

**Global Media Journal**  
**African Edition**  
2015 Vol 9(1):33-46

Ethical Challenges Posed by Online Media to Journalism: Case of the *Zambian Watchdog*

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**Abstract**

*Online news media have spurred new concerns for a new ethics for online-journalism. Many online news media are unregulated and often cross the line in their reporting negating journalism ethics as practiced in the mainstream media. Questions that arise given the ethical challenges of online-journalism are whether online new media are exempt for ethical standards practiced in society or whether they require a new and different sets of ethics specific for online media. How do online media managers, editors and journalists approach their practice in relation to upholding journalistic integrity? This paper seeks to address these ethical issues by way of a case study with the *Zambian Watchdog*. Through critical analysis and speculation, the paper provides suggestions that online news managers, editors and journalists would apply if they were to be considered ethically astute.*

**Keywords:** *Ethics, online news media, online-journalists, ethical challenges, safe-guard, journalistic integrity, the *Zambian Watchdog*.*

The emergence of online publications in the news media has brought out many legal and ethical challenges to journalism. The question often asked is whether there are to be new ethical approaches to new media different from the mainstream media. This is a question media scholars and managers interested in making ethical choices are to wrestle with in this new dispensation set by the new media. Capilla (2012) describes well the influence of the Internet on human thinking well:

The Internet has provoked a revolution as an information and communication technology.

A crucial factor in the change the Internet is generating is the fact that it has become an indispensable working tool for individual people and societies. The genetic determination of our ways of thinking, perceiving and acting is not unique; our experiences and the society where we live also have a crucial influence, but technology (tools) can influence profoundly those mental functions (deriving important ethical consequences). Therefore, the Internet is playing an important and durable role in what we think and how we think.

(p. 14)

There are two *Zambian* news websites hosted in the United States and also in the United Kingdom whose publishers have remained anonymous. These sites have reported on allegations of corruption and promiscuity by government officials, politicians, corporate personalities and high profile individuals in the *Zambian* society. The affected individuals have complained that their right to privacy has been invaded. They have however raised concerns that the online media have convicted them and found them guilty in the press without allowing the accused to defend themselves. This has been due to the fact that the people behind the online news media are unidentified and their publication unregulated. The argument is that the online media go on to make allegations against others while at the same time acting anonymously.

Apparently, some in the government, in the corporate world, and other high profile individuals in other sectors who have been affected have called some of the writers on online news media as cowards and disgruntled elements without the interest of the country at heart. Headlines such as: “Mahtani files summons against a US site hosting *Zambia Report*” (*Saturday Post*, 2014, November 8) and “Miles Sampa declares war with *Zambian Watchdog*” (*allafrica.com*, 2014, January 1) were common in the press indicating the discontent some quarters of society have expressed towards the online media.

Legally the complainants in this scenario would not sue the offenders running the online news publications because they were unknown. It is often argued that the same laws that apply to the mainstream media should also apply to online publications (Bivins, 2004). In terms of morality it is also argued that the same ethical consideration that is relevant to society should be applied to the media, be it mainstream or new media (Bivins, 2004).

The two *Zambian* cases of “Mahtani vs US site hosting *Zambian Report*” and “Sampa vs *Zambian Watchdog*” bring out very peculiar ethical dilemmas. The ethical issue in this case is that the online news media fail to take responsibility for their actions. For the two *Zambian* online news publications the problem is that they fail to take responsibility for the allegations they make. It is believed that they fail to be responsible by acting in bad faith by deciding to be anonymous.

Two online news sites controlled by unknown *Zambians* and hosted in the United States and the United Kingdom and Australia – the *Zambian Report* and the *Zambian Watchdog* respectively – are known to publish very damaging dossiers for public and corporate figures as well as high profile personalities. The writers on these online news sites claim that actually what they do is investigative journalism. For instance, in the case of Mahtani and the USA site hosting *Zambian Report*, Mahtani was trying to request the USA host site to reveal details about the owners of *Zambian Report* and their physical address so that legal

charges could be issued against them. Mahtani is a well-known banker who controlled the Finance Bank of Zambia; he is also a funder for the ruling party, the Patriotic Front (PF), and once funder for the former ruling party, the Movement for Multiparty Democracy (MMD). As in the case of Sampa and the *Zambian Watchdog*, Honorable Miles Sampa made an offer of about \$4000 to anyone who would reveal the names of the people behind the *Zambian Watchdog*. Sampa is a member of parliament for the Matero Constituency on the Patriotic Front ticket and also deputy minister of commerce. The *Zambian Watchdog* had published damning reports about the minister's alleged extra marital affairs. On its website and Facebook page the online news site published pictures of young women whom it claimed the minister had affairs with. After several weeks of such publications, the minister decided to withdraw his offer and threats to take the online news publication to court.

The online news media have made many allegations in the past against government and corporate officials and high profile personalities. The complaint that many have is that the online news media, like any other media, do not divulge their sources. In addition to this the *Zambian watchdog* has used derogatory nouns to address its targeted subjects. For instance, whenever it brought out stories about the late President Micheal Sata, it would refer to him as "the ailing dictator". These are claims which the government and the late president's family would discredit although in the long run the republican president appeared to be sick at certain national functions and later died in November 2014. People had issues with the *Zambian Watchdog* referring to the republican president as "dictator" and qualifying that with what seemed like derogatory references such as "ailing".

The government was often disturbed by the *Zambian Watchdog* because it had often revealed what seemed to be inside information. For instance, the government had ignored the issue of working on a new national constitution, which it had promised it would release once elected. The Patriotic Front (PF) party, while in opposition, even specified that it

would institute a new constitution in 90 days and also fulfill many other promises within the same period. The online news publication constantly had articles that called the PF government dishonest. This made the government several times issue threats to ban the online news publication. The government even instructed the Zambia Information, Communication Technology Act (ZICTA) to block the website of the *Zambian Watchdog*. ZICTA went ahead to block the publication but failed to block its Facebook page. Which meant people in the country developed more interest in reading *Zambian Watchdog* on its Facebook account. Due to the fact that the government owned most of the media houses in print and broadcasting, private online news publications like the *Zambian Watchdog* were seen as an alternative news media. The online news media have been regarded as offering an alternative voice to that of the government-controlled mainstream media.

This claim is supported by Bivins (2004, p. 225) who notes that, the Internet is a critical source of information and that this information provides freedom to people and creates the belief of self-governing for the masses. However, Fenton (2014) thinks differently about this pre-supposed freedom which is envisioned to exist with online news publications. She purports that, “Just as individuals cannot claim the right to freedom of expression in the same manner as media conglomerates, neither can the so-called freedom of individuals online fulfill the emancipatory claims made of them” (p. 36). Fenton insists that online news media have to be accountable for their actions and also have to assume responsibility for the claims they make.

Although the online news publication covered the government and the private news, they did, however, presented the government in a bad light most of the time. Just as the government’s news media had gagged the opposition’s coverage, so did the online news publications opt to report negatively on the government thereby forming two opposing forces. Hence the online news publications were not to claim fairness and balance in their

news generation. Bivins reflects this scenario by cautioning: “what has been considered unethical in the past will probably still be unethical today” (2004, p. 226).

There are many issues that the *Zambian Watchdog* revealed that were true but there was other information that made some people in the country and the ruling-party accuse the online news publication of being sponsored by the opposition. The main ethical issue was that the online news publication sometimes crossed the line by the use of derogatory language and tone and thereby failed to uphold their integrity. The *Zambian Watchdog* claimed that they had people within the government system who provided them with news stories and classified documents. For instance, when the PF government failed to release the draft of the national constitution the *Zambian Watchdog* released a soft copy on their Facebook page for the masses to download and read.

Considering the information provided in this essay so far about the two Zambian online news publications, there are several ethical dilemmas that stand out. Some of these dilemmas are listed below:

- (i) Invasion of privacy
- (ii) Being in possession of classified documents
- (iii) Using derogatory language to refer to subjects in their news stories
- (iv) Maintaining the anonymity of its founders, editors and writers
- (v) Being anti-government and always accusing the government of practising tribalism and regionalism in its appointment of government and those with public portfolio
- (vi) Failing to apologize when earlier claims proved untrue.

We shall discuss each of these six ethical issues in the light of some ethical principles. To start with, the arguments in this discussion are going to be anchored on the principles that ethical choices in the media should be viewed from a contextual perspective. It can be

argued that sometimes it would not be fair to impose the ethical principles of society onto the media. This is because the media sometimes work in a very challenging environment with the obligation to society to provide the truth and somehow act as the conscious of society. However, with the new media, where citizens become producers of media texts, the responsibility of making ethical decisions must be placed on every participant. Given that citizens are also participants on the new media platform, and are not professionals, the only ethical guidelines they would take recourse to will be those provided by society. Some scholars support this notion of applying society's principles to citizen journalism. For instance, Kenney and Ozkan (2011) argue that: "The values that must be treasured and integrated into journalistic activity are not those that have become inculcated within the confederacy of journalists themselves—isolated, by choice, from community—but rather those shared pluralistically by the community itself" (p. 45).

The common argument often given as to why the media sometimes should be condoned when they tend to invade the privacy of high profile personalities or politicians is that the public has the right to know everything about their leaders or role models. In this sense, for a journalist, what is important is to get the story out there. The worry is having the story and not how the story was sourced. This argument is based on the principle that "the end justifies the means". In the case of "Sampa vs *Zambian Watchdog*", it could be argued that the online news publication was justified in writing about Miles Sampa and his supposed concubines. As the validity of the story is for the society to find out and also for the minister to sue the publication; even when the writers and owners are anonymous. The fact that Sampa withdrew from laying charges against the online news publication indicates that he was somehow aware and afraid that the online news publication would reveal more, as they had promised.

The second issue involves the online news media obtaining classified documents and making them available to the public. A good example of this scenario is when the *Zambian Watchdog* released the draft of the national constitution when the government and the president had refused to do so. The PF government had back-tracked on their earlier promise of instituting a new national constitution within 90 day of being in office. The online news media were justified in releasing the draft constitution so as to see what the constitutional review commission had come up with and what was unsettling the government causing them to withhold the document from the public. The obtaining and release of this classified document was not to endanger or compromise national security, but simply to make the document available to the masses. It was probably labeled as classified because it had not been released by the designated authority who had been mandated to work on it.

The third issue concerns the use of derogatory language in referring to subjects of news stories. The media are supposed to uphold a high level of morality if they are to remain fair and credible. Where satire and figures of speech are permitted, the media are not allowed to insult or use insults to refer to someone. For the media referring to the republican president as “ailing Sata” when he was still enjoying good health is deceitful and alarming the nation. However, in the case of “Sata and the *Zambian Watchdog*”, the claims that the online news media were making referring to the head of state’s health were difficult to dispute as the president was out of public sight for weeks at a time. Even the disclaimer by the government that the president was enjoying good health was difficult to believe because on the few occasions that the president appeared to perform national duties he appeared frail and unwell. This increased people’s speculation about his health. It so happened that the president actually was unwell and eventually passed away in September 2014. Sata’s eventual demise made the online news media appear trusted and an alternative voice to that of the government publications known to conceal the truth. In this sense, the online news

media's reference to the president as "ailing Sata" was not derogatory since it proved to be the truth.

The fourth issue, and a very important one, is that of the online news publication in question being anonymous. When dealing with sensitive issues journalists have been known to use any means to remain anonymous. Investigative journalism involves risk-taking and, as it were, the online media existing and operating undercover sometimes becomes necessary in the quest to find the truth. If most of the information reported by the online media has proven to be true, and many charges against them have had no grounding, it is then all the more necessary for them to remain anonymous to serve the public interest. In as much as the mainstream media will remain a propaganda tool for those who wield political and economic power then "submarine journalism" by the *Zambian Watchdog* and the *Zambian Report* is justifiable.

The fifth issue involves the online news media accusing the government of practising tribalism and regionalism in appointing government and public service leaders. On the one hand, we could argue that the online news publications are justified in airing their views on matters of national and public interest. On the other hand, if we consider the context of the issue then such accusations would be deemed dangerous for the unity of the nation. Firstly, given the nine provinces in the country the PF government had a following in the majority of those provinces whilst the opposition United Party for National Development (UPND) had a following in only two provinces and the Movement for Multiparty Democracy (MMD) had one province. The ruling party was justified in offering positions to members of parliament who were from the provinces where they enjoyed overwhelming support. Given the ratio of certain ethnic groups it is clear that they were in the majority hence holding many of the ministerial positions. For the online news media to say that it was tribalism and regionalism for the government to act in the way it did threatened the unity of the nation.

The media should always avoid alarming the nation on sensitive issues as these would lead to chaos in the future. This is where the media are usually called to be honest and fair and to prevent personal interest from getting the better of them.

The sixth and final issue is that of the online news media failing to apologize when their claims were proven to be untrue. This is difficult to determine in the sense that those who argued that the online news media should apologize were not supported by legal procedures or ruling to prove that the online media had been wrong. This is due to the fact that it was difficult for the online news media to be taken to court. And also court rulings that had been ordered against the said online news media came from government or individuals with a vested interest. On the other hand it is advisable for the online news media to be responsible and to admit error and wrong-doing when they later discover they have misfired.

Regarding these ethical dilemmas posed by online media it still can be understood that new media are what Ward (2014, p. 46) calls “mixed”, due to the presence of a myriad of practitioners who engage in multiple technology to produce a variation of media content. According to Ward, this scenario makes it difficult for online citizens to have what he terms as “digital responsibility” because no one is there to verify what is posted on a site as this kind of news is prompt and immediate (p. 47). As far as this observation might be true, other scholars argue that actually new media provide an opportunity for open ethics where everyone becomes a participant in making moral or ethical decisions. Indeed everyone can publish on the Internet or on online news publications. Somehow, some control is taken with some news websites where content is first sent to the editor and where blogs are first approved before they appear to everyone online. Despite these self-censorship approaches citizens are moral beings and are capable of making moral choices as they become participants on the online news media platform. As it were, with the new media, ethics are not only practised by the professionals but are open for every participant or citizen on online

news media. This is what the media scholars now refer to as the new ethics of the Fifth Estate. In this case the Fifth Estate are the new media. This is well expressed by Ward and Wasserman (2010) when they note that, “For this new media ethics, one group of communicators is important: a revitalized Fifth Estate media that presents itself as an alternative or supplement to the mainstream press, the Fourth Estate” (p. 281).

If I were a media manager for an online news publication there are specific measures that I would take in making moral decisions for these ethical dilemmas discussed above. I would first have our online news publication clearly indicating our physical address and a contact person should anyone want to approach us for any legal and/or ethical concern. The editor and all our writers would include his/her byline with every article written except in the case of an underground investigation. Our authors would only remain anonymous on those issues and news that any identification of the author would hamper future coverage of the same news story. Because our concern is to be fair and minimize harm (Bivins, 2004, p. 240), we would abide by the same ethical principles that exist in the mainstream media. We would withhold the names of our sources at all costs and also names of contributors who chose to remain anonymous.

We would by all means strive to be balanced and we would take responsibility and be accountable for our actions. We would have a disclaimer on the home page that would indicate, “All views and opinions expressed by contributors do not express the views and opinion of the publication.”

We would never be afraid to carry out investigative journalism and sometimes conceal our identity if that would help us serve the public better by uncovering corruption. Some scholars such as Whitehouse (2010) have this to say about journalistic deception at the service of truth: “The public may accept journalistic deceptions in pursuit of a greater good

if that greater good actually occurs or is somehow clearly evident. Acceptance, however, is far greater for journalistic watchdogs exposing truth by non-deceptive means” (p. 317).

We would be ready to risk our lives for the sake of providing news and information that is fair, truthful and balanced. We would strive by all means to substantiate our claims with further evidence and in a balanced manner. We would do so because we believe in maintaining our integrity and credibility. We would aim to remain the most accurate and reliable online publication. We would avoid derogatory language but we would not be afraid to call a spade a spade when necessary despite the annoyance this might cause to certain sectors of society. We would know that sometimes revealing the truth does not please everyone but our duty would be to serve the public.

It terms of privacy, we would respect the privacy of every individual unless it involved serving the public interest. We would divulge corrupt and moral decadence involving any high-profile official holding any position of responsibility in society.

Should we discover we had made an error or misinformed the public, we would attempt to retract and offer an apology. The apology would carry the same coverage accorded to the misleading news item. We would understand that to err is human. We would attempt to be as objective as possible (Bivins, 2004, p. 227). However, this would not lead to an oversight on factual and truthful reporting. We would desist from making claims that might seem alarming and be seen as endangering the national interest. We would do so because for us serving the public and national interest would rank supreme. Our philosophy would be to serve and unite the nation; and, therefore, unverified innuendos that accuse others of tribalism, regionalism, nepotism, racism and the like would be avoided. Where these vices were evident we would not hesitate to say so and would condemn the practice vehemently in order to warn the nation of the intended divisibility practices.

These managerial and ethical choices articulated above conform to what many media ethics and scholars propound. For instance, Lasica (1997), in support of maintaining high standards of ethics for online news publications, argues that, “we shall embrace the enduring standards and values of traditional journalism: editorial integrity, balance, accuracy, respect for others and fairness” (p. 4).

This paper has attempted to discuss the ethical choices posed by new media. With the support of authorities the paper has offered solutions to these dilemmas as based on ethical and managerial principles. The issue of new media and the ethical choices it poses to media managers is an area that media scholars need to research as this is a new enterprise.

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