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Ethics: Values/Decisions

12-10-14

### Final-Stage Course Paper

As a student acquiring a degree in studio art with my concentration being photo media, I am acutely aware of many ethical issues surrounding photography. As a professional photographer it is extremely important to not only recognize where issues of morality arise in your work, but to be able to conduct yourself according to proper guidelines and with reasonable intent in order to successfully defend yourself and your work. I believe the most controversial moral aspects tend to arise in the field of photojournalism. In my example of a moral dilemma I will discuss a hypothetical, but realistic situation that could occur in my chosen profession of photojournalism.

Suppose that I am a photojournalist reporting in an area of war and social unrest, when I come across a woman being brutally tortured by a group of armed people. Instinctively I take out my camera to capture the action that is unfolding in front of me. There is nothing I can do to help the woman because I am unarmed and outnumbered by a clearly violent group of people. I do not know what this woman may have done to receive this kind of punishment and there are no law enforcement or military around. So I photograph the act. I consider the fact that I now have photographic evidence showing a gruesome event actually happening, and if I publish these photos I am embalming them for all time. I have to consider whether it is wrong to bear witness to an event like this and then broadcast the pain and suffering of another person for the entire world to see. I also have to consider the fact that by publishing these photos I am unveiling reality and exposing the truth of a situation. My moral dilemma is whether or not I should publish the photos of this violent and terrible act in a genuine way. The value in conflict on side one is discretion while the value on side two is honesty. As a photographer both of these values are important to me because I do want to be cautious of causing offense or revealing private information, therefore I must act with discretion and a sense of courtesy to the victim. However,

I also want to be honest with my work and present it as legitimately as possible, free of deceit and untruthfulness. Both values cannot be honored here because there is no way that I can distribute these photos free of misrepresentation without sacrificing the discretion of the people in them.

To resolve this dilemma I am choosing the deontological theory of Immanuel Kant, or duty-based ethics. Kant sought after the objective truth, which is what I would do as a photojournalist. Kant states that humans are rational beings, and that reason leads to moral law. Moral law is not character based ethics, but rule based, and starts with good will. It is our purpose to find out which actions are good under good will. Kant concluded that what makes something good or bad and right or wrong is that it conforms to some rational duty. The highest form of good is good will and to have good will is to do one's duty, and therefore the right thing. Kant argued that duty and reason alone should guide our actions and that we should do our duty for duty itself- not because we desire specific consequences. If we perform an action based on self-interest or any other inclination, then we are not acting out of duty and the action is not a morally good action. Kant rejected consequentialism because he said that desire is an empirical matter and it is not in accordance with moral law. Moral law cannot be based on hypothetical imperatives because they may not always apply to you or be prudent to do so. He believed in the categorical imperative. These imperatives prescribe actions regardless of the result. The categorical imperative is a rule that is true in all circumstances. In a hypothetical conditional there is an "if...then" statement. Kant said that the antecedent expresses want and does not matter, so by taking just the imperative command of the statement, it can be turned into a maxim, or rule for action. There is a specific procedure Kant established for testing categorical imperatives. The first step is to construct a maxim for action. This can be done by taking the command alone to be tested. Single out a categorical imperative and run the test to determine if the imperative is good in itself expressed as a maxim. The second step is to universalize the maxim. The question must be asked: what if everyone did that in the same situation? We must always act in such a way that we would be willing for that action to become a universal law. If we are not willing for the maxim to be applied equally to everyone then that rule is not a valid moral rule. The third step is to then ask if we could live in a world where everyone acted on that maxim. The maxim must be

self-consistently willable. Kant emphasized that everyone must be treated as an end in themselves and not as a means to an end. People should always be treated as valuable and no one is worth more than another. He believed that rational human beings should be treated as free and equal members of a shared moral community. The final step is to determine if you would want to live in a world in which everyone acted on that maxim. If it passes the test in all four of these categories, then the action is considered to be the action of a good will. When conducting these actions for duty, the action is considered to be morally right.

When applying this theory to my moral dilemma, I must justify that I would be acting from duty. The photograph is one of the most powerful tools known to humankind to share information and communicate ideas. Photographs have the ability to evoke such strong emotions from viewers that they have been known to completely change the course of history. They are able to enlighten people in a way that no other medium has ever done and they provoke people to act upon the reactions and emotions inflicted by the photograph. As a photographer it is always my underlying hope that my photography will have some sort of astounding impact on people and make a change for the greater good. However, that hope would not dictate my action in this situation. When dealing with photographs such as one of a brutal torture, there are so many possible consequences that there is really no way to predict how the world will react to your photo. It is possible that it becomes widespread and revolutionary and causes society to come together to eliminate an evil force. It could also have the opposite effect and people could be absolutely outraged and appalled that I would even take the picture. Extreme images showing real suffering have a very complex power. There is shame as well as shock when viewing images of true horror and it is argued that the only people who should view these such images are the people who can alleviate the suffering or learn from it. My counter argument would be that there is always something to learn from it. My duty as a photojournalist is to remain objective and inform the public. How they react is beyond me. My action does not derive from a desire to receive a huge emotional response from people. My action derives from my duty to accurately present information and educate people. As the person who has the camera I have a responsibility to document the world around me and it is my obligation to share these documents with the public, regardless of the consequences. This is why Kant's theory is suitable to apply to

my dilemma. I can take my two values in conflict, discretion and honesty, and turn them into hypothetical imperatives. If I want to act with discretion, then censor the information. If I want to be honest, expose the truth. I can then take the categorical imperatives, disregarding my personal desires, and run the test to see if they are morally good. In stage one I would construct my maxims which would become: censor the information, and expose the truth. Then I would universalize each maxim. If everyone censored the information, everything would be misrepresented. If everyone exposed the truth, we would always be fully informed. The next step is to determine if we could live in a world in which everyone acted on that maxim. In a world where everyone censored the information, no one would know what to believe and there would be many discrepancies and unanswered questions. In a world where everyone exposed the truth, it would be easy to come to conclusions and make informed decisions. And finally, I would not want to live in a world where all information was censored. Although it may sometimes protect people, it is better to know the entire truth. Truth can be ugly sometimes and we may not always want to hear it, but I would much rather live in a world where truth is always exposed because it makes us more knowledgeable and knowledge gives us power. The conclusion for the maxim to censor the information would not become moral law because it failed three of the four areas of the test. Exposing the truth passed every step and therefore is considered morally right. This shows that my moral dilemma was resolved according to Kant's deontological theory and I would choose to publish the photos.

Whenever photos that provoke disgust and horror are released into the public eye, there will always be many different criticisms. In this situation, one might question my right to take the picture, let alone publish it. Some people will say that photographing others without their permission is a violation of privacy, whether they know they are being photographed or not. It is arguable that doing this while the person in the photo is under the infliction of terrible suffering is even more disrespectful. A contract theorist would most likely argue these points, based on their thinking of ethics as agreements between people. Doing the right thing means abiding by the agreements that the members of a rational society would choose. Social contract theorist, Thomas Hobbes, states that because men are reasonable, they can recognize the laws of nature, and construct a social contract in which they will choose to submit to the authority of a

Sovereign in order to be able to live in a civil society. Civil societies need laws in order to prevent constant war. In the United States, there are laws against taking the photo of someone who has not given their permission and publishing it. It is easy to see how, if this is a written law in our own country, people will view it as wrong to conduct that illegal action in other countries where the law does not exist. Even though it may not be a written law in that country, I would not be abiding by the agreements that the members of a rational society would choose because I would have taken the picture without asking. To defend myself using Kant's theory, I would justify my actions by explaining that my actions derive from my duty as a photojournalist to capture an image and use it as a means to present information that would otherwise be unseen.

A utilitarian might look at this moral dilemma and say that the publication of abject misery would not result in the maximum amount of happiness for the majority of people. The instinctive reaction to seeing photos like this is to recoil in horror and look away. Photos of severe atrocities have been known to cause widespread outrage from people all over the world. Utilitarians would thus say that the viewing of these images does not maximize utility and therefore do not need to be shown. Many think that gruesome images are too common today and that the news should not show so much devastation. While it does take a certain amount of stoicism to view such harsh photos, people will never become accustomed to seeing images of true pain and suffering, because it activates our humanity. Perhaps to a utilitarian, keeping the images private would provide the most happiness to the greatest number of people if they believed that the discretion involving the people in the photos would result in the best outcome. The problem with this logic is that it relies too heavily on consequentialism and in this circumstance there is no way to foresee what might happen. On one hand, a wide majority of people might be upset by the photo, but images that depict true suffering have the power to activate responses from viewers. There is a possibility that they could provoke a social movement by humanizing a politically charged situation, and resolve the conflict. In which case the utility of many more people would be raised due to the ceased conflict in the country. Kant's theory is best to be applied to the dilemma because a utilitarian would need to rely on the potential outcomes of the situation, when there is no real way of knowing what could result from the publication without actually publishing them. Kant's belief in the objective truth is the best

way to look at this situation because in the name of realism, a photojournalist is required to show the unpleasant, hard facts. Not publishing them would not do the world justice in showing the reality of war, in opposition to its pageantry.

Some make the argument that it is wrong to take these photos as voyeurs of other peoples' misery. Photojournalists are constantly criticized by those who say that it is selfish for one to indulge in the sufferings of others. According to virtue theory, the role of character and virtue in moral philosophy is emphasized, rather than either doing one's duty or acting in order to bring about good consequences. Living an ethical life requires developing and demonstrating the virtues of courage, compassion, wisdom, and temperance, while avoiding vices like greed, jealousy, and selfishness. It may seem like capturing this tragedy on camera, and sharing it with the world, is not a very compassionate thing to do at all. I would be making a spectacle of another human's pain. The intention that lies behind this action is what makes it permissible. I would in no way be doing this because I didn't feel compassion for the victim. But since there is nothing I could do otherwise to help, I would be compelled to educate other people about the events that occurred. A virtue theorist could say that I would not be exhibiting any temperance if I just snapped pictures of horrible things every time I came across them. It wouldn't be easy for anyone to stand in front of a tragedy and keep yourself emotionally removed from the situation, but photojournalists have to in order to provide the most honest representation. That strength in the face of pain is courage. I would not be participating in a selfish act by trying to profit off of the misery of others, but rather I would be benefitting a wider audience of people by providing objective information. Kant would argue that my decision was based on an action that was morally just in all situations and therefore remaining objective and acting on that action does not reflect the quality of my character. As a photojournalist, I am not a voyeur, but a resource.

Exposing the truth can lead to good and bad things, but deontological theory and my work as a photojournalist does not concern consequences. It is important for people to be aware of the reality of our world and it is my duty to show them the reality in parts of the world they are not. Photography is a means of teaching and communication and images can be understood all over the world. When I witness horrifying events I have an obligation to document them and

use the photos as evidence for information. I must disregard my personal feelings of disgust and horror while witnessing these acts. I cannot let any sympathy I feel for the victims reflect in my work or be shown subjectively. According to Kant's theory, exposing the truth is morally good no matter what the outcome is and therefore I must do it consistently and accurately.