

Perceptions of Brazilian journalists on privacy^a

Percepções de jornalistas brasileiros sobre privacidade

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ABSTRACT

This article aims to understand how Brazilian journalists relate to privacy in their profession and how they guide their behavior in ethical dilemmas. For this, an online survey was applied to 120 journalists questioning their conduct in investigations and disclosures. The research participants were writing professionals, with diverse trajectories and experience from all regions of the country. The results suggest that Brazilian journalists value the privacy of their sources more over their own, and that there is an oscillating behavior in spreading delicate topics such as rape, kidnapping and suicide. Also, many uncertainties were noted regarding how to act in the face of new technologies, such as the use of drones.

Keywords: Privacy, journalists, reporting, technology, media ethics

RESUMO

Este artigo objetiva saber como os jornalistas brasileiros se relacionam com a privacidade em seu cotidiano profissional e como orientam suas condutas em dilemas éticos. Para isso, aplicamos uma pesquisa on-line para 120 jornalistas, questionando sobre suas condutas em apurações e divulgações. Os sujeitos da pesquisa são profissionais de redação, homens e mulheres, com diversas trajetórias e experiências, de todas as regiões do país. Os resultados sugerem que os jornalistas brasileiros valorizam mais a privacidade de suas fontes que as próprias, que existe um comportamento oscilante na divulgação de temas delicados como estupro, sequestro e suicídio e que há muitas incertezas em como agir diante de novas tecnologias, como o uso de drones.

Palavras-chave: Privacidade, jornalistas, reportagem, tecnologia, ética jornalística

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PRIVACY AS A JOURNALISTIC ISSUE

THERE IS A WIDE area of tension surrounding the subject of privacy; it provokes clashes between collective and individual rights, divides contemporary social life and continuously re-shapes ethical values (Miller, 1971; Garfinkel, 2000; Ribeiro, 2003).

In today's complex societies, there are situations in which individual expectations attempt to override group aspirations, which can lead to the private sphere being overvalued against public interest, resulting in a lack of information transparency. For example, imagine that ministers from the Supreme Court of Brazil decide that information on their salaries can no longer be accessible through transparent portals or even be made available to journalists. This could be upheld through information privacy; which would protect the privacy of Brazilian Court authorities. The refusal to release this information would mean that the individual rights of ministers were placed ahead of others, thus violating the collective right to information and provoking widespread distrust over the transfer of public resources to the court.

The example is an illustration of a clear-cut collision of rights and, above all, the frustration of what public interest actually means. This refusal to release information on minister salaries means that the transparency of government is compromised, making it difficult for society to follow up on these movements.

Historically, journalism justifies its existence from the public goal of meeting society's demands for information (cf. Kovach & Rosenstiel, 2003), as it informs and contributes to democracy and strengthens citizenship. One therefore assumes that – by serving the public interest – journalism clashes with the privacy demands of people, groups and organizations. Thus, the subject of privacy is a constant ethical concern of journalists, and it frequently needs to be revisited.

As an object of study, privacy has a fundamental dichotomy (privacy-advertising), but it is important to note that this is not the only division that exists. When looking at it through the lens of journalism, there are differences on confidentiality of sources, information security, and the protection of journalists themselves. More recently, concerns have been voiced over the subsequent impacts of the right to oversight in journalistic coverage and the privacy policies used by websites and platforms to capture and use audience data (Shapiro & Rogers, 2016; Silveira, 2017; Pereira, 2018).

If privacy is no longer what it used to be (Rosenberg, 1969; Whitaker, 1999; O'Hara & Shadbolt, 2008; Vincent, 2016), its new forms still have an effect on its deontological ethics of revealing secrets, exposing people, governments and

corporations, as well as invading spaces previously reserved for meeting the demands of public knowledge. In the face of a war on privacy (Klosek, 2007) and the probability that it might disappear altogether (Sykes, 1999; Tubaro, Casilli, & Sarabi, 2014; Sarat, 2015), it is becoming increasingly necessary to redefine its borders and character (Blatterer, Johnson, & Markus, 2010) in order to reasonably meet service expectations. Unable to guarantee protection or secrecy, privacy is now defined by its social contexts (Nissenbaum, 2010), with boundaries which are shifting and more dialectical (Petronio, 2002), more pragmatic (Solove, 2008), and that derive from dynamic negotiations (Boyd, 2010).

Despite the capacity for massive real-time surveillance by governments and corporations, the spontaneous delivery of data by their holders in exchange for social capital, and the growing status of privacy as a consumer product (Peres-Neto, 2018), it would still be an exaggeration to say that privacy no longer exists. Today, it is less about concealing things about yourself and more about managing your own information (Mills, 2015; McStay, 2017), however that does not mean that efforts to protect data only come from that data subjects. It should be a concern of states, corporations and citizens, as can be seen in the 2009 Madrid Privacy Statement.

The issue of privacy has been prevalent in journalism for three centuries to some extent (Hulteng, 1990; Karam, 1997; Keeble, 2001; Sanders, 2003; Plaisance, 2011; Christofolletti & Torres, 2017)¹. It was first claimed as a right in 1890 based on an article by Warren and Brandeis (1890), lawyers who were concerned about the incivility of press cameras. The instruments used to infringe on privacy have become more elaborate over time, and fears have grown around journalists who might abuse them in order to expose secrets and create inconveniences. Invasion of privacy is either a practice which journalists must perform to obtain information or an indictment of their harassment.

Deontological codes will gradually absorb concerns about harmful practices, and will attempt to outline professional boundaries, although their guidelines are generic, superficial, and contradictory (Allen, 2003; Christofolletti & Gaia, 2018). Journalists say they respect the wishes of their sources, but often violate their privacy in a number of situations. Gauthier (2002) lists three ethical models that help journalists justify such transgressions. More importantly, he clarifies that invasions cannot become routine; they must always be supported by persuasive moral arguments. For Hodges (1994), journalists should only go against someone's will when the information is of primary public importance and said information cannot

¹ For a more detailed look at the historical evolution of privacy, see: Ariès and Duby (1990a, 1990b, 1991a, 1991b, 1992).



be obtained by other means. To deny someone control of their privacy is to deny them a level of their dignity, the author warns.

According to Paul (1994), one of the most visible paradoxes lies in the fact that journalists reveal the secrets of others, yet do not want theirs to be revealed, and thus, react badly when it comes to privacy itself. The same is true for media companies, which are always resistant to transparency and accountability, although they fight to end the lack of transparency in governments and other corporations. Schauer (2003) recognizes that journalistic practices have changed over time, which tends to change people's ideas of those spaces which can still remain private.

Another common dichotomy is that which pits privacy against security, as if it were necessary to abandon the former in order to guarantee the latter. Sumner (2016) opposes arguments from sectors defending the erosion of privacy. There are other authors and organizations who also argue against this premise with guides to reinforce the personal security and privacy of journalists (Antoniali & Abreu, 2015; Fundación para la Libertad de Prensa, 2015; Moini, Ismail, & Vialle, 2016; Dagan, 2017) and to strengthen the privacy of sources and whistleblowers (Townend & Danbury, 2016; Possetti, 2017). Edward Snowden's divulgence on global surveillance in 2013 has changed the relationship between journalists and sources, as Lashmar (2017) attests, endangering not only privacy but democracy itself in the West.

Another current challenge in addressing privacy is the counterbalance between freedom of the press and personal privacy due to "the definition of the press becoming ephemeral," as argued by Mills (2015, p. 6). Privacy used to mean the right to be left alone, but today it is more about the ability to manage one's own information (information autonomy). According to Mills (2015), even anonymity has changed. The rise of new media not only paves the way for crimes and malicious actions, but in some circumstances, it can also protect privacy. While free expression is a well-established principle in democracies, privacy is still not. Fragile laws, reduced responsibility for internet providers, and low expectations of privacy in society make it difficult to defend personal privacy (Rotenberg, 2016), not to mention that technology has given rise to new unprecedented forms of intrusion.

Technological changes are important, but cultural changes will be even more defining, both for addressing issues like anonymity and source protection, and for protecting journalists from threats of state surveillance and espionage (Carlson, 2012; Petley, 2013; Martins, 2013; Heikkilä, 2016).

How do journalists of today understand privacy? How do they conduct themselves in terms of the privacy of others when gathering information? What do they consider important to reveal, even if that means going against the will to protect others? We hope to find answers to these questions in the context of Brazilian journalism, one of the largest markets for producing and consuming information. With 210 million inhabitants and more than 150 million internet users (<https://www.internetworldstats.com/>), Brazil has a media industry that generated over US\$35 billion in 2016 and could reach up to US\$43.7 billion in 2021 (“No Brasil, setor”, 2017). The market is a concentrated one, heavily influenced by politics and religion, and poses high risks to media plurality and diversity (<https://brazil.mom-rsf.org/>). Some of the more frequent topics discussed in Brazilian journalism are the intrusive ways of obtaining information and the exaggerated and sensationalist exposure of people and organizations.

METHODOLOGY

We used an online survey to obtain information on Brazilian journalists and their perceptions of privacy. This survey was applied to professionals working in newsrooms across the country. The questionnaire contains 26 multiple-choice questions. We staged four pre-tests to make adjustments, with an estimated response time of eight minutes. In January 2018, the questionnaire and model for the Informed Consent Form were evaluated by the Human Research Ethics Committee at the Universidade Federal de Santa Catarina, as is required by Brazilian legislation.

Participants in the survey were assured of their anonymity and that the results would only be used for scientific purposes. The subjects were made aware that the pre-tests did not involve any psychological, physical, work-related or emotional harm, but some of the questions could be seen as morally uncomfortable. The participants were allowed to quit the survey and withdraw their consent at any time.

A link to the questionnaire was sent to a list of journalists from all states in Brazil. The journalists were encouraged to forward the link on to their workmates in newsrooms in hopes of recruiting other participants, a non-probability sampling technique known as snowball sampling (Goodman, 1961)². Even though the goal here was not to produce a sample size statistically representative of all newsroom journalists in Brazil (Mick & Lima, 2013), we did want a

² At this stage, the author had the support of several journalists and academics who sent the invitations to their networks. We thank these contributors.

proportionate number of professionals from across the country to participate in the study, which we managed to achieve (Table 1).

Region	On-line survey respondents	Journalists per region
South	43.3%	15.58%
Southeast	18.3%	60.78%
Northeast	19.2%	11.78%
North	10.8%	11.86%
Midwest	8.4%	(given above)

Table 1. Sample of research subjects compared to journalists in Brazil

Source: Obtained from survey answers and elaborated by author; Mick and Lima (2013).

The questionnaire was filled out during a ten-day period in June 2018. There were 120 journalists who responded, 53.3% of which were men. A little more than one-fourth of the participants had little experience and had been working for less than 5 years in journalism (25.8%), while 15% were very experienced and had been working for more than 20 years in the field. 35% had been working for between 6 and 10 years, and 24.2% between 11 and 20. One-third of the respondents worked with more than one type of media and 24.6% worked online. Another 21.2% worked in television, 19.5% in newspaper, and less than 2% in radio and magazines. 38.7% of participants are reporters, 20.2% are editors, and 14.3% perform other duties. Participants checked the box “more than one duty” in 21% of the answers. The other participants held positions as writers, producers, film reporters and photojournalists.

This is a broad, geographically representative, plural, and diversified sample size in terms of work platforms, positions held, and length of experience in the field.

RESEARCH FINDINGS

The questionnaire had four parts: a) five questions on the journalists’ perceptions on privacy; b) nine questions on procedures and care in journalistic accuracy; c) seven questions on the practices and care in publishing and dissemination; d) five questions on the work environment.

Concerns about privacy

The first question in the survey rates the answers on a semantic scale of 1 (“not important”) to 5 (“very important”) on the question of what privacy

is nowadays. 60.8% of respondents answered “very important”, followed by 24.2% “important”, and 0.8% “not important”. The second questions asked if journalists were concerned about the privacy of their sources. 48.3% answered “yes” while 46.7% answered “sometimes”. 1.7% of participants answered “no”, and 3.3% had no opinion.

The next question asked if journalists were concerned about their own privacy. 60% responded “sometimes” and 30% responded “yes”. 9.2% answered “no” (Table 2).

Q2: Are journalists concerned about the privacy of their sources?			
Yes	No	Sometimes	I don't know
48.3%	1.7%	46.7%	3.3%
Q3: Are journalists concerned about their own privacy?			
Yes	No	Sometimes	I don't know
30%	9.2%	60%	0.8%

Table 2. Comparison between concerns over one's own privacy and that of others

Source: Prepared by author.

When asked about off-the-record reporting, 59.2% of journalists considered it “an everyday and acceptable practice in the profession”. Another 24.2% considered it “an essential practice for journalists”. It was considered “unnecessary” by 3.3% of participants, and 13.3% had no answer.

In relation to the privacy of celebrities and those in public office, the responses were more emphatic: almost two-thirds (65%) believe there should be “less privacy for celebrities than regular people” and 19.2% said there should be “no privacy for public figures”. One in eight respondents believe that the privacy for celebrities should be equivalent to that of anonymous people, and only 3.3% said it “should be greater”.

Verifying information

We asked if journalists were able to use special databases to obtain information from third-parties. Most responded affirmatively: 65.8% marked “yes, sometimes” and “yes, always” showing a propensity for invasive techniques, facilitated by technology. Only one-sixth marked “no, never” (16.7%) which was almost offset by the answers “I don't know” (15.8%) and “indifferent” (1.7%), a total of 17.5%.

As for using e-mails from third parties in reports, the journalists also appeared to be more inclined to invade privacy: more than two-thirds admit they use them daily (10%) as long as the owners had given them authorization to do so (30%) or the owners and the people mentioned in the messages had given their approval (27.5%). 26.7% were against this type of use as they believed it to be “private communication”, and 5.8% had no opinion. When asked about authorization for instant messages from third parties – like WhatsApp – the tendency to use private content is even greater: 82.5% answered “yes”, 10.8% “no” and 6.7% “I don’t know” (Table 3).

Q6: To write stories, can journalists use private databases to obtain personal data from someone?				
Yes, always	Yes, sometimes	No, never	I don't know	Indifferent
10%	55.8%	16.7%	15.8%	1.7%
Q7: Can journalists use personal e-mails from third parties in reports?				
Yes, always	Yes, as long as they give their permission	Yes, as long as they give their permission, including the people mentioned in the messages	No, because they are private communications	I don't know
10%	30%	27.5%	26.7%	5.8%
Q8: Can journalists quote WhatsApp messages of third parties in stories?				
Yes, always	Yes, as long as they give their permission	Yes, as long as they give their permission, including the people mentioned in the messages	No, because they are private communications	I don't know
12.5%	35.8%	34.2%	10.8%	6.7%

Table 3. Access and use of content reserved by journalists

Source: Prepared by author.

The ninth question in the questionnaire asks if photojournalists or film reporters were able to use lenses or other instruments of technology to take pictures of someone while on private property: 50.8% said that professionals “would be invading someone’s privacy, but not invading the property”, 27.5% believe it to be unethical, and 17.5% believe they “would be using journalistically-approved resources and technology”. 2.5% were uncertain and 1.7% sees invading the property as a crime.

The next question asked about the use of drones to capture images. This time, the perception on invasion of property and privacy dropped to 34.2%. Being a crime or unethical increased slightly to 29.2%, but a small portion of those who agree on the use of drones in journalism also increased to 19.2%. However, the percentage of subjects who did not have an opinion increased to 11.7%, four times more than that of the previous rate. This datum suggests

an ethical uncertainty among journalists when it comes to using drones for journalism purposes.

The journalists were asked about the use of hidden cameras to capture images, and the range of responses showed that it was widely accepted: 54.2% said it is “a disreputable option for the most part, but it could be used in certain situations”. Almost one-fourth believe it to be “a useful option for journalists” (23.3%), and 14.2% believe it is “an everyday and acceptable practice for journalists”. 6.7% were against the use of hidden cameras and 1.6% had no opinion. These opinions did not change much when the participants were asked about using cellular phones with microphones to secretly capture audio at a distance: 55% believed it to be a disreputable resource but useful nonetheless, 31.7% believed it to be a “useful” option, and 6.7% believed it to be “common and acceptable”.

We then explored social networks as places where information can be obtained for reports. In two of the questions, most of the subjects regarded these networks as public spaces, free and independent from the consent to content use. When asked about obtaining people’s photos almost half of respondents said that that is “completely acceptable as the photos have already been made accessible to the public” (48.3%), but 40% said that it is “acceptable only if said person gives his or her authorization”. Only 5.8% were against it because “without the person’s authorization it is an invasion of privacy”. 4.2% of journalists believe that it is completely permissive and regard it to be “necessary and expected”.

When asked about obtaining photos of the deceased, the responses varied: while the majority of journalists believed it to be permissible to obtain said photos (42.5%), the percentage of those who were against it doubled (11.7%) stating “never, it disrespects the memory of those who have passed”. 41.7% believe these kind of photos should only be used with the family’s consent, and 4.1% had no opinion (Table 4).

Q13: Using people’s photos from social networks to illustrate stories is...				
... unacceptable, because without the person's permission it is an invasion of privacy	...completely acceptable, as long as the photos are accessible publicly	...acceptable as long as the person has given his/her authorization	...necessary and expected	I don't know
5.8%	48.3%	40%	4.2%	1.7%
Q14: Can images of the deceased taken from their social network profiles be used to illustrate stories?				
Yes, as long as they are accessible publicly		Maybe, but you need the family's authorization	Never, as it is disrespectful to the deceased	I don't know
42.5%		41.7%	11.7%	4.2%

Table 4. Social network procedures

Source: Prepared by author.



In both questions, the percentages that require landlords' authorization are very close to the unlimited use plots. It should be noted, however, that the percentages that accept the use of personal images on social networks express the thinking of most journalists. That is, most of them recognize on social networking sites repositories of content ready and free to be harvested.

Publishing care

The journalists were also asked about identifying people when reporting on political corruption. It was an almost unanimous response as 99.2% believed it to be acceptable. 68.9% chose the option "totally acceptable and necessary", and 30.3% chose "acceptable in some cases". Not one journalist chose the option "unacceptable and unnecessary" and 0.8% was indifferent. The mass adherence towards identifying those involved in corruption reinforces how highly valued the profession's deontological norms are: journalism must denounce bad actions, even if it infringes on an individual's rights, such as privacy.

But the opinion of journalists is divided when the report is about other crimes, such as murder, kidnapping and rape. Unlike corruption, these are crimes against life and therefore have an important additional element involved: the victim. The impetus of journalists to report misdeeds (or crimes) remains, as can be seen from their responses, but they also find it legitimate and acceptable to identify victims.

For reports on homicides and abductions, most of the respondents agreed that the names of the criminals and the victims should be revealed; 42% and 28.6%, respectively. Next, there were those who agreed that it was conditional: "it depends on who the accused is and who the victim is"; 26.9% and 23.6%. For murder, 0.8% believed that "it depends who the accused is" and 1.7% believed "it depends who the victim is". These same answers were given for abduction; 2.5% and 5%, respectively. This leads us to believe that the criteria for deciding on what to publish about crimes is not completely strict, and could vary depending on the popularity, social condition and other characteristics of those involved in the crimes. However, there is a greater possibility of personal judgments or judgments affected by subjectivities or other factors. This can lead to increased bias and a discrepancy in editorial criteria when exposing people in reports. For example, this study revealed that the name of the murder victim should be disclosed more than that of the criminal (13.4% and 5%, respectively). These percentages are practically reversed for abduction (1.7% and 15.1%, respectively).

These opinions have a noticeable change for the crime of rape. One-third of participants believe that only the identity of the accused should be disclosed (33.6%), and 3.4% believe that both the criminal and the victim should be identified. More than one-fifth believed that neither should be disclosed (22.7%), a number much greater than the previous crimes, indicating a greater concern for avoiding unnecessary or unreasonable exposure.

In other cases, the victim, regardless of gender, is more protected. The three most frequent responses from the men and women in the study were “only the accused”, “it depends”, and “no one”, and the percentages of distribution are very close. We can safely say that the gender of these research subjects was not a determining factor in the type of answers given.

We asked the journalists about what they believed that should be published in the case of suicides. Almost one-third (32.8%) answered “nothing, because suicides should never be reported”, the highest rate of rejection given in the study. This means that one in three journalists think that it is important not to only protect the privacy of others in these cases, but also the details surrounding the event. A little more than one-fourth of the survey sample thought something should be published yet checked the option “depends on who the victim is” (25.2%). However, 28.2% of the professionals opted for some level of exposure: “Name, age, and occupation of the victim” (19.3%); “Only the reason for the suicide” (1.7%); “All the previous options, including ‘how’ the suicide was committed” (1.7%); “Reason for the suicide and ‘how’ it was committed” (1.7%). No one chose the option to publish only ‘how’ the suicide was committed, and 13.4% (or 1 in 8 journalists) stated they had no opinion³ (Table 5).

The journalists were asked under what circumstances the source’s identity should remain anonymous. The major reason for maintaining the confidentiality of victims does not lie in protecting the sources themselves (29.4%), but from avoiding risks or harm to journalists and interviewers if the identities of victims are published (68.1%).

The possibility of risk appears to be an important factor when publishing leaks. 39.2% of Brazilian journalists believe they should “avoid publishing the names, addresses and other information of people in the report” and 25.8% believe they must “ensure the anonymity of people in leaks, but publish everything else”. Only 6.7% chose “withhold information and not publish any leaks”. Conversely, 8.3% chose “publish all information, even if it affects those involved”. One-fifth of journalists said they did not know how they would react to leaks, like WikiLeaks and Edward Snowden, for example.

³The World Health Organization and the Brazilian Association of Psychiatric have handbooks to guide journalists on how to deal with borderline situations such as rapes and suicides.

Q16: Whose names must definitely appear in a murder report?								
Only the accused	Only the victim	The accused and the victim	No one	Depends on who the accused is	Depends on who the victim is	Depends on who the accused and the victim are	I don't know	
5%	13.4%	42%	4.2%	0.8%	1.7%	26.9%	6%	
Q17: Whose names must definitely appear in a report on rape?								
The accused and the victim	Only the accused	Only the victim	No one	Depends on who the accused is	Depends on who the victim is	Depends on who the accused and the victim are	I don't know	
3.4%	33.6%	0.8%	22.7%	6.7%	1.7%	21%	10.1%	
Q18: Whose names must definitely appear in a kidnapping case?								
The kidnapper and the victim	Only the kidnapper	Only the victim	No one	Depends on who the kidnapper is	Depends on who the victim is	Depends on who the accused and the victim are	I don't know	
28.6%	15.1%	1.7%	12.6%	2.5%	5%	23.6%	10.9%	
Q19: What information should definitely appear in a report on suicide?								
Name, age, occupation of the victim	Victim's personal information and the reason behind the act	All previous information and "how" the suicide was committed	Depends on who the victim is	Only the reason behind the act	Only "how" the suicide was committed	Reason behind the act and "how" it was committed	Nothing. Suicide should not be reported	I don't know
19.3%	1.7%	1.7%	25.2%	4.2%	-	1.7%	32.8%	13.4%

Table 5. Identifying people in crimes and sensitive situations

Source: Prepared by author.

Work environment

The structuring of journalistic companies, organizational cultures and internal politics are important factors toward protecting privacy in the work environment. The journalists were asked if their workplaces had any editorial policies for protecting the identity of sources: 45.7% answered "yes" and 10.4%, "no". 31.4% said their companies did not have any specific policies, but educated them on how to handle privacy, and 12.5% said they ignored these conditions.

They were also asked about company guidelines for protecting journalists. Even though 40.7% answered positively and 3.7% said their companies provided

courses on online security, 42.6% of journalists said they did not receive any information or guidelines on protecting their privacy. This means that 4 out of 10 professionals could be identified and exposed to risk, invasion or physical violence. This datum is corroborated by the answers given to the question of whether their company used cryptographic techniques and other forms of digital security. Practically half of all journalists said no (49.1%), 12.8% said “yes” and 38.1% said they ignored it (Table 6).

Q22: Does the company you work for have editorial policies protecting the privacy of sources?				
Yes	No	There are no specific policies, but journalists are informed on how to handle the issue	Not aware	This doesn't apply to me because I do not work for a company
40%	9.2%	27.5%	10.8%	12.5%
Q23: Does the company inform journalists on how to protect their own privacy?				
I don't know	Yes	Yes. The company even offers courses on digital security	No	This doesn't apply to me because I do not work for a company
11.7%	36.7%	3.3%	38.3%	10%
Q24: Does the company encourage the use of encryption tools and other forms of digital security?				
Yes	No	Not aware	This doesn't apply to me because I do not work for a company	
11.7%	45%	35%	8.3%	

Table 6. Journalistic organizations' criteria regarding privacy protection

Source: Prepared by author.

The reduced attention to privacy seems not to be restricted to companies. More than half of the journalists were either indifferent toward or did not feel any need to enhance the privacy of sources and those who appeared in their reports (52.5%), which shows little desire to increase safety protocol.

Lastly, the journalists were asked if the technological advances over the last few decades make them feel less concerned for the privacy of others. Most of them (60.8%) agreed that there could be a connection between this technological development and looser morals. This connection was felt the most by journalists who have had 6 to 10 years of experience (71.4%) and 11 to 20 years (61.9%). These are the journalists who have had to adjust and adapt to major technological and cultural changes throughout their careers. For less-experienced journalists, the technological changes over the last few decades have not had a major influence on their professional view on privacy.



FINAL CONSIDERATIONS

Journalism and privacy have had a long, difficult and paradoxical relationship, according to McStay (2017). This author states that privacy is less about technology and more about rights and social conventions that guide the most basic collective interactions. In this regard, privacy is not about concealing or defending oneself. It has to do with ways of relating, connecting and interacting with others, and how people control and manage access to themselves and those they are close to. This is evident from the responses of Brazilian journalists in the applied survey. Using new technologies might change sociability protocols with sources, but it is not the device itself that determines such changes.

Brazilian journalists who answered the questionnaire considered the use of drones for capturing images to be a legitimate tool in daily life. Nevertheless, they are unsure if that use is a violation of privacy, or trespassing. That is, drones blur the boundaries between a deterioration of ethics and a crime. Such uncertainty may be due to the novelty of a device which is still in its early stages of use, and the lack of knowledge about how it operates (range, flight autonomy, technical resources...). Thus, the gradual use of drones as tools for journalistic investigation, and their consequent appropriation by newsrooms, will promote internal debates and define practical standards. Once again: it is not the equipment (the technology) that defines the parameters around privacy; but its assimilation and use (the culture).

McStay (2017) suggests that privacy is both a norm of social behavior and a set of written or unspoken expectations about how people and organizations should interact. In practical situations, one can clearly perceive when they cease to exist or when expectations have not been met. Thus, privacy has no absolute rules; it is a phenomenon that arises from actors within the relationships they establish with each other. Hence, they may be contradictory and unstable. Privacy rules do not come from outside, but from the protocol that people agree on. In the age of new media, the crisis of journalism, and the empire of platforms like Facebook and Google, we need to consider network privacy as an active process of managing and negotiating with people and technical processes. It is not a personal act, but a collective responsibility, stresses McStay (2017).

This study shows that Brazilian journalists value privacy and are more concerned about the privacy of their sources than their own, which is alarming considering the rate at which mass surveillance continues to grow. This imbalance unmask the vulnerabilities within as journalism that focuses on revealing secrets, scrutinizing power and investigating bad actions. This type of journalism seems

to be the majority among Brazilians, as 84.2% said they were unwilling to stop pursuing famous and public office holders.

The answers to the questionnaire paint a picture of journalists in Brazil as being incautious and even invasive. Most of them do not think twice about using private databases to obtain someone's personal information in order to write a story, and only a portion of them refuse to use personal e-mails (26.5%) and instant messages (10.8%) in their reports. Overall, they have a tendency to be more invasive, and believe that it is valid to ignore the fact that e-mail and messaging exchanges are interpersonal activities that also require the utmost privacy. This attitude is quite evident on social networks.

This study suggests that social networks, in the eyes of Brazilian journalists, are like open shelves where you can take what you want, a kind of public domain exempt of permission or authorization. Following that logic, content published by social network users would be automatically licensed to be used in any way, which is untrue, and not even legal. When a user agrees to the terms and policies of privacy on a platform like Facebook he or she is not necessarily giving permission for any site or television station in the world to reproduce their content. Their consent is not extensive, and unrestricted use of user-generated content could represent a risk to journalism: without owner approval and without the proper confirmation of information could lead to misleading, incomplete, biased or inaccurate data being published.

Most Brazilian journalists also accept and use hidden cameras, and only a small portion of them refuse to use them (6.7%). Overall, these journalists agree with obtaining information from their sources through the use of confidentiality agreements.

The answers given in the questionnaire reinforce the professional criteria inasmuch as they attach too much importance to the public's right to information, to the detriment of the individual's rights to privacy. This is why when reporting on delicate issues like murder, rape, abduction and suicide, some journalists tend to overlook the need to protect the identity of victims, which could open the door to stigmas or incriminating moral judgments.

We also noticed a kind of unwillingness to obtain authorization from sources on the part of the journalists. They appeared to believe that providing society with information does not require the use of consent to use personal images or data of any kind. While it is true that journalists do not need to ask for approval at every turn as it may compromise their work, the basic idea of obtaining consent does not seem to be much of a concern to Brazilian journalists. For an issue like privacy, this is something that cannot be ignored.

The ethical tension observed among digital journalists presents internal conflicts in the search for establishing rules of conduct. This tension also indicates that establishing these rules is still a long way off, it is a dynamic and complex process involving journalists from Brazil, and is of vital importance to the issue of privacy in deontology and journalism. ■

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APPENDIX 1
Applied Questionnaire

Initial Information

How long have you been a journalist?

For under 5 years 6 to 10 years 11 to 20 years Over 20 years

What is your gender?

Female Male Other

In which Brazilian region do you work?

South North Midwest Northeast Southeast

What kind of media do you work in?

TV Radio Newspaper Magazine Internet More than one option

What role do you currently play?

Reporter Editor Editor Photographic Reporter Film Reporter Producer More than one role Other

General aspects

1. Nowadays, privacy is...

Not important <<< 1 2 3 4 5 >>> Very Important

2. Are journalists concerned about the privacy of their sources?

Yes No Sometimes I don't know

3. Are journalists concerned about their own privacy?

Yes No Sometimes I don't know

4. Journalists generally consider the off-the-record procedure...

A common and acceptable practice in the profession An unacceptable practice in journalism An indispensable practice for journalists A disposable practice in the profession I don't know

5. How do journalists generally consider the right to privacy of celebrities and people in public office?

Same as anonymous and ordinary people Less privacy for famous than for ordinary people Greater privacy as they are more important and serve as a role model for others No privacy for public people I don't know

Gathering and obtaining information

6. To write stories, can journalists use private databases to obtain personal data from someone?

Yes, always Yes, sometimes No, never I don't know Indifferent

7. Can journalists use personal e-mails from third parties in reports?

Yes, always Yes, as long as they give their permission Yes, as long as they give their permission, including the people mentioned in the messages No, because they are private communications I don't know

8. Can journalists quote WhatsApp messages of third parties in stories?

Yes, always Yes, as long as they give their permission Yes, as long as they give their permission, including the people mentioned in the messages No, because they are private communications I don't know

9. If a photojournalist or film reporter uses a set of lenses or technical resources to capture images of someone on private property...

... he will be committing a crime for invading someone else's land ... he will be committing a crime and acting unethically ... he will be invading someone's privacy but not invading property ... he will be using journalistically acceptable resources and techniques I don't know

10. If a movie reporter uses a drone to capture images...

... he will be committing a crime for invading someone else's land ... he will be committing a crime and acting unethically ... he will be invading someone's privacy but not invading property ... he will be using journalistically acceptable resources and techniques I don't know

11. Using hidden cameras to capture images clandestinely is...

... a common and acceptable practice for journalists ... an unacceptable practice for journalism ... an indispensable practice for journalists ... a useful option



for journalists () ... a reprehensible option most of the time, but one that can be used at other times () I don't know

12. Using very sensitive cell phones with microphones to capture audio remotely and stealthily is...

() ... a common and acceptable practice for journalists () ... an unacceptable practice for journalism () ... an indispensable practice for journalists () ... a useful option for journalists () ... a reprehensible option most of the time, but one that can be used at other times () I don't know

13. Using people's photos from social networks to illustrate stories is...

() ... unacceptable, because without the person's permission it is an invasion of privacy () ... completely acceptable, as long as the photos are accessible publicly () ... acceptable as long as the person has given his/her authorization () ... necessary and expected () I don't know

14. Can images of the deceased taken from their social network profiles be used to illustrate stories?

() Yes, as long as they are accessible publicly () Maybe, but you need the family's authorization () Never, as it is disrespectful to the deceased () I don't know

Publishing and publicizing

15. Imagine a report with allegations of political corruption. The identification of those involved is...

() Fully acceptable and necessary () Acceptable in some cases () Unacceptable and unnecessary () Indifferent () I don't know

16. Whose names must definitely appear in a murder report?

() Only the accused () Only the victim () The accused and the victim () No one () Depends on who the accused is () Depends on who the victim is () Depends on who the accused and the victim are () I don't know

17. Whose names must definitely appear in a report on rape?

() The accused and the victim () Only the accused () Only the victim () No one () Depends on who the accused is () Depends on who the victim is () Depends on who the accused and the victim are () I don't know

18. Whose names must definitely appear in a kidnapping case?

- The kidnapper and the victim Only the kidnapper Only the victim
 No one Depends on who the kidnapper is Depends on who the victim is
 Depends on who the accused and the victim are I don't know

19. What information should definitely appear in a report on suicide?

- Name, age, occupation of the victim Victim's personal information and the reason behind the act
 All previous information and "how" the suicide was committed Depends on who the victim is Only the reason behind the act
 Only "how" the suicide was committed Reason behind the act and "how" it was committed
 Nothing.. Suicide should not be reported I don't know

20. In general, the identity of the source must be kept secret...

- ... when the source requests it ... when its disclosure entails some risk to the source
 ... when its disclosure involves a risk to the journalist ... when there is a risk to the source and the journalist
 ... never I don't know

21. In information leaks, journalists should...

- ... avoid disclosing names, addresses and other data of persons mentioned
 ... disclose all information, even if it affects people involved ... guarantee the anonymity of the persons named in the leaks and publish the rest
 ... hold the information and not post anything of the leaks I don't know

Environmental aspects
22. Does the company you work for have editorial policies protecting the privacy of sources?

- Yes No There are no specific policies, but journalists are informed on how to handle the issue
 Not aware This doesn't apply to me because I do not work for a company

23. Does the company inform journalists on how to protect their own privacy?

- I don't know Yes Yes. The company even offers courses on digital security
 No This doesn't apply to me because I do not work for a company

24. Does the company encourage the use of encryption tools and other forms of digital security?

- Yes No Not aware This doesn't apply to me because I do not work for a company



Perceptions of Brazilian journalists on privacy

25. Journalists feel the need to intensify care for the privacy of the sources and persons mentioned.

Strongly Agree <<< () 1 () 2 () 3 () 4 () 5 >>> Strongly Disagree

26. The technological advances of recent decades have made journalists less concerned about the privacy of others.

Strongly Agree <<< () 1 () 2 () 3 () 4 () 5 >>> Strongly Disagree