



2014-10-16

# Childrens' Rights or Journalists' Ethics

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## Recommended Citation

Michael Foley; Childrens' Rights and Journalists', paper delivered at the International Conference on the Institutionalisation of Child Rights in the Digital Future at Istanbul University, Turkey, Oct 16th, 2014.

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## **Children Rights or Journalists' ethics.**

Paper delivered at the International Conference on the Institutionalisation of Child Rights in the Digital Future at Istanbul University, Turkey on the occasion of the 25<sup>th</sup> anniversary of the UN Convention of the Rights of the Child.

### **Abstract**

The coverage of issues concerning children and childhood has become increasingly prominent and journalists now have access to any number of sets of guidelines. Within academia there is a growing body of scholarly literature concerning journalism, the media, and coverage of children.

This activity has been mainly in the context of children's rights. UNICEF, has been successful in highlighting the UNCRC and the role of journalists and the media in making the Convention work.

DIT, and the author, has been working with UNICEF, since 2006, in developing a syllabus for journalism schools. So far 27 universities from Turkey to Central Asia have adopted it. It is now being adapted to Africa.

The project objective was to embed the concept of children's rights among students of journalism through using specially designed material for journalism schools. This, it was hoped, would mean a qualitative improvement in the coverage of issues surrounding childhood.

The project has raised a number of important questions relating to the role of journalists. Do such projects compromise journalists by making them, in this instance, supporters of UNICEF and the Convention on the Rights of the Child? If journalists are encouraged to question and be sceptical, are we suggesting UNICEF be exempt?

Children have a right to have their story heard, to be included in any analysis of society. The actions of governments who have signed the convention should be scrutinized and journalists should be aware of the contested nature of the concept of children's rights.

A reliance on the contested area of rights introduces a legalistic framework, which can threaten freedom of speech and the press. If coverage of children, and ensuring they are heard, is good journalism, and if there is a need to debate children's rights itself, what is the best way to do this? These are the questions to explored in this paper.

Key words: Ethics; Rights; Children; Journalism

This paper explores aspects of children's rights as it applies to journalists and journalistic ethics.

Teaching journalism practice within a context of children's rights offers an interesting and original opportunity to explore issues relating to ethics, and democracy, as well as explore journalistically issues related to children and childhood. Discussing children's issues, can also offer a 'safe space' to discuss wider issues relating to human rights and democracy building.

A change has take place within journalism over the past years. This quote from Kelly McBride of the Poynter Institute would probably sum up the attitude of most journalists.

As a young reporter, I dreaded any feature assignment that meant writing about children. My aversion was rooted in two false presumptions.

First, I assumed that stories about children were puff pieces just like cute animal features. And when my editors assigned me these pieces I interpreted it as commentary on my ability to report news. I never volunteered to write about children, because I thought it was a fast track to being pegged as something other than the hard-hitting, assertive journalist I wanted to be.

Secondly, I thought children were impossible to write about, mainly because they are so hard to quote. They speak in one-word answers and nonsense sentences. They offer up so little. Meaningful information must be dragged out of children in tortuous interviews...

<http://www.poynter.org/latest-news/everyday-ethics/poynter-ethics-ournal/17374/beyond-puff-writing-about-kids/#.T7WBwrGtfM4.mailto>. Accessed May 22<sup>nd</sup>, 2012

However, attitudes seem to have changed and today the once reluctant Ms McBride says:

Telling the stories of children is one of the most important things journalists do. ... Children offer us a sympathetic window into foreign worlds we would otherwise have a difficult time seeing. <http://www.poynter.org/latest-news/everyday-ethics/poynter-ethics-ournal/17374/beyond-puff-writing-about-kids/#.T7WBwrGtfM4.mailto>. Accessed March 23<sup>rd</sup>, 2013

So where did this change come from?

Concern about children in mainstream journalism debates can probably be dated to a conference held in 1996 to explore relationships between children and the media. This led to a report from the International Federation of Journalists (IFJ) in 1997 that highlighted the absence of children from the vocational training for most media professionals (International Federation of Journalists, 1997). That was followed by *Children's Rights and Media: Guidelines and Principles for Reporting Issues Involving Children*, adopted by the IFJ at the world's first international consultative conference on journalism and child rights, held in Recife, Brazil, on May 2nd 1998.

Most professional media organisations have in recent times developed guidelines regarding coverage of children in the news, advocating child protection policies and promoting a sense of ethical responsibility on the part of the journalist towards children as subjects. The IFJ's own guidelines seek to embed the principles of Children's Rights in journalism practice, and that all journalists should be aware of Children's Rights rather than just a handful of specialists. It also advocates appointment of specialized Childhood Correspondents to keep in touch with policy and legislation in the area.

Unquestionably, the United Nations Convention on the Rights of the Child (UNCRC) is the foundation for this impetus towards greater media

awareness of children as rights' holders. It is also a great success for the UN's children's agency, UNICEF.

The role, function and place of children within the media is complex. Media academic, Susan Moeller, reporting on research on the media's use of children in international news said:

In today's competitive news environment, children are perceived to be one of the few sure-fire ways to attract eyeballs—on-line, in print, and on television. In debates over such diverse issues as foreign policy, Internet regulation, health care, the environment, and control of tobacco and alcohol, children have become proxies for all sides. Children have become projections of adult agendas. (A Hierarchy of Innocence: The Media's Use of Children in the Telling of International News. Susan D. Moeller *The Harvard International Journal of Press/Politics* 2002 7: 36)

The creation of a convention on the rights of the child reflects a generally accepted rule that the greater the awareness of rights, the more chance there is of securing them. It is in this context that the role of journalism appears crucially important. The Convention itself pays particular attention to the role of the media in children's lives through Article 13 of the Convention states:

The child 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 the child's choice.

While Article 17 says:

States Parties recognize the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health.

And as we celebrate the 25<sup>th</sup> anniversary of the convention we can ponder the success of the outcome of the Oslo conference at the time of the 10<sup>th</sup>

anniversary, organised by the Norwegian government and UNICEF. What emerged was the so called Oslo Challenge

The child/media relationship is an entry point into the wide and multifaceted world of children and their rights - to education, freedom of expression, play, identity, health, dignity and self-respect, protection - and that in every aspect of child rights, in every element of the life of a child, the relationship between children and the media plays a role

It further stated:

The Oslo Challenge is a call to action. It goes out to everyone engaged in exploring, developing, monitoring and participating in the complex relationship between children and the media. This includes governments, organizations and individuals working for children, media professionals at all levels and in all media, the private sector including media owners, children and young people, parents, teachers and researchers.

<http://www.unicef.org/magic/briefing/oslo.html> accessed saturday april 5th 2013

What was clear was that the UNCRC was to be central to the media's relationship with children and, that journalists' organisations would draw up guidelines based on the CRC. The centrality of the IFJ to this is important, as it is often the only guidance journalists in emerging democracies have in terms of professional conduct and ethics.

However, none of this suggests that the idea of children's rights is a contested one nor that there is no consensus among philosophers or rights experts as to the nature of child rights. Rights advocates, ethicists and other philosophers occupy every inch of the space between full support for children's rights to those who hold rights for children are an absurdity. The question is, where do journalists stand?

Notwithstanding the role that journalists can play in mobilizing support for the rights of children or acting as watchdogs for the public interest, media professionals are not advocates for any agency or specialists in children's rights. It is not the role of journalists to be cheerleaders for the UNCRC or UNICEF, however worthy of support.

However, this is not the position adopted by the IFJ, whose principles state:

All journalists and media professionals have a duty to maintain the highest ethical and professional standards and should promote within the industry the widest possible dissemination of information about the **International Convention on the Rights of the Child** and its implications for the exercise of independent journalism.

(Children's Rights and Media: Guidelines and Principles for Reporting on Issues Involving Children, adopted Recife, Brazil, 1998)

Other media organisations have done likewise. The UK media ethics charity, Media Wise, devised a handbook for journalists based on the Convention. Its website states:

PressWise was commissioned by UNICEF to devise a practical handbook on children's rights for media professionals, following projects in collaboration with the International Federation of Journalists on: child exploitation and the media; reporting on child labour; an international survey of journalism codes of conduct; and the production of draft guidelines for reporting on children.

It might be the role of the journalist to report on the different positions adopted in relation to human rights, and it must be added those who do not believe children have 'rights' per se are not advocates for the mistreatment of children, simply holding a range of views that children can only hold certain rights, to a position that children cannot hold rights if they are not in a position to choose to realise those rights.

James Griffin, Emeritus prof of Moral Philosophy at Oxford suggests children acquire rights as they get older:

I should certainly have no doubts about many children having rights on the definition of the 'child' employed by the UN Convention on the Rights of the Child: namely, anyone under legal majority. Indeed, children are capable of some degree of agency much younger than that. The autonomy of children of only a few years has sometimes to be respected, and they rightly think that their dignity is affronted if it is not. We should see children as acquiring rights in stages- the stages they acquire agency.

So I am inclined to conclude that human rights should not be extended to infants, to patients in an irreversible coma or with advanced dementia, or to the severely mentally defective. (see Griffin James, 2008, *On Human Rights* pp 94-95).

This conclusion, he adds, 'is compatible with our none the less having the weightiest obligations to members of all these classes'.

David Archard in *Children, Family and the State* (2003) outlines two theories of rights, Will or Choice theory, and Welfare or Interest Theory. The first is based on the power to enforce or waive the duty of which the right is the correlative. Take the right to education, for instance. I have the right of enforcing someone to provide education or not, depending on my own choice.

In welfare or interest theory, the right is of such importance it imposes on others certain duties.

Clearly the first excludes certain people because they cannot exercise choice, including children, whereas the second charges other people to ensure rights are enforced. There is a range of gradations between both, such as children having representatives, or proxies as an acknowledgement that one day the child will be able to chose. However, for our purposes, it is enough to see that there are theoretical positions that do not deny rights, but insists that rights come with choice. It is enough for journalists to acknowledge that children's rights are contested.

There are other arguments also. One suggests the ascription of rights to children is inappropriate because it shows a misunderstanding of the nature of childhood and of children, or of the relationships children do or ought to have with adults. The British ethicist, Onora O'Neill (O'Neill. O., 1988, 'Children's Rights and Children's Lives', *Ethics*, 98: 445-463.) holds to a version of this.

However, for our purpose, the different philosophical positions are irrelevant, because journalists do not have to take position, as journalists. Suffice to say there is considerable debate about children's rights and the nature of such rights.

So what of the journalist? And if they are not advocates of children's rights, how do they relate to children, report on them and reflect their concerns in the media? It must also be emphasised that nothing in this argument suggests that the Convention on the Rights of the Child has not

been successful. On the contrary, it is acknowledged that the world is a better place for children because of the Convention and if journalists continue to monitor governments' who have signed the convention, then it will strengthen the convention.

The journalists' role is to report accurately, verifiable information, to get all sides of a story, to reflect, as far as possible, the whole of society. The journalists as watchdog means they are obliged to monitor governments. If government sign and ratify a convention, then government should be held accountable. Journalists should, of course, understand what governments' are being held accountable to, so journalists should understand what children's rights are and the debates surrounding those rights. The most important job a journalist can do is to monitor the implementation or none implementation of that which governments have signed up for.

Susan Moeller suggests a number of reasons why coverage of issues relating to childhood and children should receive coverage and none of these reasons include rights:

Children are integral elements of family and community. Omitting news or stories that affect their lives or that shed light on the political well-being of a society would be a gross oversight on the part of the media. But equally, it is important that the media strive to include children in stories when their presence is integral to the accounts. (The Media's Use of Children in the Telling of International News. Susan D. Moeller *The Harvard International Journal of Press/Politics* 2002 7: 36)

Or as David Archard notes, how we treat children is a 'profoundly revealing index of our society's character' (Archard *Children, Family and the State*, p xiii). We might say, how we report children is a profoundly revealing index of our media's character.

There are a number of reasons why what are essentially ethical precepts are formulated as a set of Rights. Sometimes it is because of the belief that if something is made a right it has more chance of being achieved, although there is a corollary that suggests there might be a proliferation of rights and that the 'currency' of rights has been devalued. However, the formulation of Rights is a quasi-legal formulation. Take another set of rights, the European Convention of Human Rights. It has been incorporated into the domestic law in many countries, and has a judicial apparatus to ensure its implementation.

For journalists to find themselves bound by a set of quasi legal precepts is worrying and has implications for press freedom.

The changes taking place in the world of digital technology are, for journalists, the most far reaching since the invention of the printing press itself. The very future of journalism itself is up to discussion. How will we know the journalist of the future in a world of blogging, tweeting, and You Tube videos? It might just be that the journalist is the person adhering to an ethical code, who gets through the digital noise not through a list of rights, but guided by ethical codes. After all, the failures of journalism and journalists has been a failure to recognise its ethical commitments, to put in place ethical practices that are open and transparent and bring to an audience accurate and verifiable information that reflects the community and world we live it.

Coming to journalism from the perspective of the child does give a unique view of society. The failure of governments to act will have greater impact on children than any other group. Almost every area of government policy affects children, whether in health, education, social welfare, or the budgets, but there is little we know about their opinions, which is where good journalism comes in. Teaching journalism students about childhood and children means journalists will be aware of reporting ethically, reflect the whole society and understand how children will enrich their journalism and make it better. They should do this not because of Rights but because it is good journalism.

Dr Michael Foley teaches journalism at the School of Media, Dublin Institute of Technology. He has been involved in journalism education and development in the former Soviet Union, Eastern and South Eastern Europe since the mid 1990s. He is one of the authors, with Dr Brian O'Neill and Prof Noirin Hayes, of the UNICEF syllabus, *Children's Rights and Journalism Practice – a Rights Based Perspective*.

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