

## **Lesson 3**

### **Ethical Issues in Data Journalism**

This lesson explains the importance of ethics in data journalism by highlighting key issues such as data access and privacy. It outlines some ethical considerations and challenges that impact the state of big data and journalism.

#### **Objectives**

At the end of this lesson, you should be able to:

1. Describe the nature of ethics in journalism;
2. Elaborate the importance of data access and privacy; and
3. Identify some ethical issues and challenges in big data and data journalism.

Duration: 4 hours (2 weeks)

#### **Nature of Ethics**

- Ethics means character or personal disposition of the individual in relation to the morals and customs of a group (Lewis & Westlund, 2015).
- It deals with the dominant attitudes, norms, and values that shape the practice of journalism.
- Ethics is important because it guides the expected behavior, moral reasoning, and codes and conduct of journalism. It is observed, however, that the challenge is that “journalists are facing all manner of unfamiliarity in the media landscape, not least with regard to technological processes and practices” (Lewis & Westlund, 2015, p. 459).
- Big data in particular presents potential changes in journalism: the shifting articulations of knowledge (epistemology), highly technical skill sets and analytical understandings (expertise), and vexing questions of value creation, monetization and media innovation (economics) (Couldry, 2012 in Lewis & Westlund, 2015).
- The concept of global journalism ethics meanwhile raises three questions about the changing ethical norms and practices in journalism:
  - What exactly do journalists “owe” citizens in a distant land?

- How can global journalists integrate their partial and impartial perspectives?
- How can journalists support global values while remaining impartial communicators? (Ward, 2005, p. 17)

## **Ethics and Media in the Philippines**

- The operations of the mass media in the Philippines are guided by government's regulations through laws and court decisions, and media's self-regulation. Self-regulation is generally described as a means of balancing interests of the government and private media sector (Teodoro & Kabatay, 1998).
- Government-regulation is guided by state policies like the Revised Penal Code (covering the issues of national security, libel and obscenity), Civil Code (privacy), Rules of Court (fair administration of justice and contempt), and Presidential Decrees. Media-regulation on the other hand is observed through the Journalist's Code of Ethics, Code of Ethics of the Kapisanan ng mga Brodkaster sa Pilipinas, and Advertising Code of Ethics (Teodoro & Kabatay, 1998).
- The Journalist's Code of Ethics in particular outlines the obligation and responsibilities of journalists to the reading public, sources of information, person or institutions the journalist writes about, peers in the profession, newspaper where the journalist works, and the "public interest." The key enforcers of this code are publishers and editors (Teodoro & Kabatay, 1998).

## **Freedom of information**

- A Freedom of Information (FOI) Act is supposed to strengthen the right of every citizen to access information and records of public interest held by the government. It is a core element of the freedom of expression.
- Information is constitutionally guaranteed as a public right by any citizen. Article III, Section 7 of the 1987 Constitution defines "right to information" as (1) the right to information on matters of public concern and (2) the corollary right of access to official records and documents. However, the Constitution also stipulates that these rights of access to public records are "subject to such limitations as may be provided by law," affirming the statutory limits on the right to public information such as (1) information affecting national security, (2) diplomatic correspondence relating to national security

and national interest, (3) matters still pending decision and (4) confidential records of different branches of government (Article 19, 2005).

- There have been proposals for a FOI Law in the past but journalists' groups opposed these because "rather than widening the scope for information access, the proposed laws narrowed by focusing on official information that could be withheld" (Article 19, 2005, p. 49).
- The Duterte administration's Executive Order 2 which attempted to operationalize in the government's executive branch the right to information was met with serious challenges, including the unresponsiveness of some government agencies particularly the Philippine National Police to data requests.

### Limiting media access, pre-cyber era

- Corazon Cojuangco Aquino refused to talk to the media; and at one point imposed a dress code on media practitioners, "violations of which deprived the offender of the right to be in her presence" (Article 19, 2005, p. 48).
- Joseph Ejercito Estrada only talked to selected media practitioners and media organizations; relied on his spokesperson to brief the media.
- Fidel V. Ramos made himself generally accessible to the media, which according to some observers was an attempt to guarantee favorable media coverage.
- Gloria Macapagal Arroyo followed Ramos' approach and even appointed some media practitioners to lucrative government positions. But later on, following Cojuangco Aquino, Arroyo became strict in allowing media access.

### Republic Act 10175 or the Cybercrime Prevention Act of 2012

- Passed under Benigno Cojuangco Aquino III, the law penalizes crimes committed in the cyber environment. The law defines cyber as "a computer or a computer network, the electronic medium in which online communication takes place," and access as "the instruction, communication with, storing data in, retrieving data from, or otherwise making use of any resources of a computer system or communication network" (Department of Justice, 2012).

- Media and human rights groups condemned the passing of the law as an attempt to stifle free expression, free speech, and press freedom.

### Data privacy and protection

- Republic Act 10173 or the Data Privacy Act of 2012 aims to “protect the fundamental human rights of privacy, of communication while ensuring free flow of information to promote innovation and growth” (Section 2) (National Privacy Commission, 2012).
- The law “affords” protection to journalists and their sources, stating “Nothing in this Act shall be construed as to have amended or repealed the provisions of Republic Act No. 53, which affords the publishers, editors, or duly accredited reporters of any newspaper, magazine or periodical of general circulation protection from being compelled to reveal the source of any news report or information appearing in said publication which was related in any confidence to such publisher, editor, or reporter” (Section 5) (National Privacy Commission, 2012).

### Big Data and Journalism

- Lewis and Westlund (2015) discuss three examples concerning the intersection of journalistic norms and big data:
  - **Ethics in publishing (big) data online:** openness is an ethos that can integrate norms like iteration, transparency and participation, yet there are underlying problems concerning public data whether supplied by governments or political organizations. For example, big data such as millions of tweets are assumed to represent the social world “yet they have deeply structural signal problems, with little to no representation coming from less-connected communities” (Crawford, 2013 in Lewis & Westlund, 2015, p. 460). One must likewise consider the issues of personal harm and privacy online.
  - **Ethics in social science research:** as the use of social science research methods accelerated and expanded in a data-rich environment, social scientists are rethinking how ethical practices should be redefined. Journalists, some remind, have to be cautious: “just because certain content is publicly accessible does not mean that it was intended to be made public to everyone” (Boyd & Crawford 2012 in Lewis & Westlund, 2015, p. 460).

- **Ethics of technological systems design:** the key question here is “what happens as humans embed technological actants like algorithms with some assumptions, norms, and values?” (Lewis & Westlund, 2015, p. 460).
- There are calls for journalists to apply social science research techniques in using and analyzing big data in journalism. Scholars suggest that social science methods can “temper the subjectivity of algorithms and datasets,” arguing that journalists will become familiar with ethics in the social sciences once they learn the social science techniques (Fairfield & Shtein, 2014).
- A scholar based at Columbia University’s Brown Center for Media Innovation explains that data “have something to say about us and how we live. But they aren’t neutral, and neither are the algorithms we rely on to interpret them. The stories they tell are often incomplete, uncertain, and open-ended” (Bell, 2012, p. 3 in Fairfield & Shtein, 2014, p. 40).
- “While journalism is not human subjects research, journalists have already drawn from similar principles in an attempt to structure ethical standards” (Fairfield & Shtein, 2014, p. 40); there remains a need to expand the ethical framework given the increasing use of big datasets in journalism.

### Challenges to big data and journalism

- Working with big data also means dealing with the ethical implications brought about by technological infrastructures, processes, representation, and accessibility.
- Database size
  - Facing mountains of accessible data, journalists and researchers alike are accountable to their field of research and research subjects.
  - Informed consent even in the era of so-called big data is important, but “Raw number of participants makes informed consent problematic. Indeed, it is already problematic to call people with data stored in big datasets “participants.” They were not asked, have not consented, and do not know most of the time that their data are being used” (Fairfield & Shtein, 2014, p. 44).
  - “The problem of quantity does not absolve researchers or journalists of the shared ethical obligation to respect autonomy” (Fairfield & Shtein, 2014, p. 44).

- **As a data subject:** As a subject or respondent to a research study, you explicitly give consent to have your samples taken or responses recorded. However, as a data subject of technological innovations such as applications and wearables, you consent to conditions buried in lengthy terms and agreement. Everything you say or do in any gadget or platform can be recorded, stored, and used as data points to create a profile of you. Do you know what data is collected from you every single day?

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### Learning activity (optional)

**Watch** *The Great Hack* (2019). Available on [Netflix](#): Explore how a data company named Cambridge Analytica came to symbolize the dark side of social media in the wake of the 2016 U.S. presidential election.

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- Data aggregation
  - Aggregation means that the data of all group members are captured. Especially in social media, aggregation means that a certain database has the data of an entire community: "This can be invaluable in researching a particular subject, but the difficulty is in respecting the rights of other community members who may not be the subject of research or who have not given consent" (Fairfield & Shtein, 2014, p. 45).
  - In other words, investigations that deal with subjects using social media often have no clear barrier as to what is included and what is not in the analysis (Nissenbaum, 2004 in Fairfield & Shtein, 2014).
  - Aggregated data shows the tensions between individual and community, and also between subgroups within the community where "certain subgroups within the group may have more power while others are disadvantaged" (Fairfield & Shtein, 2014, p. 46).
  - **As a data analyst:** Representation and bias are always part of dealing with data—from collection, cleaning, processing, transformation, to analysis. Starting from the collection of data, are there any groups intentionally or unintentionally

left out of the conversation? If the dataset is imbalanced at the very beginning of the process, this will result in a skewed analysis and a bad reflection of a phenomena. With our journalistic practices heavily rooted in development, we have to be wary of how data can further marginalize (intentionally or unintentionally) underrepresented groups.

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### Learning activity

**Watch** *Coded Bias* (2020). Available on Netflix and [Youtube](#): This documentary investigates the bias in algorithms after M.I.T. Media Lab researcher Joy Buolamwini uncovered flaws in facial recognition technology.

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- Informational harm
    - Informational harm poses serious threats to the personal well-being of the subject. For example, the leaked location-based information of the subject and the not value-neutral characteristic of algorithms can do harm to one's privacy.
    - Anonymization in social media and the internet in general is a failed protection because "Big datasets permit de-anonymization. A subject's search history, social media messages, or contacts can identify her as easily as her name" (Fairfield & Shtein, 2014, p. 47).
    - **As a data architect:** Architects of big data technologies are not absolved of the accountability that might be caused by these systems. Engineers and scientists create algorithms to help machines understand the world; worldviews and biases can be baked right in. People working with data, whether data scientists or journalists, have the responsibility to explain what's going on behind the curtain.

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### Learning activity

**Listen to** "Hired by an algorithm," an episode from *In Machines We Trust*. Available on [Spotify](#): If you've applied for a job lately, it's all but guaranteed that your application was reviewed by a software—in most cases, before a human ever laid eyes on it. In this episode,

the first in a four-part investigation into automated hiring practices, the hosts speak with the CEOs of ZipRecruiter and Career Builder, and one of the architects of LinkedIn's algorithmic job-matching system, to explore how AI is increasingly playing matchmaker between job searchers and employers. But while software helps speed up the process of sifting through the job market, algorithms have a history of biasing the opportunities they present to people by gender and race among others.

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## References

- Article 19. (2005). Freedom of expression and the media in the Philippines.  
<https://www.article19.org/data/files/pdfs/publications/philippines-baseline-study.pdf>
- Borgman, C. L. (2017). *Big Data, Little Data, No Data: Scholarship in the Networked World*. MIT Press.
- Department of Justice. (2012). Cybercrime Prevention Act of 2012.  
[https://www.doj.gov.ph/files/cybercrime\\_office/RA\\_10175-Cybercrime\\_Prevention\\_Act\\_of\\_2012.pdf](https://www.doj.gov.ph/files/cybercrime_office/RA_10175-Cybercrime_Prevention_Act_of_2012.pdf)
- Fairfield, J., & Shtein, H. (2014). Big data, big problems: Emerging issues in the ethics of data science and journalism. *Journal of Mass Media Ethics*, 29, 38–51.  
<https://doi.org/10.1080/08900523.2014.863126>
- Lewis, S. C., & Westlund, O. (2015). Big data and journalism: Epistemology, expertise, economics, and ethics. *Digital Journalism*, 3(3), 447–466.  
<https://doi.org/10.1080/21670811.2014.976418>
- National Privacy Commission. (2012). Data Privacy Act of 2012.  
<https://www.privacy.gov.ph/wp-content/uploads/DPA-of-2012.pdf>
- Official Gazette. (2020). Bayanihan to Heal As One Act.  
<https://www.officialgazette.gov.ph/downloads/2020/03mar/20200324-RA-11469-RRD.pdf>
- Teodoro, L. V., & Kabatay, R. V. (1998). Mass media laws and regulations in the Philippines. Asian Media Information and Communication Centre.



Ward, S. J. A. (2005). Philosophical foundations for global journalism ethics. *Journal of Mass Media Ethics*, 20(1), 3–21. [https://doi.org/10.1207/s15327728jmme2001\\_2](https://doi.org/10.1207/s15327728jmme2001_2)

## **Further Readings**

Boyd, danah. (2011). Dear voyeur, meet flâneur... Sincerely, social media. *Surveillance & Society*, 8(4), 505–507.

Center for Media Freedom and Responsibility. (2007). Philippine press freedom report 2007. <http://www.cmfr-phil.org/wp-content/uploads/2009/03/philippine-press-freedom-report-2007.pdf>

Reporters Without Borders. (2020, April 2). Two Philippine journalists face two months in prison for coronavirus reporting. <https://rsf.org/en/news/two-philippine-journalists-face-two-months-prison-coronavirus-reporting>

Teodoro, L. V. (2017, September 24). Defending freedom. *Bulatlat*. <https://www.bulatlat.com/2017/09/24/defending-freedom/>

Teodoro, L. V. (2020, April 16). Press freedom is a global need. *Business World*. <https://www.bworldonline.com/press-freedom-is-a-global-need/>

## **Assessment**

Reflect on one key issue that impacts the state of social media use in the Philippines. How can ethics and journalism address this concern? Submit your reflection in the Discussion Forum,. Replying to your classmates' inputs in the discussion thread is highly encouraged but not required. This is a graded lecture activity.

## Rubric for Marking

Criteria	Performance level			
	9-10	6-8	4-5	1-3
Content (multiplier: 3.5)	The central idea is well developed, and clarity of purpose is exhibited.	The central idea and clarity of purpose are generally evident.	The central idea is expressed though it may be vague or too broad.	The central idea and clarity of purpose are absent or incomplete.
Analysis (multiplier: 3.5)	Notable abundance of critical, careful thought and analyses and/or insights.	There is a number of critical, careful thought and analyses and/or insights.	There is very little evidence of critical, careful thought and analyses and/or insights.	No evidence of critical, careful thought and analysis and/or insight.
Organization (multiplier: 1.5)	Logical progression of ideas with complete connections between ideas.	Logical progression of ideas. The paper uses basic transitions.	Organization is clear. The paper uses ineffective transitions.	There is no discernable organization. Transition is poor or absent.
Mechanics (multiplier: 1.5)	Grammar, spelling, capitalization are correct. No notable errors present in the piece.	Grammar, spelling, capitalization are generally correct, with few errors.	Several errors in grammar, spelling, capitalization.	Distracting errors in grammar, spelling, capitalization.

\*Adopted from DEVC 80