A year ago, six attackers stormed the Dusit D2 hotel complex in downtown Nairobi, eventually slaughtering over twenty people. The event and ensuing rescue efforts were a spectacle covered intensely by both local and international media outlets. Much of the coverage elicited little controversy. However, a story published online by the New York Times attracted much umbrage due to one of the pictures used to illustrate it, which showed three victims’ bodies slumped over coffee tables.

There was a furious reaction on social media, which was focused on the incoming bureau chief, Kimiko de Freytas-Tamura, who had authored the article the picture was used to illustrate. There were calls for her to be deported and although, as the Times protested, she had no role in the decision to publish the photograph, the state, via the Media Council of Kenya, threatened to withdraw her accreditation if the photograph was not taken down. Eventually, perhaps as a result of the furore, she did not take up the position.

The episode neatly illustrates some of the difficulties faced by editors across the world as a consequence of the digital revolution. Prior to the rise of the internet, journalists were the undisputed gatekeepers of the public sphere. Through codes developed by their professional associations, to a large extent they determined the ethical rules to be observed. However, today the internet has transformed the public sphere, opened new gates and diminished the power and authority of the media. On social media and on blogs, online communities have found a means to
assert their views and police the media’s actions – even when, as in the case with Kenyans and the Times, they do not form a significant part of a particular outlet’s audiences.

Speaking in the aftermath of the controversy, the NYT’s director of photography, Megan Looram, acknowledged that while in the past news outlets may have applied different standards to images from far-off places, that was no longer an option. Despite the fact that 9 in 10 of the NYT’s subscribers are located in North America, the paper’s editors were now required to “make decisions based on the fact that we serve a global audience”.

“Gone are the days in which we can view our audience as an American one,” remarked the paper’s National Editor, Marc Lacey, a former foreign correspondent based in the Kenyan capital, Nairobi. He admitted that the Times could have done “a better job of having consistent standards that apply across the world” and promised that the paper would “convene a group of people to come up with clearer guidelines” for their editors. However, it is unclear whether this has actually been done.

It is not just an issue for the so-called global publishers. Many of the same attitudes that informed the NYT’s coverage of the attacks in Nairobi are prevalent in local newsrooms around the world, not least in Kenya itself. In interviews carried out with Kenyan editors late last year, many told me that they paid little heed to the potential reaction their publishing decisions might arouse among those they did not consider part of their audience. One editor spoke of a “double standard” where “you all recognise that certain things are not publishable, but you only apply that stricture when the content is about yourselves, aimed at the local audience”.

The research project had set out to investigate how in the digital age Kenyan newspaper editors working for both print and online platforms make ethical decisions on the publication of gruesome images. The study concluded that while ethical considerations played an important role in editors’ selections, they are largely left to their own devices when making such determinations. Media houses have so far failed to provide effective systems and training to support them in this, though, in some cases, editorial policies and the Media Council’s Code of Conduct do have some advice. However, prior research has shown that such codes are generally not useful for guiding day-to-day newsroom decision-making.

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Editors are thus forced rely on their gut instinct, experience and consultations with colleagues rather than on methodical ethical reasoning to decide what is appropriate. This creates the sort of cultural blind spots that the NYT has struggled with.

Despite the obvious pitfalls, there is, so far, little agreement among both scholars and practitioners on what the new ethical rules are for publishing in today’s globalised, digital age. That makes it daunting for editors, especially when it comes to a subject as sensitive as the publication of graphic images. To what extent do and should editors factor in potential audience reactions in their decisions to publish? Is it the case that, as the late Lawrence Grossman, the former president of NBC News, reportedly said, “The job of the press is not to worry about the consequences of its coverage, but to tell the truth”?

Can newspapers really afford to ignore the potential offence their content may cause in an era where offending relatively tiny audiences in remote corners of the globe can have significant consequences in terms of reputation and profits? In a world where newspaper content is instantly
available across the world, what do concepts like “local audience” or even “local newspapers” really mean? While the media is increasingly globalised, the cultures and the ethical standards they breed are not necessarily so.

There are few readily available answers and proposed solutions only seem to lead to more questions. For example, NYT’s Lacey suggests that news outlets should take decisions without regard to nationality. “If we believe a particular type of photograph or article is too sensitive for an American audience, we ought to apply that same standard to a Kenyan audience, and a French one and a Mexican one,” he says. However, that assumes that disparate audiences are offended by similar things. Yet this is not always the case.

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Take for instance photos of animals being killed or participating in blood sports. Kenyan editors said that bloody images from cockfights or ones that showed the slaughter of animals for food would not necessarily be considered problematic by Kenyans. However, they were routinely flagged by online platforms like Google and Facebook as potentially offensive to other audiences. Whose standards are these platforms applying? The short answer is their own.

The study revealed that Google News and Facebook News have differing approaches to ethical standards regarding disturbing content. The former relies on aggregating global cultural standards through the use of over 10,000 search quality raters. The data generated by these raters is used to improve Google’s search algorithms and indirectly influences search results. Flagging by the raters and algorithms can also mean that offending pages are denied opportunities for making money through Google ads. Facebook, on the other hand, imposes a predefined “Community Standard”, the violation of which can lead to content being taken down.

As news publishers are forced to comply with platform standards for fear of having their content flagged, this increasingly raises these platform standards to the level of de facto global media ethics codes. Yet it is worth keeping in mind that these platforms are commercial entities and, as the controversies over the use of Facebook by entities like Cambridge Analytica to influence elections across the world have shown, leaving it up to them to decide what is appropriate for audiences can have terrible repercussions.

Further, looking at the internet as a flat network can also be deceptive. Research has shown that networks are inherently hierarchical, with people tending to cluster around sub-networks. Kenyans thus will tend to cluster around a network of websites, blogs and social media where their own cultural values will predominate. Applying the same standards within these sub-networks that the NYT may, for example, apply to audiences in the US, would not necessarily eliminate the potential for causing offence and the consequences that can arise from that.

A potential solution might be abandoning the use of graphic images altogether. However, this would not be ideal either. While media use of disturbing imagery may exaggerate the public perception of risk beyond what was reasonable, potential benefits include cultivating public appetite and will for early intervention to stop atrocities.

And isn’t provoking action to prevent atrocities part of the reason journalists cover the atrocities in the first place? In fact, Kenyan editors use graphic images primarily for their shock value, not newsworthiness. They were used to portray the horror and magnitude of events such as the 2013
Westgate terror attack or the 2011 Sinai fire tragedy when it was felt words alone would not suffice. Horrific pictures are also employed to incite political action to stop tragedies, such as when images of starving children generate action to deliver food aid or when newspaper editors agreed to publish graphic pictures during the 2008 post-election violence to shock Kenyans into stopping it.

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Not showing the consequences of wars also opens journalists to covering up the consequences of policy conducted in the public’s name. “If we’re big enough to fight a war, we should be big enough to look at it,” wrote American photojournalist Kenneth Jarecke, whose photograph of a horribly burned Iraqi soldier during the first Gulf War went largely unpublished. As the threat of war looms once again in the Middle East, the world’s media should be giving serious thought about the imagery they would choose to portray such a conflict.

In sum, the internet is not just disrupting media as a business; it is also challenging the ethics that for over a century have defined journalism as a profession. It is no longer enough for media houses and regulators to rely on antiquated notions of ethics buried in codes and policies. Or to expect that editors will respond automatically to audience needs or reactions. The study suggests that editors are more likely to respond to the internal demands and pressures within media houses than to outraged audiences. In short, the onus is on media owners and managers to prioritise, enable and demand ethical performance from their editors.

The urgent need is for scholars and practitioners to seriously think about media ethics for the internet age, and to develop practical on-the-job training as well as systems that would equip editors with the skills to avoid, or at least mitigate, the risks of publishing on a global platform.