

## Photojournalism ethic between constants and variables أخلاقيات الصورة الصحفية بين الثابت والمتغير

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### Abstract

### ملخص

Photo "expresses thousand words", its use in the media field has its implications and circumstances, which are established in laws and moral covenants that define the rules and conditions for choosing the image and publishing it to the large public, also the forms, patterns and policies of publishing photojournalism in the media. It will be done on the basis on constant and variable in adapting the ethics of publishing the photojournalism in various media outlets.

Hence, we will ask the following question: What are constants and variables ethics of publishing photojournalism in the media, within the limits of respect of the law and the values of the media's environment?

**Keywords:** media, photojournalism, ethics, constant, variable.

تعبر الصورة، "عن ألف كلمة"، لتتبع استخدامها إعلاميا؛ لذلك استحدثت قوانين ومواثيق أخلاقية تحدد قواعد اختيار الصورة ونشرها؛ وتهدف الورقة البحثية التوقف على أشكال وسياسات نشر الصورة الصحفية في الإعلام استنادا على متغيرين هما: الثابت والمتغير في أخلاقيات نشر الصورة الصحفية، عبر طرح التساؤل التالي: ما هو الثابت والمتغير في أخلاقيات نشر الصورة الصحفية في الإعلام؟  
الكلمات المفتاحية: الإعلام، الصورة الصحفية، الأخلاقيات، الثابت، المتغير.

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## 1. INTRODUCTION

Various media studies vided the regulation of the journalistic profession, however and though many years ago, information and communication saw many changes in: practice, law, use, means and especially, ethic. Media and communication are two elements which are very useful to human in his society, because of his need to know information's, and his friction with the different cultural, social, economic and scientific environment. The newspaper is the first medium, which humanity used, succeeded by radio and television.

Meanwhile technology development come, the information and communication saw new platforms of communication divided to personal and professional, it called new media. Thus, it seems a good invention, because new media by its various modern channels had changed and helped human life positively: seeing and hearing about others in little time, without travelling, asking with traditional or new media. Ethic, in this case, it's an essential element, which accompanied information and communication practice, its indispensable, to make the journalistic profession very right and far than judicial follow-up, defamation, insults and prejudice to the security of persons and local and global institutions.

Therefore, the journalistic ethic is a set of principles that establish rights and duties, which takes several forms according to the tower, environment and the media policy. Thus, journalistic ethic can be set of principles included in the media law, which is the case of Algeria, or, set of principals included in honor charters signed by many countries or it is made exclusively to the classical or new media.

The question of journalistic ethics is treated by many researchers in the world, because of the place of information and communication in the society and in the world; particularly, we are witnessing an information war, nowadays. The journalistic ethics concerns: the journalist, the media and the content, it means which are the limit of the journalistic practice, in general, and particularly in the use, choosing and diffusion of the photojournalism?

As the picture is more expressive and communicative nowadays, we ask the following question: what are the constants and variables in the ethics of publishing a photojournalism in the media within the limits of respect the law and the values of the media's environment?

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## 2. Concepts definition

**Information:** “anything that can be perceived, accessed, stored, and retrieved.” (Danesi, 2009, p. 157). It can be an individual or a common act, by classical or new media. The information plays an important role in the society, in its change, development, in the present and future.

**Journalism** means “writing, collection, preparation, and distribution of news and related commentary through media. The term was originally applied to the reportage of current events in printed form, specifically newspapers, but it now includes electronic forms as well (radio journalism, television journalism, online journalism. (Danesi, 2009, p. 231).

**Photograph:** image recorded by camera and reproduced on photosensitive surface. (Brain, (/), p. 46). It’s use differ between art, media, science, school, medical; personal and institution industries, it’s also, used in expressing especial event, or ceremonies, also in ceremonies, happy event and also in case of war. According to that, its use converge between innocent use and an innocent and abusive use of the individual, society, or even states or governments. We also, not that it’s use in the media, goes back to many years, beginning in newspaper, as a complement element of the situation or the event treated by the new paper, it called photojournalism. The technological development permeated use photo more developed which it is visible in television first, then, in the electronic media.

**Photojournalism:** news reporting in which photography plays a more important role than the accompanying text. The ‘golden age’ of photojournalism lasted from the 1930s to the 1950s, before television took over as the main source of news, but it still plays an important role in the media.” (Danesi, 2009, p p. 231- 132).

**Media:** “The various forms, devices, and systems that make up mass communications considered as a whole, including newspapers, magazines, radio stations, television channels, and Web sites. Before alphabetic writing, the media for communicating information were oral-auditory and pictographic. Writing facilitated the creation and storage of printed texts. Later print technology made such texts available to masses of people.” (Danesi, 2009, p. 192).

**Ethics:** “rules or principles of behavior that are purported to guide actions.” (Danesi, 2009, p. 114). Generally, it means set of moral obligations and the limit of journalistic practice.

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Ethic in journalistic profession has been the crucial subject of debate in few decades of years; thus journalists, academic researchers and governments supposed to create recommendation of about journalistic practice, in its relation between journalist and his media corporation in one hand, and between the journalist and society or societies in the other hand. Many countries such as USA and European countries tried to set obligations and rights in ethic charters, but in authoritarian politics, they are included in information and communication laws. For Algeria the ethics of journalism in general, and the photo, has included even if with a slight indication, among the organic laws of media that it has adopted since independence in 1962, adding the Code of Ethics for the Algerian journalist.

### **3. History of photojournalism**

The image, picture, and photo are all concepts with the same mean: photo, which use changes from a person to another and from society to another. Its emergence is attached with communication; it's expressive, emotional and had an important impact in the human life, which it can be either positive or negative.

The image is related to human history, as the researcher Jean Baudelaire identifies three stages of this history, and describes each stage with the nature of the supposed relationship between the image and reality. In the first stage, the image is perceived as false in its approximation to a world whose truth has always been outside the image; in the second stage, the image has been used as a source of reality, language produces reality. As for the third stage, which is postmodernism, neither the language single nor the reality single has any advantage, the difference between it has disappeared. (Nacer, 2011, p. 11).

The history of photojournalism is linked to photography art, so its existence goes back to the years of discovering and using photography methods; then the technique developed to progress the photography system so that the image in the media field is an informative material that complements the text or report related to the news story or any other journalistic topic. So the photo began initially, modest, and it gradually began to complicate as an inevitable consequence of the development in technology.

A pioneering photo essay appeared in 1890... technical advances in photography seemed to accelerate in the first decades of the twentieth

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century. Improving printing technologies, films, lenses and cameras were the catalysts of for the growing impact of photography in journalism. (Vaughn, 2008, p. 378).

In the 1930's, technology started to work in the photojournalist's favor. The Leica camera, invented in 1914 and marketed in 1925, gained popularity first with photographic luminaries such Robert Capa and Henri Cartier-Bresson, and then slowly with the rest of the industry. (Bersak, 2003, pp. 19-20). As its use is indispensable, the photojournalism added transferring media channels from the traditional style to the media industry, with its various ramifications and techniques. This progress of tools pushes us to ask about the relation between photojournalism and ethic in different media; and what are the ethics of use and publishing pictures in the media?

As photographic technology continued to evolve into the 1980's and 1990's, so too did photojournalistic ethics. The early 1990's saw the dawn of purely digital news photography. In the 1980's, magazines and newspapers started to experiment with incorporating digitized images into their layouts. Though some photojournalists were carrying laptops to remote places, setting up makeshift darkrooms, and scanning and transmitting film photos, the digital switchover did not start in earnest until 1992. (Bersak, 2003, p. 26).

The digital area imposed new practice and use of photojournalism, because of the technology development, where the individual can take and diffuse a picture by social media, and though other personal platforms, which causes ethical problems; these case is the actual debate, which is around the limits of use of pictures or photo by new media, especially with the emergence of Photoshop. So the charters and ethical laws are indispensable to create the task of publishing and exploiting the press photo.

Newer cameras and more powerful editing software both impact photojournalistic ethics, however sometimes that impact can be surprising. Since so much of the substance of journalistic ethics is about the process rather than the result, technology that enables new (or old) processes will automatically impact the ethical landscape. (Bersak. 2003, p. 47). In this circumstance, the technology has two impacts which it can be positive; it appear in the photo quality, the speed of its share and use, too badly if the question is about the ethic of the digital photojournalism so it's necessary to limit the use of digital photo in order to avoid the judicial follow-up.

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The photojournalism knows professional use, by the media institution, and an individual use, because of its link with the emergence of the new media; especially with the emergence of journalist citizen; whose use called citizen photojournalism, which role is creating an event by taking and sharing a photo. “The difference between today’s “citizen photojournalism” and the aforementioned examples is the ubiquity of the imaging devices in modern society.” (Bersak, 2003, p. 49). Also its development paved the way for the emergence of the press industry called “photojournalism industry”, which based in capital investment. “In the photojournalism industry, professionalism means technical skill, news gathering experience, and of course ethics.” (Bersak, 2003, p. 53).

At first sight, the whole body is enlisted to be able to recognize the shapes and people it contains. The image is a way to participate by simulation, to participate in the world that it represents, the participation of the masses among themselves for the collective and joint contemplation of the illustrated scene. (Muenier, 2013, p. 68).

It should be noted that telling the truth by photojournalism, added to the media credibility and trust. In that sense, “Ralph WALDO EMERSON claimed enthusiastically “photography is distinguished by it is immediately, its authenticity, and the remarkable fact that its eye sees more than the human eye”. (Mulen, 1998, pp. 6-7). However “The meaning of a photographic image is built up by an interaction of such schemas or codes, which vary greatly in their degree of schematization. The image is therefore to be as seen as a composite of signs, more to be compared with a complex sentence, then a sign word. It’s meaning are multiple, concrete and, most important constructed.” (Mulen, 1998, pp. 20).

Since the first newspaper in America (Publick Occurrences) appeared since 1609 in Boston, journalists and news organizations have been criticized and their actions and behaviors have been scrutinized by the public, the government and peer. With the ratification of the first amendment of the Bill of the rights in 1791, journalism and freedom of the press become more a part of U.S. democracy and American citizens gradually came to expect the press to have certain obligations to the public. (Vaughn, (2008), p. 155).

The image and photography report the reality, if the situation concern’s the classical use, but, if tis use is developed, it can’t reflect the

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reality, because of possibilities of Misrepresentation of the image by modern technical means. This situation affects the ethics of the public image and the press photo. The reason in which ethic charter and laws are indispensable for: journalist, the media, also citizen journalist who is very active in new media.

#### **4. Ethic of photojournalism in Algerian laws of information**

Algeria knew issuance of three organic laws of information; it concerned the organic law of information adapted since 1982, the second was the law of information issued since 3 April 1990, this period is famous by concept politic and media pluralism, which means that the two sectors: politics and information were authorized to a free practice according to Algerian constitute in 1989. These open the issue of freedom of the press and opinion, and institution of civil associations and political parties. Since the decade of 1990'Th, many political parties and private newspaper were emerged in political and media scene. But the journalistic practice seemed unfortunately, not understood the sense and limits of freedom practice of the profession. Therefore, many, private press saw secure, judiciable follow-up and desperation of the media scene.

The first law of information issued in 1982, it had not recognized freedom neither of the press nor politics practice or opinion. But many circumstances, though years, have dressed straight the root of a big changing: The demonstrations of October 1988, the deterioration of oil prices, which negatively affected the social and economy of Algeria, in addition to the international environment, which witnessed a change in political behavior and style of governance with reliance on financial financing in media applications, also in the creation of media institutions.

The law of 3 April 1990 (Law N°. 90-7 of 8 Ramadan 1410 corresponding to April 1990, on the media) was created as a response to the demands of journalists and intellectuals for positive change and recognition of freedoms of opinion, the press and creation of civil and politic associations. It had never mentioned the photojournalism except in the article n° 26, which tolled: "The national and foreign periodical and specialized newsletter, regardless of its type and purpose, should not include anything that violates Islamic ethics, national values and human rights, or advocates racism, intolerance or betrayal, by drawing, picture, news, story or rhetoric".

Similarly, the article n° 77 approved penalties if the event of committing the crimes stipulated in the previous article by imposing fines or imprisonment: “A penalty of imprisonment from six (06) months to three (03) years and a financial fine ranging from 10,000 dinars to 50,000 dinars or one of these two penalties only, whoever attacks the Islamic religion and other divine religions by insulting, whether in writing or by voice And the image, drawing or any other means, directly or indirectly.”

It's very important to point that this article is the same agreed in the law of 1982 of information (Law N°. 82 - 82 of Rabi` al-Thani 12, 1402 corresponding to February 6, 1982, containing the Information Law). It kept the same words and the number of article. These shows us that the Algerian strategy of information, is very attached to politic scene and recommendations, in which Islamic religion have a scare place In Algerian society by application of its values, without excluding respect of other religious.

Therefore, we observe that the photojournalistic is not treated in the two laws, but, it had summarized only on the ways of diffusion of content via media tools (classical media). It concerns values of Algerian society which adopts Islam as religion, and characterized by traditional culture, education, and principles which imposes respect and preservation of customs and traditions in the family, the school, between humane and social interaction. Concerning the categories vised in this two articles it is appropriate to children, Algerian and foreign presidents also, the different regulator bodies us youth and women.

The latest Algerian law of information was adopted since 12 January 2012 (Organic Law No. 12-5 of 18 Safar 1433 corresponding to January 12, 2012 related to the media), it has been precede by a series of media bills for the years 1998, 2000, 2001, 2002, 2003; which doesn't saw a legal improvement, and they were not discussed by the Algerian parliament for political reasons. (Lahdiri, 2017, p. 56).

This law also didn't let a space to photojournalism; except in the article number 9 of the Chapter Two, called: ethics and professional ethics, which said: “Refrain from publishing and broadcasting images or statements that offend public morals or provoke the feelings of the citizen”. Also in the article 122, the chapter about penalties: “Whoever insults with the media outlets provided for in this organic law, pictures, drawings, or any other



illustrative data that represents all or part of the circumstances of the felony or misdemeanor, shall be punished with a fine of twenty five thousand dinars (25,000) to two hundred (200,000). Mentioned in Articles 255, 256, 257, 258, 259, 261, 262, 263 bis, 333, 334, 335, 336, 337, 338, 339, 341, and 342 of the Penal Code”. Therefore, the different laws of information referring, generally, to the Algerian Penal Code, which he has been criticized for containing, relies heavily on penalties related to opinion, not material crime. So a problem of freedom of opinion, recognized by the Algerian constitution, is posed very hardly.

We consider that the Algerian laws of information had omitted the photojournalism in its diffusion, use, choice and capture, and it didn't limit the values which are permit or forbidden in the fabric of the information and communication content in his relation with the picture (photo) called in this case “photojournalism”. But it is mentioned implicitly by her attachment to values in general and the Islamic religion particularly.

The media scene saw constitution of ethic charter signed by many media in Algeria, it's the charter of ethic issued in April 13th, 2000; which was created thanks to “ the Algerian Journalists Syndicate organized a national symposium on professional ethics in which 26 articles distributed between rights and duties were discussed and ratified ... A project was issued in the name of the Ethics Project for Algerian Journalists, which contains 18 articles in the statement of duties and 8 articles in the statement of rights.” (Lahdidi, 2017, p. 136).

This ethic charter defined the ethic limits of journalistic practice to Algerian media, it hadn't detailed of about photo for example, so it's a general ethic charter.

### **5. Ethic of photojournalism constants**

The use of photojournalism in the press requires a set of principals around its choosing, sharing, and diffusion, in order to have a positive impact; allowing the situation, or the subject of the photo taken. In light of the objectivity and public interest while respecting individual and group privacy and customary laws in the environment of the media and, particularly, the newspaper on the context of its editorial policy; and the media agenda on which it relies on the publication of news first and then the images supplementing it secondly, the journalist though his newspaper, must respect moral criteria in order gaining the public trust.

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These criteria's are, principally, attached to the Media perimeter, and an ethical guide of publishing photo thought the newspaper. Accordingly; the journalist has to:

- Respect the values of his society;
- He had to respect the norms mentioned in ethical laws and charters;
- In the situation of crisis, some photos can causes diplomatic crises between governments, also, in the case of wars, famines, epidemics, cases of torture in prisons or cases that are harmful to the human side, whether for a child, a woman or an aged person;
- He has to avoid lying in publishing press pictures in order to achieve a scoop;
- The pictures which expresses crimes and fights.

Generally, the ethic of publishing refers to other norms signed in law or charter; these represent the constant of ethical publishing photojournalism. With the parallel development of man and technology with the complexity of the requirements of contemporary life, the constant in the ethics of publishing the press image automatically turns into a variable, in line with the new concepts, new techniques, adding the transformation in the journalistic profession that is no longer limited to the professional journalist, but the ordinary citizen has become a journalist. Which introduced the term journalistic citizen, who makes the story and attaches it to the photos he chooses, according to his aims which poses the problems of borders that must be stopped at publishing the photo?

## **6. Ethic of photojournalism variables**

Modern practices of journalism must be conformed to ethical standards in what should be published and what prevents the professional journalistic work for the newspaper must be accountable, and therefore the constants that will undergo a transformation must be adapted to the values and laws of society itself.

- Photoshop is the most worried problem of media nowadays, because of its negative influence. Besides conveying information pictures also affect people emotions, they make the information more touching than words can muster... as well pictures can alter people's perceptions and influence their judgment. (Wilkens and Colimane, 2008, p. 59).
- The choice of the image is a responsible decision in newsroom, so, it's consequences must be studied seriously, before causes judicial follow-

up. The meaning of the photograph is conditioned by culture, ideology and experience, photographers, editors whoever looks at it. (Vujović, Prelević, p. 127).

- The power of the photography lies in the fact that people often unquestionably believe the real picture of reality, under the slogan, the Chinese proverb that “ picture is worth thousand words”, and are unaware of her manipulative nature. (Vujović, Prelević, p. 126). These poses question of ethic choosing and diffusing the photo.

The photojournalism, at last, is a categorical type of journalistic practice meanwhile it is indicative of the news. Therefore, the responsibility of selecting it and publishing it on a large scale would avoid misleading, forgery, or deviating from the desired goal of the media process undertaken by either the newspaper or the citizen journalist through classic or modern channels.

## 7. CONCLUSION

We conclude in light of the foregoing, that the photojournalism is an important aspect of the communication and media process that cannot be dispensed with, it is not only complements the news, but it can express it altogether. Therefore, it is imperative to exercise caution in the process of publishing and distributing it to the public, during the application of the ethics of press publishing in general and the photojournalism in particular.

As for the case of Algeria, it is necessary to call for a complete and integrated moral charter that addresses all aspects of the communication process with the photojournalism, specifically, with the aim of removing ambiguity and defining legal limits and penalties in the event of non-invocation of laws or ethical charters.

As ethical covenants can be adapted in the publication of journalism with developments accompanying human beings and the media, which precipitates relying exclusively on some elements that constitute variables in the ethical issue that can be adjusted by periodic updating of covenants through the inclusion of values, intellectual habits, and individual and social behavior that constitutes reddish treatments. The different media, especially through the newspaper, that creates the process of publishing the photojournalism.

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