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**Special Issue: Privacy II**

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Concerns over privacy in America and the role of a free and responsible press have intensified in recent years. In the final two issues of 1994, the *Journal of Mass Media Ethics* has worked with the Poynter Institute for Media Studies in an effort to focus and broaden the discussion.

This issue, the second to be devoted to privacy issues, mates articles that we hope will add usefully to the current discussions of privacy issues, particularly those raised by new technology.

We take particular pride in the first article of the series, an erudite look at journalistic ethics overall as journalists approach privacy issues.

Louis Hodges, director of Washington and Lee University’s center for ethics and the professions and a pioneer in professional ethics, rightly points to the very sharp conflict between a necessary right to privacy for citizens and the natural conflict of that right with the journalist’s as well as society’s interest in broad disclosure of information. He proposes that journalists establish their own serious tests of the public’s need to know before crossing privacy invasion lines.

A lively and insightful 3-day seminar at the St. Petersburg, FL journalism “think and do tank” in December 1992 fuels the next series of contributions. The seminar brought together a group of academics, working journalists, victims’ rights advocates, and newsmakers who focused on such topics as privacy and information in the computer age, private morality and public performance, revealing reality vis-à-vis violating sex crime victims, and reconciling individual rights, community values, and professional responsibilities.

Insights from some of the dozens of thoughtful participants at the Poynter Institute seminar on Privacy in America are assembled into one package for this issue. Representing those in attendance, and the general theme of the seminar, are excerpts (edited by Jay Black) by Bob Steele, Helen Benedict, Patricia Bowman, Elinor Brecher, Tom French, J. T. Johnson, Nora Paul, and Robert Ellis Smith. *JMME* is pleased to make these observations available to a wider audience.

Two of the Poynter seminar presentations are included for their unique insights into the specific emerging problems of technology and privacy. J. T. Johnson of Sartor Associates in San Francisco notes that personal information is literally scattered across a very wide geographical area while, all the same, being immediately available for a determined computer searcher wishing to assemble a “computer persona.” This process, it is noted, needs no approval from the subject, nor does the subject need to be informed. Johnson says such a set of conditions calls for discussion and evaluation of existing practices.

Nora Paul, librarian at the Poynter Institute, approaches the topic from a newsroom perspective, asking whether information that is known—
developed through electronic peering—should automatically be available for publication. Her “two rights just might make a wrong” are the two that have reappeared often in these pages over the past two issues: right to know (a public and personal right) and right to privacy (a personal right). She concludes with a list of 10 specific paradoxes that need consideration by journalists confronting the issues.

Robert Ellis Smith, publisher of Privacy Journal and the final presenter at the Poynter conference, pulls together a number of the privacy threads: journalists’ confusion over personal and public information; the right versus the need to publish; censorship vis-à-vis self-restraint. He defines privacy as “the claim of an individual to control when and where and how information about oneself is to be used,” and says the problem takes on different dimensions when the subjects are public figures or officials.

Research essays on ethics in the information age appear next in this issue of the journal.

Karon Speckman, of Stephens College in Columbia, MO focuses on computer-available data bases and the problems, potential and real, of maintaining privacy when information is readily and rapidly available. She cautions about data accuracy and about using data in ways dramatically different from those intended by those who gathered them. She suggests her own guidelines for navigating this complex minefield.

Fears that such technology phenomena as audiotex are driven by technodeterminism and techno imperative leads George Albert Gladney of the University of Illinois to formulate an ethical framework for its analysis. A major concern is that expansion in this field is driven more by egos than a traditional concept of community service or community good. Alarming to Gladney is a trend toward a “target model” of “giving the readers only what they want.”

The case selected for our Cases and Commentaries section is of another electronic privacy sort, the distribution of information obtained from video rental records or from the public records of libraries. The privacy involved in this case is of a public official, so commentators are asked to make a moral decision in an area in which legalities for journalists are not relevant.

A special issue of the Journal of Mass Media Ethics dealing with media ethics and diversity is planned for late 1995. The guest editor will be Dhyana Ziegler of the University of Tennessee–Knoxville. Contributors are invited to submit manuscripts to her at:

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The Editors
The Journalist and Privacy

By Louis Hodges
Washington and Lee University

The moral right to privacy consists of the power to determine who may gain access to information about oneself. Individual human beings need some measure of privacy in order to develop a sense of self and to avoid manipulation by the state. Journalists who respect the privacy rights of those on whom they report should especially be careful not to intrude unduly when gathering information; in publishing they should be able to demonstrate a public need to know private information. Individual journalists should establish their own guidelines for reporting on the private lives of different categories of people in the news.

Privacy is an issue of unparalleled importance in this decade. The ability of government, corporations, and journalists to invade the lives of private citizens has dramatically increased through the advent of ever more sensitive listening devices, chemical drug tests, credit files, and widely distributed medical files. Hungry business organizations send people such things as mail-order catalogues and credit card offers that are generated by sophisticated use of data from records of what they buy in stores.

As our ability to invade privacy has increased, so too has our willingness to do so. Witness USA Today's probing into Arthur Ashe's illness, mainline media revealing Patricia Bowman's identity as William Kennedy Smith's rape accuser, or even Senate demands for the private diaries of Senator Bob Packwood. Each of these cases involves public intrusion into private matters as well as revelation of private information in the public forum. How can we decide, and by what criteria, when an invasion of privacy is morally justified?

Totally apart from questions of ethics, the issue of privacy has become significant for the press in terms of its own self-interest, a matter of prudence. Though many people show interest in private information about others, many others are offended by journalists' conduct, and that has led to increased distrust of the press. When we see reporters poking microphones into the face of a mother who has just witnessed a fire that killed her three children, most of us are morally outraged. (It is interesting that we witness such behavior because other photographers show their fellow journalists in action!) Is it surprising that journalists enjoy low public esteem?

Consider again the Arthur Ashe case, this time as an example of the invasion of privacy and the public response (American Press Institute, 1992). Having won at Wimbledon and in the U.S. Open, Ashe in the 1970s was
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254 Newspaper


Bogart, L. (1990, December). In pondering the customized newspaper, don't lose sight of big picture. Press time, p. 60.


Buckman, J. (1991, January 26). Buckle your seat belt; this trip has just begun. Editor & Publisher, pp. 8TC, 25TC.


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Conniff, M. (1993d, March 6). Where are we going? Newspapers and the new interactive technologies. Editor & Publisher, pp. 8TC, 10TC-11 TC.

DeBeth, J. (1992, February 1). How Cedar Rapids Gazette uses power of "telepress" for growth. Editor & Publisher, pp. 6TC, 8TC.

DeYoung, B. (1992, February 1). A layman's view of "telepress." Editor & Publisher, p. 4TC.


Fitzgerald, M. (1992b, February 15). Wake-up call: Newspaper audiotex ringing up dollars in bad economic times. Editor & Publisher, pp. 16-17, 43.


Kelsey, J., III. (1992, February 1). 24 hard-earned lessons of talking newspapers. Editor & Publisher, p. 15TC.


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