

Out of Bounds

Are legal gray zones undermining ethics in journalism and publishing?

Research Link

Wayne Chiang on abcnews.com:
http://blogs.abcnews.com/theblotter/2007/04/i_want_to_clear.html

The almost unlimited freedom in the virtual space is mainly recognized for its positive effects on freedom of speech and opinion. Yet despite all its merits, there is increasing evidence that the Internet not only leads to repressive measures by undemocratic regimes, but also challenges the democratically legitimized rules of journalism in countries with a high degree of press freedom.

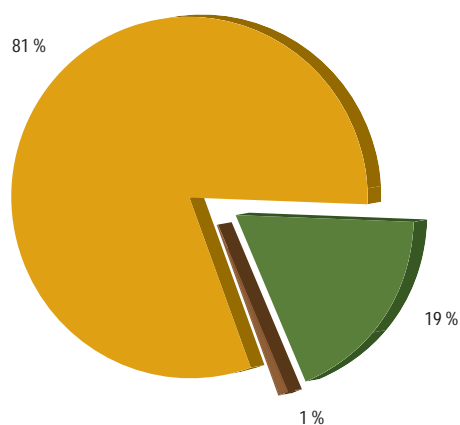
From the protected sphere of anonymity, some Internet users manage to fabricate slanders without restraint against persons who, on the other hand, are exposed with their full name. Transparency of communication, which is stipulated in the German Telemediengesetz (Telemedia Act), as well as equality between the power and responsibility of journalism, both fail on many levels: Even when the duty to publish the responsible parties is followed, this only applies to the registered web site operator. His abilities to influence journalistic content, however, are not comparable to those of an established chief editor. Instead, many articles are published by authors that, more often than not, can only be identified via IP address, a labor-intensive process that often fails.

Unknowable responsibility

Yet even when the author is identified, responsibility can rarely be clearly attributed: The role of an individual contributor cannot, in the context of the overall development, be compared to the influence of a journalist in an established newsroom. From

1) Reliability of Internet information is not on the media agenda

■ Reliability of Internet Information
 ■ Internet
 ■ Media System



Share of stories on the media system by topics
 Basis: 806 stories on media policy or the media system in 35 media
 Period of analysis: 09/2006 - 05/2007

the abundance of different communicators evolves a kind of meta-being instead, comparable to Hobbes' Leviathan: It is not the individuals who act, but an anonymous mass that has emerged from them.

Innocent denounced as mass murderer

After the massacre at Virginia Tech University, Korean student Wayne Chiang experienced how real this can be: Chiang, who studies at that university but had nothing to do with the bloody deed, had a homepage in which he mentioned his weapons hobby. When members of different online forums found this site, shortly after the massacre, they quickly pronounced judgment. Long after the real perpetrator had committed suicide, Chiang received threatening letters and death threats.

When a newspaper later covered this misunderstanding, another attack followed suit: According to the anonymous newsgroup's contributors, he wanted to take advantage of the uproar, in order to place himself in the limelight. The name, picture and address of the student were continuously available to all involved. But those who had agitated against him could easily remain hidden.

Netiquette nothing but self-protection

A similar case is that of the comedian Hubertus A., who became known under the pseudonym "Atze Schröder", particularly on television. Out of concern for his private life, he repeatedly took legal action against using his given name in the media. He



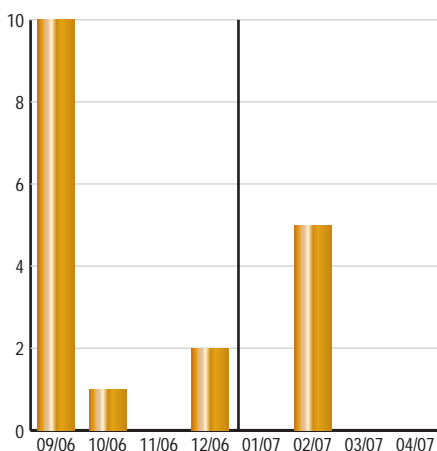
was relatively successful with this, until he sued the chairman of Wikimedia Germany, Arne Klemptert, for mentioning his name in a Wikipedia article: Although the lawsuit was abandoned soon after, Klemptert, who refuses to be liable for Wikipedia contents, dedicated an aggressive article to Hubertus A. In it he mentioned that A.'s name "has long ceased to be a secret and will never be one again".

And he was right: After his name had been deleted from Wikipedia, the members of the online community made it a game to publicize it whenever possible – generally without giving their own names. On July 7th, 2007, a Google search with the comedian's real name gave 13,600 hits. In comparison: Reginald Dwight, Elton John's birth name, and never subject to any restrictions, with 22,600 did not even generate twice as many hits as that of the comedian, who is only known to German speakers.

Public is not sensitized

In the leading German media, the problem of cheap propaganda and false rumours has not yet played a major role. Of the 806 news stories that dealt with the media system and media politics between September 2006 and May 2007, only 151 had the Internet as their main topic, and just 5 of them addressed the issue of how reliable online information is (**chart 1**). With 18 mentions, the topic of "rumours on the Internet" regarding companies or NGOs (**chart 2**) was only slightly more present. And the MEDIA TENOR quotation ranking has been showing for many years

2) Online rumours about companies/NGOs over time



Share of passages on online rumours
Basis: 18 passages on online rumours in 35 media
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now that the mainstream media quote online sources extremely rarely, and non-journalistic sources such as blogs almost never.

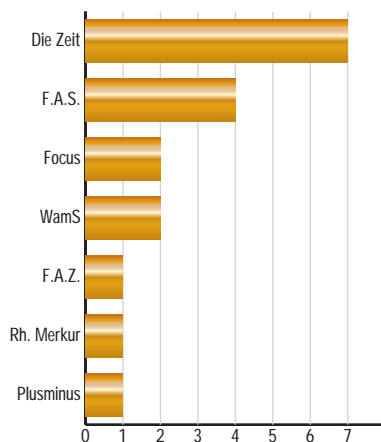
However, this does not justify turning a blind eye to this online trend. Even when the mainstream media do not consider online forums as newsworthy, as they are difficult to verify and easy to manipulate (**chart 3**), they still contribute to disseminating information and forming opinions. The greater the user circle of those sources becomes, the greater will be their influence. (me)

Basis

Media: Berliner Zeitung, Bild, Welt, FAZ, FR, Sächsische, SZ, Tagesschau, Tagesthemen, Heute, Heute Journal, RTL Aktuell, Sat.1 News, ProSieben Newstime, Bericht aus Berlin, Berlin Direkt, Fakt, Frontal, Kontraste, Monitor, Panorama, Plusminus, Report (BR), Report (SWR), WISO, Zeit, Focus, Rh. Merkur, Spiegel, Stern, Super Illu, BamS, FAS, WamS, Deutschlandfunk.

Period of Analysis: 09/2006 - 05/2007

3) Online rumours about companies/NGOs in selected media



Share of passages on online rumours
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Open questions

- 1) Online discussions have taken on a life of their own. Is this only a fringe phenomenon or a serious issue for the real world?
- 2) How should those concerned react to Internet libel?
- 3) Are the rules and conventions of journalism even enforceable in the virtual world?