



Catalyze Without Offense:
***Daily Nation Living Magazine* and the “Laura” Story**
Teaching Note

Case Summary

One of the most effective ways to raise awareness about public issues is to personalize them by telling the stories of those most affected. But this often means putting the spotlight on a community’s most vulnerable citizens. This raises a host of ethical concerns about how to maximize public benefit from the story while minimizing harm to the individuals involved—all the while remaining as objective as possible.

This case explores these issues by following Mildred Ngesa, columnist and features writer for Nairobi’s *Daily Nation* newspaper, as she and her colleagues struggle to tell the story of an 11-year-old sexual abuse victim. The story comes to Ngesa’s attention when, in late May 2005, a local social worker sends Ngesa graphic photos of a child’s genitals, badly infected with a sexually transmitted disease. The social worker suspects that “Laura,” the daughter of a single day laborer with four other children, has been sexually abused and is suffering from untreated HIV.

Ngesa, who has a background as an advocate for sexual abuse victims, is immediately determined to help Laura and to use her story to raise public awareness of the child sex abuse. But trying to do both at the same time leads to a series of challenges. She promises anonymity to both Laura and her mother, but convincing them to be interviewed still proves difficult. When her mother finally agrees to discuss Laura’s case, Ngesa finds her account suspicious and unusable. Ngesa arranges for Laura to be taken in by a local women’s shelter where she will get treatment, but due to policies protecting the privacy of patients and the location of the shelter, she knows that doing so may cost her the story.

The reporter does eventually manage to interview Laura herself, and although the child adds few facts to the story, Ngesa is more determined than ever to use her plight to educate the public about the sexual abuse of minors and pending legislation to better protect

them. Although she hopes to publish the shocking photos, her editors refuse, arguing that doing so would violate editorial policy and conventions of taste.

The case leaves them all pondering the best way to maximize the impact of a story in which many of the basic facts are either off---limits or unverifiable. Should Ngesa write a highly visible but straight---news---style story for the front page or an emotion charged first---person account for the magazine? And how might the story be best used to motivate the public and lawmakers, while still helping Laura as much as possible?

Teaching Objectives

Use this case to start discussions about journalists' responsibilities to vulnerable sources; advocacy journalism versus objective reporting on public issues; how to write effective stories with very limited information; and the use of graphic images in journalism.

The overarching theme of this case is how journalists should balance their responsibility to maximize the public good against their responsibility to protect vulnerable sources. Ngesa has long advocated for sexual abuse victims and she and her editors take for granted that this is a good use of their public platform. Begin by asking students whether they agree that it is appropriate for journalists and journalistic institutions to advocate for specific social issues. Do they believe it is possible to advocate and still remain unbiased? Are there times when this kind of advocacy journalism is not appropriate (perhaps, for example, when the issue in question is more controversial), and what rules might they apply to determine when it is acceptable and when it is not?

If advocating for some social issues is acceptable, one of the best ways to do so is, of course, to personalize them by focusing on a victim's story. But is it always ethical to use a vulnerable source to make a point to the public? Ask students to consider whether Ngesa was right to put the spotlight on a traumatized eleven---year---old in order to raise awareness of an issue. Can students think of situations in which it might not be appropriate to expose a vulnerable source in the interest of the public good, or is this always the best approach?

Working with vulnerable sources introduces other delicate ethical questions as well. When is it appropriate for a reporter to intervene in a source's life? Ngesa is eager to do the first: she even says that helping Laura is actually her first priority. Do students agree that it should be? Many journalists believe intervening in sources lives impairs their objectivity. So what makes this case different? Ask them to think about situations in which the decision might not be so clear---cut. For example, should journalists intervene on behalf of their subjects in conflict zones, where doing so may amount to taking sides? What about if helping subjects means giving them goods or money— is this ever appropriate?

At the same time, Ngesa is adamant that she will not intervene by referring Laura's case to the police, even though she suspects Laura's mother knows more about the abuse

than she admits, possibly even the identity of the perpetrator. Ask students to consider how a journalist should respond when he or she suspects—or knows—that a source has committed a crime or is concealing a perpetrator.

After Ngesa decides to pursue the story, she takes a number of steps to ensure Laura's safety, some of which directly undermine her ability to give a complete account of the facts. For example, she promises anonymity to Laura and her mother and connects Laura to a women's shelter, even though she knows she may lose contact with her at that point. Ask students to consider whether they agree with all of the steps that Ngesa took: did she make the best decisions when she had to choose between her story and Laura's wellbeing? Should she have done more to protect Laura, or could she have protected her equally well without constraining her story quite so much?

Once they decide to proceed with Laura's story, Ngesa and her editors face the challenge of how to write a high impact article when so many key facts are unknown or off-limits. Should Ngesa wait to publish until she can verify more of the details of Laura's case, possibly including the identity of her abuser? If not, students should discuss how she can responsibly and effectively tell Laura's story with so little information about what actually happened. Ask them to consider whether a front page story, which promises the greatest visibility but limits the journalist to a just-the-facts style, or a more emotional, first person account in the magazine is the best option for this story.

What about the photos: do students agree with Ngesa's editors that it would be in poor taste to publish them? What might be the best way to use the photographs to illustrate and increase the impact of the story without actually showing them?

The case ends with Ngesa and her colleagues wondering how they might best use the story to combat sexual abuse more generally. Some of their options include mounting a public campaign of some kind, linking the story directly to pending sexual abuse legislation, calling attention to local support organizations like WRAP, and soliciting financial support from readers for Laura's care. Ask students to consider which of these they believe would be the most ethical and effective use of the newspaper's resources.

Class Plan

Use this case in a course or class on journalism ethics; reporting skills; crime reporting; health reporting; photojournalism; editorial decision making; or journalism and trauma.

Pre-class. Help students prepare for class by assigning the following question:

1. Should Ngesa write a front page story or a more emotional – but potentially less visible – piece for the magazine? Justify your answer.

Instructors may find it useful to engage students ahead of class by asking them to post brief responses (no more than 250 words) to questions in an online forum. Writing short

comments challenges students to distill their thoughts and express them succinctly. The instructor can use the students' work both to craft talking points ahead of class, and to identify particular students to call upon during the discussion.

In---class questions: The homework assignment is a useful starting point for preliminary discussion, after which the instructor could pose any of the following questions to promote an 80---90 minute discussion. The choice of questions will be determined by what the instructor would like the students to learn from the class discussion. In general, choosing to discuss three or four questions in some depth is preferable to trying to cover them all.

What are the respective arguments for writing Laura's story as a front page story and a magazine piece? List on board.

- a) Throughout the case we see Ngesa making decisions that limit what she can say in her story. Do you agree with all of the choices she made? Why or why not?
- b) Do you agree with Odinga that it is appropriate to intervene in source's lives to help them? Are there situations in which this would not be appropriate and, if so, how is this case different?
- c) Ngesa wants to use Laura's story to call attention to an ongoing public issue, sexual abuse. Should news organizations actively advance a social agenda? Is this ever inappropriate and, if so, when?
- d) Ngesa suspects Laura's mother is hiding what she knows about Laura's abuse. Was Ngesa right to promise not to report her to the police? What are a journalist's responsibilities when he or she discovers a source has broken the law or is covering for someone who has?
- e) How should Ngesa write her story to maximize its impact, while still protecting Laura and remaining faithful to the facts—many of which are unknown?
- f) Do you agree with Ngesa's editors that they should not publish the photographs? Brainstorm alternatives to publishing them that will still convey their impact. Do you agree that publishing reaction shots from prominent men is the best option?
- g) Laura is a vulnerable source, and an irresponsible story could put her at greater risk of emotional or physical harm. Do you believe it is appropriate for Ngesa to use her story to raise awareness of a broader public issue? Why or why not? Should Ngesa have done anything differently to protect Laura from further trauma?
- h) How can Ngesa leverage the story for the greatest public good? Should the paper mount a campaign of some kind, link the story to pending legislation, or connect readers with local organizations like WRAP?

i) Ngesa and her editors also consider soliciting financial support from audiences for Laura's medical care. Is this advocacy on behalf of one individual an appropriate and ethical use of the newspaper's power to address the public? Why or why not?

Suggested Readings

Kenneth Irby "Visual Reporting Ethics," presented at *Religion, Communication Congress*, April 2010.

SYNOPSIS: This handy one page guide to the ethics of taking and publishing news photos, created by the Poynter Institute's Visual Journalism Group Leader and a key figure in visual journalism education, provides a good primer for students and teachers as they discuss whether or not the photos in this case should be published. The easiest way to find the pdf is by doing an Internet search for its title.

Kenny_Irby_Communications_Ethics.pdf (from www.rccongress2010.org)

Robert Niles, "Why We Need Advocacy Journalism," *Online Journalism Review*, USC Annenberg Knight Digital Media Center, December 20, 2011.

SYNOPSIS: The author of this online essay challenges the idea, also raised in "Should Reporters Advocate," that advocacy journalism is the opposite of objective reporting. He argues that they actually go together: a journalist uses objectivity to discern the truth of a situation, then puts forth judgments about social issues based on that truth. The problem lies when journalists decide what to advocate for first, then pick and choose facts, regardless of the truth of the broader situation, to support their cause.

<http://www.ojr.org/ojr/people/robert/201112/2042/>

Ann Njogu and Michelle McHardy. "To Be a Woman in Kenya: A Look at Sexual and Gender-based Violence," *Association of Concerned African Scholars*, September 16, 2009

SYNOPSIS: This essay provides good background on the humanitarian issues at the heart of this case. In a concise but impassioned review of the state of sexual violence in Kenya in the years leading up to and following the passage of the Sexual Offence Act, which is pending in this case, Njogu and McHardy cite examples and statistics that paint a picture of a severe, ongoing, and widespread national problem.

<http://concernedafricascholars.org/to-be-a-woman-in-kenya/>

"Should Reporters Advocate? Exploring the role of Journalists," from *Journalism in a Digital Age: Resources and ideas inspired by the film "Reporter,"* 2010.

SYNOPSIS: This online lesson plan is designed to facilitate the teaching of the film "Reporter" about *New York Times* columnist Nicholas Kristof. The lesson overview touches on the main arguments for and against journalists advocating for social issues. Kristof actively and openly advocates for social causes, but some journalists are quoted in favor of more objective approaches, and others raise the question of whether these are even really opposites. The overview provides helpful background for teaching this course, and instructors may find that other study materials and links presented in this site, as well as the film itself, are helpful additional resources.

<http://reporter.facinghistory.org/content/investigation---two---overview---0>

<http://www.reporterfilm.com/synopsis.html>

Rachel Smolkin, "Off the Sidelines," *American Journalism Review*,

SYNOPSIS: In this essay about journalists' responses to hurricane victims, Smolkin provides a very thorough review of the pros and cons to journalists intervening in the lives of their subjects. She concludes by acknowledging that the decision of whether or not to intervene is often made under duress in a matter of seconds, but nonetheless some guidelines can help journalists decide whether or not to do so. She also notes that, if the journalist does get involved in the story, he or she is then faced with the question of whether and how to be transparent about it.

<http://www.ajr.org/article.asp?id=3999>