

# ETHICAL DILEMMAS IN ONLINE NEWS PORTALS: A STUDY ON TAMIL LANGUAGE NEWS ONLINE SITES IN SRI LANKA

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## **ABSTRACT**

The way in distributing and updating the information has been drastically changing in recent past through the emerging new media. The sender and the receiver experience the attitudinal transformation in information path. In the post war era in Sri Lanka, the dimensions of online journalism particularly the vernacular Tamil language news portals shifts the parameters to rapid, gossip, personalization, intruding in private life and non-accountability from the horizons of ethical deliberations. The study employed the content analysis and approached the trends appeared in news online sites via expected ethical guidelines for the press in Sri Lanka and identified the deviations and the problematic pattern of functions.

**Keywords: Online News Portals, Ethics of Press, Post War Era**

## **I. Introduction**

The history of Sri Lanka's mass media commenced two centuries before. The first printed periodical, the Ceylon Government Gazette, was started by the British colonial administration in 1802; it continued as the journal for government notices. The first newspaper in English was launched in 1832, whereas the radio broadcasting commenced in 1925 and the television broadcasting in 1979. <sup>1</sup>

The commercial internet services arrived in Sri Lanka in 1995. The newspapers in Sri Lanka started their web editions from September 1995; state-owned Lake House commenced issuing internet editions of their English papers 'Daily News' and 'Sunday Observer'. In September 1997, 'Virakesari' the first Tamil newspaper entered cyber space through its online edition. <sup>2</sup>

This manifestation makes a notable difference in the Sri Lankan mass media scenario and among the receivers in receiving news and, finally led to a new era. Further, it paved the way to a number of online news portals to enter the Lankan news horizons.

The necessity and development of these online news portals arise dramatically when the civil war reached its peak in latter part of the nineties. During the war period, when the local print and electronic media covered by the various pressures of the Sri Lankan government, the news portals in Tamil, which were administrated by the Tamils in Sri Lanka and abroad, played a major and vital role in informing the ground situation and the then current developments in war tone areas to the world.

Since there were strict government regulations imposed on the local and foreign independent journalists to access the ground reality freely, the people in and out of the country, they were unable to know and understand what is going on in the war-affected areas actually. The mainstream media: state and private press and electronic channels of Sri Lanka more or less acted as the organs to convey the stand of the government and ruling authorities and released the news based on the arena permitted by the government. They were not in the position to report from the independent sources and unbiased sectors of the society.

The government imposed the restriction through the formal and informal censors. The security forces, particularly the military took the upper hand in handling news and information like other war times all over the world. The journalists and media outlets who try to maintain the press freedom and function as a fair press struggles to continue their way because of the numerous forces and threats comes from different angles ; even led to kidnapping, disappearance, assaulting, and sometimes killing.

At that juncture, the web news portals comparatively functions with the freedom in reporting about the

war and unspoken issues which were purposefully neglected or omitted or compelled to be sidelined by the mainstream media. The Sinhala, Tamil, and English web news portals attracted the common people to help them to obtain the above news items as an alternative medium; satisfying the urge for the balanced and neutral information. Apart from the web editions of the mainstream print and electronic media, the websites bloomed and administered by the journalists who fled away from the country and settled abroad because of the threats to their lives, and the websites administered by the pro-rebel forces: individuals and organizations who were on the scene.

## **2. Ethical Dilemmas**

Sri Lanka's constitution adopted in 1978, guarantees freedom of speech and expression. Section 14 (1) (a) says 'Every citizen is entitled to the freedom of speech and expression including publication'. However, as the limitation, there are some notable clauses that can be found in the same constitution, as follows:

Article 15 (2) of the constitution says that the freedom of expression may be limited and such restrictions prescribed in law in the interests of 'racial and religious harmony, or in relation to parliamentary privilege, contempt of court, defamation or incitement to an offence.'

Further, Article 15 (7) of the constitution says that the freedom may be limited by restrictions prescribed in law in the interests of 'national security, public order and the protection of public health and morality, or for the purpose of securing due recognition and respect for the rights and freedom of others, or of meeting the just requirements of the general welfare of a democratic society'.<sup>3</sup>

Even though the constitution pointed out about the restrictions, there is no sound legal procedure, in terms of regulating the systems and functions of online news portals in Sri Lanka and thus provides them a space to continuously enjoy the so-called 'freedom of expression' in a non-positive way.

There are regulating systems to monitor and streamline the print media in Sri Lanka; unfortunately, not for the electronic and new media fields. Even the Code of Professional Practice (Code of Ethics) of the Editors Guild of Sri Lanka adopted by the Press Complaints Commission of Sri Lanka is binding only the press institutions and journalists from the print medium.

The Code of Ethics has its objective to make the journalists abide to be free, responsible, and sensitive to the needs and expectations of the readers, while maintaining the highest standards of journalism.

Further, the Code of Ethics asked to follow the newspapers to strive for accuracy and professional integrity, and to uphold the best traditions of investigative journalism in the public interest, unfettered by distorting commercialism or by improper pressure or by narrow self-interest which conspires against press freedom.

Moreover, the Code of Ethics allows the newspapers and journalists, while free to hold and express their own strong opinions, should give due consideration to the views of others and endeavour to reflect social responsibility.

However, unfortunately, the online news portals do not take any of the above seriously since they do not have any moral or legal obligations to abide by the Sri Lankan framework.

At the same time, it is important to mention at this juncture that the above Code of Ethics is not widely accepted by the media community, and it is not legally binding the whole print media, as per the observation of the 'Rapid assessment on the status of media in Sri Lanka', the report prepared by the eminent scholars and journalists.<sup>4</sup>

Apart from the existing Code of Ethics, the Ministry of Mass Media and Information of the previous government drafted a Code of Media Ethics, which was planning to cover all media including news casting websites.

The draft code addresses reader complaints and reporting on suicides and crimes. Further, according to the draft, Journalists are advised against identifying victims in reporting on sex crimes and to be avoided

providing “excessive details” in reporting on suicides ; If readers complain and an editor or journalist does not “apologize or regret an error,” the journalist “must be prepared to offer the aggrieved party a fresh opportunity to reply and, Journalists are also barred from linking to sites that the government has banned.”<sup>5</sup>

Anyhow, strong criticism come out for this draft and the journalists and advocacy groups express deep concern that its provisions were too sweeping and could curtail freedoms already under threat in Sri Lanka.

Another main concern is that this particular draft code of ethics cannot be set out as regulations under the existing law of Sri Lanka.

The earliest Press Council Act of 1973 deals only with the print media such, newspapers. However, the draft code attempts to herd the electronic Media and websites. The only form of law applicable to these forms of media is the Sri Lanka Telecommunications Act No. 25 of 1991, which by its provisions, does not provide regulations of this nature, and by its preamble does not suggest any such inclusion.<sup>6</sup>

Finally, the former president assured the editors that the government was not going ahead with the code.

At this situation, when anyone tries to find the status of media in the present condition, they can easily find out that the online news portals become the hot zone in terms of the struggle between the media freedom and the violations.

Why it has become a noteworthy, the silence of guns, and the end of the war divert the most of the online media from the serious issues such as reporting war and the problems relevant to humanitarian concerns to gossip, sex, crime, abuses, political aspirations, and personal attacks.

This is not a blanket charge against all the Tamil online news portals in Sri Lanka or administrated by the Diaspora Sri Lankan Tamil community. Some of them are very keen on the professional ethics, handle the news release genuinely, and protect their image as reliable and trustworthy among the audiences. Further, they have been consistently maintaining an open access for the feedback and the reflection and the counter opinions too.

However, the problem arises with a notable number of news portals, which function under anonymous administrators and unidentified editorial teams but has a very popular status among the local Tamil readers. Considering all the above, the study entitled ‘Ethical Dilemmas in Online News Portals: A Study on Tamil Language News Online Sites in Sri Lanka’ tries to trace out the new dimensions and problematic issues of the vernacular Tamil language news portals in the post –war period in the light of ethical guidelines for the press in Sri Lanka.

For this study, the samples are collected from the Tamil online news portals for the last two months, October and November 2016 for the observation and discussion.

## **2.1 Gossiping**

In order to increase the number of hits and the popularity, most of the Tamil online news portals create more space for gossip news mostly from the unknown sources and the news are based on emotions and sensations that are not widely covered by the print and electronic media. The gossip news about the VIPs (Very Important Persons), admired figures, political leaders, academics, community leaders is the most popular.

Even though the common readers are not in a position to believe or taken into account these types of reporting, but the sensation makes them run through and create the ‘talks’ in different platforms. Most of the time, these news bits commonly evaporate with the time, some of the gossips very seriously affect the relevant people and make impacts not only on their public life and on private life as well ; while considering the social setup of Sri Lankan Tamils, the so-called ‘image’ or ‘honour’ , the self-esteem of a person being treated very important.

## **2.2 Missing the Opportunity for Making Critical Opinions**

The notable feature identified in the Tamil online news portals is the increasing number of youths tends to divert their media attention towards the new media from print and electronic, particularly to know, and update the developments in the news field. However, unfortunately, there is no valid evidence for critical opinion making on salient issues in the Tamil landscape of Sri Lanka by using this tremendous change of interest.

The lack of involvement in follow-up events and non-continuation in news coverage among the online journalists and news portals are the basic reason for this missing part in critical opinion making. Even, sometimes, the journalists do not understand fully the seriousness of the need of making critical opinion in terms of public welfare and the professional responsibility. This manner of ad-hoc approach has become a trend in Tamil online journalism and affects the desired outcome expected from the media activities.

### **2.3 Partiality in exposing corruptions and scandals.**

The investigative journalism always attests the effectiveness of the worth of democracy and the importance of transparency in administrative and financial systems. When the story grows in scope and depth beyond a routine report that provides an opportunity for the investigation rather than just 'reporting' the incident. The Tamil online journalists do not have much interest in multi source than single evidence and, not having accountability over the publishing news, the consequences since much of the portals are not registered, and they do not adhere to the legal system, thus create a vacuum in real investigative journalism.

Further, generally, the investigative reporting often takes a longer time to research and they are based largely on the documents and the extensive interviews. The intolerant journalists who are much interested in hurry-up pattern of news presentations would not penetrate and spend time and energy regarding them. This paves another setback in extensive reporting such as investigative journalism.

The certain Tamil news portals associated with political ideologies, political parties at times openly act as the propaganda organs and, some are believe to closely work with intelligent and secret services of the country. They are mostly biased in exposing the irregularities and anomalies in the system. Moreover, this way of reporting on corruptions and scandals dilutes the ultimate aim of creating the environment to make the common person informed and making awareness. This will also deviates the urge to make the people indignant towards these mishandling of the public funds and properties.

## **2.4 The problems in accurate reporting**

The media must take all reasonable care to report news and pictures accurately and without distortion and every reasonable attempt should be made by the editors and the individual journalists to verify the accuracy of reports prior to publication. However, in most of the instances, the Tamil online news portals are not following these basic principles. Further, they tend to publish the news materials in such a way and endorse them without evidences and verifications.

## **2.5 Lack of professionalism and understanding the basics of journalism**

It is noted that the lack of professionalism and exposure are the biggest barriers among the working journalists of Sri Lanka, as well as among the online journalists.

Particularly, when considering the challenges in media education and training at all the levels in Sri Lanka: schools, universities, and training centres they clearly made severe impacts in different dimensions in keeping professional standards and following ethical norms.

The following are some of the main concerns:

There is a block in incorporating media professionals and making them as part of the teaching media educators in universities since there is a regulation that a university degree is must for the university teachers. The curriculum of the most of the degree programmes are not reviewed from time to time according to the requirements of the job market. The schools do not show much interest, particularly schools in Tamil medium, to introduce and encourage their students and staff to engage in the 'Communication and Media Studies' subject at the General Certificate in Education, ordinary and advanced levels. The very low numbers

of texts are available to study on media education in the vernacular languages, particularly in Tamil. Only very few Master's degree and research programmes are available in the universities. Comparatively there is no opening available to accommodate the Journalists who are working in the professional field without the academic qualifications, degrees and the unwillingness of professional media outlets in media industry to provide internships and training for the media students.<sup>7</sup>

## **2.6 Publishing personal details of victims and suspects**

As per the Code of Ethics, 'specify the need to be cautious when publishing personal details of a suspect unless it is of public interest'. However, some of the Tamil news portals frequently violate this code of ethics. For instance, when reporting a court case, the portals reveal not only names but also the other information, such as, a suspect's profession, whereabouts, and personal information.

## **2.7 No Space for Legal Obligation**

There is no law or regulation requiring all journalists including online news journalists to register before they can practise their profession in Sri Lanka.

Only the requirement is an identity card issued by the Department of Information, known as Media Accreditation. This permits the bearer to attend the official press conferences and the state functions.

Visiting foreign correspondents may also apply for a temporary accreditation with endorsement by the Ministry of Foreign Affairs. Until to date, out of the many Tamil online news portals function in Sri Lanka, only ten have been registered, others are anonymous.

As per the open announcement of Ministry of Mass Media, local news websites are requested to be registered and the registration expects the respective sites to acknowledge and follow ethical media practices and maintain standards.

There are two different views among the administrators of the news portals; favour and in favour towards the registration. Chief Editor of the Sri Lanka Mirror, Kelum Shivantha Rodrigo says, 'we, Sri Lanka Mirror, have been for registering websites since the beginning. When it came initially in that way, we applied for registration. No sooner than we submitted our application, we received registration. Only 24 websites got registered the first time. We are the seventh on the list. At that time too, we did not go against the registration of websites'. According to him, only unregistered web sites publish websites false or mud-slinging reports.<sup>8</sup> On other hand, Free Media Movement and Sri Lanka Working Journalists Association have taken a different view. C. Dodawatta, secretary of the Free Media Movement says that 'these types of decision may not help improve media freedom. Such decisions must be taken via discussions and agreements with all stakeholders. Government alone must not take such decision.'<sup>9</sup>

Hence, there is no way to access the portals for legal inquiries or clarifications if there any violations. The unregistered online news portals cannot be brought before the courts under the civil defamation laws in the country. Earlier, libel was a criminal offence as per the Section 479 of the Penal Code. <sup>10</sup> It was repealed because of the pressure of many Sri Lankan media organizations and international advocacy groups.

Another setback in regulating the online news system through the common structure of Sri Lankan media is the space for the complaints about the online news portals is not included in the Press Complaints Commission of Sri Lanka (PCCSL). The Press Complaints Commission of Sri Lanka (PCCSL) formed in 2003, to institutionalize self-regulation as a voluntary mechanism by the join hands of media industry and journalists' associations. PCCSL's Dispute Resolution Council (DRC) comprises 11 members, six of them represent civil society, and the balance five is senior journalists. It's main concern to resolve inaccuracies that may appear in newspapers, magazines, journals and, online editions of newspapers but not online news portals.

Another parallel regulatory system formed by the government; Sri Lanka Press Council (SLPC) in 1973 is also failed to gain the credibility among the media advocacy groups and media organizations and, widely condemned for the utilization for political agenda in the last regime of Sri Lanka.

The new government does not show any interest in its continuation. The media advocacy groups want to deactivate it permanently.<sup>11</sup>

## **2.8 Streamline the Contents**

Other than the pornographic websites, others cannot be blocked with Sri Lankan court orders obtained by the police. There is no legal provisions to block any websites involve in publishing hate speech or personal attack on any common person.

Anyhow, there is a dilemma over this issue when it is use for satisfying political aspirations of the authorities and the government. On par with that, there is blocking so far implemented for the political reasons in the name of national security, the independent media observers charged. The first documented blocking of access to a website within Sri Lanka was in June 2007, when Tamilnet ([www.tamilnet.com](http://www.tamilnet.com)), a Tamil news website, was blocked by all major Internet Service Providers (ISPs) on the orders of the government.<sup>12</sup>

The media advocate, Centre for Policy Alternatives (CPA) noted the internet freedom in Sri Lanka as follows: 'The directives of national security and arbitrary judgements by government officials on what constitutes the national interest and public morality have been manipulated to stifle dissent and block web content that is considered offensive'.<sup>13</sup>

Unregistered websites are also included in the list of blocked. In early 2012, the Free Media Movement (FMM) filed a fundamental rights petition challenging the Ministry of Mass Media and Information for the grounds for blocking five unregistered websites. However, Supreme Court of Sri Lanka dismissed the case a few months later.<sup>14</sup>

The 'Rapid assessment on the status of media in Sri Lanka' further says that 'Arbitrary blocking of political and critical websites ended only in mid January 2015, shortly after the new regime was elected. Court sanctioned blocking of pornographic websites continues.'<sup>15</sup>

In 2016, there is recent development; Sri Lankan government authorities have blocked a Tamil online news portal over a complaint that it had carried news critical of the judiciary. According to that, the access to [newjaffna.net](http://newjaffna.net), a Tamil online news portal has been blocked in Sri Lanka on a Justice Ministry order, Telecommunications Regulatory Commission (TRC) said.

The website had reportedly been critical of the Kilinochchi Magistrate and the High Court Judge of Jaffna both from Tamils dominated Northern Province and after several other complaints were lodged against the website, for allegedly carrying false information and trying to incite racial hatred, the government said. Director General, Department of Government Information Dr. Ranga Kalansuriya stated investigation on the website would be made available soon and until then the website's access will be blocked.<sup>16</sup>

Further, it was found that the addresses given in the blocked website said to be evasive and not authentic according to government authorities. It is suspected that the site is being updated from Oslo, Norway and not from Sri Lanka.

The advocates for media freedom in Sri Lanka against this move from the government and argue that 'there is no law that allows Telecommunications Regulatory Commission (TRC) to block web sites without proper legal procedures'.<sup>17</sup>

## **3.0 Conclusion**

Whatever the innovations and technological developments are, they should help the mankind by elevating their standard of living and thus facilitate to live a dignified life. The development in media also should contribute to the same. The expansions of online media, that pave the way for the democratization and the liberation of sharing information, should not be the cause of demoralization of the human values and ethics. The force and the urge of the beginning of the Sri Lankan Tamil online news portals and the role they played in crucial time of the struggle for political freedom set an example for the 'alternative war journalism' for the suppressed people.

A medium that forgoes its conscience over the human interests and wellbeing of the people cannot be a medium that voices for the voiceless.

At this juncture, the review over the problematic issues of Tamil online news portals in ethical background and the concern of the trend they tend to move shows the gravity of the regulation and accountability, and this issue must be addressed immediately. In the meantime, the authorities should realize the necessity to have a genuine and none biased system to monitor and guide the online news medium in Sri Lanka.

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