

Unethical Practices and Privacy Infringement by Online News Portals: A Critical Analysis of Specific Cases in Bangladesh

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Abstract

Media is growing at a rapid pace all over the world and Bangladesh has witnessed the quick blossoming of online newspapers and news portals in recent times. This study attempts to look into Bangladeshi journalists' perceptions, attitudes, and practices of ethical issues on online news portals. Qualitative methods of content analysis and in-depth interviews were used in the current study. Representation theory was used in this study to investigate the ethical and privacy issues of an individual on Bangladeshi online news portals. Five Bangla based national and international online news portals were selected via the purposive sampling technique. The study found that online news portals can not always be accused of infringing the privacy of individuals. But unhealthy competition among these portals for providing the news 'first' to the audience leads to the violation of privacy. Such news harms not only an individual's social life but also adversely affects personal relationships. Victims face social isolation, mental distress, embarrassment and other social stigma for these types of news. The online media often does not follow the ethics in publishing news on an individual. Finally, the study hopes to open the door for future researchers to do further work in this arena.

Keywords: Unethical Practice, Privacy Infringement, Online News Portal

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Introduction

Media is referred to as the fourth pillar in a democratic nation and it is the duty of the media to protect the articles of the constitution to uphold truthfulness. But questions arise on whether the media is playing its role properly or not in the maintenance of integrity (Tripathi, 2020). Privacy is the right to be left alone, or freedom from intrusion or intervention. Information privacy is the right to have some control over how your personal information is collected and used. Life would be impossible without enjoying some degree of privacy in a civilized society (Ullah, 2019). On the other hand, ethics which consist of different codes of values, which govern our ways of living are necessary for a decent and prosperous life. Ethics may be described as a set of moral principles or beliefs which follow the conduct of journalism (Tripathi, 2020). Different technological transitions have shaped media industries facilitating widespread growth all over the world; consequentially Bangladesh has witnessed the quick blooming of online newspapers and news portals in recent times.

The journey of online journalism in Bangladesh formally started in 2006 with the launch of the first website named www.bdnews24.com (Chowdhury & Rahman, 2017). After that, many more 24-hour news based online media houses emerged because of the importance of the service to the people. Hence, more than 8,000 news portals already applied for registration (Daily Sun, 2019). When an individual is accused of one specific issue, the media publishes different types of news related to his/her personal life which infringes the privacy of an individual. It may hamper an individual's personal life as well as the lives of his/her family members. Many people think that privacy is confidential and private information will not be disclosed to other persons due to the possibility of embarrassment and emotional agony of the person concerned (Smith, 2008). According to the HK Psychological Society, members had experienced considerable suffering caused by the media's interference into their private lives. The victim's misery might manifest as symptoms such as the disturbance of sleeping, anxiety, low level of self-esteem, loss of confidence, mistrust, and breakdown of social relationships. Thus, the impact would be long lasting (The Law Reform Commission of Hong Kong, 2004). Privacy of individuals is often violated and infringed by the emergence of media being one of the most trustworthy public sources of information and awareness. By intruding the private lives of citizen, media tends to write stories from their own biases to the public forum (Nupur, 2017). But publishing these types of news is a violation of journalism ethics. Ethics is not just a matter of codes of conduct nor a matter of mere rules to be followed. It is more to do with principles about the rights and wrongs of human behaviour (Belsey & Chadwick, 1992). In other words, journalists are supposed to uphold

morals which are the ethics in journalism. Revealing the truth by maintaining the privacy of sources, being objective and attributing what is said to the proper source are the formation of these commitments (Nasidi, 2016). This study attempts to assess Bangladeshi journalists' perceptions, attitudes, and practices of the ethical issues of online news portals.

Statement of the problem

Nowadays, access to internet is available all over the country. People use the internet with their cell phones. With such availability, we see that a huge number of online newspapers or Web portals are run throughout the country. Often, we see the media publishing different types of exaggerated news only for 'views or hits' which creates an ethical issue. Only for views they publish such news which is not related to the subject. The news portals publish news about individuals' personal lives as well as their family members' lifestyles. In such moments, the accused person's family members' lives are also hampered. Sometimes an individual is accused of one specific issue, but media publishes different types of news regarding his personal life. Sometimes, such news is not authentic and the news portals draw information from inaccurate sources such as a Facebook post or any other social media post. Thus, an individual and his/her family members are affected.

Research Objectives

The prime objective of the research is to investigate the privacy infringement and ethics of online news portals in publishing news of individuals.

Research Questions

From the objective of this study, researchers formulated some focal research questions as follows:

- a. How does the online news media infringe the privacy of individuals?
- b. Does such news harm the social life of individuals?
- c. Does the media follow ethics in publishing news about individuals?

Review of literature

Dren Gerguri and Muhamet Jahiri published an article titled 'Online Media Ethics and Privacy of Politicians of Kosovo' which portrays the perspectives of both theory and ethics of online media, its regulatory framework, and a few cases which violated the ethical standards of a report on any issues. This study also examined a particular case study to find out whether ethical standards were maintained or not in the case (Jahiri & Gerguri, 2018).

Pathak, in her article 'Digital Age 2.0 and its Challenges on Media Ethics', discusses the questions of ethics regarding the technology and its implications on media laws and ethics which identifies to the challenges these ethical problems pose to the information on the digital space. The article also gives attention to the challenges these ethical problems pose to the information on the digital space (Pathak, 2016).

A paper (Nasidi, 2016) emphasizes on ethical practices in journalism within Nigerian news media and how Nigerian journalists report issues concerning different regions. The article entitled 'Media and Ethics: Journalism Ethics in Nigerian News Media' by Qaribu Yahaya Nasidi also analysed the Nigerian journalists' Code of Ethics and whether they abide by it or not. Besides, this research examined the duties of Nigerian journalists (Nasidi, 2016).

The Law Reform Commission of Hong Kong published a report titled 'Privacy and Media Intrusion' which summarized the characteristics and occurrence of media intrusion in Hong Kong as well as the regulation of unnecessary media intrusion. The report also examined whether the Personal Data (Privacy) Ordinance or amending the Ordinance can be resolved by issuing a code of practice (The Law Reform Commission of Hong Kong, 2004).

Khatun prepared a report titled 'Exploring Online Journalism at the Daily Star' in 2017 where she gave the background information of the daily star newspaper and mass media and communication. She also discussed the emergence of online journalism, characteristics of online journalism and her internship experience at the daily star (Khatun, 2017).

Nupur Sony wrote an article titled 'Right to Privacy and its Infringement by Media' where she examined the media infringement of privacy in India. She also analysed the recent trends of trial by media and privacy in the Constitution of India as a fundamental right (Sony, 2017).

'Role of Media and Right to Privacy in India- a Legal Perspective'- a study highlighted the legal perspectives of privacy in India and gave examples of some media that crossed the limit of fair reporting. The study focused on whether the media functioned properly in the arena of constitution of freedom of speech and expression and analysed the limitations of people's right to know for privacy protection (Singhal, n.d.).

A research paper titled 'Privacy and media law' by Sonal (2011) describes the right to privacy emerging in India and the existing media norms and guidelines which concerns privacy. The research examines the existing media Acts, the constitutional protection guaranteed to an individual's right to privacy, and

the reasons of privacy invasion by the state. The paper also focused on the infringement of privacy both in national and international, inclusions and exceptions (Makhija, 2011).

A publication titled 'Guidelines on Safeguarding Privacy in the Media' discussed the protection of privacy of public figures and individuals in the media by the Council of Europe and the European Court of Human Rights. The guidelines examine the right to freedom of expression, role of media and the concept of responsible journalism. Then it illustrated the notion of private life and conditions for publishing private issues and outlined specific examples of cases by reporting on the individual's private life. There is also a chapter mentioning the significance of journalistic codes of ethics and other self-regulatory materials (Council of Europe, 2018).

A study titled 'The Right to Privacy in Bangladesh in the context of Technological Advancement' by Sadia S. Silivi and Sabrina Hasan explores whether Bangladesh as a country of the 20th century considers the right to privacy as a fundamental right and also to find out how the right is protected under the national laws. Moreover, this study also discussed the significance of protecting the right to privacy (Silivi & Hasan, 2018).

Raisul Islam published a study entitled 'Ethics and standards of online news in Bangladesh' illustrating the ethical and moral standards of Bangladeshi online news media. This study reveals that a number of media working in Bangladesh abide by the ethics of journalism whereas, in many ways some violate the standard of journalism ethics. The study was conducted based on the presentation of news, coverage style, views and information which is accurate and often stereotyped (Islam, 2020).

Theoretical Framework

The study considered representation theory. The theory developed by Stuart Hall talks about the usage of language to represent or to say something about the world meaningfully in a culture. It contributes a significant role in the process of production and exchange of meaning between the members of a culture (Sherpa, 2019). In brief, representation is the production of meaning through language (Hall, Evans & Nixon, 2013). According to Stuart Hall, there are three approaches in representation theory i.e., reflective, intentional and constructionist approaches. The current study used the intentional approach of representation theory. According to the intentional approach, the author or the speaker imposes his or her own meaning through language about the world. The words or the language mean what the author intends to mean (Hall et al., 2013). In this paper, the researcher wanted to find out

how the intentional approach of representation of the ethics and privacy of individuals published by online news media has been portrayed.

Methods

Research Design

The study was conducted following qualitative research methodology. The approaches used for this study were content analysis and in-depth interviews. Qualitative research assumes that human beings are not emotionless apparatus or tools (Marshall & Rossman, 1989). Researchers following the approach study the oral and written representations and also the records of human experience by using different methods and sources of information (Punch, 1998).

Content analysis is the exploration of a message and what it contains. Broadly, content analysis may be seen as a method where the element of the message constitutes the foundation for representation of the interpretations and decisions about it. Furthermore, content analysis can be considered as an observation and documentation analysis. It is described as a method of observation which does not ask questions to people, it “takes the conversation that people have produced and asks questions of communications” (Prasad, 2008). The current study analysed contents to observe the ethical standards and privacy of individuals in news on online news media. This study analysed some news items and their contents to get the data.

Taking interviews is generally useful to get a story behind a participant's experiences. The interviewer can look for in-depth information about a topic (McNamara, 1999). Hence, in-depth interviews are widely used to gather comprehensive information about a person's opinions and behaviours or to discover new matters or issues in detail (Boyce & Neale, 2006). The authors of the study have taken few interviews to analyse the data collected from the content analysis.

Sampling

In this study purposive sampling was applied for getting detailed information regarding the issue. Four national online media such as thereport.live, bd.protidin.com, deshrupantor.com, prothomalo.com and one international media bengalnews18.com were chosen for the study. This study conducted five in-depth interviews. The interviewees were of three renowned media practitioners and two academicians.

Data Collection

In order to collect data, the researchers prepared a questionnaire for the in-depth interviews.

Data Presentation and Analysis

Data analysis is one of the crucial parts of any study where the collected data of a research is given meaning. Data analysis is a procedure of a research on the basis of the research questions or hypothesis which works with the data to describe, discuss, interpret, assess, and explain the data (Matthews & Ross, 2010). The major findings of the study are presented in the following section.

Content Analysis

Viral Video Exposes Romantic Relationship between Pori Moni and Saklain



Figure 1: Viral video exposes romantic relationship between Pori Moni and Saklain

An online news portal, thereport.live, published the news on August 11, 2021. It tells the audience about a video released on the YouTube channel regarding popular Dhallywood actress Pori Moni and former DB (Detective Branch) Additional Deputy Commissioner (ADC) Md Golam Saklain's romantic relationship. In the video, both of them were seen cutting a birthday cake together and Pori Moni was wishing him singing and dancing to the song "Happy Birthday". Apart from that, she is also seen putting a piece of cake into Saklain's mouth. At that time, she is seen kissing Saklain very intimately. The released video, which depicts the intimate birthday celebration, was the talk of the town during that time and Saklain repeatedly denied the affair with the actress after the news has been published in the portal. In the news, a collage photo of the two was published where Pori Moni and Saklain are seen cutting the cake and kissing each other very closely.

Doctor's Suicide: Reveals Wife's Various Scandals



Figure 2: Doctor's Suicide reveals his wife's scandal

A national daily newspaper's online version, *bd.protidin.com*, published the news on February 1, 2019. The news contained that accused wife Mitu led a very controversial social life. It also mentioned how Mitu had a 6 six year affair with her husband Mostafa Morshed Akash before their marriage. At the time, Mitu was also engaged in relationships with others, the news said. It also published that Mitu had extra marital affairs when she was abroad for higher studies. The news also manifests that there are many more accusations about Mitu's family than her. The news mentioned that Mitu's family was more responsible than Akash for the suicide. It said that, for the inhuman mental torture of Mitu's family, Akash decided to commit suicide. It also published that, Mitu's family took money from the voluntary treatment fund of her brother. There was a 26-second video clip with the news. The clip showed Mitu confessing to her extra marital status. The news also published some photos which showed few intimate moments of Mitu with other persons.

Munia is becoming greedy for her sister



Figure 3: Munia is becoming greedy for her sister

The online portal, deshrupantor.com, published a news headlined ‘Munia is becoming greedy for her sister’ as part of coverage on the Munia murder on April 30, 2021. The news cited that Munia’s sister was responsible for her committing suicide and that her sister used her as a source of income. Not only Munia’s sister but also her brother-in law were said to be behind her suicide. The portal also accused Munia of having a bad character and engaging in many affairs before her death. It said she had relationships with a lot of boyfriends but disengaged with the partners after some time in the relationship. The news also mentioned that she was used to visiting different clubs with some directors of films at day and night to become a showbiz star in the cinema world. The photo of the news shows only the pictures of Munia, her sister and three of her supposed boyfriends.

Singer Noble raped a girl in a hotel room, is it true? What do the police say?



Figure 4: Singer Noble Rapes a girl in hotel room

A Kolkata-based online news portal, *Bengali news18.com*, published news on Sa Re Ga Ma Pa star singer Nobel on September 17, 2019. The news contained that there was a rumour about Nobel raping a girl in hotel room. The news also said that the girl filed a case at Pachlaish police station in Chattogram. It also mentioned that Nobel raped the girl on 21st July in a hotel room. Then the news denied all the allegations about Nobel by quoting a Bangladeshi newspaper. The news also published some photos of Nobel and a girl where they were in an intimate mood. In the photo the picture of that girl was blurred but the face of Noble was visible.

Shakib and Bubli having an affair



শাকিব খান ও বুবলী

Figure 5: Shakib and Bubli Having an Affair

The most popular newspaper of Bangladesh, the daily Prothom Alo, published news on super star Shakib Khan and Bubli on their online version headlined ‘Shakib and Bubli having an Affair’. The news denoted that the couple had a deep relationship which may have been true, but the problem lay on the other side of the table. The news said that they got married in secret like the incident that had happened with his ex-wife, Apu Biswas, 10 years ago. But the new couple kept it secret to the whole film industry as well as to the audience. The news also published that Shakib had an indirect influence on releasing Bubli’s film during the big festivals of Eid as he did before with Apu Biswas’s film. The news also added the audience’s reaction to their relationship while they went for an interview on television.

Interpretation and Discussion

Right to Know versus Infringement of Privacy

Freedom of expression is the right ensured to everyone by the constitution of a nation. But sometimes we practice it in such a way that crosses the limits and affects an individual’s personal life. In this study, the news that online version of Bangladesh Protidin published a suicide case of a doctor. The news contains that the wife of the doctor led a very controversial life. It also mentioned Mitu (wife of doctor) has many affairs before marriage. She also had several extra marital affairs. It was also said that not only Mitu but also her family was involved in many controversial issues. There was a 26 second video clip with the news. That clip contains some awkward word which is humiliating for Mitu. The news contains some issues which are related to Mitu’s family. There is no

probe of the accusation. The news blamed Mitu for the suicide of Dr. Akash but there was no strong evidence moreover it also blamed her family. There is an allegation about Mitu. The news said that Mitu is responsible for Akash suicide, but the news contains some irrelevant issues which are not related to this issue. The news brings Mitus' past lifestyle and her family matters. She may suffer mental trauma initiated for the intrusion by mass media into her personal lives. According to the code of ethics of Press Council in Bangladesh,

If a newspaper published any news against the interest and good name of any individual, agency institution or group of people or any special category of people, then the newspaper or journalist concerned should provide opportunity to the aggrieved persons or institutions to publish their protest or answer quickly and correctly within a reasonable period of time (Government of Bangladesh, 2021).

But in this news *The Bangladesh Protidin* didn't follow the code of ethics. Thus, the news broke the privacy of an individual. On this issue the media practitioner whose interview was taken said that, 'We have seen that the online news portals are accusing someone without any documents and statements. There should be clear rules and regulation on online news portals'. Another academician also said that 'online journalists often don't take comments of the person involved and report on family or personal matters with ulterior motives.'

Media Trial and Media Victimization

Trial by media is an expression which demonstrates the impact of news media coverage on an individual's reputation by constructing a pervasive perception of guiltiness or innocence may be before, or after the incident verdict in a court of law. Sometimes media publish news in such a way it seems accused person is guilty. A Kolkata based Bengali web portal *Bengali news18.com* published news about Bangladeshi singer Nobel. The news accused that Noble raped a girl in hotel room. But there is no evidence on this issue. The news also published two photos of Nobel where he is very intimate with a girl. But the picture the girl was blurred. In the news there is no reaction of Nobel.

The code of ethics by the press council of Bangladesh also does not accept this sort of report to be published. It is mentioned that,

It is the responsibility of the newspapers to publish the news of under-trial cases at all stages and to publish the final judgment of the Court in order to reveal the actual picture of issues relating to the case. But a journalist shall refrain from publishing such comment

or opinion as is likely to influence an under-trial case until the final verdict is announced (Government of Bangladesh, 2021).

Without any self-defence this sort of news harms people privacy where an academician said that while many would simply believe (sometimes out of innocence), some will doubt if the information were true, and only a small minority may truly assess the veracity of the news and eventually discard it. But it can be said for sure a fair amount of damage would be done to the person involved. Media practitioners also have a view on this issue. They said that lots of news floating away like rumours. The target of rumours is the person or individual rather than society or state.

Stereotyping of News

There is a common misconception in our country that actor or actress of our media industry leads a very controversial life. Besides, it is also believed that they lead a polygamy personal life. So, people believe in different kinds of rumor on any actors' or actresses' personal life. Sometimes media also publish these sorts of news without authentic documents from the source. Like this, one of the most popular Bangladeshi newspapers Daily Prothom Alo published news in their online version that super star Shakib Khan and actress Bubli are having an affair. The whole news is reported only based on assumption. There is no authentic source of news. It seems that the whole story was written by the reporter's perception. He/she never thinks of authenticity and accuracy. It may create problems in Shakib and Bubli's personal life. It may also tarnish their image to the audience as well as to the film industry. Moreover, the code of ethics of journalism given by the Press Council of Bangladesh does not support this sort of news. In this regard, one academician opined that sensationalizing has become a norm, and continues to undermine the basic principles of journalism, let alone the ethical questions.

News versus Sensationalism

It is mentioned in the code of ethics of journalism by the Press Council of Bangladesh that, 'Sensational and pulpy news shall not be published to augment the circulation of a paper if such news is deemed vulgar, improper and against public interest' (Government of Bangladesh, 2021).

But sometimes we see that media publish such news which is directly opposite to the ethics of journalism. In our study we discussed on the news of Dhallywood actress Pori Moni. After analysing the content of the first news on Pori Moni and Saklain, the news said that, viral video exposes romantic relation between Pori Moni and Saklain. It is a very common scenario in Bangladeshi media house that if they get any news on popular faces like Pori

Moni, they always try to exaggerate the news in terms of news elements and the contents also. There is another mentionable thing is that if the news contain any affairs or relationships of an individual whether a celebrity or renowned figure, the intention of the media is to cover the news to create sensation among the audience. In doing so, they sensationalized the news item for higher circulation or viewer as we can see in the news of Pori Moni where the portal emphasis the relationship between Porimoni and Saklain. However, the news containing a photo of the kissing moment of Pori Moni is also the violation of privacy of individuals in terms of the ethics of journalism. It seems that the headline of the news and the intention of the news were to humiliate or tarnish the image of Pori Moni. So, it is clear that Pori Moni's news about her affairs was published with a negative intention which harmed her personal life also. On that issue one academician gave the opinion that publishing news by infringing privacy of individuals causes harm in social life in various ways. When media provides unsubstantiated information, unverified narrative, one-sided story, it puts the 'subject' of the report in a position that is unenviable. S/he faces social wrath and either ostracized or makes a choice of seclusion. Whereas, media practitioner has a specific view on this issue. One of our interviewees said that, online media encompasses its macro boundary, and its walking area has become person-centric. It's easier to make a juicy story by peeping through into an individual's personal life. The circulation is well enough. For running after the circulation, the online media jeopardizes the individuality of a person.

News versus Silencing of Fact

Academicians opine that online journalists often don't take comments of the person involved and report on family or personal matters with ulterior motives. Sometimes, the reports are sponsored by interest or rival groups who are bent on destroying the person in question. The current study also discusses this sort of news here. Another online news portal, *deshrupantor.com*, published the news on Munia's suicide case. The news contains the character assassination of Munia which included her boyfriend's name with pictures who claimed that she had affairs with them. But there was no indication or identification of the accused person named Anvir Rahman, the son of the chairman of Basundhara group. The intention of the news was to stigmatize the character of Munia and her family members rather than mention the perpetrator's name by silencing the facts. It can be easily understood that there is vested interest of a particular group to victimize the victim. As Anvir is a renowned figure of the country, the news might be damaging to his social status and even hamper relationships with his family members. This type of one-sided report which invades the privacy of individuals is very disgraceful and may be considered as an unethical practice of journalism.

Findings

Five news stories were investigated from both national and international online newspapers, websites and five in-depth interviews were taken having highlighted the ethics and privacy in the current study. The major findings of the study are empirically discussed. Not all the online news media/ portals can be accused of infringing the privacy of individuals. But for the unhealthy competition among these portals to provide the news 'first' to the audience leads to the violation of privacy. People are interested in sensational news from the media. So, media want to publish this type of news. They do not think about individual's life. They only think about the sale of the news to increase the viewers. The online media sometimes publish news on an individual who is accused of one specific issue, but media publish different types of news of his personal life. Not only the victims but also, they publish news on his/her family members which is not authentic.

These types of news not only harmed individual's social life but also deteriorates personal relationships. S/he faces social isolation, mental distress, embracement, and other social stigma for these types of news.

Media follow the ethics in a very few news items. Their main concern is to grab readers' attention, so they publish sensational news, or they make the news sensational. But they publish news on an individual without abiding by the ethical viewpoints for keeping the readers interest and increase the view of the news.

It has been observed that online journalists often do not take comments of the person involved and report on family or personal matters with ulterior motives. Sometimes, the reports are sponsored by interest or rival groups who are bent on destroying the person in question. Another problem area is lack of training and knowledge of privacy among journalists.

Social humiliation is the first thing. On an individual level, it may make one pariah in close groups, among colleagues and friends, and the person may get scarred for life. It is often certain that the person's career would suffer. In some cases, the family may even abandon the person.

Moreover, many of the online journalists are inadequately trained or these outlets are sheer propaganda machines used indirectly by influential people. Sometimes, the family may suffer a lifelong trauma. So, it can affect the emotional health of the family members, too.

So firstly, no news report should reveal a person's private matters unless these are very relevant to the news or they entail public interest to a great

proportion. Second, if disclosure of private matters is of great importance, and at the same time, this may victimize the person in question, journalists should use pseudonym or any other measure that would hide his or her identity. Third, journalists need to be trained to handle privacy issues, and young reporters and copy editors should consult supervisors whenever faced with an ethical dilemma.

In a nutshell, the online media follows ethics in a very few news items but most of the time they do not follow the ethics while publishing news on an individual.

Conclusion

A journalistic code of ethics denotes a set of principles of professional conduct that are followed and safeguarded by journalists themselves. For developing any society, a code of ethics needs to apply everywhere and media has an essential role to play here. In our society, journalists are considered watchdogs and they have huge responsibilities to protect our citizens. But some online news portals sometimes publish a few unethical news which infringes the privacy of an individual and it may hamper an individual's relationships as well as their social status. It seems that the Bangladeshi online media tends to ignore these ethical aspects. As a responsible part of the state, media should follow the ethics for the privacy of individuals. This is because publishing such news can destroy a person's life and may cause different types of social harassment. The journalists should keep in mind that news can change an individual's life so they should follow the ethics of privacy.

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