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DRAFTING JOURNALISM CODES OF ETHICS: REASONS AND SOURCES IN SLOVENIA AND THE NETHERLANDS

ABSTRACT: The article reveals the reasons prompting the need for new journalism codes of ethics and the sources upon which they have been founded. Semi-structured interviews with 15 people involved in drafting journalism codes in Slovenia and the Netherlands in the last decade show that some reasons arose from specific national circumstances, while others were common. In Slovenia, foreign codes were the main source. The interviewees claimed that they paid attention to national specifics, yet could not define them. The process was brief, limited to a small group of people and lacked systematic research and wider discussions. In the Netherlands, other codes were consulted, although not copied. The process involved more discussion and reflection. These differences can be interpreted by the different levels of the professionalisation of journalism and some other characteristics of the national contexts.

KEY WORDS: journalism codes of ethics, journalism ideology, journalistic organisations, Slovenia, the Netherlands

Snovanje novinarskih etičnih kodeksov: razlogi in viri v Sloveniji in na Nizozemskem

POVZETEK: Članek razkriva razloge za nove novinarske etične kodekse in vire, na katerih temeljijo. Polstrukturirani intervjuji s 15 osebami, ki so sodelovale pri snovanju novinarskih kodeksov v Sloveniji in na Nizozemskem v zadnjem desetletju, so pokazali, da so nekateri razlogi izvirali iz posebnih nacionalnih okoliščin, drugi pa so skupni. V Sloveniji so bili tuji kodeksi glavni vir. Intervjuvanci so trdili, da so bili pozorni na nacionalne posebnosti, vendar jih niso znali opredeliti. Proces je bil kratek, omejen na majhno skupino ljudi, sistematičnih raziskav in širših razprav ni bilo. Na Nizozemskem so bili drugi kodeksi upoštevani, vendar ne prepisani. Proces je obsegal več razprave in premisleka. Razlike lahko interpretiramo z različnima stopnjama novinarske profesionalizacije in nekaterimi drugimi značilnostmi nacionalnih kontekstov.

KLJUČNE BESEDE: novinarski etični kodeksi; novinarska ideologija; novinarske organizacije; Slovenija; Nizozemska

1 Introduction

In the professional and scientific journalistic communities, there is no consensus about how a code of journalism ethics should be drafted. In spring 2010, the Association of Slovenian Journalists raised an initiative for a new journalism code of ethics. However, it seemed that they decided on a brief procedure and a simple approach of copying (parts of) foreign codes into the existent Slovenian one. If the process of producing a code "constitutes critical analysis of the profession by its practitioners", as Elliott-Boyle (1985/86: 22) suggested, it should not be limited to the provisions written in other codes, but should embrace professionals' search for adequate solutions within their own context; that is, their critical analysis of how journalism in their own environment is performed and what needs to be done to improve it. Copying other codes does not really indicate professionals' self-reflection, but rather displays their lack of effort to critically reconsider journalism in a particular environment with regard to its specific situations, needs, problems, values and traditions. This gives rise to several significant questions, such as: Why do journalistic organisations adopt or revise codes of ethics? Does a code arise from a particular (national) context? If not, should the authors pay attention to the specifics of their journalistic and social circumstances? Is copying other codes a sign of the professionals' belief in common journalistic values, or does it simply uncover their attitudes towards codes as something not worth taking much trouble about?

So far the literature on journalistic codes of ethics has dealt with general comparisons of codes in different countries (e.g., Hafez 2002; Jones 1980; Laitila 1995; Pöttker and Starck 2003) or comparisons of how a particular topic is covered, such as journalists' moonlighting (Limor and Himelboim 2006), images of tragedy and violence (Keith et al. 2006), news leaks (Son 2002), and freedom of the press (Himelboim and Limor 2008). Codes in individual countries were analysed (Breit 2008; Goretti Nassanga 2008; Harcup 2002; Limor and Gabel 2002; Wilkins and Brennen 2004). Several views on adopting a universal code were presented (e.g., Herrscher 2002; Ward 2005). The codes' positive features (e.g., Bertrand 1997) as well as their deficiencies (e.g., Black and Barney 1985/86; McManus 1997; Merrill 1986; White 1995) were debated. Some authors wrote about a blogging ethics code (Cenite et al. 2009; Kuhn 2007; Perlmutter and Schoen 2007) and a separate code for online journalism (Evers 2001; Van de Burgt et al. 2008). Others discussed the codes' effects on journalistic practice (Berkowitz and Limor 2003; Berkowitz et al. 2004; Boeyink 1994, 1998; Pritchard and Peroni Morgan 1989; Van der Wurff and Schönbach 2011a, b; Voakes 1997).

However, research on the process of drafting journalism codes has been scarce, although knowledge about why and how a code has been drafted is relevant: the process is supposed to include journalists' self-reflection and to indicate their values and understandings of what constitutes ethical journalism. Recognising the need to draft a new code is the starting-point of this process and is particularly worthy of attention, as it speaks about the goals which journalists try to achieve by adopting or changing a code. It reveals what they expect from a code and thus indicates their general views on

what role a code can play in journalism. Therefore, our first research question is: *What are the reasons leading to a journalistic organisation's decision to adopt or revise an ethics code?*

After the need for a new code is recognised, the process of drafting begins, usually consisting of several phases, from appointing individuals or workgroups to develop the idea, to the code's implementation in the journalistic community (Van Putten 2011). It is of particular importance to ascertain how a code's authors have tackled their task. By analysing what sources have been used as a foundation, a link between the goals and the means to achieve them is established, showing whether the means correspond to the goals: if a need for a new code arose from a particular situation within the national context, was the solution to solve this problem (that is, provisions written in a new code) found in this same context, or copied from somewhere else? Thus, conclusions can be drawn about professionals' opinions about whether national particularities should be and were considered when drafting a code, as well as about their views on a presumably shared set of universal journalistic values, indicating that "domestic problems" need no original solutions, but can borrow from others. Our second research question is: *What are the theoretical and/or empirical sources of new or revised articles in a journalism ethics code?*

The goal of this study is to contribute to filling a gap in research of drafting journalism codes of ethics by a comparative study of drafting codes in two European Union countries. Slovenia – a "new democracy" with altogether two decades of democratic tradition – was chosen because of recent revisions of their journalistic code. The Association of Slovenian Journalists provided members of the working group with several codes, suggesting that these examples of "good codes" should serve them as a "foundation for reflection". Since one of them was the Journalism Guideline by the Dutch Press Council, the Netherlands – an "old democracy" with a long established democratic tradition – was the second country chosen for the research. To identify reasons which had prompted the need for new or revised codes in two different national contexts and the sources upon which these articles had been founded, semi-structured interviews were performed with 15 key persons involved in drafting journalism codes in Slovenia and the Netherlands in the last decade.

2 Theoretical Framework

2.1 Ethics, Common Ideology and National Traditions of Journalism

The 20th century history of journalism professionalisation can be typified by the consolidation of a consensual occupational ideology among journalists in different parts of the world, with ethics being one of its ideal-typical values (Deuze 2005: 444–450). Values that are shared by journalists from various national environments have been presented by several studies. For example, Preston's (2009) interviews with journalists and editors in 11 European countries showed little variation in terms of their key values, and Hafez's (2002) comparison of journalism codes from Europe and the Islamic world confirmed a broad intercultural consensus about the central values of journalism. A

comparative survey of journalists' ethical views in 18 countries discovered a relatively strong consensus regarding the adherence to universal principles (Hanitzsch and Mellado 2011; Hanitzsch et al. 2011). Lists of universal values that are relevant to journalism and could apply across cultures were suggested by authors such as Herrscher (2002), Strentz (2002), Christians and Nordenstreng (2004), Ward (2005) and many others.

However, findings and views are not uniform in this respect. Deuze's (2002) comparison of surveys among journalists in five countries showed that they speak of similar values, but apply them in a variety of ways to give meaning to what they do. Weaver's (1996) study of journalists' professional values in 21 countries revealed large differences in the percentages of journalists who think that different reporting methods may be acceptable, indicating "strong national differences that override any universal professional norms or values of journalism around the world" (Weaver 1996: 89), except in the case of a near-universal norm of protecting confidential sources. Different ethical norms are manifest in the various media systems around the world, according to Merrill (2009: 4). Although Preston's research revealed some common values among the interviewed journalists, they, on the other hand, described their practices to be highly attuned to national cultural codes and conventions and emphasised the lack of any common journalistic culture (Preston 2009: 152–153). By analysing differences between Germany and Anglo-American countries in terms of how journalism is viewed by newsworkers and how it is practised, Hanusch (2009) demonstrated how these differences can be located in the respective national cultures and viewed in the light of the dimensions of their value systems.

Invasion of privacy, for example, has a very different meaning and implication in varied cultural locations (Rao 2010: 102). The media ethics literature (e.g., Frost 2007; Jigenius 1997) often cites the unique Swedish tradition of the media not naming the accused in trial proceedings, which is considered exotic by the Anglo-Saxon press, where naming is seen as part of ensuring justice (Frost 2007: 294). In Spain, magazines about famous people's private lives have become extremely popular (Bueno et al. 2007: 629), while in the Netherlands the gossip magazines are not as intrusive as in the USA, Great Britain or Germany (Deuze and Yeshua 2001: 277), since the respect for privacy "prevents the kind of curiosity which, only an hour's flight away to the west, ruins many a politician's career in London" (Van der Horst 1996: 22). Although the right of privacy is not always respected in all these countries, it is protected by journalism codes (Hafez 2002: 230), including the Japanese Canon of Journalism (Nihon Shinbun Kyokai 2000). However, in Japan much less importance is attached to privacy, due to particular socio-cultural and linguistic circumstances, in which the collective is placed above the individual (Murata and Orito 2008: 240). Rao (2010: 102) described the case of India, where graphic photographs of dead bodies are routinely published in the media, as, according to Vedantic Hindu philosophy, death is the highest state of liberation and a pubic exhibition of a dead body is not a matter of privacy.

Journalistic traditions differ on the level of journalists' practices as well as their normative visions, embodied in self-regulation systems. Sweden, for example, has a

long tradition with its Press Council, the Press Ombudsman and a number of non-institutionalised media accountability systems (von Krogh and Nord 2010: 193–194). A newspaper that has been found to violate good journalistic practice is expected to publish the decision and pay an administrative fine (Allmänhetens Pressombudsman and Pressens Opinionsnämnd 2010). In Italy, on the other hand, individuals must join the Order of Journalists to practice journalism and breaching the code may lead to a member being expelled (Frost 2007: 284). However, even in countries which introduced similar systems of media accountability, these each function differently, according to the traditions and situations in these countries. Lauk (2009: 73–74) presented the case of Estonia, which was the first among the post-Communist countries to have a press council, but where self-regulation turned into a simulation with the media trying to control what is said about them, and the code sometimes arbitrarily interpreted in favour of the media.

2.2 Journalism Codes of Ethics in Slovenia

Until the early 1990s, Slovenian journalism was self-regulated by a common Yugoslav code, which changed several times after the Second World War. At that time, journalism was perceived more as a political activity than a profession. After Slovenia became an independent democratic state in 1991, the Association of Slovenian Journalists adopted its own code. Complaints regarding violations were discussed by the Journalistic Court of Honour, which consisted of nine journalists. The initiative to establish a true press council (see Bertrand 2002: 128) was raised in 2001, but opposed by the journalistic community.

In 2002, the Association of Slovenian Journalists and the Union of Slovenian Journalists adopted the Code of Journalists of Slovenia, which replaced the 1991 code. Except for one article, the new code has remained unchanged for eight years. Violations have continued to be dealt with by the Journalistic Court of Honour, with the media requested to publish its decisions. In 2007, the Association of Journalists and Commentators was established because of some journalists' discontent with the Association of Slovenian Journalists. They published the Code of Ethics of the American Society of Professional Journalists and the Munich Declaration of the Rights and Duties of Journalists on their web site as their guidelines.

In spring 2010, an initiative was started by the Association of Slovenian Journalists to revise their code. It was adopted in the autumn of 2010 by the Association of Slovenian Journalists and the Union of Slovenian Journalists. The Journalistic Court of Honour now has eleven members, among which nine are journalists and two are representatives of the public.

The practice of adopting internal codes of ethics within media organisations has not been rife in Slovenia, although there are a few organisational codes, such as the code of the public radio-television broadcaster RTV Slovenia (2000).

2.3 Journalism Codes of Ethics in the Netherlands

Until 1995, the Declaration on the Principles of the Conduct of Journalists (the Code of Bordeaux), adopted by the International Federation of Journalists, was the only journalism code used in the Netherlands. In 1995, the Dutch Society of Chief-Editors adopted the Journalism Code and thus became the first Dutch journalistic organisation to write a code of ethics. The code was revised in 2008.

Although the Editors' code was the only Dutch code for journalists at that time, it was not acknowledged, used or referred to by the Press Council (Pleijter and Frye 2007). The Press Council's main task is to assess complaints concerning journalistic behaviour (Stichting Raad voor de Journalistiek 2001). No damages or fines are imposed, just a request to the media to publish the decision (Koene 2009: 35–6). At first, the Council did not use a written code. After several researchers (Doomen 1987; Evers 1987; Ten Hoove 2003) had criticised its inconsistent rulings, the Council adopted the Journalism Guideline in 2007. It was revised in 2008 and 2010.

The Media Ombudsman Foundation was launched in 2006 with the purpose of opening a debate about journalistic standards and to raise awareness among journalists of their responsible role in a democratic society (Van Groesen). It makes statements about structural issues concerning journalism ethics, while specific complaints are referred to the Press Council. In 2008, they adopted a Code of Conduct. According to the Stichting Media Ombudsman Nederland (2008), it is still a draft code, used as a criterion by which to determine whether news media are keeping within boundaries of what is socially acceptable.

These three codes pertain to journalists on the national level, while there are also several internal codes, the so-called style guides (*stijlboeken*), which were adopted within individual media; for example, in national daily newspapers De Volkskrant (2002) and NCR Handelsblad (2000), as well as TV news programs such as NOVA (2005).

3 Methodology

The research questions will be answered by the method of semi-structured interviews. Altogether 15 interviews were performed with all the key people involved in the process of drafting journalism codes of ethics in Slovenia and the Netherlands from the beginning of the 2000s until today. This period was considered appropriate because after decades of relative stagnation with regard to journalism codes in these two countries, several changes occurred. Within this time framework, all journalism codes pertaining to the national level in both countries were chosen.

The method of semi-structured interviews was used because it enables a researcher to collect information with the purpose of developing/constructing a "model" of some aspect of reality in accordance with "the facts" about that reality (Wengraf 2004: 4). Interviewing is necessary when a researcher is interested in past events that are impossible to replicate (Merriam 2009: 88), and this was the case in our topic of interest. Semi-structured interviews rely on a set of questions, but also give respondents some

freedom to talk about what they find important (Hesse-Biber and Leavy 2011: 102). In the interview guide, the research questions were converted into a list of topics to be raised in the interview and questions to be posed (Boeije 2010: 67–68). Our topic list focused on two themes: reasons for drafting a journalism code of ethics and sources of new or revised articles. There were specific questions asked, such as: (a) What were the main reasons for creating a new code? (b) How did you tackle the task of drafting and what sources did you use? (c) Did you consider any national particularities of journalism and (how) were they included in the code? (d) How was the process of drafting taking place? We asked the same questions to both categories of the interviewees.

We used a purposive sampling of interviewees, as each of them was selected for a particular purpose (Lindlof and Taylor 2002). Information about drafting the 2002 Code of Journalists of Slovenia and its 2007 update were gathered from the code's authors, the president and members of the Journalistic Court of Honour, and the president of the Association of Slovenian Journalists. The 2010 revision of the Code of Journalists of Slovenia was interpreted by the code's authors, the president and the vice-president of the Journalistic Court of Honour, and the executive secretary of the Association of Slovenian Journalists. Interviewees about the Journalism Guideline were the Guideline's author, the Press Council's secretary and spokesperson, and the Council's chairman. Information about the Dutch Editors' code was obtained from the code's authors and the Society's chairman. About the code of the Media Ombudsman Foundation, the Foundation's co-founder (the code's author) was interviewed. Except for four interviewees, all of them were men, and they were between 40 and 65 years old. They all have several decades of experiences in their profession. In the results section, they will be referred to by their nationality and capital letters (*Slovenian Informant A*, *Dutch Informant B* etc.).

The interviews were performed in 2010 and 2011. They were tape-recorded and later transcribed; parts of them were then translated into English.

4 Reasons for Drafting Journalism Codes of Ethics

4.1 Slovenia

The main reason for changing the 1991 code was that it became outdated, as with the social transition "a new media reality appeared" (*Slovenian Informant A*). Some huge ethical problems of Slovenian journalism in the 1990s were not covered. "We really had some absurd problems with conflicts of interests. There was a press conference at Mobitel, and they distributed mobile phones for journalists to use free of charge, and not even one journalist left it on the table. At the Association we were freaking out," *Slovenian Informant C* remembered. Another problem was publishing serious allegations; the old code gave no instructions about obtaining a response from those affected in such a case. Privacy also had to be better regulated. The second reason was that the old code included solutions which worked poorly in practice and were even harmful for journalists, such as the authorisation of an interview, according to which an interviewee had to approve an interview before publication. Deficiencies of

the 1991 code were attributed to the fact that it was adopted shortly after the change of political system in Slovenia; journalism had to turn away from socialism and set up professional rules, which were done by translating the German code as quickly as five months after Slovenia had become an independent democracy, *Slovenian Informant B* observed.

The 2007 revision was provoked by the increase in incitement of violence and intolerance in the media. This is why a provision which prohibited such behaviour was added, while other articles remained unchanged. The revision in 2010 happened because several ethical problems were aggravating, but were not (adequately) covered by the code. "These were mostly stories about invasions of privacy, particularly about sexual offences and involvement of children. An issue which was not regulated in the code was reporting on suicides," *Slovenian Informant F* told. *Slovenian Informant E* explained that particular problems which used to be marginal now became extensive, such as source anonymity and verifying information. *Slovenian Informant G* emphasised problems of information gathering methods, privacy of children and victims, hate speech and discrimination.

4.2 The Netherlands

The Press Council decided to adopt a code of ethics mainly because of "criticism that our decisions were not consistent enough" (*Dutch Informant B*). The Council's composition varied per session and members did not know how similar complaints had been resolved. The system had to become easier and clearer for the audiences and journalists to know in advance what the Council's principles were. The Journalism Guideline was not drafted as a critique of the 1995 Editors' code, but "to provide some clarity" (*Dutch Informant C*) to the Press Council and particularly to those who wanted to complain about journalistic behaviour. Another reason was that society and politicians began to call for more transparency of journalism principles and journalists to act upon them. Especially after 2002, when a controversial politician Pim Fortuyn was assassinated, "there was a storm of criticism about the media. A lot of that criticism culminated in the desirability of a journalistic code of conduct", *Dutch Informant A* told. The third reason was that other Western European press councils all had a code. At a meeting of the Alliance of Independent Press Councils of Europe, the Dutch Press Council's secretary held an introduction: "I told that we did not have a code at that moment. And everybody looked at me as though … 'this is strange, how do you issue decisions then?'", *Dutch Informant B* remembered. Besides, several Dutch media organisations were then working on their own codes, so it was time for the main journalistic organisation to also have a code.

The revisions in 2008 and 2010 were triggered by particular events. The first change resulted from the Council's statements in 2007 and early 2008 about complaints referring to the Internet and from the increase of responses on news websites. The second revision was done after a complaint against a journalist who recorded a telephone interview without asking permission or letting the interviewee know he was recording, which was against the Guideline. Part of the Council argued it was not necessary to tell

someone that you are recording if it is not meant to be published. So the article about recordings was revised, and a new article about privacy was added after a journalist telephoned a hospitalised nine-year-old boy who survived a plane crash in Tripoli.

In 2008, the Society of Chief-Editors revised their code from 1995 to encourage discussion of journalism ethics and to make the code up-to-date. According to *Dutch Informant D*, the initiator of the revision, "the element of the Internet was the most important, if not the only reason to come to an agreement concerning the code". He also felt that society's trust in journalism had reduced and journalism needed to do something to restore it: "I thought it was important that we, the journalists, tell society: 'We find ethics important.'" *Dutch Informant E* emphasised that they wanted to stimulate discussions: "A somewhat naive idea that we had was that it would start a discussion. This is in my opinion also most important; that you keep thinking about what you are doing." *Dutch Informant F* agreed it was good to revise the code, but argued that in revising a code "the process is more important than the outcome", that is, the professional group taking a critical look at its profession and thus showing to the outside world that the profession is being critically examined.

The Media Ombudsman Foundation wanted their code to be a channel for communication with their audiences on their position regarding ethics. "If we write articles, then anybody must be able to see which standards are complied with in what one of us has written. [...] It's all about transparency," *Dutch Informant G* told.

5 Sources of New/Revised Articles in the Journalism Codes of Ethics

5.1 Slovenia

The IFJ Declaration and the American Code of Ethics of the Society of Professional Journalists were the main sources of the 2002 code. The interviewees told that they used other codes because there is no sense in discovering something that has already been discovered. "Germans and Americans and the IFJ have pondered over these things well [...] a long time before us [...]. And when you adopt your own code [...] which derives from internationally acknowledged professional and ethical standards, it surely has more cogency than if you make up something new by yourself and sell it under the label of Slovenian journalism," *Slovenian Informant A* argued. Although everybody agreed that other codes were useful, they on the other hand emphasised the meaning of local particularities, which made their statements somewhat contradictory. According to *Slovenian Informant B*, following examples from abroad is "a very bad approach, as each country has its own specific situation. A code has to be written according to the circumstances and journalists here, based on their experiences and cases." The interviewees claimed that using other codes was not "an uncritical copying" (*Slovenian Informant D*), but more like applying them to the Slovenian context. Previous decisions of the Journalistic Court of Honour and journalists' own experiences were also considered.

In the 2007 revision, no particular sources were used, as only a few words which prohibited the incitement of violence and intolerance were added. The 2010 revision was much more thorough. Still, it was completed in a relatively short period of time: the workgroup was appointed in May, its first meeting was in September, and the code's final version was presented in October 2010. *Slovenian Informant E* told that they were in a hurry because they wanted to finish the code by the Association's assembly in November. The process began by checking what had been the main problems identified by the Journalistic Court of Honour in the past ten years. *Slovenian Informant G* told: "Based on the minutes, problems were detected and members [of the workgroup] then looked at the referential codes and prepared a proposal of changed articles." The whole workgroup had at its disposal the Dutch Journalism Guideline, the code of the British Press Complaints Commission and the code of the American Society of Professional Journalists, but members also used other codes. *Slovenian Informant E* read 38 European codes and found that they "deal with different questions, but when they are concerned with the same questions, they have similar solutions." They all pointed out that the main ethical values are written down in existent codes, so there is no sense in reinventing the wheel. The selection of codes was more or less random. For example, *Slovenian Informant G* said: "I like the Netherlands a lot as an open and reflective society, and this is one of the reasons why I found their code attractive. And it was interesting ..." However, they agreed that particular ethical issues should be regulated with regard to the national context, such as privacy, where "particularities must be recognised" (*Slovenian Informant F*). Even though the interviewees exposed the need to take national particularities into account, they were not very clear about what these were and how they should be handled. *Slovenian Informant E* told that they were "drawing national specifics from the practice of the Journalistic Court of Honour".

5.2 The Netherlands

Dutch Informant A, who wrote a draft version of the Journalism Guideline, started by looking at different codes, such as the Code of Bordeaux, the German Press Code, the British Code of Practice, the code of the Society of Chief-Editors and style guides of the Dutch news media. Then he studied previous decisions of the Press Council, also using Ten Hoove's (2003) and Evers's (1987) classifications. Based on these data, he wrote a draft: "On the basis of what was in the current codes and in the jurisprudence of the council, I did prepare the 37 articles." Previous decisions of the Council were the main source. The more decisions were made regarding a certain topic, the more extensively it was covered by the Guideline. As *Dutch Informant A* explained, they created an ample section about hearing both sides of an argument "because a lot of complaints referred to the lack of hearing both sides of an argument." The draft was discussed within the workgroup. The Council's members and the board of the Press Council Foundation also posted some comments. The whole process took about one and a half years. The revisions, which resulted from critiques of particular journalistic behaviour by the general public as well as other journalists, were based on discussions. To revise the code of the Society of Chief-Editors, *Dutch Informant D* collected literature

on journalism ethics, media law and other codes, such as their former code, the code of Bordeaux, the Press Council's Guideline, the code of The New York Times and the code of a Dutch news program, Nova. In the first version, he used the main elements of existent codes. "I asked myself constantly: what meaning do the old articles have for the Internet? How do the new media influence our professional ethics? How should it be?" he told. The answers led to new elements which dealt with digitisation, new genres and techniques, privacy and anonymity. The draft was then discussed with *Dutch Informant E* and other members of the workgroup. They hoped for an intense discussion within the Society to develop; however, it never happened. The process ended after about a year.

The Media Ombudsman Foundation's code was written in about 48 hours. The members sat together to discuss a few basic articles which they immediately wrote down. Since all had been active in journalism and had worked with codes before in their careers, they quickly came up with a few articles, which they believed to be the basic elements of journalism. They also looked into other codes for inspiration, such as the codes of the Guardian, The New York Times and Le Monde. "Because we are nationally and internationally active, we have to use international elements," *Dutch Informant G* explained.

6 Discussion and Conclusion

Several reasons for adopting or revising journalism codes of ethics in Slovenia and the Netherlands in the last decade originated from specific circumstances in a national environment, such as *inconsistent rulings of the Press Council*; *public criticism of journalism*; *a desire to stimulate a discussion on ethics because of reduced public trust*; *a need for a channel of external communication*; and *harmful provisions in the existent code*, etc. Some reasons could be perceived as national-specific at first sight, because they resulted either from a particular event (e.g., *unethical reporting on the Tripoli plane crash* in the Netherlands) or from several similar events (e.g., *conflicts of interests* in Slovenia) in one of the two countries. On the other hand, they could not be described as specifically "Slovenian" or "Dutch", but similar in a sense that *a particular unethical or ethically questionable journalistic practice* raised a need for a change, for example: invading the privacy of children and victims; secret recording of a source; and conflicts of interests; etc. Further, according to numerous studies, these problems also appear in other national environments. For example, journalistic invasions of privacy involving children have been discussed as a problem in different countries (e.g., Hollings 2005; Libow 1992; Mackay 2008; Stone 1999), as well as ethical dilemmas of online journalism (e.g., Friend and Singer 2007; Ward and Wasserman 2010). Conflicts of interests, including journalists receiving gifts and their subordination to advertisers, have also not been merely a Slovenian problem (e.g., Erjavec 2004, Harro-Loit and Saks 2006; Schotz 2007).

However, in both countries the decisions on what was to be included or changed in a new code did not result from some systematic research. In Slovenia, for example, the

authors proceeded from their own individual experiences and opinions, as well as the complaints filed to the Journalistic Court of Honour, which do not offer a representative picture, as not all (or the most relevant) cases of unethical behaviour are reported to the Court. In Slovenia, the Court resolved 48 complaints in total from November 2009 to November 2010 (NČR 2010), which is a relatively low number. The same goes for the Netherlands, where the Press Council resolved 61 complaints in 2009 (Van Putten 2011). Therefore, previous complaints cannot be considered as evidence of the main ethical problems. Constant research of journalism practice should be performed in order to recognise ethical problems which need to be covered by a code's provisions. The fact that some similar ethical problems have been reported from Slovenia and the Netherlands as well as other parts of the world, according to the studies cited above, could lead to a conclusion that those who draft a code do not need to search for "original" solutions, as they are dealing with common problems of journalism, which have been recognised elsewhere and for which provisions have already been included in different codes. On the other hand, due to various national traditions and particularities, the same problems may demand different solutions. Whether the former or the latter way of reasoning was adopted by the authors of ethics codes in Slovenia and the Netherlands can be concluded from the sources they used.

In Slovenia, previous decisions of the Journalistic Court of Honour and the authors' own journalistic experiences were used to detect problems, while solutions were found in foreign codes which were the main source at each change. Although the interviewees claimed that they paid attention to national specifics, they were quite general and vague when asked to explain them. They agreed that other codes already included appropriate provisions, yet strongly rejected our assumption about copying them. A textual analysis would be needed in further research to explore whether their assurances are credible. The impression was that they asserted what they felt to be socially desirable. However, the fact that they unanimously defined foreign codes as the main sources and that they repeatedly claimed it was needless "to reinvent the wheel" speaks in favour of a conclusion that they were responsive to national particularities only at problem identification, while when seeking solutions they resorted to the existing provisions. Thus, the national specifics were actually not taken into serious consideration, as we know it, for example, in the case of Slovenian commercial entities using national identity as a means of winning ratings and profits, and in the case of the Slovenian state's nation branding (e.g., Volcic and Andrejevic 2011). A certain paradox could be traced here: while on the one hand "the national" has been abundantly used in Slovenia for promotional and commercial purposes, it is on the other hand much neglected in the process which is supposed to contribute to more ethical journalism and thus to the public good of people living in this particular national environment. The process of drafting codes was brief, limited to a small group of people, and lacking systematic research of Slovenian journalism and its context as well as any wider discussions.

In the Netherlands, differences were noticed among journalistic organisations. The main sources of the Journalism Guideline were the Press Council's previous decisions. Here, further research would be relevant to establish more precisely how the Council's

decisions were reached in times when it was handling complaints without a written code. Some foreign codes were also consulted, but not copied, according to the interviewees. Solutions were discussed at several stages. The process included more people when compared to Slovenia. Discussions which developed around the draft indicate that this process was closer to what Elliott-Boyle called "critical analysis of the profession by its practitioners" (1985/86: 22). On the other hand, the Society of Chief-Editors did not succeed in raising a discussion although this was one of their main purposes. They applied other codes, but more as a basis upon which provisions with regard to new media and other relevant topics were to be built. The Media Ombudsman Foundation did not make a big story out of drafting a code. Their approach revealed a belief in the existence of common values, written in other codes and known to those who have been active in journalism.

Generally speaking, drafting codes in the Netherlands involved more discussion and reflection when compared to Slovenia, which could be interpreted by the tradition of the so-called *poldermodel*, the concept of cooperation and consensus decision-making which is considered typically Dutch (Pleij 2006). In Slovenia, discussions were largely absent, which demonstrates a lack of democratic tradition and is typical for Slovenia – "a country in which democratic experience is not inscribed in personal or collective memory" (Miheljak 2006: 144). Still, consulting other codes is not necessarily incompatible with the need to pay attention to a particular national context. Other codes should be looked at, discussed and used, but only after the specifics of national journalism and society have been considered. The provisions should not be just translated and used in the new code without critical reflection and much discussion in the wider journalistic community. Knowledge about how journalists see their profession and how they perceive their responsibilities, what their values and the traits of the "national character" (Inkeles 1997) are, should also be part of the planning and drafting a new code.

Further, the Netherlands belongs to the democratic corporatist model of media systems, which is characterised by an early and strong development of journalistic professionalism and relatively strong, formalised systems of self-regulation (Hallin and Mancini 2004: 170–172), while Slovenia is closer to what the authors call the polarised pluralist model with weak journalism professionalisation and a high media instrumentalisation (control of the media by outside factors). The Slovenian situation is similar to what Lauk (2009: 76) noticed in other ex-socialist states, where various journalists' organisations have emerged, but competed instead of cooperating with each other. Thus, a journalistic organisation acts more like a closed institution with its efforts directed towards gaining power. In such circumstances, adopting a code can be seen as an instrument which should, above all, provide a positive PR image of an organisation and those holding positions in it, rather than being a true means of self-regulating journalism.

Considering the research results, what do both countries have in common? A new code was seen as a solution to ethical problems recognised in practice, which at least to some degree indicates the journalistic organisations' trust that codes do have

a positive role and can contribute to better journalism. Other codes were consulted when drafting a new one, but they were not copied, according to our interviewees; this raises hope that codes do have some meaning in the eyes of journalistic organisations. Therefore, analysing different phases of the process – from identifying reasons which prompted the idea to its implementation within the journalistic community – is important, as it gives us an opportunity to better understand (the ethical constituent of) journalism, this (semi-) profession with many faces and no universal definition, as seen by the professionals themselves in a particular environment at a particular time. Future research should be devoted to codes in other countries, including comparisons at the textual level, studies of the codes' efficiency and journalists' views on codes of ethics. Finally, findings about why and how journalism ethics codes around the world have been drafted might be valuable in answering one of the questions very much worthy of scholarly attention (see Starck 2001); that is, whether a universal set of ethical principles in journalism, especially in free societies, can be developed.

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