

## Effects on Violation of Media Ethic in Peaceful Situation

Su Hla Phyu\*

### Abstract

Media is a backbone of society and serves as a bridge between the State and public. The aims of the study are that negative information of media become negative effect on peaceful situation in a country and media has an important obligation of imparting information to the society. It mainly focuses is on set of moral principles or values of media ethics to assist media workers in considering for the rightness and wrongness of their action, and how to choose the most appropriate way to inform. This paper is the reference to common use and primary source of media ethics such as honest, impartiality, accountability, objectivity, truth, balance, bias, privacy, and the public interest. In addition, digital and advance technology creates challenges for traditional media in Myanmar. To settle these issues, it is needed to obey media ethics and maintain the state's reputation and inhabitants' interests and give correct and sufficient information for civil service and also work within the framework of related laws, values, belief to balance rights, justice and self-interest.

**Key words:** Media, Ethic, Violation, Conflict of interest, Reputation of State, Justice, Self-interest

### Introduction

Nowadays, the media have become one of the most important factors of socialization. Social responsibility of the media is one of the key concepts and ethic is a branch of philosophy concerned with the moral principles and valued actions. Media is fourth pillar of providing valuable information for growth and rights of the people and serves as a balance to government power. Apart from traditional media, new media has risen in popularity over the past few years, in Myanmar, the number of users has increased rapidly. The Internet does raise a number of ethical issues and uplift ethic promotion. The Press Council of Myanmar formulated guidelines to balance between access to information and dissemination of information of public interest and importance.

### Aims and Objective

The main aims of the research are to know the concept and theories of ethic, especially, Media and Ethic and Code of Ethics, to investigate the importance of Media Ethics and to analyse the positive and negative effect of media in public interest.

---

\* Lecturer, Department of Law, Yadanabon University

### Research Method

As this research is based on a qualitative approach and published law books, law journals, articles and reports are also used as reference materials. A review and analysis was made of the various concepts and theories of Media and Ethic and Code of Ethics.

### Concept and Theories of Ethic

Ethics is **the** discipline dealing with what is good and bad and with moral duty and obligation. *Morals* often describes ones particular values concerning ethic. *Ethic* tends to suggest aspects of universal fairness and the question of whether or not an action is responsible. Ethics is concerned with rights, responsibilities, use of language, what it means to live an ethical life, and how people make moral decisions.<sup>1</sup>

Ethical theories are like scientific theories: they seek to give explanations of things in whatever way seems to make the best sense of available data.<sup>2</sup> Value theory, meta-ethics and normative ethics are of three main subdivisions. Among them, normative ethics is the study of ethical action. It is the branch of ethics that investigates the set of questions that arise when considering how one ought to act, morally speaking. Normative ethics is distinct from meta-ethics because normative ethics examines standards for the rightness and wrongness of actions.

Thus, Ethics is a speculative science. Media ethics or journalism ethics is a branch of philosophy concerned with actions that are normally permissible and those that are not. It assists media workers in determining what is right, and how to choose the best from several alternatives.

### Types of Media

Media are the communication outlets or tools used to store and deliver information or data. It is the components of the mass media communications industry, such as print media, publishing, the news media, photography, cinema, broadcasting (radio and television), digital media, and advertising.<sup>3</sup> There are two types of media in generally.

Traditional media incorporates all the means of communication such as books, magazines, newspapers and broadcasting communications (television and radio) that existed before new media. Many of the traditional means of delivering information are being slowly superseded by the increasing pace of modern technological advance. The emergence of new media which breaks the original concept and rules of traditional media communication makes expression of freedom of the press more influential.

The Media which uses digital technology and the internet is termed as New Media. It includes all forms of communication in the digital world, including Social media sites, such as Facebook, Twitter, etc. Internet, video and audio files, Computers, mobiles. With the creation of

---

<sup>1</sup> <https://www.psychologytoday.com/us/basics/ethics-and-morality>

<sup>2</sup> Newman Micah, *Ethics Demystified*, 2011, page 13

<sup>3</sup> [https://en.wikipedia.org/wiki/Media\\_\(communication\)](https://en.wikipedia.org/wiki/Media_(communication))

various types of new media, the Internet has become the broadest gateway and platform of spatial knowledge to interaction, and even turns to be the formation of a far and wide public field. The key features of this new media are convergence which means that one device can be used to contact an extensive diversity of media. New media facilitate more interaction. Accessibility new media is free media.<sup>1</sup>

### **Duties of Media**

It is main duty of media to impart accurate and fair news, data, entertainment, discussion on legal, political, economic information to peoples in society. A reporter who misuse media power for any selfish reason is not trustworthy and held responsible. Importance of media ethics are as follows,

1. Responsibility
2. Freedom of the Press
3. Independence
4. Impartiality
5. Fair play
6. Protect cultural heritage and social values and
7. Social approval <sup>2</sup>

To maintain objectivity, reporter or journalists needs to confirm of the sources of the facts and tries to present all important aspects of a story.<sup>3</sup> On an institutional level, it includes debates over media ownership and control, commercialization, accountability, the relation of the media to the political system, issues arising from regulation (e.g. censorship) and deregulation.<sup>4</sup>

Media should collect information with clear objective and in unbiased way. A fair and current issue should be delivered to society in accurate manner collecting and reporting new stories as per their complexity. It is difficult to decide where the line should be drawn between what is p

### **Ethical Practiced In Myanmar**

Impartiality, objectivity, balance, bias, privacy, and the public interest are primary source of media ethics. In relation to new coverage, a press man needs to censor the information to be precise, correct and complete as much as possible and if not so, it needs to mention the correction on the prominent page the soonest, if it is the printing media and mention at the nearest

---

<sup>1</sup> [Thestudyandimportanceofmediaethics%20\(3\).pdf](#)

<sup>2</sup> [https://www.researchgate.net/profile/GeetaliTilak/publication/349685937\\_THE\\_STUDY](https://www.researchgate.net/profile/GeetaliTilak/publication/349685937_THE_STUDY)

<sup>3</sup> [Thestudyandimportanceofmediaethics%20\(3\).pdf](#)

<sup>4</sup> [https://en.wikipedia.org/wiki/Media\\_ethics](https://en.wikipedia.org/wiki/Media_ethics)

time, if it is the other media.<sup>1</sup> Media outlets must report the same information if they are being prosecuted. Media worker should be impartial about news, and expression of opinion of any kind.

They refrain from mentioning the criticism of news which amounts to the contempt of Court in mentioning news relating to the cases being tried before the Court because the accused shall be presumed as an innocent until he has been convicted by the Court.<sup>2</sup> They also refrain from improper modification using any technology in expressing news photos, pictures and sounds.<sup>3</sup> In relation to new coverage, it needs to cover honestly and it needs to also refrain from posting or publishing of uncertainty, inaccurate interpretations, and disguised images. If so, it should be amend immediately. There is no the estimation and the opinion of the news writer except writing of criticism of news, opinion and article.<sup>4</sup> In relation to new and current affairs coverage, it was prohibited to write in author's style. The task of a journalist is not to impose their own opinions, but to present an impartial journalistic piece of work.

They refrain from copying and mentioning of intellectual property owned by other person without permission.<sup>5</sup> They refrain from mentioning of writing which may intentionally effect the reputation of a person or organization and writing which may affect the human right if the writing is not related to public interest.<sup>6</sup> Minimizing harm and maximizing benefits for social welfare and public are one of the goals of media ethic.

If the media promote some interests systematically and inform citizens incorrectly, the democratic process will not work effectively. When faced with favoritism, media critics express their fear that a misrepresentation or preference of one side has important consequences for the way people think about themselves, the way others think of us, the outcome of the political process and the democratic practice.<sup>7</sup> Media should be free to express their views. Media should be independent but should be loyal to country and country people

They refrain from writing of instigation which may cause conflict based on a birthplace, religion, nationality.<sup>8</sup> Media ethics guides about fair play. The matter related to religion, public and private rights should be handled fairly by media. For Social approval and respect, media ethics are important.

---

<sup>1</sup> Section 9 (a) and (b) of Myanmar News Media Law, 2014

<sup>2</sup>Section 9 (c) of Myanmar News Media Law, 2014

<sup>3</sup> Section 9 (d), Ibid

<sup>4</sup> Section 9 (e), Ibid

<sup>5</sup> Section 9 (f), Ibid

<sup>6</sup> Section 9 (g), Ibid

<sup>7</sup> [https://bib.irb.hr/datoteka/768881.Pavelin\\_Karamarko.pdf](https://bib.irb.hr/datoteka/768881.Pavelin_Karamarko.pdf)

<sup>8</sup> Section 9 (h), Ibid

A press man is responsible to comply with the ethics, terms and conditions issued by the Myanmar Press Council (MPC).<sup>1</sup> Several of the obligations set out in this law that was prohibited in contempt of court, defamation, intellectual property infringement, and incitement to hatred as the general application.

Considering "ethical" or "professional" obligations such as obligation to report accurately and reliably, and to ensure corrections for incorrect news have been set out as a higher standard for the conduct of media workers. However, the Law should not specify ethical obligations for the media, or create enforcement mechanisms for those standards or sanctions. Print and internet-based media should adopt their own ethical standards through self-regulation.<sup>2</sup>

The Media Council have preliminary responsibility to enforce these standards by bringing concerned parties together to agree a compromise. If this fails, the appropriate Courts are given jurisdiction for criminal prosecution, with fines ranging from 100,000 kyats to 1,000,000 kyats. Alternative and less severe sanctions, such as requiring the right of reply or correction, or the publication of the decision of the Media Council, are not provided for.

### **Current issues in violation of Media Ethic in Myanmar**

Myanmar Constitution, 2008 guarantees the rights to freedom of expression for its compliance with Article 19 of the Universal Declaration of Human Rights.<sup>3</sup> Provided that it is not contrary to the laws, enacted for Union security, prevalence of law and order, community peace and tranquility or public order and morality.<sup>4</sup>

Universal Declaration of Human Rights states;

"Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."<sup>5</sup>

Everyone shall have the right to freedom of opinion. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art or through any other media of his choice. However, there are special duties and responsibilities in exercise of those rights provided mentioned above. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

(a) For respect of the rights or reputations of others;

---

<sup>1</sup> Section 9 ( 1 ) of Myanmar News Media Law, 2014

<sup>2</sup> <https://www.article19.org/data/files/medialibrary/37623/News-Media-Law-Myanmar-EN.pdf>

<sup>3</sup> Section 354 (a) of the Myanmar Constitution, 2008

<sup>4</sup> Section 354 of the Myanmar Constitution, 2008

<sup>5</sup> Article 19 of the Universal Declaration of Human Rights

(b) For the protection of national security or of public order (ordre public), or of public health or morals.<sup>1</sup>

Freedom of expression is the fundamental right of the entire human being and essential to the good working of the entire human rights system. Notably, it was evidenced that so fundamental a human right as freedom of expression is also among the most violated of rights. In the exercise of those rights and freedoms, everyone needs to respect for the rights and freedoms of others. In addition, Media law, 2014 guarantees entitlements and freedoms to media workers, although also aiming to establish and develop responsibilities, ethics, rules and regulations and practices for the industry.

### **Negative effects of Social Media on society in Myanmar**

Today's internet rumor, to paraphrase Mark Twain, can circle the world before the truth's put on its shoes-sometimes with devastating results.<sup>2</sup> With the concern of fake news becoming more prevalent in today's society, the importance with ethical journalism has been significant. But an internet-based fourth pillar sometimes functions as an unchecked mob.

**Privacy:** Privacy is also a right, and one which conflicts with free speech. It abuses the society by invading on people's privacy. Some people use their images or videos in social sites that can encourage others to use it false fully. Some useless blogs influence youth extremely that they become violent and can take some inappropriate actions. Use of social media is beneficial but should be used in a limited way without getting addicted. Salacious details of the lives of public figures is a central content element in many media. Publication is not necessarily justified simply because the information is true. Although one of the media ethic is truthfulness, truth may conflict with many other values.

**Reputation** – Social media can easily ruin not only State's reputation but also someone's reputation just by creating a false story and spreading across the social media. Similarly businesses can also suffer losses due to bad reputation being conveyed over the social media. The Distorted press statements based on unverified facts and unreliable information lead to interference in internal affairs of the country in contrary to the media code of conduct and related laws of the country.<sup>3</sup>

Chapter 4 of the Myanmar Media Law, 2014, sets out Responsibilities and a Code of Conduct to be complied with by media workers which include the duty to avoid writing news which deliberately affects the reputation of a specific person or an organization or generates negative impact to the human rights.

---

<sup>1</sup> Article 19 (2) of the Universal Declaration of Human Rights

<sup>2</sup> Patterson Philip, Wilkings Lee, Media Ethics Issues & cases, 7<sup>th</sup> edition, page-254.

<sup>3</sup> <https://www.techmaish.com/advantages-and-disadvantages-of-social-media-for-society/>

As the remedies of the injured parties, it was mentioned as below;

Whoever commit statements conducing to public mischief such as making, publishing or circulating any statement, rumor or report,

(a) with intent to cause or which is likely to cause, members of the Defense Services or Government employees to deprive, affect, hinder, disturb. Damage the motivation, discipline, health, conduct upon the Government, or the Defense Services to bring into hatred, disobedience, disloyalty,

(b) with intent to cause, or which is likely to cause, any officer, soldier, sailor or airman, in the Army, Navy or Air Force to mutiny or otherwise disregard or fail in his duty as such; or

(c) with inter to cause, or which is likely to cause, fear or alarm to the public or to any section of the public whereby any person may be induced to commit an offence against the State or against the public tranquility; or

(d) with intent to incite, or which is likely to incite, any class or community of persons to commit any offence against any other class or community,<sup>1</sup>

Whoever:

(a) cause or intends to cause fear to a group of citizens or to the public;

(b) causes or intends to spread false news, knowing or believing that it is untrue;

(c) causes or intends to commit or to agitate directly or indirectly criminal offences against a Government employee, any kind of Government employees or Government employees, Such a person shall be punished with imprisonment which may extend to three years, or with fine, or with both.<sup>2</sup>

In the case of legal issues such as defamation, whoever commit stealing, cheating misappropriating or mischief of any money and property by using any telecommunications network and extorting, coercing, restraining wrongfully, defaming, disturbing, causing telecommunications network. Be punished with imprisonment for a term not exceeding three years or with fine or with both<sup>3</sup>

In addition to this commodification of Facebook-users' private information, the vulnerabilities of Facebook users' privacy on the platform has also had other consequences. Firstly, people have used Facebook to harass on another, by, for example, stalking one another online or releasing embarrassing personal data within each other's social networks.<sup>4</sup> It also abuses the society by invading on people's privacy. It is responsibility of media to provide accurate and fair information for public welfare. A reporter who misuses media power for any selfish reason is not

---

<sup>1</sup>Section 505 of the Penal Code

<sup>2</sup> Section 505 (a) of the Penal Code

<sup>3</sup> Section 66(c) and (d) of the Telecommunications Law

<sup>4</sup>SocialMediaPrivacy (1)

trustworthy and held responsible. The lack of custodial penalties for breaching media standards, although these are a possibility through laws of general application.

### **Conclusion**

Media plays a vital role of promoting or flourishing democracy by reporting, motivating and leading at all levels. Media ethics assist media workers in determining what is right, and how to choose the best from several alternatives. Media ethics constitute a normative science of conduct and must be applied voluntarily. Ethics are applied voluntarily. The media ethics are values like trustworthiness, respect, responsibility, fairness, truth and self-restraint to be practiced by the media people voluntarily, to preserve and promote the trust of the people and to maintain their own credibility and not betray the faith and confidence of the people. It carries a legal framework for the protection of the right to freedom of expression. Many governments all over the world are worried about the political consequences of the new media penetrating their countries. Media workers have the right to discharge of their duties freely but they need to follow media ethics in collecting and disseminating the news by ensuring objectivity and non-aligned in reporting of information to society. They should continue to maintain high level of professional standards in the discharge of their duties. They have the duty to avoid writing news which deliberately affects the reputation of a specific person or an organization or generates negative impact to the human rights.

### **Acknowledgement**

I would like to express my deepest gratitude to Dr. Tint Moe Thuzar, Rector, Yadanabon University for giving me the opportunity to carry out this research. And my profound gratitude goes to Dr. Thinn Thinn Mar, Professor and Head, Department of Law, Yadanabon University for her encouragement and helpful suggestions on my paper. Then, my genuine thanks go to every teacher and person who give me valuable advice for my paper.



### References

- Newman Micah, Ethics Demystified, 2011, page-13
- Patterson Philip, Wilkings Lee, Media Ethics Issues & cases, 7<sup>th</sup> edition, page-254
- Constitution of the Republic of the Union of Myanmar, 2008
- The Myanmar News Media Law, 2014
- The Penal Code, 1860
- The Telecommunications Law, 2013
- The Universal Declaration of Human Rights
- <https://en.wikipedia.org/wiki/Ethics>
- [https://en.wikipedia.org/wiki/Media\\_ethics](https://en.wikipedia.org/wiki/Media_ethics)
- <https://www.differencebetween.com/difference-between-ethics-and-vs-morality/#:~:text=Ethics%20is%20codes%20of%20conduct%20that%20pertain%20to,entity%20of%20the%20community%20but%20morals%20are%20not.>
- <https://www.psychologytoday.com/us/basics/ethics-and-morality>
- [https://www.researchgate.net/profile/DariuszRopiak/publication/279685427\\_Commentary\\_on\\_Ethics\\_and\\_Morality/links/5dbc23f9a6fdcc2128f6bd29/Commentary-on-Ethics-and-Morality?origin=publication\\_detail](https://www.researchgate.net/profile/DariuszRopiak/publication/279685427_Commentary_on_Ethics_and_Morality/links/5dbc23f9a6fdcc2128f6bd29/Commentary-on-Ethics-and-Morality?origin=publication_detail)
- [https://en.wikipedia.org/wiki/Media\\_\(communication\)](https://en.wikipedia.org/wiki/Media_(communication))
- [https://www.researchgate.net/publication/307994022\\_Media\\_Ethics\\_in\\_21st\\_Century/link/57d6794908ae6399a39477ba/download](https://www.researchgate.net/publication/307994022_Media_Ethics_in_21st_Century/link/57d6794908ae6399a39477ba/download)
- [https://www.researchgate.net/profile/GeetaliTilak/publication/349685937-THE\\_STUDY](https://www.researchgate.net/profile/GeetaliTilak/publication/349685937-THE_STUDY)
- [https://bib.irb.hr/datoteka/768881.Pavelin\\_Karamarko.pdf](https://bib.irb.hr/datoteka/768881.Pavelin_Karamarko.pdf)
- <https://www.article19.org/data/files/medialibrary/37623/News-Media-Law-Myanmar-EN.pdf>
- [https://en.wikipedia.org/wiki/Media\\_ethics](https://en.wikipedia.org/wiki/Media_ethics)
- <https://www.techmaish.com/advantages-and-disadvantages-of-social-media-for-society/>
- [https://en.wikipedia.org/wiki/media\\_ethics#cite\\_note-:0-9](https://en.wikipedia.org/wiki/media_ethics#cite_note-:0-9)