



PRIVACY AND MAINSTREAM MEDIA

Monitoring daily newspapers on privacy issues coverage

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Introduction

Media conduct in terms of harassing or intruding into privacy of individuals has been a constant issue of concern in the Albanian media scene. While in certain cases, such an intrusion has been justifiable in terms of public interest, more often than not, these intrusions are overwhelming and uncalled for. Even in cases of public persons, media often includes irrelevant details of personal life, which qualify as gossip, rather than reporting on an important issue for the society, such as accountability of public persons. In fact, the very definition of public interest is something that is not clearly defined. The fact that debate on this issue or attempts to define the notion only take place in the contexts of notorious cases and do not constitute a drive for media professionalism does not assist to improve the situation. More importantly, this overall situation, apart from lowering ethical level of Albanian journalists, also diverts attention from truly important and relevant matters.

Against this background, the proposed monitoring will analyze the way media covers two groups of persons: public and non-public persons. The distinction will be made in order to identify the main problems and trends of media conduct vis-à-vis privacy and accountability to the public. This will also serve as a kind of accountability tool of the media and as a way to identify whether public interest is the main guide used by Albanian journalists when dealing with privacy issues of their subject. However, given the delicacy and the hard-to-grasp notion of privacy *per se*, discussing in theory the main trends, principles and problems related to media and privacy would be useful in order to have a better understanding and assessment of media trends in practice in mainstream Albanian media.

Public debate on privacy and media¹

Defining privacy

The idea of protection of privacy was formulated for the first time in the General Declaration of Human Rights. Based on article 12 of the Declaration there are three categories of threats to privacy in the modern world:

1. Surveillance of citizens by government or private security organizations, collection of all possible data and information, including illegal methods (phone tap, hidden microphones and cameras, etc.)
2. Access to personal, confidential data through databases established by various organizations, including financial statements, taxes, insurance, criminal records or medical reports.

¹ The issues discussed regarding the ongoing public debate on media and privacy are based on a report on media and privacy at Spiked magazine.

3. Breach of privacy by the media, through reporters' physical invasion into somebody's life or sphere of privacy (e.g. flat, toilet or hospital ward); the distribution of information about somebody's intimate life, often in a cruel or vulgar way; publishing of manipulated and abridged information about family life including names and photographs.

However, the vagueness of privacy as a legal term is striking when it is contrasted with a clearer, more established term such as private property. One definition of 'privacy' today rests on the notion that people should not feel intruded upon. People bringing court actions against the media are also attempting to define privacy in terms of public spaces that they felt were private in some way.

The reaction to our contemporary confessional culture has altered the meaning of free speech and privacy. The blurring of the distinction between the private and public realms of life is expressed as confusion about how to legislate about, or otherwise codify, free speech in order to protect people's feelings when they experience an invasion of their privacy.

Speaking at a public debate about privacy and the media in 2001, Mike Jempson, director of the media ethics organization The PressWise Trust, emphasized the power of the press. 'When the press does invade the privacy of ordinary people and gets things wrong, it has extraordinary consequences,' he said. 'It is right that we should be protected against them misusing their power.'

Journalists, like anyone, can lie and pry. National and international media organizations publish and broadcast information about people, amplifying its impact. Yet this is not an argument for censoring speech. In fact, it puts a powerful case for more speech: the ability to counter critics through public debate.

Journalists may gather more information than most people in their jobs. They can publish or broadcast information and images in media outlets with mass readerships or audiences. There is good reason not to trust a journalist; they aren't necessarily going to be your PR agent or best friend. But unlike the state authorities, journalists do not amass information on every individual in secret alongside powers to fine or imprison them. The impetus of the media is to publish information and images. This may not be favorable to the subject of a story - but they are only words and images, which can be publicly refuted, or ignored.

One noteworthy aspect of contemporary complaints about privacy invasion by the media is that they include complaints about coverage of activities that have taken place in a public space. Being photographed on a beach without your knowledge, or having images of your intimate meal-for-two published in the national media, can be upsetting. But does that mean that it should not be allowed? Where does one draw the line?

Current privacy trends: Restraint or revelation?

At the heart of the debate on free expression and privacy are questions concerning fundamental democratic values, and our most personal feelings. All of us have different views about what we want kept private and what we are prepared to share publicly. Some people want to keep their private lives to themselves; others emote in public for fame and money. Today, it is frequently observed that public discourse is becoming increasingly reliant on private revelations - for example, discussion of the personal lives of politicians and celebrities.

The current debates about privacy and the media raise a series of questions. Is it possible to judge whether what you write or say will cause emotional harm? How do you define what people cannot talk or write about, film or photograph, as a private affair?

Where does one draw the line here? An attempt would be this: so long as privacy is understood as a right of natural persons – not governments or corporations – and so long as privacy is not read as a synonym for secrecy, then privacy is a value that journalism ought to protect, in part to protect itself.

To be sure, the two values – privacy and revelation; discretion and disclosure – clash in particular circumstances. Balances must be struck. Compromises are made. But this is commonplace in the daily work of law and journalism and of an editor. Journalists, working usually against the press of deadlines, daily balance values such as privacy with the public interest in disclosure.

Will the TV news producer show that portion of the footage from an accident where a victim is in a particularly undignified state of undress, or distress? This kind of balancing is a fundamental part of the work of journalists worthy of the name. What else is it, if not respect for privacy? In fact, respecting privacy should not be alien to journalism, but rather, an integral part to it.

When privacy and media are in issue it is common for journalists to argue that the public has a right to know and that the public interest outweighs the privacy interests of the person involved. But this argument tends to be applied in an all-purpose, rushed way.

There is no bright line which can be drawn between what is private and what is not. Use of the term 'public' is often a convenient method of contrast, but there is a large area in between what is necessarily public and what is necessarily private... The requirement that disclosure or observation of information or conduct would be highly offensive to a reasonable person of ordinary sensibilities is in many circumstances a useful practical test of what is private.

How might journalists adapt and apply that test in their daily balancing of privacy and disclosure in relation to people in the news? 'Does the public interest in disclosure outweigh the privacy interest of the persons involved?'

The contemporary conception of privacy is also problematic. Privacy, as it is traditionally understood, means freedom from intrusion by the state into one's private life. But over

the past few decades, the struggle to define privacy has become more confused. Today, the concept of privacy has arguably become even more fluid, and harder to define.

The issue of privacy and press freedom in recent years has been further complicated by the development of another trend - namely, the obsession in public debate and cultural life with people's personal life. Many of those committed to the importance of free speech are fundamentally uninterested in reading about the private lives of footballers. Does the fact that sales of celebrity magazines have risen mean that certain pursuits of supermodels or celebrities should be elevated to the status of serious news?

The fact that public debate is increasingly concentrated on people's private lives is undoubtedly problematic. By confusing the public and the private, today's confessional culture undermines the idea of the 'public interest'. The rise of personally orientated and confessional styles of journalism undermines broad-ranging news and debate - the foundation of a progressive, open democratic culture. But censoring confessional speech in the name of 'balancing' a right to free speech with a right to privacy, emotional harm or trivia, is not a solution either.

For many years, journalists have based what they believe should be published or broadcast on the dictum 'what may be interesting to the public is not necessarily in the public interest.' The idea of the public interest used to mean matters of public policy or issues of social importance. Today, however, nobody seems to agree on its definition.

Yet however problematic the use of 'the public interest' has been as a justification for censorship, when it comes to journalistic standards it is a notion worth retaining. Why? As Stuart Kuttner, managing editor of the *News of the World*, commented in an interview in 1998: 'The truth should not be suppressed or censored. Though simply because something is true, it does not mean necessarily it is in the public interest, even if it is of interest to the public. This is not an argument for censorship; it's an argument for a civilized and mature society.'

Albanian situation on media and privacy issues

There is no specific regulation for print media. Apart from laws and rules pertaining to media conduct as a business, which are common for all companies in the country, there is no content-specific regulation on print media. The situation is different for electronic media, which has a relatively detailed regulation. However, on the notion of privacy as such, even electronic media does not have any regulation, apart from the general recommendations on protecting dignity of individuals. Hence, although this legal vacuum provides more room for freedom of expression, it also increases the chances for abusing this freedom.

In this context, the situation between freedom and accountability would be balanced through media self-regulation. However, in Albania this process is still quite weak. Although in principle there is a general consensus on the need for self-regulation mechanisms to be established, in practice these bodies do not yet exist. Although there is

a code of ethics for more than 10 years now, without the supervision of a self-regulatory body, the observance of ethical rules is left to the will of media outlets.

This code of ethics has a special chapter on privacy issues, which is the following:

Harassment and privacy

- The journalists will respect the honor and reputation of the individuals who become objects of their professional interest.

- The journalist should not use pressure or offer any compensation in exchange for information to the source of information. In cases when payment is necessary in order to obtain information that the public has the right to know this should be made known in reporting.

- The journalist will respect the right of individuals to privacy, unless the defense of the public interest indicates otherwise.

- Journalists will only make use of subterfuge, hidden cameras, microphones or other special equipment, or obscure their professional identity, if there is no other means to obtain information exceptionally important to the public interest; they shall indicate such methods in the story.

- Journalists should never draw attention to personal or private aspects if they are irrelevant.

- “Sudden” use of cameras in public or institutions should respect the desire and sensitivity of the present persons.

- Public officers are also justified in not disclosing their private life except for the cases when their private life may affect their public activity.

While this chapter of the code is explicitly devoted to media intrusion into private life, other chapters that deal with coverage of crime, grief, accidents/disasters, and children/weak people, also address the issue of intrusion and the right to private life and dignity. The following sections are specifically important in our context:

Crime and Brutality

- Violence and brutality should not be sensationalized. Reporting must take due account of the need to protect minors.

- When reporting on juvenile crime and juvenile court proceedings, the press should exercise restraint out of consideration for the future of the young people concerned. This recommendation also applies to reports on juvenile victims of crime.

- Media should carefully ponder whether to publish facts about family scandals and remind the old crimes committed by individuals who have served their sentence.
- Journalists shall treat with caution the identification of victims and witnesses of crime, especially in cases involving sexual assault, unless they give consent to being identified.

Accidents and disasters

- Journalists should respect the wish of people to grieve in private and will report such matters with sympathy and constraint.
- The bounds of acceptable reporting on accidents and disasters are exceeded where the suffering of victims and the feelings of their families cease to be respected.
- Media should not overdo the pictures of catastrophes, accidents or violence that might insult the feelings of the relatives as well as sensitiveness of the public.
- Victims or missing persons should not be identified if next-to-kin have not been informed.

Children and weak people

- A journalist protects rights and dignity of children and people with mental or physical handicap, including their right to be heard.
- Journalists shall not take advantage of children's innocence and trust and will publish information or images about the private life of a child only if there is an overriding public interest.
- Journalists should not interview children under 14 on personal issues in the absence of parents or responsible persons, or without their consent.

The selection from these chapters of the Code of Ethics is by no means exhaustive on the dilemmas and situations surrounding privacy and media debate in the country. However, they provide some guidelines on the general conduct of media in these matters. As it was mentioned above, the Code, by nature does not have any binding power. Even more so when this Code has been approved in principle, but no collective signing or endorsing of this Code has followed. However, since these are the only guidelines that exist and that Albanian media can follow until this point, it would be useful to see how Albanian media behaves in practice vis-à-vis these standards set by the Code. The monitoring of print media on issues related to privacy is a useful exercise not just on identifying the main trends in this respect, but it is also a test on media professionalism and conduct regarding privacy issues.

Methodology

In order to have a better understanding of the way media behaves when it comes to privacy issues, a monitoring report of the main five daily newspapers was carried out in March 2009. The daily newspapers were from mainstream media and the ones considered having the largest number of sales, or papers that have had a certain sensitivity in the overall debate on media and privacy. Since there are no official data on the sales of newspapers and their overall circulation, the selection of newspapers to monitor was made on the basis of private consulting with the editors-in-chief of the daily publications. The daily publications included in the monitoring report were: *Shekulli*, *Panorama*, *Gazeta Shqiptare*, *Korrieri*, and *Shqip*. Since privacy is not a topic in itself, during this time all the articles published in these newspapers were considered for monitoring and then the ones that were interesting or clearly presented controversy over privacy were further analyzed. Given that privacy is not a section in itself in any of the newspapers, the analysis was only qualitative, and not quantitative. The following is a more detailed analysis of the main trends noticed in the course of the monitoring.

- *Covering grief*

The way people are addressed by the media in cases of grief, mourning, accidents, or general distress and how this is reported to the public, are very revealing of the ethical level of the media and journalists. In general, Albanian journalists seem to have no problems getting interviews from victims, witnesses, or relatives of the victims or perpetrators, sometimes even the perpetrators themselves. This is an aspect that adds to the complexity of covering crime and court reporting; however, this is not necessarily done in a manner that is ethical to the interviewees and the information is not necessarily vital to the public.

There were three major cases of grief and death in the course of the monitoring: the drowning of two fishermen, the death of a baby in the fire, and the death of a mother and her two children in the burning house. In the first case, it was obvious that the journalists had gone to the houses of the victims and had interviewed the brother-in-law of one of the victims, describing the situation of the grief. Also, all newspapers had published photos of the two houses and of the persons that were waiting in line for consoling the families of the victims, as well as photos of the two dead men. The question that arises after reading these articles and seeing these images is: what is so crucial about these images that should be published in the newspaper? Could the public have done without seeing these images, at a time when people in grief were disturbed to provide information and photos? What is so special about a bunch of people waiting to enter the house of the victim to console the family that should be published in the newspaper? Some newsrooms obviously thought this was an image that the public should have. There is certainly no right explanation or answer on whether they did well or not; however, it is difficult to see a shred of public interest in this case that would justify the publication of the images.

The second case is that of the death of a baby in the fire that swept the house while the parents were gone. In this case, one of the newspapers published a full interview with the

father of the child, as well as photos of the father, of grieving women, and of the house that was still fuming.

TEPELENE/ Kryefamiljari: E pashë me sy vdekjen e tim biri

Digjet i gjallë foshnja, i mbijeton zjarrit e motra

Tragjedia, prindërit harruan ndezur sobën e druve

Eri Baco
Ismail Xhaferi

TEPELENE

Flakët e zjarrit shkaktojné tragjedi në Tepelene. Një rënie i vite 6 muaj është djegur i gjallë, ndërsa ka mbijetuar motra e tij 5 vjece. Lënia e sobës së druve ndezur i ka kushtuar shumë shtrënjtë familjes Bega. Përveçse humbjes së djallit të mitur dhe plagosjes së vajzës, bashkëshortet Bega kanë mbetur të rastebrë të



Aleksander Bega, babai i djallit që u dogj i gjallë nga zjarri



Familjarë të viktimave



Shtëpia e familjes Bega

VAJZA
Fati deshi që t'i mbijetonte vdekjes 5-vjeçarja Silvana Bega. E mitura ndodhet nën kujdesin e mjekëve, ndërsa pranë saj ka nusen e xhaxhait. Teksa iu afruan ofër

banesën që ishte përfshirë e gjitha nga flakët. Djalli i dajës më tregoi vajzën time 5 vjece që mbante për dorë, ndërsa djalli im kishte mbetur brenda.
Çfarë bëre në atë moment?
Vura një batanije në kokë dhe u turra për të hyrë brenda. Të afërmit më kapën përkrabësh dhe më larguan,

There was even a vivid description of the whole event:

“Only hours after the tragedy, the head of the family, Aleksander Bega, Declared for ‘Gazeta Shqiptare’ how he witnessed the flames that tragically took away the life of his son. With his beard shivering from crying, he said that he was not able to go through the flames and save his son’s life.”

In this case, it is obvious that the journalists thought that the intrusion into the grief of a family and of a father was more than justifiable and that having this interview from him was very important. Of course, it is clear that the man very well could have not agreed to the interview and keep it private. However, it is also clear that the journalists are interviewing a grieving father, a father who is still crying for his loss while talking to them and it is also clear that to the newspaper this was not the most important aspect and it was not a private moment; rather it should be one that the man should share with all the public. So much so that the paper emphasizes the fact and also takes pride that the man decided to talk to the paper just hours after the tragedy, while the focus was something much more painful than who got the first interview from a family in pain. In this case it is clear to see why some people could be curious and read about this story and read the man’s words and see his pain; however, this only remains in the boundaries of interesting stuff to read, and not something that should be made known for the public sake at any cost.

Another clear case of intrusion into grief is another piece that covers a murder in the capital, which happened after a banal quarrel. After providing the main facts and details, the piece focuses mainly on the grief of the mother, detailing her pain, gestures, and so on:

“The bullets took my son away. A golden boy he was, poor me.” The mother could not make it to his funeral. All her thoughts seem to be focused on the

murder of her youngest son. The woman is sitting in an old chair in a corner of the room. She trembles and points to something, while the muscles of her cheeks move quickly. Pain cannot be described. While tears roll down her cheeks, she can only whisper: "Poor me, my soul is not leaving me. What do I make of life without my son?!" Her short story is not less painful: "Shkelqimi went out yesterday for some coffee in the neighbourhood. He said he would not be late," she says. Then we heard the news on TV, saying that he had been killed.

Even in this case, it is obvious that the journalists have gone to interview a mother in grief, possibly in the most difficult and painful moment of her life. While there is no doubt that the description of her situation, the details, and her quotes make the pain more real and touchable to the reader, there is another question: was this all necessary? In terms of information for the story, none of what the mother said sheds more light on the story and the reasons why it happened. True, the article gains a more human side to it rather than detailing the police statement, but it is also true that a woman in extreme pain was disturbed in order to provide information that is readily assumed by the public, i.e. the mother is in grief for her son. Hence, the dilemma of whether these intrusions into grief are justifiable or not remains.

A similar line was followed also on the coverage of the triple death of a mother and her two children due to an explosion in the house. They were emigrants in Italy, while their relatives lived in Albania. This event was widely covered by almost all main daily newspapers monitored and all of them had gone to the house of relatives that expected the corpses for the funeral. There were pictures of the two children published, as well as of the mother, pictures that could clearly be provided only by their relatives. There were also pictures of the house and pictures of grieving women dressed in black, as well as the picture of the grandmother that was expecting them. The following are some of the pictures published in this case:



The following pictures certainly give a face to the victims and the public can feel the tragedy even more and sympathize with the victims and their relatives. However, it is clear that relatives have been disturbed in order to obtain these photos, giving priority to what is interesting to the public, rather than the right of the family to grieve without any intrusions.



The above photos also come from the grieving house, displaying the grandmother of the two dead children in one picture, and weeping women in the other. Again, the presence in the media in the house is obvious. What is not so obvious is whether these photos bring anything new to the information already provided. Pictures like these can be found in any grieving house or family, no matter how grave the tragedy. So, is it acceptable for the media to go and take photos of grieving people, to publish these photos, to interview them on their most difficult moments?

For example, the grandmother was interviewed by journalists, expressing her pain: “How can I live when I think that while my boy was burning, his friends waited for him in the bus to go and play. My son had promised me that this summer he would bring them to Albania and they would stay till September,” says the grandma while her chin shivers.” Her pain is brought closer to the public in this case, and it can be said that journalists have done a good job of conveying the situation on the house. However, is it worthy it? Could the public have done without this information and could the family of the victims be left alone without losing crucial information?

Another grave case observed during the course of the monitoring that needs attention regarding the way it deals with privacy issues is the drowning of two fishermen. This was not a case that received as much media coverage as the death of the mother and her two children. However, the pattern is similar: the fishermen had been missing a couple of days after a storm and when their bodies were found, the media also flocked to their houses to report on the situation. What is new about mourning dead persons?



As these photos show, not much. The same mug photos of the victims, a village street where the house is, a sunken boat, and groups of people waiting in line to console the relatives of the victims.

In addition, the articles also provide hearsay from the present people on the difficulties that each family had. More specifically: “Josif Rrudha, Vangjel’s brother-in-law, tells us that the deceased has six children. One of his sons has been emigrant in Greece and there he has suffered a nervous breakdown and is now in depression.”² Or: “Stavri’s family is made of three little girls and his wife, who is sick, we were told. He worked to famish his family, who is poor.” In this case, not only there has been intrusion into grieving relatives, but also the newspaper has presented a sentimental or patronizing view of the victims and their families, letting all the public know their already harsh problems. So, exposing that a family has a mentally-ill person cannot be a particularly correct action of the media, and in this case, not particularly relevant. The news is that these people are dead, not that the son of the victim is mentally ill.

These tendencies to patronize the victims are understandable to a certain degree, since journalists mingle with persons that grieve and it is only human that they are affected by the mood and situation. However, putting the spotlight on the problems and difficulties of the victims and their relatives not always is useful and enjoyable to them. In addition, is it useful for all the others, or is it just interesting?!

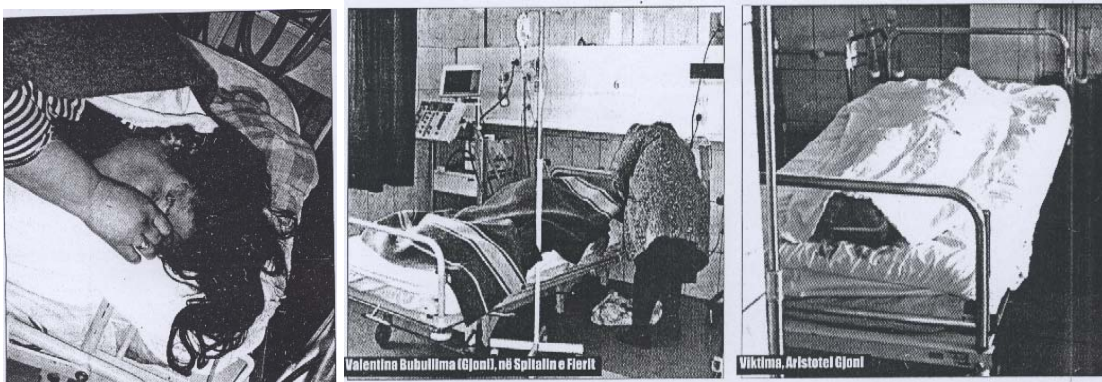
So, again, the dilemma of intrusion is clear: should journalists go and disturb the family of the victims in such moments in order to provide their side of the story, while their side is only emotional, and does not bring any real, needed, or unknown information to the public? This is a decision that each newsroom has to make on its own and so far it seems that privacy is less important than providing of details (important and not-so-important) to the public.

² “Deti nxjerr trupat pa jete te dy peshkatarëve,” *Korrieri*, 07.03.2009, p.12.

- *Coverage of weak people*

Other, perhaps greater concerns in relation to images arise from the way the photos are furnished, especially in the aspect of intrusion into privacy of families or victims. The photos used in these cases originate from three sources: illustrative, by the archive of the newsrooms, provided by the police, or taken from the victims or their families. While there seem to be no problems in general with the first two sources, the photos taken from victims or families are more controversial and as such they deserve closer attention.

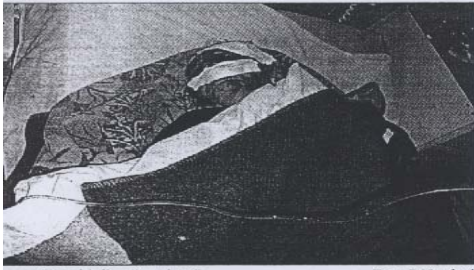
For example, this monitoring revealed several cases of hurt people or victims that were in the hospital at the moment of reporting. Many such reports also featured photos of the victims in the hospitals, while the victims were in coma or clearly in no condition to speak or in no mood to appear in a publication or in public for that matter. For example, in the matter of the wife that was hit in the head by the husband, who then killed himself, several photos appear, where she is lying in the hospital bed, bruised, covering her face in one case, and covered by blanket in the other photo, with relatives staying by her side. The following is a selection of the photos published in this grave event:



One of the papers also had published a photo of the covered corpse of the husband in the city morgue. Apart from the immediate reaction publication of these photos cause among the readers, the ensuing question is what is the purpose of publishing these photos and how is it related to public interest? And even if there is some remote public interest, is it worthy the pain that the hurt woman and her relatives are going through? Is it justifiable in the end?

Although this case was among the most flagrant ones, the intrusion of media into hospitals has been a phenomenon that has often been present in the articles monitored. So, the first picture presented here is that of an old woman who ended up in the hospital after his son beat her up for a property disagreement³. The article describes the bad shape of the woman when she came to the hospital, showing it with the photo, as well. While it is clear for the public from the photo, the bad health situation of the old woman, this was also clear from reading the article and the need to publish such an image of a suffering person is debatable from the ethical point of view.

³ "Rreh per vdekje nenen, s'i jepte firmen per token," Shekulli, 24.03.2009, p.9.



rene Totoshi dje në urgjencë

Fotos: B.Nergjoni

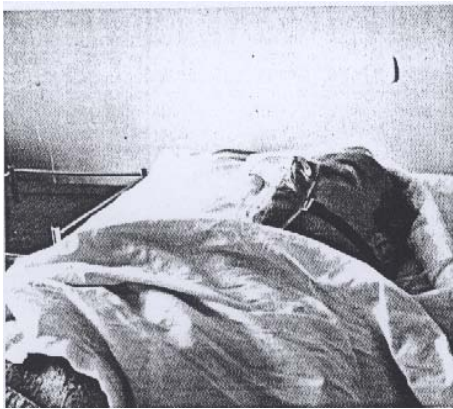


E moshuara, që me vështirësi nxjerr fjalët nga goja, thotë se ai i çonte shpesh edhe ushqim, por pas ushqimit e kishte zakon ta rrihte. Këtë herë dhuna ka qenë disa herë më e madhe dhe e moshuara e nxirë dhe e gjakosur ka përfunduar në spital



Fëmija i plagosur në spitalin e Fierit

The second picture is that of a 13-year-old boy stabbed by his peer⁴. The picture shows people (probably his parents” standing near the bed, while the doctors are visiting one of the patients in the picture. The photo in an article is supposed to be perhaps the first eye-catching element for the reader. However, this photo shows a normal scene in any hospital that one might enter, with no specific immediate relevance to the story. Hence, the photo seems that merely completes the story and is not a central part of it. Meanwhile, suffering people in the hospital have been disturbed by journalists, photographs, or other persons seeking to report for the media. The inevitable question is: is this necessary or not?



The same question can be asked about the above photo, which shows a father who has donated his kidney to his daughter in the first kidney transplant that was carried out in the country. What is the public interest in seeing somebody lying in a hospital bed, recovering after surgery? Although this was the first such case, still, there is nothing special about his look and he is no public person. While there are many persons that can enjoy such sudden popularity, there is no indication that journalists have asked; in this case they can not even ask permission. In sum, in spite of the nuances, the matter of intrusion into hospitals to take pictures of and interview suffering and weak people and their relatives, is a widespread practice. This is a practice noticed mainly on hospitals in the districts rather than in Tirana, and the hospital staff has its own responsibility in this

⁴ “Plagoset me thike nxenesi 13 vjec,” *Shqip*, 10.03.2009, p.22.

matter. However, this is an issue that media outlets will have to address in their ethical self-examination, hopefully soon.

- **Media and public persons**

Although privacy is a multi-faceted concept and one that is hard to define, there is a general agreement when it comes to privacy and media: public persons have a limited right to privacy as compared to normal persons. In fact, the Albanian main newspapers, and even smaller ones, have now established a tradition of publishing regular supplements on the activity, or even just gossip on public persons. This does not include only public officials, but also so-called celebrities. These kind of publications of this content is certainly not a novelty in the media. However, it is not often that so-called “serious” or mainstream newspapers also engage in gossip. In addition, the way that these pages are done, the sources of information used, the way information is obtained, are interesting to examine in order to see how media treats public persons when it comes to privacy.

In order to analyze this trend, the monitoring focused on two public persons: ex-Minister of Culture and his son, and one of the finalists of “Big Brother Albania” program. In the first case, the public interest is indisputable: after a published video that showed the minister asking for sexual favours in exchange of a job position, all the newspapers and media in general broadly covered this event, and rightly so.

However, some media did not suffice with the ex-Minister, but also reached his son, without his permission or will. One of the newspapers⁵ had accessed the son’s Facebook page after the scandal, describing and revealing his activity, as well as publishing in the paper photos from his account:



The article mentions: “*Shekulli* has taken only three dates from the personal page of Victor, which address the first moments before and after the scandal” and then goes on describing the activity of Pango’s son and his mood after the scandal exploded. The author of the article goes on describing how easy it is to befriend the son on Facebook, stating that is starved for friendship, counting how many friends he has, what is the

⁵ “Viktor Pango: “Duke pritur Godot,” *Shekulli*, 11.03.2009, p.17.

communication between them, etc. In this case it is clear that either the journalist has become friends with Pango's son and then has used the information to write the article, or that Pango's son's account is public and can be freely accessed.

Either ways, the article brings nothing new or of public interest to the reader. Instead, it is an intrusion into the private mood, feelings, and opinions of a student, whose father happens to be a minister involved in a scandal. His son is not a public official and clearly has no impact or is not related to this scandal. Hence, why should he also end up in the newspaper pages in such a difficult moment? What is the public interest in this? Moreover, was the information obtained lawfully and correctly? Facebook is a social network, but is this synonymous to taking information you find there and using and spreading it for purposes other than the ones intended by the proprietor of the information?

These are all questions that torture Facebook users and users of similar networks and applications, where they were involved with or without their own will. However, while each individual can make his own choices on this regard, ethical considerations for journalists should be easier: they cannot make public information obtained in this way, unless it is, of course, a strong public interest involved. Is this the case? This newspaper clearly decided that it is, although it is not that obvious, after all.

The second case analyzed regarding privacy issues is that of a boy who sought fame in a way: one of the finalists of "Big Brother Albania," Bjordi. The very decision to enter such a program to many signifies that you give up any particle of privacy left and are open to the public. However, the article in question⁶ is again built upon information received from a Facebook account and does not derive its content and sources from what is broadcast on TV:



The article has photos from the Facebook account, showing Bjordi's half-sister, his mother, and Bjordi in some party costume. His family had a difficult situation, common to families tore apart by political persecution during Communism. As a result, his mother had married again and he had a sister, whom was not mentioned in the TV program. The

⁶ "Zbulohet motra sekrete e Bjordit," Shekulli, 22.03.2009, f.16.

article in the paper supposes that his mother should have shared this fact with the public and not keep it secret.

In addition, the article states: “Bjordi’s sister is called Skerda (full name and family relations are in the newsroom.) We have also provided a photo of Bjordi with his sister.” There certainly seem to be notes of pride in the newspaper’s achievement in securing and revealing such information, claiming that they have proof of what they are saying. While nobody doubts the truthfulness of the newspaper’s claims, a more important question in this regard would be what is the interest in pursuing such information? Why is this crucial for the public to know? And is it acceptable to go through other’s accounts to secure such information?

Again, the questions and decisions are left to the newsrooms, where privacy is certainly sacrificed to their notion of what constitutes useful information. Although these practices can certainly be defended in the name of freedom of expression, they can be debated in the name of public interest. The newspaper space and the efforts made by journalists to “investigate” such information could have been used for another topic, of more social relevance, of a greater public interest. In addition, these articles might be interesting to the public, but apart from setting certain standards of information which are not common to newspapers that claim to be serious ones, they also justify and sometimes even glorify the practice of obtaining information by manners similar to what “hackers” employ. This is certainly debatable in media practice, and it will probably be a debate on the years to come.

Conclusions

Overall, it can be said that privacy issues are a delicate topic when monitoring the coverage of different areas in Albanian mainstream media. Questionable ethical practices are visible, although saying that they are the rule would be an exaggeration. Public interest is not clearly defined or followed, judging from the content of articles.

What seems to be more disturbing in terms of ethical aspect of privacy is the trend of intrusion, especially on the grief of the people. Almost all newspapers show no particular delicacy or compassion in this matter, always racing who will interview the mourning people or the victims first, although there is no clear public interest involved. In this case it is clear that priority is given to obtaining information that is obviously interesting to the public, with no careful reflection on the impact on the victims and with a public interest that is hard to detect often.

It seems that newspapers seem to make no particularly significant distinction between public figures and non-public ones when it comes to privacy, although, clearly, there is more interest for public figures. A disturbing trend and one to be watched over the next period will certainly be the way media uses technology in terms of intrusion into private life or obtaining information.