nevertheless, when immigrants do not appear in the images, in 41.4% of cases, the protagonists are the source of the news. In conclusion, in those photographs that do not feature immigrants, the percentage of reports in which the protagonists are the source is greater.

With reference to visual contact with the camera, this study reveals that this occurs most frequently in photographs featuring immigrants (33%). The majority featured sub-Saharans (42.5%). In photographs not showing immigrants, visual contact was observed in only 5.7%.

Table 6: Sources of information/ Visual contact with the camera

	Total	***El País*** **(A)**	***El Mundo*** **(B)**	***ABC*** **(C)**	***La Razón*** **(D)**
Total	179	40	53	42	44
	%	%	%	%	%
Protagonists as source of report					
Yes	34.6	45D	35.8	40.5D	18.2
No	65.4	55	64.2	59.5	81.8AC
Visual contact with the camera					
Yes	22.3	22.5	20.8	23.8	22.7
No	65.4	70	79.2CD	57.1	52.3
Not observed	2.8	2.5	-	9.5	-
Does nor feature people	9.5	5	-	9.5B	25AB

Source: authors

3.5.4.5. Analysis of the headlines

The analysis of the headlines consists of classifying the context in which the immigrants are represented as positive, negative and neutral. A positive context is understood as the association of immigrants with socially valued actions or situations. By contrast, a negative context is considered to be their association with actions or situations that are socially reproachable. Finally, a neutral context is that in which the immigrants are not associated with either positive or negative contexts.

From this analysis, it can be concluded that, in general terms, immigrants are associated with neutral contexts in 58.6% of cases and with negative contexts in 40.8%. References to positive contexts do not reach 1%. In comparative terms, *El Mundo* and *ABC* share similar behaviours, contextualising immigrants neutrally in 58.5% and 57.2%, respectively, of cases. For its part, *El País* presents the least number of negative contexts (17.5%), in contrast to *La Razón*, which most shows immigrants in negative contexts (61.4%). *La Razón* is the only newspaper in which the negative references exceeded neutral ones.

It should be noted that the headlines of news items reporting on immigration do not necessarily feature immigrants as their main subject, a circumstance that has contributed to an increase in the recording of neutral contexts, such as those referring to legislative changes, action taken by the Government etc.

Table 7: Headlines/Context of representation of immigrants

	Total	*El País* (A)	*El Mundo* (B)	*ABC* (C)	*La Razón* (D)
Total	179	40	53	42	44
	%	%	%	%	%
Positive context	0.6	-	1.9	-	-
Negative Context	40.8	17.5	39.6A	42.8A	61.4AB
Neutral Context	58.6	82.5BCD	58.5	57.2	38.6

Source: authors

With the aim of analysing the information presented thus far in more depth, the frequency of the use of different words associated with negative contexts has been determined. Given the high number of identifiable words and the low frequency of their use, they or each of their inflected forms were grouped into three semantic categories: violence, death and crime. The following presents a breakdown for each category:

1. The category of “violence” corresponds to the use of the following words: attack, stab, assault, knives, injuries, rubber bullets, fight, robbery, kidnapping, rape.
2. The category of “death” includes: bodies, the dead, murders, death.
3. The category of “crime” includes: the convicted, delinquents, dismantled, detain, deportation, drugs, cocaine, hashish, marihuana, illegal, trial, mafia, drug traffickers, prostitution, the undocumented.

Of the 179 headlines analysed, 12.3% use words directly associated with violence and 13.4% with death. 24.6% of the headlines use words associated with both violence and death.

It should be pointed out that, in percentage terms, *La Razón* contains headlines that refer to death most, reaching 25%, a percentage significantly higher than *ABC*, where these references are limited to 4.8%. The relationship Spanish newspapers establish between immigration and crime is also notable. Of the 179 headlines analysed, 17.9% used words that associate immigrants with criminal activities. Again, *La Razón* is the newspaper that publishes most headlines containing words in this category (31.8%), a percentage that is significantly higher than those of *El País* (7.5%) and *El Mundo* (11.3%) but not statistically higher than that of *ABC* (21.4%).

Table 8: Headlines: semantic analysis

	Total	***El País* (A)**	***El Mundo* (B)**	***ABC* (C)**	***La Razón* (D)**
Total	179	40	53	42	44
	%	%	%	%	%
Total violence	12.3	12.5	9.4	14.3	13.6
Total death	13.4	10.0	13.2	4.8	25.0C
Total violence/death	24.6	22.5	22.6	16.7	36.4
Total crime	17.9	7.5	11.3	21.4	31.8 AB

Source: authors

3.5.4.6. Discussion and conclusions

The aim of this study was to evaluate the representation of immigrants by four national daily newspapers based on the concept of “proper distance” proposed by Silverstone (2007).

The results obtained allow us to confirm that, in general, in news articles accompanied by photographs, immigrants are represented from a distance.

From the formal point of view, the most significant result is the near complete absence of references to immigration on the front pages of the newspapers analysed over the period of a year (95.5%).

With respect to the visual representation of immigrants, they are normally shown in long shots, usually in groups and interacting among themselves. Only 4% of the photographs feature immigrants interacting with members of the local community. In the other cases, immigrants are photographed with the police and/or *Guardia Civil*, politicians or health workers. In line with the visual representation, the verbal representation through the headlines employed maintains a neutral tone, with a negative tendency manifested through words associated with concepts such as delinquency, violence and death, especially in *La Razón*. For its part, *El País* is notable for being the newspaper that presents immigrants in a negative context the least through its headlines.

With reference to the opportunity that immigrants have to express themselves, in the majority of cases (65.4%) they are not the source of the news of which they are protagonists, especially in *La Razón*. Immigrants are usually represented from afar, so far away that they cannot be heard. This situation most severely affects sub-Saharan immigrants. The majority of journalism codes of ethics recommend avoiding discriminating people, whether as a function of the colour of their skin, nationality, religion, sex, sexual orientation etc. Furthermore, among the various rules that endorse the fostering of a comprehensive and truthful account of reality, one of the most notable obliges journalists to listen to all those involved in an incident. In this regard, by impeding immigrants from exercising their right to participate in the public sphere, journalists simultaneously violate two fundamental ethical principles: the respect for human dignity and the commitment to truth (Cornu, 1994).

The data gathered in this study also reveals that visual contact with the camera is significantly higher when the photographs feature immigrants (33% vs. 5.7%). This means that the distance with which they are represented may vary within the same news piece: they may be given the opportunity to seek our gaze, by looking out of the picture, but at the same time they are prevented from talking.

While recognising that it may be impossible to completely understand the meaning of the gaze of the other, who stares at us from their infinite difference, this finding suggests the existence of a conflicting combination between a gaze that questions and a voice that cannot be heard. The other becomes a body, a "silent body" (Silverstone, 2007: 2). The conclusion of this split representation of the other reveals poor coordination among editors, journalists and photojournalists that a future study should be able to explain[31].

In summary, the results presented here confirm the first hypothesis proposed: that immigrants do not usually have the opportunity to communicate directly with newspapers' readers. They also corroborate this study's second hypothesis: that there are significant differences in the treatment of immigration by the four Spanish newspapers.

Taken together, these findings reveal the need to revise some of the established practises in the newsrooms of Spanish newspapers in order to promote a fairer and more personalised representation of immigrants.

Conclusions

To conclude our study on ethics and photojournalism, it is important to highlight some of the main conclusions drawn in each chapter and to outline the possible relationships between them.

The stated aim of our study was to analyse some of the assumptions that formed the historical bases of the predominant concept of what a good press photograph should be and to question their capacity to respond to some of the fundamental challenges that, in the current media context, affect our trust in news media. Given the enormous difficulty facing contemporary ethics to ontologically and metaphysically justify the goodness of specific moral precepts, its contribution to the debate in the field of applied ethics should be to stimulate a critical-hermeneutical examination of the fundamental suppositions upon which specific morals are based upon and to question its capacity to respond to the new challenges posed by the technological developments that have qualitatively transform man's power to act upon the environment (Ricoeur, 1991b).

Aware of the limitations of our methodological choices, we decided to examine the *ethos* of photojournalism by analysing various documents that bring together the ethical reflection applied to the profession, which mainly consisted of codes of conduct, academic journals on journalism ethics and stylebooks. On a secondary level are other documents that Claude-Jean Bertrand includes in his *Media Accountability System* (Bertrand, 2000) and that could be the object of future research into the subject.

We are also aware that the specific practice of photojournalism could reveal certain shared assumptions on what a press photograph should be, but time and space limitations have forced us to prioritise. This does not

mean that the definition of the fundamental attributes of a good press photograph can be deduced directly from practice. To believe this would be to fall into the type of naturalist fallacy by which goodness could be deduced from being. That many photographs published in the media and on the Internet exploit the pain of anonymous people, victims of circumstances, with no political import, does not make these photographs good. However, the analysis of photographs could help find ways of photographing, editing and exhibiting images not considered in the documents analysed, thus enriching our reflection. Most of the references to specific cases analysed in this study served, above all, another purpose: to point out the main limits inherent to the predominant concept of press photography. The exception to this rule is the empirical study of the representation of immigration in four Spanish national newspapers presented in the last section of chapter 3 (3.5), which we discuss further on.

To characterise the *ethos* of photojournalism, we decided to start by analysing documents that refer generically to journalism, not only because they are the most common and numerous, but also above all because the ethical reflection of the press historically exercised a significant influence on photojournalism (Zelizer, 1995; Schwartz, 1999; Lavoie, 2010b).

The analysis of these documents allowed us to identify three main ethical news principles: freedom, truth and the respect for human dignity (Cornu, 1994), around which are a set of diverse practical and instrumental rules (Höffe, 1995). While the fundamental ethical principles themselves compel us through their intrinsic value, those principles of a practical or instrumental value compel us from the outside, whether because they foster good for somebody (pragmatic), or whether they help in the realisation of other goods through their purely conventional configuration (instrumental). Since these three fundamental principles are applied to journalism in general and are aimed at fostering the realisation of the press mission, it makes

perfect sense that they should also be applied to photojournalism. The same is not evident in the case of the pragmatic or instrumental principles, which need to adapt themselves to photography. The legitimacy of this intuition was reinforced after the oldest and most influential code of ethics specific to photojournalism was subjected to a critical-hermeneutical examination (1.6.). As a result of these analyses, we have been able to propose the following generic definition of photojournalism: *Photojournalism is the activity involved in providing people with information of public interest through a combination of words and pictures in a free, truthful and respectful way.*

Having established these three fundamental ethical principles guiding journalism and photojournalism, it was important to analyse their interaction with the various other practical and instrumental precepts and to evaluate their capacity to promote the realisation of the press mission in today's world. Once again, decisions had to be taken with regard to this question. It would be impossible, within the limits of this present study, to evaluate one by one each of the rules specifying how the freedom of information should be protected, how truth should be fostered and how the dignity of people in the news should be protected. In this regard, we decided to focus on the relationships between truth and objectivity (chapter 2) and between the defence of human dignity and the representation of suffering (chapter 3). The defence and promotion of liberty, however, remained outside the scope of this study. This decision does not mean that we consider this question to be of less relevance than the others. In fact, almost the opposite could be said. To suggest that freedom in photojournalism fundamentally depends on the ethical behaviour of photographers would be to do a favour for those who strive to limit the right to information. The reflection on press freedom should be able to think beyond cases of bad practice. There is no need to limit the freedom of photographers committed to public service in order to punish the paparazzi. In short: it is our belief that the defence of the freedom to inform should be considered within the legal sphere.

Chapter 2 centres on the current relationship between truth, objectivity and photography. The aim was not to discuss directly the question of truth in photography or determine what makes it possible to say that a photograph is true. This would be equivalent to discussing the image in the domain of the word. What we ask ourselves is whether the application of the concept of objectivity to photojournalism would not necessarily contribute to limiting the possibilities of the representation of reality to a particular way of seeing, which would certainly be legitimate but incapable of clearly justifying its desire for exclusivity. Unable to legitimise itself within a theoretical plan, the alternative would be to demonstrate its practical utility. In other words, the adoption of the principle of objectivity to press photography could be justified through its capacity to generate trust and credibility, without which the realisation of the press mission is impossible. In order to be able to go into these questions in any depth, we decided to follow the same strategy used in chapter 1. This obliged us to analyse how historically the idea of objectivity imposed itself upon journalism in the United States of America, which is considered paradigmatic of the situation in other Western countries (Maras, 2013), and then to examine how it was applied to photojournalism.

The historical analysis allowed us to conclude two important things: firstly, that the progressive adoption of the idea of objectivity complied with a set of specific technological, professional, commercial and political factors and, secondly, that the understanding of the concept of objectivity evolved over time, sometimes in several directions, in order to adapt itself to broader horizons of intelligibility, which are related to less ingenuous epistemological concepts or to diverse understandings of what the fundamental mission of the press should be. This evolution basically took two directions: according to the first, the idea of objectivity, understood as a predicate of the subject (the journalist) or of the object (the news), would go on to refer to a type of procedure designed to make the process of news production more transparent. This means, for example, revealing the reasons behind various

editorial decisions, enabling access to background information, including images not used in paper editions, etc. The second evolution of the concept of objectivity simply rejects its moral value within journalism and declares it either a form of deceit and lack of honesty that aims to hide the inevitable bias of the journalistic account, or declares its adoption to be counterproductive, through fostering a disinterested and distant vision of the politics that discourages the participation of citizens in the *res publica* (Schudson, 1978; Maras, 2013).

Having analysed the historical evolution of the concept of objectivity and identified the various factors that encouraged its adoption in journalism, we then needed to examine how the idea of objectivity also imposed itself upon photojournalism.

The first interesting finding that resulted from the review of the different works dedicated to the history of photojournalism revealed that determining its origins is disputed: while for most historians photojournalism should be understood as the natural evolution of photography itself, for professionals and practitioners photojournalism represents a rupture from the previous uses assigned to photography, having been responsible for the introduction of a set of novel characteristics including speed, mass market appeal, reproducibility and promptness (Lavoie, 2010: 12). This last historical point is interesting and confirms an important thesis for our study, according to which the adoption of the principle of objectivity served historically to set press photography in opposition to artistic photography and to help bring the new professional *ethos* of the press photographer closer to the *ethos* of the journalist (Zelizer, 1995; Lavoie, 2010b). It is this association between press photography and credibility that still serves as an argument for John Long, chairman of the NPPA Ethics & Standards Committee, to respond to the use of HDR in photojournalism (Long, 2012). But what history shows is that this association is the product of a set of professional, technological and

commercial factors characteristic of an era and not the definitive expression of a privileged relationship between a particular way of photographing and reality. In fact, for publishers of the 1830s and 1840s, the artistic dimension of illustrations did not compromise their objectivity or factuality. This rupture consolidated from the 1870s onwards, when technology finally made it possible to mass print photographs directly in newspapers, which would lead publishers to do without the manual work of illustrators and wood-engravers (Schwartz, 1999). With the advent of photography, a new concept of the objective image was thus born, characterised for being the result of a mechanical process —that is, with barely any human manipulation— through which objects themselves became imprinted upon a special film. And it was this indexical aspect that was the target of all the rhetorical artillery used to foster credibility and authority of the press photograph, which had been affected by the increasing influence of the public relations services, the propagandistic uses during the First World War and the excesses committed by the yellow press.

Trust in the photographic image was profoundly affected by the advent of computers and digitalization that invaded the world of photography at the end of the 1980s. But it is nonetheless ironic that it was technology, once the source of trust in photography, that now became a source of extreme suspicion. The level of sophistication of image editing software these days allows images to be created that resemble photographs without actually being so. In other words, that the objects represented have not at any moment been in front of the camera, a possibility that seriously compromises the attribution of the testimonial value to the photograph through what was once its fundamental predicate: its indexical aspect. Furthermore, digital photography is no longer, as analogue was, the result of the direct contact of light projected by objects onto a film, but rather the product of a computer algorithm that converts data recorded in digital sensors into an image. In other words, digital photography requires a post-processing stage after,

which can take place either within the camera itself or in a computer. In this precise regard, all digital photographs are the result of manipulation.

The response of the industry to this authentic revolution was rather conservative. The review of the codes of ethics, stylebooks, internal guidelines and professional forums reveals that the defence of press photography's credibility in the digital era focused on the protection of the integrity of photography against the increasingly subtle and imperceptible forms of manipulation.

To protect the integrity of the photographic image, it was determined that the only legitimate post-production editing techniques would be those already accepted in the old darkroom: limited cropping, dodging and burning, minor toning and colour adjustments, conversion to grey-scale and the use of cloning tools to eliminate dust on camera sensors or scratches on scanned negatives/prints (Campbell, 2014). The problem with this solution is that these criteria are too imprecise, since it is difficult to determine at what point a minor toning and colour adjustment might affect the integrity of a photograph. Moreover, there is a lack of consistency within the set of rules. For example, darkening a photograph to make a particular element disappear from the scene is prohibited. Yet this same effect could be legitimate if achieved through framing or cropping. At the root of this lack of rigour and unity is the difficulty in precisely defining and justifying what should be understood by the integrity of a photographic image. In this regard, these criteria are designed to foster a value that was not determined beforehand. Furthermore, this lack of precision and unity raises an inevitable question: will this type of solution be ideal to strengthen the credibility and trust in photojournalism? The controversy generated by the World Press Photo suggests not. The case of the photograph taken by Paul Hansen, winner of the contest in 2013, illustrates the confusion generated by the lack of clear, precise criteria needed to determine the limits of post-production. Having

been accused of being the result of an illegitimate composition procedure (HDR), Hansen's photograph was subjected to various forensic analyses, which compared the JPEG file sent for the competition with the RAW file generated by the camera in the precise moment it was taken. The experts, however, did not come to the same conclusions (2.4.). And in this year's competition (2015), 22% of the photographs that made it to the final round (20 out of 90) were disqualified for illegitimate post-processing after the same kind of analyses had been carried out.

In short, grounding the credibility of photojournalism on a hypostatic concept of photographic integrity creates more problems than solutions: firstly, because it relegates to second division other potential ways of manipulation related to photographic opportunities, photographer's decisions, framing, light and shade, composition, etc. Secondly, because it creates the illusion that trust in photography might depend on a technical analysis, thus hiding the fact that the criterion defining what should be considered legitimate is essentially conventional. Thirdly, because hypostasize the technical aspect makes it difficult for news' readers and users to participate in the debate on ethics and photojournalism. Finally, and because technology is developing at an exponential rate, this strategy forces us to constantly update the criteria of legitimacy, generating not only insecurity but also an atmosphere of general suspicion. The possibility of deceit will always be one step ahead of the tools developed to detect it. This last reason dismantles the arguments of those who believe this type of forensic analysis would be the best antidote to the dangers that arise through the increasing utilisation of user-generated content.

In summary, from a practical point of view, insisting on defending a concept of objectivity as an essential attribute of the photograph no longer makes sense in the digital era. The revolution that computers and digitalization represents requires us to be capable of considering

photography beyond the limits of the photograph and to be able to rebuild trust in photojournalism in the relationship between the media and readers.

The third and last chapter of this study focused on the relationship between the protection of human dignity and the representation of the other, especially the other who is suffering. The professional codes of ethics are, in this respect, decisive in asserting that, as a general rule, the media should refrain from intruding into the pain and suffering of people. However, exceptions are allowed when the news in question is of undeniable public interest. In other words, when it is essential for people to be able to formulate well-grounded judgements on questions related to their everyday lives. It is evident that on many occasions the invasion of privacy occurs for strictly commercial purposes. People's lives have become an extremely profitable business. However, equally condemnable is the exploitation of people's privacy, as is failing to publish necessary information. In this regard, the distortion of the concept of public interest might equally serve to justify the intrusion in people's private lives as it does to justify the need to withhold sensitive information.

Regardless of reasserting the importance of denouncing the malicious interpretations of the concept of public interest, our attention focused on the question of how images should be used in those cases where a greater public interest can be proven. How should the duty to inform be balanced with the obligation to minimise the pain inflicted on those appearing in the news? How do we prevent the visual representation of people's pain and suffering becoming a show? Would all photographic representation of suffering be destined to beautifying it and convert it into an object for aesthetic contemplation? This question is decisive, as the possibility of morally justifying the use of photography as a means of denouncing evil and injustice depends on its answer.

Influential contemporary thinkers of photography, such as Susan Sontag, are fairly sceptic with regards to the use of photography as a means of denouncing. In her influential book *On Photography,* Sontag proposed an ecology of images as a way of combating the spectacle the exhibition of horror had become. Under question is not only the exploitation of people's suffering but also the loss of the sense of reality that leads to insensitivity and compassion fatigue. According to this argument, photography would possess an aestheticizing tendency, which the media makes use of, that ends up neutralising the anguish that photographs of suffering aim to convey. Its form destroys its content (Sontag, 1990). However, in *Regarding the pain of others* (2003), the radical nature of this argument is more nuanced. Sontag does not appear willing to accept the consequence that would result from asserting that photography necessarily aestheticizes suffering. Taken to its extreme, this argument would entail having to reject any form of politically motivated representation of suffering. The problem, as Mark Reinhardt asserts, is that "(...) as a response to suffering, the refusal to picture may pose the most problems of all" (Reinhardt, 2007b: 15). Among other possible examples, the coverage of the war on terror unleashed as a consequence of the 9/11 attacks made it clear that the portrayal of death and violence obeys complex games of interests that have little to do with protecting the dignity of the victims (Reinhardt, 2007b; Zelizer, 2010).

Alerted to the negative effects resulting from the management of the invisibility of suffering, it is important to question once again how it should be represented without offending the dignity of the victims. For Ariella Azoulay, the approach to this question would have to free itself from the opposition, popularized by Walter Benjamin, between aesthetics and politics (Azoulay, 2010a). According Azoulay, this mutually exclusive opposition is based on three false assumptions: 1) that political photographs could be stripped of any aesthetic dimension. This assumption disregards the fact that photographic objectivity, to which journalistic photography aspires, is an

effect brought about by the application of a set of specific techniques that aim to hide not only the presence of the photographer but also the material aspect of the photograph; 2) that what photographs are would exclusively depend on the photographer's intention and technique. This assumption, in addition to being based on an extremely naïve semiotic concept, disregards the fact that the people photographed also determine what photographs represent; 3) that the aesthetic and the political would be characteristic of the photographs themselves. This assumption disregards the fact that what transforms a photograph into a document of political meaning is not the photograph itself but the acts and decisions people adopt with respect to it

Azoulay's contribution to the debate on the representation of suffering possesses two great merits: firstly, it allows it to be rescued from the exclusive circle of experts who would compete to judge whether or not a photograph is legitimate. It is as if everybody had an opinion about the legitimacy of photographs except the people photographed, remarks Azoulay ironically. And this aspect for us is decisive: the representation of suffering of the other cannot deny them the right to participate in determining their way of appearing. Secondly, Azoulay's approach broadens the understanding of photography beyond the limits of the photograph by considering it as fundamentally the result of an encounter, with a potentially political meaning, between the photographer, the camera and the person photographed, without any one of them being able to claim the power to determine the meaning of the encounter. This, however, does not mean that anything goes. Azoulay is aware of the spectacle the representation of death, pain and suffering has become. But to put the brakes on what she calls the "acceleration of horror", the best strategy is not to consider the form of the photographs but to adopt a position on the violence and injustice suffered by those photographed (Azoulay, 2008). In short, it is not the aesthetic or artistic aspect of a photograph that mainly compromises the representation of the suffering of the other. In this regard, the argument that the moral primacy of

press photography in representing pain and suffering is founded on its objectivity and realism is as fallacious as the argument that sustains that it is this objectivity and realism that explains the privileged relationship that press photography establishes with the truth.

For Roger Silverstone, the moral representation of the other should respect a proper distance, defined as an intermediate point between two extreme positions, one that errs towards excess (too far or too close) and the other, deficiency (refusal to photograph). Echoing the Aristotelian concept of *mesotes*, the author asserts that the proper distance cannot be determined abstractly, through the application of any general criterion, but has to adjust itself to the specific case in point, paying attention to the context and taking care of the people photographed.

The empirical study included in the last section of chapter 3 (3.5.) shows that, as a general rule, the principal Spanish newspapers do not respect the proper distance: they represent immigrants in a depersonalised way, mainly in groups, with no interaction with members of the local community and without being given the opportunity to explain their version of events. But this distance from which the media represents immigrants is not only condemnable for its negative discrimination of the immigrants themselves but also attacks one of the other main fundamental ethics of photojournalism: the search for truth. By denying immigrants any say, the media deprive us of indispensable perceptions and understandings of reality. And by favouring the publication of photographs in which immigrants appear far away, the media make it difficult for them to appeal to us with their gaze, to ask us for help or to reveal to us their pain, suffering and indignation. From afar, things do not appear as they really are. For this reason, for Silverstone, the media has the moral duty to foster a fairer, diverse and plural public space, which involves welcoming the active participation of people whose

access to the media is made more difficult by belonging to minority social groups.

Finally, a word dedicated to Emmanuel Levinas, whose moral philosophy has exercised an important influence on our own reflection of the representation of the other. From his intuitions, we have mainly retained the idea that the alterity of the other is absolute and irreducible to sphere of constitution of the same. The naked face of the other is the epiphany of the infinite, of this absolute difference that separates him from me. In this regard, the other will always resist any attempt to be defined and represented. This argument was important for our study, as it helped us contest the argument of the supposed privilege that press photography has when it comes to representing the reality of the other. However, this argument is also important for another reason: the fact that the other is absolute difference and that his alterity cannot be represented requires us to recognise that the other is also unique. Nobody can replace him. For Levinas, more than an object of knowledge, the other is the subject of a fundamental ethical relationship that makes knowledge itself possible. Without the other, there is no truth. Our fundamental moral duty is, therefore, to welcome and care for the other. Ethics is hospitality.

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Notes

1 Both the New York Times and the Washington Post recognized that their coverage of the existence of weapons of mass destruction in Iraq had been biased. See: The New York Times, 2004 and Kurtz, 2004.

2 “El êthos es el suelo firme, el fundamento de la práxis, la raíz de la que brotan todos los actos humanos” (Aranguren, 1994: 21).

3 The verse of the Greek poet Pindar (518 BC - 438 BC) translates perfectly the idea: “Become such as you are, having learned it” (Pythian 2, line 72). It is worth mentioning that Pindar’s verse should not be understood through the lens of our modern psychology. As various academics have pointed out, the poet is not addressing our personal self, inviting us to discover through the labyrinths of our complex psychological life what could be called our authentic self. “Become who you are” should be understood, rather, as an invitation for each one of us to fully develop ourselves as rational beings.

4 “Qui concerne soit les moeurs, soit les règles de conduite admises à une époque, dans une société déterminé” (Lalande, 1947: 636).

5 “La science qui prend pour objet immédiat les jugements d'appréciation sur les actes qualifiés bons ou mauvais” (Lalande, 1947: 295).

6 Although not recognized by some of the most classic English dictionaries (Oxford Dictionary, Cambridge Dictionary), the exceptions being Collin’s English Dictionary and Merriam-Webster, we believe that the use of the noun form “obligatoriness” does not pose any particular hermeneutical problems.

7 It is worth mentioning that on his critical remarks on these different moral theories, André Léonard avoids referring directly to their authors. His purpose is not to go into any of these philosophical moral theories in depth, but to highlight their general structure and to point out the difficulties that they may face in order to convincingly ground the absoluteness of moral values and their obligatory character. That is the reason why he says that hedonism is really not that “Epicurean”, for Epicurus centred his ethics on temperance, or that Aristotle’s eudemonism should not be considered simplistic and reductive, given the fact that for the philosopher “the rule for moral good is all that contributes to the reasoned happiness of men” (See Léonard, 1997: 108-109).

8 The expression “from duty” is the one used by Mary Gregor and Jens Timmermann. See Kant (2011).

9 “La moral kantiana es, en principio, como la moral sartriana, perfectamente “acósmica” (= cosmos, en griego). En ella, ninguna inspiración moral se busca en la naturaleza de las cosas o en los datos objetivos de nuestra condición humana” (Léonard, 1997: 165).

10 As we shall see further on, formalism may be considered also from a positive perspective. This thesis is in line with that developed by Paul Ricoeur in Oneself as Another (Ricoeur, 1992). The main argument: a formalist approach to moral duty should not replace an ethics based on virtue and oriented toward ends, but rather be seen as a complementary approach to moral life. Its normative dimension and its appeal to universality are very important moments of moral life.

11 “Se trata de encontrar una instancia capaz de fundar conjuntamente el carácter transcendente de la obligación moral en cuanto me obliga, es decir, en cuanto que me liga realmente, y su carácter inmanente en cuanto que se impone a mí desde dentro, es decir, en conciencia” (André Léonard, 1997: 172).

12 “De la figura de la conciencia moral, a saber, de la moral de la razón pura práctica, debemos retener, ante todo, como un hallazgo fundamental, el que la esencia del valor moral y, en consecuencia, la norma de la conciencia moral, han de buscarse en la conformidad de la acción humana con la razón” (Léonard, 1997: 172).

13 "En la hipótesis en que la metafísica persigue la cuestión del ser hasta alcanzar la afirmación de Dios, la respuesta será que el dinamismo de las esencias procede de la inteligencia y de la voluntad creadoras" (Léonard, 1997: 222-223).

14 “La amistad que busca el bien y la promoción del otro es el valor moral fundamental que se desprende de la apertura de la razón humana a la estructura de la libertad y al misterio del ser” (Léonard, 1997: 202).

15 Among others, Boris Libois (1994) has pointed out the paradoxical situation of having people claiming, at the same time, more ethics in journalism while recognizing the limited room for manoeuvre that professional journalists have. Among the constraining factors identified, which would help explain bad practices, Libois lists the following: economical and technological determinism; the structural transformation of television; the complot, disinformation and manipulation and, finally, the increasing pressure of public relations organizations. We will come back to this point throughout this first chapter.

16 "Or, c'est toujours, me semble-t-il, à propos de convictions préalables que l'on pose la question de fondement" (Ricoeur, 1991: 279).

17 “Ce sont les difficultés internes à notre rapport à des interdits structurants qui nous amènent à chercher pour l'obligation morale, telle qu'elle s'impose au plan social, un fondement plus radical que le simple 'tu dois'” (Ricoeur, 2001: 32).

18 Otfried Höffe’s Political Justice [Politische Gerechtigkeit: Grundlegung einer kritischen Philosophie von Recht und Staat, Suhrkamp, 1987] was originally published in German in 1987.

19 This is probably the main reason why in countries like Portugal and Spain, journalism codes of ethics were only established after the breakdown of the dictatorial regimes that ruled both countries from the 1930s until the mid-1970s. The first Portuguese journalism code of ethics was adopted in 1976 by the Portuguese Journalists’ Union, and the Spanish one in 1991 by the Col.legi de Periodistes de Catalunya. For more information about the process involved in the creation of the Portuguese Code of Ethics, see (Pina, 2002) and for the situation in Spain see (Aznar, 1999).

20 Independent Press Standards Organisation Editor’s Code of Practice, available online: https://www.ipso.co.uk/IPSO/cop.html [Retrieved February, 19, 2015].

21 Point number 10 does not figure in the first edition of The Elements of Journalism, published in 2001, having been included in the revised and updated second edition published in 2007, although references to the rights and responsibilities of citizens can be found throughout the first edition of the book.

22 “La déontologie du photojournalisme est donc plutôt une ontologie, puisque c’est de l’essence même de cette pratique qu’il est encore question” (Lavoie, 2010b: §18).

23 For more information on the pioneering role of The Illustrated London News see, for instance, Sousa, 2011: 32-33.

24 Section 2.5 and 2.5 resume and extend our paper published in 2013 in the Journal of Applied Journalism and Media Studies (2), 2, with the title "Gaza Burial, World Press Photo 2013: Between ethics and forensics". See Santos Silva, 2013.

25 «C’est que, pour Levinas, l’idée de l’infini en moi, ou encore, l’irruption au sein même de la subjectivité d’une transcendance qui, en même temps, la déborde absolument ne relève en aucun cas du savoir, défini comme l’assimilation d’un objet par un sujet » (Mosès, 1993: 80).

26 «Il y a au contraire une vulnérabilité propre de la pensée exposée à l’idée de l’infini, une disposition en quelque sorte intrinsèque de la pensée à être blessée dans sa suffisance à soi» (Mosès, 1993: 80).

27 Among other studies focusing on the coverage of the Iraq invasion by the American news media see, for instance: Butler, 2004; Bennett, Lawrence, & Livingstone, 2007; Zelizer, 2010.

28 "(...) réduite à l'état de pur langage, la photographie ne nous désorganise pas" (Barthes, 1970: 99).

29 The study presented in this section was carried out within the context of a broader research project devoted to the representation of immigration in the Spanish press in collaboration with colleagues from the Abat Oliba CEU University, Dr Ana Beriain Bañares, and from the Complutense University of Madrid, Dr Elena Real Rodríguez and Dr Maria del Mar López Talavera, to whom we are grateful for having given permission for this study to be included in our doctoral dissertation.

30 The selection of the sample in this study was inspired by the research carried out by Igartua, J. J., Otero, J. A., & Muñiz, C. (2006), “Imágenes de la inmigración a través de la fotografía de prensa. Un análisis de contenido”. Comunicación y Sociedad, XIX (1), 103-128.

31 References to this question in American journalism can be find, for instance, in Zelizer, 2010. "The photographer does not make the final decision about which image to display but transmits the image to editors, who make the selection "without the photographer's permission or agreement". And citing Jenni Goldamn, Zelizer adds: "if there is a crisis in world photojournalism today, it is a crisis of editing and publishing, not of photography" (Zelizer, 2010: 61).