

Journalistic Ethics and Standards in the Spanish
Constitution and National Codes of Conduct from the
Perspective of Andalusian Journalism Students

María Ángeles López-Hernández
Rubén Domínguez-Delgado

University of Seville, Spain

Abstract:

This paper focuses on the opinion held by journalism students of the Faculty of Communication of Seville University about the ethical standards set out in the Spanish Constitution (Article 20.1.d) and the country's codes of conduct. The aim of this paper is to identify the ethical system of values of today's university students, who have not yet been "contaminated" by the profession and on whom the future of journalism in Spain will ultimately depend. Although the results show that journalism students (both 1st year students and those in their final year) have embraced a fairly solid ethical system of values, they nevertheless believe that the strong influence that economic and political powers currently exert on Spanish media corporations makes it impossible for journalists to cultivate their own work ethic, consequently obliging them to conform to the "unscrupulous" demands of their bosses. Faced with this reality, the authors reflect on the need to reinforce ethical values in the lecture hall as a way of curbing, as soon as possible, the deterioration of journalism that has been detected in Spain.

Keywords: Conscience Clause; Journalism Students; Journalistic Code of Conduct; Media Ethics; Professional Secret; Spanish Constitution

Résumé:

Cet article met l'emphase sur l'opinion des étudiants du journalisme de la faculté de communication de l'Université de Séville. Plus particulièrement, cet article se concentre sur la Constitution espagnole (Article 20.1.d) et les codes de conduite journalistique du pays. L'objectif de cet article est d'identifier les systèmes de valeurs éthiques des étudiants universitaires qui n'ont toujours pas été "contaminés" par la profession journalistique et sur lesquels le futur du journalisme dépend. Bien que les résultats démontrent que les étudiants de première et dernière année ont adhéré à un solide système de valeurs éthiques, ils sont conscients que les influences politiques et économiques sur la pratique journalistique l'emportent en Espagne. De ce fait, l'éthique journalistique est d'autant plus difficile à performer par rapport aux demandes de leurs supérieurs. Face à cette réalité, les auteurs révèlent qu'il est d'autant plus important de promouvoir les valeurs éthiques dans les salles de classe afin de réfréner la détérioration du journalisme en Espagne.

Mots-clés: Clause de conscience; Code de conduite journalistique; Constitution espagnole; Éthique des médias; Étudiants du journalisme; Secret professionnel

The Lack of Ethics in Spanish Journalism

In the framework of civil liberties enshrined in the Spanish Constitution, which constitute a necessary frame of reference for a fully democratic society, the professional practice of journalism represents an important social commitment to ensuring the development of fundamental rights as regards the freedom of information and speech for all citizens.

(FAPE, 2013: 1)

As set out in the introduction of the Code of Conduct of the *Federación de Asociaciones de Periodistas de España* [Federation of Spanish Press Associations] (FAPE, 2013), one of the main cornerstones of all democracies is the existence of a free and, above all, ethical press. Ethics can be defined by two simple concepts: doing no harm to people or to democracy (Camps Cervera, 2008).

As Suarez Villegas (2001) asserts, the media constitute an essential element of democratic society because, through them, social pluralism is expressed and meaning endowed to the liberty and participation of citizens. Given the abuses committed by media companies, it is evident that the democratic model based on the right to information has no choice but to impose a series of ethical conditions that limit their power.

It is therefore possible to state that journalistic ethics finds itself in a very vulnerable position, to wit, between the pressures brought to bear by the powerful, who appropriate information, and the moral commitment to the citizenry, who has a right to be accurately

informed. Any change in the media context shakes the foundations of journalistic ethics such as the economic crisis that, since 2008, has devastated Spain. Since, given the enormous social responsibility assumed by the press, it cannot be immoral, dishonest, corrupt, or irresponsible, despite that fact that this is the image that it transmits to society. Sánchez Aranda and Rodríguez Andrés stress this argument when stating that media professionals:

Are accused of being unscrupulous, placing their goals before the interests of society, and not knowing how to respect human pain and tragedy. Journalists are accused of being sensationalist, liars, frivolous, and manipulators. Journalists' ethics are always being called into question.

(Sánchez Aranda & Rodríguez Andrés, 1999: 98)

Numerous studies conducted in Spain over the last few years (e.g., Canel & Sánchez Aranda, 1999; Figueras Maz et al., 2012; Maciá & Herrera, 2010; Martín Sabarís & Amurrio Vélez, 2003; Rodríguez Andrés, 2003; Suárez Villegas, 2011) have demonstrated the lack of ethics shown by the Spanish media and journalists from different perspectives. This problem has only got worse over the last few years as a result of Spain's economic crisis. Since job insecurity and precariousness make for *docile* journalists, who may even go as far as renouncing the conscience clause, their constitutional right. The predominance of political and economic interests in media corporations also *undermines* the position of media professionals vis-à-vis the de facto powers by restricting, in many cases, their constitutional right to freedom of information, which is both accurate and verified by diverse sources, all of which leads to partial, tendentious, and immoral reporting. The two aforementioned factors disturb the ethical balance of journalists, and, when this occurs, the next logical step is to forget the most important precept of all: social responsibility.

Even though journalists perceive themselves as disseminators of information, opponents of power, defenders of social values and interpreters of reality their professional conduct could be influenced by the company that they work for:

There is no point in talking about professional ethics when there are employers with complete freedom to sack journalists who refuse to tow the line. Any code of plurality, balance or factual accuracy will always be imposed by the employer, instead of his or her employees, since it is his or her task to select them in the first place.

(Serrano, 2010: 42)

Legal Standards and Codes of Conduct for Ethical Journalism

There are many ways of combating this systemic lack of journalistic ethics. Because of the lack of a solid legal base and a national code of conduct “respected” by all Spanish media and journalists, this paper aims at establishing clear and irrefutable legal standards regarding the right to freedom of information and the foundations on which the said freedom must rest in the context of a free and democratic society and drafting a code of conduct with a national reach, endorsed—without reservations—by all the Spanish media and, consequently, by all media professionals. This situation takes its roots in the history of Spanish journalism.

The *Ley de Prensa e Imprenta* (Printing Presses and Publications Act) was passed during the dictatorship of General Franco in 1966. With the arrival of democracy in Spain, successive governments have amended parts of the said act, although without totally repealing it. Since then, despite repeated demands, journalists have been unable to persuade the Government to draft and pass a new *Press Act* that clearly establishes, in the context of a free and democratic society, the rights and obligations of journalists when freely communicating and disseminating factually accurate information to Spanish citizens. Yet journalists have endorsed Article 20.1.d of the Spanish Constitution¹, the country's chief legal tool when acknowledging the right to *freedom of accurate information*, a right that is endowed with specific guarantees for its possible exercise, such as the right to the *conscience clause* and the right to *professional secrecy*.

This constitutional safeguard for the freedom of information has not been, as the facts show, that solid, but has serious loopholes. The chief one is referring to professional secrecy. While the conscience clause has been developed through Organic Act 2/1997 of 19 June², the right to professional secrecy of journalists still has not been legally regulated, leading to rulings of the Constitutional Court of Spain (including the following: *STC 172/1990 of 12 November*; *STC 123/1993 of 19 April*; *STC 6/1996 of 16 January*; *STC 21/2000 of 31 January*) repeatedly using as an argument that journalists cannot depend solely on anonymous sources to check the factual accuracy of their information. The Constitutional Tribunal of Spain determined on countless occasions is that this is not about disseminating *factually accurate information*, but about *checking the veracity of information* before disseminating it (e.g., Aguinaga, 1998; Cebrián Enrique, 2012; Linde Navas, 2009). Yet journalists are expected to act diligently by always checking information so as to make sure that the source of information such as a photo that they have of a person corresponds to a depiction of reality, the information that they present is accurate, and the opinions that they publish are real. This process of verification and cross-checking cannot be achieved exclusively through personal information sources when these are of a confidential nature and anonymous and indeterminate; a practice of “drawing a veil over—concealing—sources”, which has become frequent in Spanish journalism, thus making it seem less credible to citizens.

In light of this, one can argue that issues regarding journalistic ethics are far more complex than at first sight, and cannot be addressed solely from a legal standpoint. As Suárez Villegas states, “a journalistic code of conduct cannot only be a rule of law, since it could lead to the atrophy of the spontaneity characterizing the journalistic profession” (2009: 121). Indeed, codes of conduct of the professional associations of journalists and style guides of the media in Spain cover the country's legal “black holes”, in addition to putting the accent on the principles enshrined in the Spanish Constitution.

Among the numerous codes of conduct and style guides existing in Spain, the most influential one is the Code of Conduct of the *Federación de Asociaciones de Periodistas de España* [Federation of Spanish Press Associations] (FAPE, 2013). FAPE a professional organization established in 1922 and which currently has 48 federated Spanish press associations and 15 partner associations, representing a total of 21,000 journalists. The code includes the ethical principles that must govern the professional practice of journalism, broadly addressing the following issues: 1) commitment to truth (not lying or hiding, distorting or falsifying information); 2) respecting the privacy, image and presumption of innocence of people, including the respect for childhood and citizens in danger of social exclusion; and 3) using methods to obtain information.

Codes of conduct are not legally binding or enforceable in court, as in the case of laws, they are guidelines that do not constrict media corporations or journalists, even when, as the FAPE's Code of Conduct states: "The express compliance of journalists with the principles of professionalism and ethics featuring in the current Code of Conduct shall be a necessary condition to be included in the Professional Register of Journalists and federated press associations". Evidence shows that media professionals in Spain do not always satisfy this condition.

The ethical problems of Spanish journalism call for a more practical and applied reflection than is normally the case in Spanish faculties of communication sciences. Building on this, we ask about journalism students' thoughts about ethics. The focus is on students who are currently studying at a Spanish university and have not yet been "contaminated" by the profession, and on whom the future of journalism in Spain depends.

Research Methodology

The aim of this research is to compare the ethical principles enshrined in the Spanish Constitution and codes of conduct with the system of values embraced by 160 students studying journalism at the Faculty of Communication of Seville University, a pioneer in BA degree programmes in journalism in the autonomous region of Andalusia. So as to give shape to this study, the main objective was broken down as follows: 1) to find out the students' opinion about the real application of the *conscience clause* within the current framework of the Spanish media system; 2) to discover whether future journalists regard *professional secrecy* as a fundamental right and obligation of the journalistic profession; 3) to inquire into their ethical concerns as regards how they should treat their information sources; and 4) to explore whether the students regard codes of conduct as a valuable tool for curbing the excesses of media corporations and journalists in Spain or if they believe that these codes are "pointless".

We interviewed 160 journalism students at Seville in the authors' laboratory experiment. The respondents were all of legal age (over 18 years old) and, as established by Spanish law, free to participate voluntarily in the research. They also showed great interest in the final results obtained by means of the questionnaires that they were asked to complete.

The researchers developed a questionnaire with nine items grouped according to the specific issues that the authors wished to observe. The aim of the first three items (1-3) was to get to learn about the opinion of the students about the conscience clause and its real applicability to the type of professional journalism currently favoured by the Spanish media. The following three items (4-6) inquired what the students understood by the term "professional secret" and, as a result, what type of relationship should, in their opinion, journalists strike up with their information sources. Finally, the last three items in the questionnaire (7-9) focused on what they thought about the importance of codes of conduct and their real applicability to the Spanish media.

The academic background variable was eliminated. As a result, 80 respondents were 1st year students and the other 80 were students in their final year. In doing so, the aim was to identify to what degree the respondents' opinions about ethical standards and codes of conduct had changed during their time at university—especially since 1st year students had not yet taken a module specifically addressing ethics or, for that matter, the majority of the core modules making up the programme. Conversely, last year students had taken a specific module (*Journalistic Ethics*) covering journalistic ethical standards and codes of conduct, as well as

having taken other modules covering the issue implicitly or transversally during the five-year degree programme.

The methodology section would be hard to understand without noting, as readers will clearly see, that the references at the end of this paper refer to Spanish case law and authors who have addressed the issues discussed here. In this case, the idea was to highlight the state of journalistic ethics in Spain, a set of attitudes and beliefs that reflects the current way of thinking about and accounting for journalism in the country, which is ultimately how Spanish journalists view, and will continue to view, the profession.

Results and Discussion

The Conscience Clause

One of the two ethical principles mentioned in Article 20.1.d. of the Spanish Constitution, the aim of the conscience clause is to ensure the independence of journalists while carrying out their professional work. As Barroso Asenjo and López Talavera claim, “The clause has an institutional function which is to serve as a safeguard so as to limit the abuse of editorial power wielded by media bosses” (2009: 134).

On the basis of this right, journalists can bridle the unethical demands of the media companies that they work for by shielding themselves behind their conscience clause, a conscience that is an essential dimension of the individual conscience that manifests itself in the socially responsible behaviour of journalists (Vázquez, 1983).

In Spain, Organic Law 2/1997, which regulates the conscience clause of media professionals, contemplates this ethical precept from a double perspective. On the one hand, Article 2 of the said law recognizes the right of journalists to cease forming a part of the newsroom of a media company when, for whatever reason, the company modifies its ideological principles which, as a result, come into conflict with their own leanings. It is in this lengthier, or more known, version of the conscience clause in Spain where it is understood that journalists have the right to abandon an organization, on the grounds of conscience when, ideologically speaking, it has changed tack. Article 3 of the same law also cautions against the right of journalists to “invoke” their conscience so as not to comply with the demands of the company employing them: “Media professionals can refuse, in a reasoned and substantiated manner, to participate in the drafting of information contrary to the ethical principles of communication, without penalty or prejudice to them” (Boletín Oficial Del Estado Español, 1997: 2). This is what Soria Saiz calls “conscientious objection”:

Conscientious objection comes into play, then, in specific cases related to the approach or content of a news story or the procedures that a media company suggests or requires so as to obtain it. It is the resistance of the conscience of journalists, faithful to their own convictions, to comply with an order or command issued by the media companies that they work for.

(Saiz Soria, 1997: 68)

The question posed here is to what extent this constitutional right can be exercised within the framework of the current Spanish media system. In other words, there have been growing political indoctrination and predominance of economic powers in the Spanish media, whether or

not journalists truly feel free to exercise their right to invoke the conscience clause, without prejudicing their future employment as media professionals.

Journalists with precarious jobs could feel tempted to silence their own conscience. [Since, in addition to the] risk of losing their job, they could be portrayed and stigmatized as “rebellious”, which needless to say would not bode well for their professional future in a world dominated by business concentration. In view of the aforementioned situation, nowadays it takes great courage to invoke the conscience clause.

(Barroso Asenjo & López Talavera, 2009: 128-129)

Indeed, “expecting journalists, in certain conditions, to try to apply ethical codes or simply a few basic ethical principles is to demand of them an act of heroism, since they are fully aware that this will put their job on the line” (Pujante, 2003: 133).

Based on this, the researchers included three items in the questionnaire, keyed to sounding out the journalism students’ opinion about certain—and for the authors decisive—issues related to journalism and, specifically, the possibility that practising journalists have to defend their right to invoke the conscience clause and, hence, their freedom of information. More specifically, the respondents were asked about their perception of the influence both of political (Item 1) and economic actors (Item 2) on the media, given that, in the authors’ view, the greater the encroachment of the de facto powers is on the world of information, the less freedom of action and thought journalists will have. The questionnaire posed a third question (Item 3) on whether or not they would invoke the conscience clause in the hypothetical case in which the media company for which they worked forced them to surrender their journalistic ethics. The respondents’ answers to the questions are discussed below.

Items 1 and 2 in *Table 1* show that the influence of political and economic powers on the Spanish media was regarded by the large majority of the respondents as a sign of the times. The respondents’ answers correspond with those of professional journalists (e.g., Canel & Piqué, 1998; Hanitzsch & Mellado, 2011; Ortega & Humanes, 2000).

According to the respondents, political and institutional interests, along with economic and business interests, frequently bring into effect rules that go against the professional ethics of journalists. The only striking result—although not statistically significant—is that, while the 1st year students thought that political interests (92.5%) had a greater influence on the media than economic ones (88.7%), the 5th year students believed that economic interests (92.5%) were more powerful in this aspect than political ones (90%).

The conscience clause stands out as the only way of confronting the daily dilemma of social responsibility of journalists versus the interests that pull the strings of the media. Wherever there is an economic and business purpose (in addition to a marked political bias), there can hardly be freedom of information and expression and, what is also highly improbable, the opportunity to exercise the right to invoke the conscience clause with total freedom (if one wished to keep one’s job), even when Article 3 of the aforementioned Organic Act 2/1997 of 19 June, guarantees this right: “Media professionals have the right to refuse, on duly substantiated grounds, to participate in the compilation of information contrary to the principles of ethical communication, without this entailing neither a disadvantage nor a penalty for the person concerned” (Boletín Oficial Del Estado Español, 1997: 2).

Table 1: The Conscience Clause

		1 st year	5 th year
1. Do you believe that journalistic ethics is compatible with the political interests of the media?	No. Economic and business interests impose rules that often fly in the face of the professional ethics of journalists.	92.5%	90%
	Yes. Beyond their economic interests, the media are concerned about complying with the ethical standards and codes of conduct of the journalistic profession	7.5%	10%
2. Do you believe that journalistic ethics is compatible with the economic interests of the media?	No. Political and institutional interests impose rules that often fly in the face of the professional ethics of journalists.	88.75%	92.5%
	Yes. Beyond their political interests, the media are concerned about complying with the ethical standards and codes of conduct of the journalistic profession.	11.25%	7.5%
3. If, so as to keep your job, you had to surrender certain ethical principles...	I would prefer to lose my job in lieu of disseminating information that violates my professional ethics.	60.0%	53.7%
	I would prefer to set aside professional ethics if in this way I kept my job.	40.0%	46.2%

The respondents also raised the issue of the difficult—and sometimes impossible—balance between the ethical conscience of journalists and their need to work. As was expected (Item 3 in *Table 1*), over half of the respondents, both students in their 1st year (60%) and final year (53.7%), said that they would prefer to lose their job rather than publish information that contravened their professional code.

The 1st year students stressed that they would prefer to lose their job in lieu of violating their own professional code in stronger terms than the 5th year students, whose answers were not so categorical. As for the students in their final year, there was not a great difference between those deciding on the first option (53.7% of the respondents preferred to lose their job) and those on the second (46.2% preferred to leave aside their ethical principles).

As students come closer to pursuing their profession in the media, their attitude to ethics changes, above all influenced by the current situation of journalists in Spain; namely, the precarious working conditions prevalent in the industry of which students finishing their studies—those that are just about to join the ranks of job seekers, many of whom have had the opportunity to participate in work experience training programmes at media companies and, therefore, have had the chance to personally observe the said conditions—are fully aware.

Taking the *Journalistic Ethics* module did not result in a significant shift in the students' ethical principles. The 1st year students seemed to have a more solid ethical grounding than the 5th year students as far as the conscience clause was concerned. This should make journalism lecturers think very seriously about the degree to which students establish and embrace the moral principles and values that they are taught in the lecture hall. Beyond the efforts that can be made by teaching staff, when students take the plunge professionally speaking:

The link with teaching is broken . . . and journalists with plenty of enthusiasm and insufficient training are launched into the media jungle. Instead of instilling them with ethical values and behaviour, they are told to pursue stories that sell and then to write them in the most commercial language possible; in short, stories that attract the largest audience.

(Rodríguez, 2009: 14)

The Professional Secret

The second ethical principle set out in Article 20.1.d. of the Spanish Constitution, and that, along with the conscience clause, also guarantees the right of journalists to freedom of information, addresses professional secrecy. As has already been mentioned at the beginning of this paper, unlike the conscience clause, the right of journalists to invoke professional secrecy has not yet been regulated, thus leading to a legal vacuum. Article 10 of the Code of Conduct of the FAPE states:

Professional secrecy is a right of journalists, as well as a duty that guarantees the confidentiality of information sources. Therefore, journalists shall guarantee the right of their sources to remain anonymous, should they so wish. Nevertheless, this professional duty may be violated should there be convincing evidence that the source has consciously provided false information or when revealing the source is the only way to avoid imminent, grave injury to any person.

(FAPE, 2013: 1)

As Blázquez argues, “it is because professional secrecy can lead to serious abuses that it is necessary to establish limits” (1994: 42). Similarly, Restrepo believes that, so as to give professional secrecy a fair scope, the criterion that should be applied is that:

Preserving the confidentiality of sources should be the exception and not the rule. Confidentiality is only justifiable in those cases when the information is socially relevant or if the source’s life or job is at stake. It is reasonable for readers to know who the source is and why he or she has been consulted.

(Restrepo, 2004: 57)

In the same vein, Soria Saiz, a fierce advocate of the professional secret of journalists, claims that, as far as possible:

Newsrooms should make a reasonable effort to obtain information and documents from sources that can be identified. In any case, it is totally unacceptable to use non-identifiable sources when what are involved are opinions or attacks filtered by the said sources.

(Soria Saiz, 1989: 137)

And this is despite the fact that, as held by Dader (1997), Soria Saiz (1997), and Urien Berri (2004), among many other Spanish authors, a journalist’s credibility is his or her only capital, and this is reflected both in his or her work and in the confidence that the sources place in him or

her, a trust that should never be betrayed, since without sources willing to “blow the whistle”, investigative journalism would on many occasions be an uphill struggle.

Journalists are expected to treat sources that express the desire to remain anonymous with caution, and cross-check the information that they provide, since, generally speaking, such sources are unreliable and it is more than probable that the informer or deep throat is only serving his or her own interests when deciding to reveal secret information about his or her organization, agency, or a specific individual. Information sources are not allowed to cloak themselves in confidentiality with the aim of attacking other people. When researching into direct sources, it is essential that journalists identify bona fide sources and avoid bogus ones: “In independent and responsible journalism, this is where journalists risk their credibility and professionalism. . . . Journalistic corruption starts when journalists working with a source find themselves serving his or her interests” (Secanella, 1986: 22).

To understand what the students thought about the relationships that they ought to strike up and sustain with information sources, three specific items were included in the questionnaire, one of which was directly related to professional secrecy (Item 4: *Do you believe that journalists should always guarantee the confidentiality of their information sources?*). The aim of the other two items was to research other issues closely related to professional secrecy, such as what the students believed was sometimes the correct or appropriate way to deal with information sources. They were asked the following questions: would you pretend that you are not journalists to obtain privileged information (Item 5)? Do you believe that it is permissible to publish information that a source had given you on the understanding that it was “off the record”, or obtained using a hidden camera (Item 6)?

The results obtained show a certain degree of inconsistency in the replies given by the students in both years as regards the three items. For instance, as can be seen in *Table 2*, both the 1st year students (82.5%) and, to a greater extent, those in their final year (90%), showed a deep respect for the ethical principal of professional secrecy enshrined in the Spanish Constitution and FAPE’s Code of Conduct.

The students did not have so many qualms about “deceiving” information sources. The authors were quite taken back by their “lack of ethics” (81.2% of 1st year students and 72.5% of the students in their final year): they would be willing to pretend that they were not journalists in order to obtain privileged confidential information.

In this respect, journalism students apparently follow the example of many Spanish editors-in-chief and media company directors, for whom a good journalist is “someone relatively unscrupulous when out for a good story, even though the methods employed are not the most ethical and truth as a whole suffers as a consequence” (Pujante, 2003: 129).

The most marked difference observed between 1st and 5th year students had to do with the last item (Item 6) about whether or not they thought that it was permissible to publish information that was either given to them off the record or obtained using a hidden camera, which in either case should not be published, meaning that a source has confided to a journalist, reasonably hoping that it will not become public knowledge.

As shown in *Table 2*, while 70% of the 1st year students considered that using covert methods to obtain information was just another research technique in professional journalism, 60% of the 5th year students qualified these methods as illicit and deemed that there was no excuse at all, whatever the circumstances, for journalists to use these surreptitious investigation methods.

Table 2: The Professional Secret

		1 st year	5 th year
<i>4. Do you believe that journalists should always guarantee the confidentiality of their information sources?</i>	No. Citizens have a right to know where the information published by a journalist comes from.	17.5%	10%
	Yes. Professional secrecy is a journalist's right and obligation.	82.5%	90%
<i>5. Would you pretend that you were not a journalist to obtain privileged information?</i>	No. I would never pretend that I was not a journalist.	18.7%	27.5%
	Yes. Provided that the information was of major public interest.	81.2%	72.5%
<i>6. Do you believe that it is permissible to publish information that has been obtained using a hidden camera?</i>	Yes. It is a method of inquiry and investigative journalism as good as any other.	70%	40%
	No. It is never permissible for journalists to use such methods to obtain information.	30%	60%

In the opinion of the authors, what can be gleaned from this discrepancy in the answers given by the respondents is that the students in their final year were influenced by all the modules taken during their time as undergraduates, above all the module *Right to Information*, since the journalistic practices under discussion here are not only of a mere moral or ethical nature, but can also have legal consequences—hence, in all probability, the opposition shown by the 5th year students to unethical practices of this type.

Beyond the legal consequences that “lying” to a source might entail, journalists and the public are sometimes well disposed towards this lack of respect for certain sources. A study conducted in Andalusia in 2011 showed that Andalusian citizens regarded—along the same lines as the 1st year students—that “it was legitimate to use hidden cameras in the case of political corruption, drug dealing and clinics carrying out illegal abortions” (Suárez Villegas, 2011: 192).

Ethical Standards and Codes of Conduct

For many years, self-regulation in Spain was a pending issue. In the 1940s, during Franco's dictatorship, the context of liberty necessary for the media to raise the issue of any kind of self-regulation was missing: “When the State politically and morally controls the media, self-regulation does not make sense: what exists in its place is fear and censorship” (Hugo Aznar, 1999: 60). Ethical codes and style books therefore did not appear until democracy had become firmly rooted in Spain. In June 1980, *El País*, the country's largest newspaper, developed the first code. From 1985 onwards, the Spanish media, associations and federations of Spanish journalists embraced ethical codes to regulate their profession.

It was also during this period—from the 1980s through to the 1990s—when the first studies on the moral and ethical criteria that should be observed and respected by Spanish media companies were published. Authors such as Barroso Asenjo (1984), Blázquez (1994), Iribarren Rodríguez (1982), Romero Rubio (1975), Soria Saiz (1991), and Vázquez (1983) were pioneers

in research on journalistic ethics. Since the beginning of the 21st century, studies and reflections on journalistic ethics have multiplied significantly in Spain.

The aim of codes of conduct is to safeguard all those ethical principles in journalism that are not covered by Spanish legislation. Nonetheless codes of conduct are solely a set of guidelines that the media and those working in the industry can choose to follow or not. Therefore, the idea of this research was to gather the students' opinion (*Table 3*) on how highly they valued professional codes of conduct (Items 7 and 8) and the degree to which they are really applicable nowadays to Spanish journalism (Item 9).

Table 3: Codes of Conduct

		1 st year	5 th year
7. Do you believe that journalistic ethical standards and codes of conduct serve a purpose?	Yes, because they serve as guidelines by marking out the limits of what is correct and incorrect in our profession.	85%	60%
	No. Since they are only recommendations and not explicit rules or norms, journalists do not usually take into account such codes in their daily work.	15%	40%
8. Do you regard journalistic ethical standards and codes of conduct as a type of veiled censorship of journalists' freedom of expression?	Yes. The freedom of expression and information of journalists should not be limited by professional codes of conduct.	27.5%	13.7%
	No. The freedom of expression and information should be limited by professional codes of conduct so as avoid abuses in the journalistic profession.	72.5%	86.2%
9. Do you believe that journalistic ethics are a fiction nowadays?	Yes. Journalistic ethics are fine in theory, but nowadays they are impossible to put into practice if one wishes to survive in the media.	80%	81.2%
	No. Journalistic ethics are not an "ideal" but a "reality" that journalists take for granted and will always put into practice.	20%	18.7%

With this in mind, as to the first of the aforementioned items (Item 7: *Do you believe that journalistic ethical standards and codes of conduct serve a purpose?*), the majority of the respondents, both 1st year students (85%) and those in their final year (60%), believed that codes of conduct did serve as a guideline, setting the limits of what is correct and incorrect in the profession. However, the 1st year students believed more strongly in the utility of such codes than those in their final year—which would seem to point to a certain loss of faith in journalistic ethics and tools (codes of conduct) as they find themselves closer to pursuing a career in journalism.

These results are in contrast with the results obtained in the second item (Item 8: *Do you regard journalistic ethical standards and codes of conduct as a type of veiled censorship of journalists' freedom of expression?*). As to this question, 86.2% of the students in their final year considered that journalistic codes of conduct should limit freedom of expression and information

so as to prevent abuse; an opinion shared by 72.5% of the 1st year students. The students, especially those closer to graduation, were convinced of the importance of codes of conduct, but had their doubts about whether or not they can be really applied in the field of professional journalism. This assertion was endorsed by the respondents' answers to the last item in the questionnaire (Item 9: *Do you believe that journalistic ethics are a fiction nowadays?*). Roughly the same proportion—around 80% (Table 3)—of both 1st and 5th year students agreed that, in Spain's current media context, journalistic ethics was in theory, but impossible to put into practice nowadays if one wants to survive in the Spanish media jungle.

A reason for the lack of faith displayed by young journalists in ethical codes can be found in Spain's past experiences during the Franco regime. Fuelled by the memory of 40 years of dictatorship, there is a certain tendency among the most veteran professionals—those that, in many cases, now occupy executive posts—to identify ethical issues with censorship in the daily work of the media. It is these veterans who challenge the utility of ethical codes and transmit to young journalists fresh out of university the idea that they do not serve any purpose:

Students receive contradictory messages both in the lecture hall and from the commentaries and routines that they hear and observe in newsrooms. . . . This produces a unique reversal in the point of view of journalism students: instead of learning how the media should conduct themselves and how to change bad practices in the lecture hall, students perceive the real state of affairs in newsrooms and question what they are taught at university.

(Hugo Aznar, 2005: 63)

Conclusion

In this study, the authors observed that there were hardly any significant differences between the opinions of 1st and 5th year journalism students as regards the basic ethical principles enshrined in the Spanish Constitution and in the country's codes of conduct.

The basic ethical principles are not embraced by journalism students during their time at university, but form a part of them, of their personality, mindset and reasoning, even before they know what a code of conduct is. Regardless of having taken or not the module *Journalistic Ethics*, or the number of modules that they have studied, what seems to be clear is that both 1st year and 5th year students share similar ethical proclivities, which leads the authors to maintain that, nowadays, journalism graduate students possess a more solid system of values than the professionals currently working in the Spanish media, if the stories that they publish are anything to go by.

It is only to be expected (and hoped), then, that we are witnessing the advent of a new generation of journalists with a more critical attitude and a greater sense of social responsibility, and more intellectually prepared so as to resist being consumed by professional routine and the political and economic interests of the media companies for which they work. It is this intrinsic morality shown by journalism students that should be consolidated in the lecture hall so that they never renounce it, however tough the going gets in their professional life. In the opinion of the authors, this is one of the main fronts—although evidently not the only one—on which the battle must be fought so as to stem the deterioration of professional journalism in Spain.

In light of the results, federations, associations, unions of journalists and media regulatory bodies must permanently exert closer control over media company owners in Spain,

since the owners are responsible for undermining the ethics that journalists learn at university, by converting information into a mere commodity from which to gain profit.

Notes

- 1 Article 20.1.d of the Spanish Constitution stipulates that “the right to freely communicate or receive accurate information by any means of dissemination is acknowledged and protected. The law shall regulate the right to the conscience clause and professional secrecy in the exercise of these freedoms” (Constitución Española, 1978: 29317).
 - 2 Organic Act 2/1997, of 19 June, *BOE* No. 147, of 20 June 1997, 19072-19073. In Articles 1 this act stipulate that “the conscience clause, whose aim is to ensure independence in the performance of their professional duties, is a basic right of media professionals” (Boletín Oficial Del Estado Español, 1997: 19072). According to Article 3: “Media professionals have the right to refuse, on duly substantiated grounds, to participate in the compilation of information contrary to the principles of ethical communication, without this entailing neither a disadvantage nor a penalty for the person concerned” (Boletín Oficial Del Estado Español, 1997: 19072).
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About the Authors

María Ángeles López-Hernández, Ph.D., is a Full Professor at the School of Communication in the University of Seville, Spain, graduate in journalism of the Complutense University of Madrid, Spain, and doctorate (*cum laude*) in communication of the University of Seville. Dr. López-Hernández's research interests focus on the study of the current problems of Journalism, researching the current production of news, the journalistic discourse, and the conservation of the journalistic memory in archives. Among other publications, her books *Selection of Documents* and *Introduction to the Audiovisual Documentation* are based on these lines of research.

Rubén Domínguez-Delgado is a Ph.D. student in communication and critical of culture in the University of Seville, Spain, graduate in journalism and in audiovisual communication of the same university. His research interests focus on the study of the current problems of Journalism, researching the current production of news, the journalistic discourse, and the conservation, processing, and analysis of the journalistic and audiovisual heritage in archives, and publishing the results in international journals and presenting them in international conferences.

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