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## A profession termed "Journalism"

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**Abstract:** New technologies can foster the impression that journalism, as a profession will become extinct probably in a short term. Anybody can have access to any information sources as well as to transmit – through Internet- all sorts of messages at an unusual speed, and this fact seems to support the idea that no technical training will be needed in the future not even an specific cultural background will be required, much less an university degree or qualification that ensures a responsible and appropriate practice of the modern social communication. The Federation of Journalists Associations in Spain (FAPE) in its Draft of the Professional Statute is in favor of a graduated or qualified profession at an university level, and its Commission for Complaints has been developing a successful work regarding the professional self-regulation and self-control for the benefit of society. Therefore, there are good reasons for being optimistic. Journalism, as a profession, is not going to disappear, and maybe it is time to consider it, really, as an academic qualified profession.

**Keywords:** journalism; journalistic profession; journalist qualification; journalist.

**Summary:** 1. Introduction. 2. Has time come to regulate the practice of Journalism? 3. What is a journalist? 4. The role of the State. 5. Limits. 6. Public Law. 7. A timid step forward. 8. Conclusion. 9. Notes. 10. Bibliography.

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### 1. Introduction

Through 2009, the Press Association from Vigo celebrated joyfully the centenary of its creation and in order to remember its history, I was invited with some other professional journalists, to participate in a series of conferences in which I have contributed, once again, with my ideas and beliefs about what a journalist is, what he or she should be and what a journalist can be, such as we conceive Journalism nowadays, with independence from the support of various forms of direct intervention in the modern social Communication, either reporting events or giving opinions.

Along with my speech as a journalist for more than half a century, –I have just celebrated with my graduating classmates the degree or qualification in the monopolistic and governmental School of Journalism from Madrid, whose director was none other than the General Director of the Press of a ministry that was in charge of controlling the professionals and directing the information at a national level on the basis of compulsory slogans and a red pencil–, the Journalists Association from Galicia, of which I am also a member, committed by statute to go deep into the study of journalism, gave me the latest version of the draft of the Journalist Statute prepared by the Federation of Press Associations of Spain, FAPE, of which I am also a member, and that differs a lot from the text that some unions wanted to pass as law and by the end of 2005 it made me to testify as an expert before the corresponding parliamentary committee which rejected it flatly.

Before the parliamentary committee, I told, as another experienced journalist in his noble profession, a very different point of view from that of some “liberated” unionists that the draft statute they were discussing to pass into law failed in many aspects, for example, in the initial presentation of reasons because of the misunderstanding between a professional journalist and a reporter. That is, it is assumed as a starting point the identification between a journalist and a reporter of current affairs and public interest issues, as if all the tasks of a journalist were just to inform. This simplicity will result, over the articles proposed in the bill, detrimental to professional Journalism, a profession which is much broader than that considered in the text of the bill.

Journalism involves many other tasks and it can be exercised not only in newspapers of general information, but also in magazines, radio, television, etc.

When introducing the reasons, it is stated that there is constitutional basis for enacting a Statute of the Professional Journalist. However, what the Constitution does not say is that it must be written following the guidelines set by the Statute in 1967, imposed on the profession of journalism of that time, drawn away from it and in accordance with a law, the Press Law of 1966, which in some way, came to soften partly, without introducing the freedom of the Press, the rigid precepts of the law in 1938, Decree Serrano Súñer, which in its first article, it is attributed to the State “the organization, supervision and control of the national institution of the daily press”.

As we examine the text, the single reference to the consideration of the figure of the director “as a hinge between the editorial barons and the editorial staff”, the assignment to the Information Councils of the “control of an ethical code”, also imposed and not developed by the profession itself, and so on, shows clearly which the inspiration source of the text is : a statute and a law issued by a dictatorial government, whose principles are also clearly in flagrant contrast with the principles and the text of our democratic constitution of 1978. As regards the bill and its articles, it is worth saying that the proposed definition of professionalism of the article 1, as already mentioned, is not accurate, the same as the article 4 “Journalists in pieces”, for the same reasons, or the one in the article 5 “the concept of a journalist”, as a professional devoted to present current news is now completely inadequate.

Furthermore, it is not understood why the “public interest” is to be defined by those who are not professionals for the development –according to the text– of the information of public interest. If we allow the governmental authority to define such interest, this will be invested with virtually infinite powers in its restrictive capacity of the activity that it is thought to protect by giving benefits and recognition of the citizen right to receive information according to the article 20<sup>o</sup> of the constitution.

We cannot understand either why every media should have an editorial or writing committee.

It is even less understood the figure of the State Board of Information –which also recalls the 1968 Law– and its definition as “a public body independent from the executive power and one that accounts for its actions to the legislative power” (art.25) and its composition according to art.26, and the powers attributed to it, from the licence of the professional card –we go back to giving cards as in the previous regime– to its power of sanction.

It is not the case when we refer to the ethics jury that publicity agents and advertisers agreed to establish in view of a private agreement, with a voluntary submission to a sanctioning action. The person who is “endowed economically through the General State Budget” hardly says something about the alleged proclaimed independence from the executive power by the State Council of Information and the autonomies.

It is the responsibility of the profession itself to develop an ethical code as well as to organize a system of monitoring the application of its precepts. You cannot impose on it, the same way that is not imposed on the colleges of physicians, lawyers, etc., a definition of its respective professionalisms, because the doctors, the lawyers, etc. are the people who, through these associations, define and defend their rights.

It is the profession which brings together, develops a code of ethics, set the procedures to enforce it, and so on. It is not the State, at least in democratic systems.

## **2. Has time come to regulate the practice of Journalism?**

A lot of years of journalistic professionalism and the university teaching in Journalism allow me to venture, as a result of my experience, that maybe it is time to consider seriously what is stated openly in the article 1 from Chapter 1 –General Principles– of the above mentioned Draft, prepared by FAPE whether it likes or not to those who might confuse freedom of speech with lack of professional quality requirement to warrant exactly the same civic freedom:

“Under the provisions of the article 36 of the Spanish Constitution and the law, the aim of the present statute is to regulate and harmonize the practice of Journalism, which, as a profession with a degree, is entitled to be the instrument for the responsible formation of a plural public opinion.”

A Journalist, under the article 2<sup>o</sup> of this draft, is the person “who is in possession of a diploma or degree in Journalism (bachelor or another degree that is required to hold a bachelor degree) awarded by any Spanish university.” (I believe that today it is necessary and more practical, even more realistic, to refer

to any of the existing academic qualifications in Communication, no matter the demand of specialization in Journalism, but without closing the access gate to the profession to everyone who is graduated in any of the communicative forms or modes, with a suitable technical capacity and the requirement of a deontological commitment.)

In Chapter V of the Draft, devoted to the Associations and Colleges of Journalists, it is proposed in its article 21:

“Under the protection of the article 26 of the Constitution, the safeguarding of the function of journalism and the warranty of the independence of journalists, as belonging to a degree or entitled profession, is the matter of the Press Associations and Colleges of Journalists, who in turn may federate, without detriment to the inherent authority of the unions concerning the labor issues.”

All this reminds me of something I also referred to, though quickly, in my lecture in Vigo about “The freedom and responsibility of the journalists”, and, somehow, it asserts what was said by other speakers in the meeting, as then the president of FAPE himself and today president of the Press Association in Madrid, Fernando G. Urbaneja. It has to do with the proposal that in 1996 I made to FAPE, in its Meeting in Cádiz, as a journalist included in its professional registry with the number 3336 which I called “Proposal regarding the codes of conduct of the Spanish journalists”.

I stated then that, as it is common sense and it is the existing law, the deontological codes –in any profession– are right to be when there is a member association body that includes graduates who work in the related profession, normally among us, in Spain, a professional association like that for doctors, lawyers, etc.

With reference to the Spanish journalists, the Code of Ethics of FAPE can not force more than what each professional wishes to assign to it. Therefore, my proposal was that the FAPE developed a private agreement text to be signed between the professional body and those journalists who, being qualified in any branch of Communication, commit themselves to observe the deontological code and come to accept the resolutions which, according to the precepts of that code, may affect them in the future.

The proposal was not in the direction of demanding, in order to exercise the profession, an university degree or qualification, but that in the future, those, being qualified graduates, get involved in what is stated in this agreement, and finally be able to form a real professional College, similar to other professions, since, without qualification, one can not speak properly in terms of a college.

I agree with the common sense assertion from the director of the Media Program Unit and the Media Literacy Program of the European Commission, Aviva Silver, when she claims that "changes in technology make it possible for almost anyone to become not only consumers but also the creators of media content." [1]

But I also agree with what the current president of FAPE, Magis Iglesias said when she took office and was interviewed by Blanca Bertrand: "... Modern journalism is possible, adapted to the audiovisual market and multimedia, maintaining the demands of good practice, seriousness and in depth treatment of topics. The search for quality is necessary to dignify the profession because it is our obligation, imposed by the right of citizens to receive reliable information." [2]

I know that my proposal presented many years ago, might be still feasible. What does not seem feasible or desirable for the profession, even less for citizenship, the guardian of the constitutional right to receive truthful information, is the constitution from the government of a college of colleges in line with other professional Statute, which also from the government, they try to impose on the pretext of a more efficient regulation of the profession. We are professionals who know what we want, some politicians and union leaders are paid and move, however, in another way, very different from our own interest, and it is not advisable for the right to receive truthful, uncontaminated information from partial partisan political interests. By approving the text, prepared leaving out the profession, it would be repeated the sad spectacle of the Statute of the journalistic profession in 1967, approved and promulgated by the Spanish Ministry of Information in addition to the repressive press law of Fraga in 1966, which undoubtedly marked a move towards freedom of information, but not the freedom of information itself.

### 3. What is a journalist?

Although I have always supported the idea that a journalist has got the important mission of reporting, he is not a single photographer of reality, as I argued in a controversial article entitled precisely "What is a

journalist" [3], published in the Regional Newspaper from Valladolid half a century ago and now we have to clarify, given the sociological changes affecting the profession and the advances in intellectual and technical training of journalists and communicators in general, thanks to the admirable work of degrees or qualifications in Journalism, Advertising, Public Relations and the Audiovisual Communication.

Yet, no matter how spectacular the changes are, and how much they might change the demand of the public, what the public is still waiting from the journalists is the truth when reporting and the honesty when commenting. And to make it happen, as I will try to show, we need freedom, freedom is essential to develop and transmit news, ideas, thoughts ... Without freedom there is no information nor there can be honest opinion.

This is why I have always been the declared enemy of the specific laws of printing, the Press, Communication or as they want to call them, because, although they programmatically declare in its articles that they come to favor freedom, what they do, in practice, is to shackle it, to the detriment of everyone, not only of the journalists in charge of making a bridge between "what happens" and who wants to know what happens, and they tacitly delegate in the corresponding professionals their right to have reliable and objective news about what is happening in their environment or beyond it.

Not a few of my fellow journalists meekly accept the dogmatic assertion, usually spread by non-journalists, though they are communicators or broadcasters overall, but lacking the desire to search for the truth of information that characterized and still characterizes the journalist all over the world, that view in the era of "post journalism", the "old and outdated" distinction between the three classic communicative modes of information, propaganda, advertising, and the traditional media-newspapers, radio, television-can no longer be maintained because the Internet has come to modify and overcome all these "outdated" concepts, which must be banished from our modern Schools of Communication which, in turn, are getting over earlier professional schools.

They are usually successful TV presenters, radio announcers with sonorous voice, writers on the net, more or less occasional, proponents of ignoring entirely the training of communicators up to the disappearance of the journalist profession as such, since they believe that anyone, thanks to Internet, can be today a journalist, just for having the physical ability or the material one to introduce news, rumors, advertising, programs of all types, etc.on the Web and keep interesting blogs without any previous academic, technical and much less ethical training.

It is a mistaken belief, based on apparently strong foundation of experience and reliable statistics. Today, the conclusion would be that, no journalists are needed and they have no specific function, nor society needs them for nothing, therefore, the academic institutions will train and give the qualifications to people who, when competing for a job, they will find that what is learned at the University is not going to be useful. The world, they say, moves towards the other side. Freedom is the supreme good that guarantees that anyone, on their own, can perform the tasks that until now professional journalists were playing. We have reached the end of the species and we can speak quite properly, about post journalism, in the same way as it is accepted the term post-modernism.

However, we are still a lot of people who agree with the idea that the journalist can and should remain so in the era of postmodernism, in the era of internet or any other following era, because journalism is based on the search of the truth to spread it and transmit it to others and that, whatever the means chosen, it will remain in force. And we can correctly name journalists those who report on facts, not advertising or ideological propaganda wrapped in the silver paper of news to make us believe it is information, while tricking the recipient of the message, who is not receiving information, though it is called information-certainly there will be communication but persuasive, disguised communication. The same is conceived if they comment on reality, based on true facts, honestly. Furthermore, Internet, whatever they say who are considered themselves experts in journalism in particular and communication in general without being journalists but willing to be surnamed journalists, is not a medium, and nor are the waves, but the radio or television are media, the same can be thought about the paper which is not considered a medium but the newspapers that use paper are regarded as media. Radio, television, newspapers, etc.can use and exploit the Internet, and they do so adapting themselves to the new specifications and requirements that the Internet offers and imposes, nevertheless, they do not stop being what they are.

It is necessary to continue talking about information, propaganda and advertising as parts of the same sociological phenomenon, the Communication, but without confusion. We must go on talking about communicative genres and journalistic genres in particular and then keep on strengthening the importance that, when information is developed, for example, the viewer should not be urged by offering a product while taking advantage of the prestige that can be obtained by being an objective, truthful

reporter, in order to inject a plus in the message that the viewer did not expect.

Remember that information, as Desantes states, is the subject of a right "that it was first described in the Declaration of Human Rights of the United Nations Organization, in its Article 19 and the Decree Cum Mirifica from the Vatican II Council nominated as the right to information." [4]

and that right is, in turn, a duty for professionals implying deontological, legal and ethical values, it is a duty embodied in an act of justice, giving the citizen its right to receive truthful information.

The right to information is now universally accepted as natural or characteristic of the human being , as it is a part of that "bundle of rights rooted in the essence of man", as Simon argues. [5]

The recognition of such natural or fundamental rights of human beings is what gives rise to the State of Law. Historically, only the State of Law has allowed a sincere protection of such rights and a rational regulation of its use. And it is worth remembering that a State of Law only exists when there is an enacted Constitution that guarantees basic rights, when the principle of lawfulness is recognized and there is submission of the Administration to the law and there are truly independent courts capable of judging even the Administration itself.

I understand that what is truly definite to the journalist, which is the essence of his or her profession is the duty to strive for truth, a trend born, of course, of a general duty as a person to say things as they are, without distorting reality, besides, the professional duty to provide the public, composed of individuals, with the reality as closely as possible. As Tomas de Aquino already enunciated, men are born to live in society, but it would be impossible to do so if they did not tell the truth to each other. [6] And Gomis points out that we must be careful with the "making" of facts according to some interests, because some events could become news events in spite of the fact that they have not happened as some sources present them or show them to the journalist. "The right to news –Gomis says– is the right to know what happens, getting inside what is happening, what matters more to most people, but it is also the right to know what we need to know so as not to be deceived. [7]

#### 4. The role of the State

We can not speak of responsibility if we do not act freely -in the realm of ethics, morals, and deontology. Though, the term responsibility is also applied in cases where the Communication professionals work under government pressure, psychological coercion or threat of sanctions of various types if there is disobedience to a illegitimate political mandate, which denies citizens their constitutionally recognized right and, often, to receive the truth, "You will be responsible for what happens to your company or you will be responsible for closure of the newspaper or the radio station or any printing media (vulgar blackmail). It has nothing to do with the sense of moral responsibility that leads to a proper self-regulation and self-control itself, in order to achieve a real product. And so granting the public, the receptor of the message, the right they have : the truth.

Viewed from the field of professional duties of the journalist or communicator in general, we can only talk about "duties" and the consequent liability when there is freedom to act. [8]

"The notion of" right to information, Delrieux says -is, in this specific field of information and communication, the new concept of" welfare state" or "interventionist state" and the international solidarity forged progressively after the World War II, or at least partially implemented, sometimes without even knowing or being unable to link it with a real theoretical reflection (which has been far less prepared even in the case of the right to information than in other concepts of rights and freedoms) This notion also implies specific rights and obligations for information professionals, on behalf of the public's right to information, while, at the same time certain duties may arise from it." [9]

Such claims must be tempered so that they can be understood in their fair terms. Properly, it is incumbent on the State effectively resolve technical and infrastructure problems that hamper the efficiency of the communicative process as well as remove obstacles to free flow of messages, but always having a respect for the right of citizens to receive such messages, especially the truth, when it deals with facts-like the professionals to investigate, handle –in the best grammar sense of the word– all the informational materials to develop the message, distribute it and send it to the public with a guarantee of respect for that truth which may not be the "official" or political one. And that's exactly where we can speak of self- regulation –as we will see as preferable to everyone– public and professionals, instead of a thorough legislation governing casuistically the practice of the broadcaster profession.

Of course, as Sanchez-Cámara recalls - the exercise of any right is subject to limits:

"The right to information, too. It is important to raise the issue of the limits on freedom of information and, in general, the limits on freedom of expression. The problem has got, if I am not mistaken, at least three dimensions: ethical, legal and cultural ... Legal constraints can rest on moral grounds, and they can advise limitations in favor of education and culture of young people or of all citizens. Certainly, legal constraints are imposed coercively, but it is not so for moral and cultural ones." [10]

In our current Constitution in 1978, the article 20 clearly states the right to receive and distribute information as limited by other rights related to people and recognized in concomitant articles. But it is clear that the law is not enough if we always wish to have a good quality communicative product, that is, truthful, respectful of other natural or fundamental rights of the person, etc. Experience shows the effectiveness of self-regulatory systems in order to clean up the communication process, to ensure the public good and to guarantee good relationships between professionals and recipients of messages, without having to go to court, which is always an expensive and slower system and in the long run, even troublesome.

For Martínez Albertos, the right to communicate or receive truthful information referred to in the article 20 of our Constitution should be interpreted as "a technical information developed in accordance with the principles underlying the correct journalists behaviour, i.e., an action that can pass the test for quality control in products of the cultural industry of our time." [11]

Nowadays, there remains a need, that of making the professional think about his task and be honest when analyzing the mental process by which he gets to regard an "event" as any fact that he faces at work. Is that event really important for the public, an event which comes to the newsroom whatever the procedure might be? Has it got sufficient quality –and by quality we must also understand the respect for the dignity of a person– , and does it deserve being published or broadcast, in response to public interest?

As Stuart Mill made clear, "the reason of human freedom itself comprises, first, the internal domain of consciousness; demanding liberty of conscience in the most comprehensive of its senses, freedom of thought and feeling, absolute freedom of thought and sentiment, on all the speculative or practical subject matters, scientific, moral, or theological ones... freedom of expressing and publishing opinions may seem to fall under a different principle belonging to that part of the conduct of an individual who gets acquainted with the others, but almost as important as having the same freedom of thought and resting largely on the same reasons, is practically inseparable from it". [12]

## 5. Limits

A model of balance between the natural right to information and, in general, to free expression in all its aspects, on the one hand and the right of others to be respected in their dignity and beliefs, which entails rational limits to the exercise of the right to communicate in a broad sense, which will lead to a responsible self-regulation, and a control to the quality of the communicative product, is the note issued by the Information Office of the Holy See on 4<sup>th</sup> February 2006 in connection with the conflict situation raised internationally by the publication in a Danish newspaper and later in papers from other European nationalities, of certain cartoons of the Prophet Muhammad, including one particularly contentious, as he was presented with a bomb in the turban, in allusion, no doubt, to Islamic terrorism.

The Vatican Information Office sets forth :

"In response to several requests for clarification on the position of the Holy See to recent offensive depictions of religious sentiments of people and entire communities, the Information Office of the Holy See may declare:

- 1.- The right to freedom of thought and expression, enacted by the Declaration of Human Rights can not imply the right to offend the religious sentiment of believers. This principle applies obviously to any religion.
- 2.- The coexistence also requires a climate of mutual respect to favor peace among men and nations. Moreover, these forms of exasperated criticism or derision from others manifest a lack of human sensitivity and can be an "unacceptable provocation" in some cases. The reading of history teaches that through this path, wounds already existing in people's lives will not be healed.

3.- However, it must be said immediately that the offenses caused by an individual or printing media can not be attributed to public institutions in the country concerned, whose authorities can and should, eventually, intervene according to the principles of the national law. So, violent protest actions are equally regrettable. The reaction to an offense can not fail the true spirit or essence of any religion. Real or verbal intolerance, wherever it comes from, as action or reaction, is always a serious threat to peace."

In view of this simple but clear-sighted note, it will be concluded, taking into account the experience of many years of searching for a system to ensure-as far as possible- the quality of the information products, that the Law is not enough guarantee, that the law is narrow in order to avoid professional misconducts or less suitable conducts from an ethical point of view, except the extreme case of offenses under the ordinary criminal code. Because, as noted by Ollero, "Every law is self-presented as an ethical " minimum". [13]

And here we are dealing with quality, i.e. maximums. Even when taking into account human weakness, the Spanish law is satisfied when professional people, rather than the whole truth and the accurate reflection of reality, can offer the veracity of the facts, i.e, they could exhaust their possibilities of a diligent exercise of their profession in search of truth, following what the Constitution itself recognizes as a right of every Spanish citizen: a truthful information.

When our Constitution in 1978 recognizes and protects, in its art. 20, the rights to freely express and spread thoughts, ideas and opinions through the word, the printing media or any other media of reproduction, as well as the literary, artistic, scientific and technical production and freely communicate or receive truthful information by any mass media ... at the same time, it warns that, as with any other law, this one has its own frame that, when it is outlined, it points out its possible conflicting rights, that is, other equally natural rights, belonging to every human being as a person, to be observed in recognition that "the others" have got a personality which is equally and legally protected. What the constitution can not make, nor any law of development of its precepts, is to foresee casuistically all the cases of potential conflict between them and other rights. That is a matter left to the judge who is the person, according to D'Ors-who will tell who is not wrong, will proclaim the right and so, he says, Law is what the judges consider as law and certainly, they must fit to the law in force.

The Pontifical Council for Communications insists on the principle of truth "since truth is always essential to individual freedom and to authentic communion among persons." [14] The duty of truthfulness is ethical, but it is also legal in nature because, for example, in our General Advertising Act of 1988, art. 3º, prohibits the misleading advertising and on the article 4º it is classified as deceitful every advertising that, "whatever the way is presented, may persuade or is likely to mislead its recipients and consequently may affect their economic behavior or may damage a competitor, " And all this for a reason that can not be overlooked: the Law if regarded as such, it is not just mere collection or set of more or less fair rules, more or less arbitrary, but the Law as a form of social life, which translates a view on Justice, delineating the areas of right and wrong, of what is lawful and what is prohibited, as Professor Legaz Lacambra explained in his lectures, it has its foundation on Morality, its original source is the natural law, though, over the centuries, the perception of that law has been different depending on the characteristics, culture, etc.. of human beings, and this fact explains for example, the difference of opinion between Europeans and citizens from countries with a fundamentalist mentality. [15]

However, it is commonly accepted that the principles of respect for truth and freedom and dignity of all human beings are universally applicable and are the basis of ethical behavior required for any professional in Communication in any country. Without respect for truth, indeed, without the sincere search for truth and without love for freedom and respect for others in consideration of their individual dignity, Social Communication would become something different other than communication. It is what the Pontifical Council warns when it advises that one must "always be in favor of freedom", but "there are obvious cases in which there is no right to communicate, for example, in case of defamation and the slander, or the messages that are designed to foster hatred and conflict among individuals and groups, obscenity and pornography, and lurid or nasty descriptions of violence. It is also clear that free speech should always attach to principles such as truth, honesty and respect for privacy. "

## 6. Public Right

For Legaz, the basic right, we could say the most fundamental of fundamentals, is "the right to ever be ever recognized as human beings." The life of the person goes "in permanent relation to others, but in this relationship he should respect, and can demand others the respect of what is "his", namely, his own existence as a person, which, in turn, can not be separated from the recognition of a sphere of freedom and some basic requirements of "dignity" in its way of being in the world."

It is clear that what is the public "owns", or rather of those people who are worthy of respect for human dignity, constitutes the public, a more or less wide public, but not an undifferentiated mass with no rights, is truthful information and messages that meet the applied requirements. There are so many people who think, in the particular field of informative communication, that a message distributed in the form of news, is not really news if it is false, if it does not reveals reality, especially if it is attempted to deceive.

Although it is considered, all that anyone can communicate must proceed from either his inner world (ideas) or from his external world (facts) and, that is why it is necessary to distinguish between the transmission or communication of ideas, on the one hand, and the facts-information on the other. If the transmission of facts is not true, it is not made with the intention of telling the truth and the news story contains non- real facts, thus producing communication, in the broad sense, between the individual promoter of the message and the receiver of it, but there will not have been proper information, then the news stops being news to become a story, a rumor, a hoax, whatever you expect, but not a story since it lacks of the essential element, the definite one: the truth.

In 1987, Pope Juan Pablo II visited the mecca of American cinema. It was the first time in history that a Pope entered Hollywood. On that occasion, he delivered a speech to "the celebrities in the business world working in the field of social communications in the United States." And he said: "It is a reality that your small decisions may have a global impact ... All the popular cultural media that you represent can build or destroy, raise or lower. And you have unlimited possibilities for making a good action and powerful possibilities for destruction ... The obligation to the truth and the fullness is applied not only to the spread of news, but to all your work ... Your industry not only speaks to people and for people, also makes it possible to communicate with each other ... I beg you should choose the common benefit. That means honoring the dignity of every human being. "

A journalist who is aware of the dignity of the profession and the importance of its role in informing, always seeking the truth, will understand the need of self-regulation and self-control and will be prepared to correct or rectify voluntarily when he or she is wrong, but, of course, will avoid certain practices considered by some as professional skills, which are nothing but false arguments unworthy of a high level professional.

At the same time, journalists will remain steadfast in defending their freedom, they need to report news truthfully. Because freedom is an essential prerequisite in order to practice the profession with dignity for the benefit of citizens who, somehow, put their trust in those who practice it. In the same way that everyone has the right to health, but when we are sick we call the doctor and not to any friend, even if he is a close friend, but he does not know medicine, to obtain accurate information, to be aware of what happens, we go to the mass media which are developed by professionals who live to find, develop and provide information, comment on news, etc.. "Our commitment," said a veteran American journalist, is remarkable: we belong to the public. There is no other argument to justify the constitutional protection that we enjoy. [16]

It is absolutely necessary to settle the difference and opposition between the self-control referring to the quality, really a quality-control and censorship and even self-censorship, which are nothing more than an obstacle for the normal functioning of the communicative process.

There is no doubt, in defense of self-censorship, that it refers—the same as in the self-regulation- to a voluntary approach, the professional or practitioner, who is admonished or enjoined or ordered not to make certain information publicly known or do it in a certain way or -which is more humiliating as yet, to provide information that is no more than political propaganda or ideological one, the so-called slogans ,for example, existing during a large period of the regime of previous censorship of the forty years of Franco's government does not act freely but coerced.

Sinova understands that censorship is "an illegitimate interruption or limitation of the communicative process." And he defines it as "any action that seeks to prevent foreign or unsuited messages from reaching the audience, though, the public has the right to know them." [17]

This is an action far away from the sociological process of communication and does not care if that action - pressure is exerted directly on the informative message or any other form of communicative product, or indirectly on the professional to be himself enforced to self-censorship. This latter Machiavellian approach- under the name of delegated censorship, which turned the director of a mass medium into a censor of himself, accountable to the Ministry of any neglect or violation or breach of the slogans -was used by the Ministers of Information of Spain in Franco regime in what was then called "provinces", while in Madrid and Barcelona, the Ministry had enough staff at its disposal to read all the contents of the daily newspaper prior to its publication on the page. The system changed, but not



radically, with the promulgation of the Press Law in 1966, which, however, introduced the similar figure of the so-called "voluntary consult" defined as such by the law itself:

Article three.- Of censorship .- The Administration office can not implement previous censorship or require mandatory consultation, except in emergency and war circumstances expressly foreseen by law.  
"Article Four.- Voluntary Consultation.- One. The Administration may be consulted on the content of all kinds of forms of printing material by anyone who might be responsible for its publication. The response approving it or the silence of the Administration will exempt it from liability for the spread of printed material subject to consultation.

## 7. A timid step forward

FAPE (Federation of Press Associations of Spain) has taken a first step with the creation of its Board of Ethics or Deontological Council. This decision was harshly criticized by some newspaper editors who felt that this was a dangerous precedent in a way of turning back, a return to potential censorship. Once more, self-regulation, self-control, quality control, commitment with oneself and with society were jumbled up together with induced self-censorship by government pressures.

Spanish journalists- FAPE brings together a considerable majority of those practicing the profession in Spain on a regular basis, comprising also those who belong to Col.legi of Journalists of Catalunya, as part of FAPE – already had their ethical code, adopted at the General Assembly of the Associations of Press held in Sevilla in 1993. But it lacked of an appropriate body to oversee the observance of that code inside the most important professional association of the country. [18]

In the General Assembly of Almeria in 2004, FAPE approved the Deontological Council whose first president was, and remains, now as Complaints Commission, the journalist and university professor, former Senate President, Antonio Fontán and it must be said that once he took office and that, until now, despite the initial rejection in some media and therefore his little scope of action or, rather, of its almost non-binding effect in terms of compliance with its resolutions, they have been certainly correct.

## 8. Conclusion

Journalism and journalists are not bound to disappear, like some sad fortune tellers believe while they are seduced by the unstoppable push of the Internet. Mimicking Becquer, who believed that while there are poets, there will be poetry, I would honestly say that I believe that as long as there are journalists, there will be Journalism. And I think so beyond the disproportionate risk of criticism from those who believe the Internet is a medium that will lead to the disappearance of journalism as we know it now and consequently of journalists, or on the contrary, of journalists, because anyone can do journalism on the Web and, therefore, the disappearance of what we call journalism is a fact and it will usher in a new communicative phenomenon that allows any citizen to exercise more freely his right to express as he pleases and to defend his positions and opinions without hindrance. A serious mirage.

Contrary to what it may seem, the Internet is not just a support medium, on which you can enter information, opinion, propaganda, advertising ... Internet is, to understand ourselves, like the paper for a newspaper or radio waves for a radio or television . Internet allows anyone to get access in the network and express; but not all those who "hang" something on the net in the form of website or blog or whatever, are trained to write a real news or intend to serve the public, something elemental to a professional journalist, but not all of them comply with it, just as not all doctors try to save lives-some even advocate the killing of living beings not yet born, not all lawyers defend honestly the interests of their clients, not all politicians truly seek the benefit of their fellow citizens.

While there are those people who dedicate themselves professionally and with integrity to serve the public, knowing and wishing to distinguish between information and opinion, there will be Journalism. That's why I say that perhaps the time has come to an agreement between businessmen in the communication field, government and profession in order to consolidate the Journalism as a degree or qualified profession., via the creation of graduate (bachelors) schools and post-graduate (doctors) schools where their members agree to accept the deontological code of FAPE with all its consequences. The collaboration of business and government is necessary in the same way that, in the past, it was needed for shipping companies and successive governments in each country to establish formal training titles or degrees in the merchant marine so as to regulate the professional practice of as many people as they want to be responsible for shipping in certain tonnage vessels.

And the same is applied, for example, when any citizen can defend himself in a labor process, without the legal advice of a lawyer, but almost everyone goes to a lawyer bureau to ensure as far as possible

the success of his defense, perhaps eventually, everyone would recognize that the best way to get accurate and truthful information and based serious opinions about the various topics of general interest through the mass media would be to ask for those who have been trained for the responsible practice of journalism, although other possibilities coexist, which, I hope, would enjoy less prestige.

The current president of the Press Association of Madrid and former president of FAPE, Fernando González Urbaneja, said: "The taste of good journalism should be the seed of good professional practice, stimulus for this personal work, almost an art of collecting data, verifying, sorting and exposing them with simplicity and respect to interest and enlighten people." [19]

I absolutely agree with him. So, I still believe in the necessity, or at least the desirability of the importance of University as the place which teaches and trains the new professional of the social communication field, for two reasons: first, by the importance that the job has gained over time and the requirements of today's world, demanding educated and competent professionals –not only good technicians in words, but with a broad cultural and human background– and because the University has been widening its scope in a gesture of fraternal welcome to all new knowledge and it does not seem logical that, when all that is learnt and discussed today has its place and its specific degree in the university, only a subject matter will stay out, which is so crucial to the coexistence of citizens as social communication is. [20]

## 9. Notes

[1] Vid. His work "European approach to media education: moving towards an inclusive knowledge society." in no. 32, XVI, Communicate magazine, March 2009, p.19.

[2] *Journalists*, year IV, num. 14, Autumn 2008, pp. 16. It is the consideration of this right, in response of which we are journalists, which led me to conclude-again-on my work Meaning and scope of Fraga Law (pp. 433 to 445 of Almuña Reference Book, Celso - Sotillos, Eduardo (coordinators), From journalism to the Information Society, volume I, which, not to mention the crack that in the struggle for freedom that law started in 1966 , considered by some as implementer of the freedom of information, which was not so, but only a tiny step forward, the merit in that struggle was from the journalists themselves, who pioneered the advent of Spanish democracy.

[3] *Diario Regional*, Valladolid, 22.III.1959.

[4] Desantes Guanter, Jose Maria, The professional duty to inform, Fundación Universitaria San Pablo - CEU, Valencia 1988, pp. 9. In his encyclical *Pacem in Terris*, Pope Juan XXIII made it clear that every man is entitled to an "objective information".

[5] Simon, R., Moral, Editorial Herder, 1978, 3rd, pp. 392.

[6] Cf Fernández Areal, M. For freedom in practice. Journalistic self-regulation. In *New Magazine*, Vol. 103, January-February 2006, pp. 75 to 85.

[7] Gomis, Lorenzo, "Ethics and the right to the news," in *Journalism Studies 2*, papers and communications of the Second Congress of the Spanish Society of Journalism, Barcelona, 1994, pp. 30 to 46.

[8] Cf Fernández Areal, M., Basic concepts for a good decision, University of Vigo - Diputación de Pontevedra, 2000, pp. 143-148.

[9] Delrieux, Emmanuel, "The Right to Information in the light of human rights" in the collective book information, freedom and human rights. Teaching Ethics and the Law of Information, Foundation COSO of the Valencian Community for the Development of Communication and Society, Valencia 2004, pp. 21 to 22.

[10] Sanchez Cámara, Ignacio, "Information and freedom" in the collective book information, freedom and human rights, op. cit. page 31

[11] Martínez Albertos, José Luis, "Rules and jurisprudence regarding the true information," in *Journalism Studies 2*, 1993, p.56. Vid also his work "The truth communicated: facticity and acuration" in the collective book *Political Communication*, University of Vigo - Diputación de Pontevedra, 1996, pp. 79-101.

[12] Stuart Mill, J., *On Liberty*. Alianza Editorial, Madrid 1993, pp. 68.

[13] Ollero, Andrew, From rigid rule to flaccid utopia. *Constitutional Puenting in New Magazine*, Vol. 103, January-February 2006, pp. 10-16.

[14] Ethics in social communications, document published on 4th June 2000, Jubilee year, to mark the jubilee of journalists.

[15] Legaz Lacambra, Luis, Notes from the Chair of Philosophy of Law. Notes collected by M. Fernández Areal 1952. Joseph Ratzinger recalls that States "should always have legal norms, which would be in vain" if they did not include internal inspiration, if people did not recognize from within the main demand for their lives, thus transforming the laws of mere external rules of behavior in a fair way of living "(God and the world. A Conversation with Peter Seewald, *Galaxia Gutenberg*, 2005, pp. 154.)

[16] Hills, Lee, in Merrill, John, Barney, Ralph D. (eds.), *The media and ethics*, Editorial Universitaria de Buenos Aires (Argentina) 1981, pp. 109.

[17] Sinova, Justino, "Details for a concept of censorship" in information freedoms in the world today. Acts of Congress commemorating the 25th anniversary of the Faculty of Information Sciences, Universidad Complutense de Madrid, 1999, pp. 218-222. In his book *XX, a century in 100 articles* (The area of books, Madrid 2002, pp. 292), comments my article . A realistic project, published in *Diario Regional*, from Valladolid, in 1964, claiming that I was "an advanced man" who dearly paid for his independence of power.

[18] González Cortés, María Eugenia and Rojano Paniagua, Francisco Javier, The Spanish Press Associations, a consolidated organizational model for professionals, in *Revista Latina de Comunicación Social*, 63, 2008.

[19] González Urbaneja, Fernando, "Presentation", in Jon Lee Anderson *The eye of the journalist*, Press Association of Madrid, 2006, p. 7. Vid. also my work, "Deontology and the Complaints Commission of FAPE and beneficial to the profession of journalism!", in the collective work *The right to judicial information*, Foundation COSO of Valencia Community for the Development of Communication and Society, 2008, pp. 253 to 264. Vid also, that citizen journalism is in the collective book *Estudios de Periodística XIV. Periodismo ciudadano: Posibilidades y riesgos para el discurso informativo*, Universidad Pontificia de Salamanca, 2009.

[20] Vid. my paper "The educational qualifications of the new communicators" in the Sixth Congress of the Spanish Society of Journalism (SEP), in May 2000 at the Universidad Carlos III de Madrid, contained in the collective book *IX Journalism Studies*, Faculty of Humanities, Communication and Documentation, Carlos III University, Madrid 2001, pp. 63 to 87.

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