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Media Ethics Law

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Media Ethics and Law: Case Study Analysis

Issues of Privacy or Defamation

In Media Ethics and Law, journalistic integrity and legal responsibilities intersect at numerous points. Throughout this paper, I will discuss three cases; The Edward Snowden NSA leaks, the phone hacking scandal involving News of the World, and the Facebook-Cambridge Analytica data breach while using the Black and Roberts' "5 Ws and H" framework to address critical questions about the ethical and legal challenges many media professionals face. Additionally, recent news reports concerning privacy violations and defamation claims will be examined to provide a contemporary perspective on these issues.

The balance between national security and the public's right to know is the primary moral problem in the Snowden case. Former NSA contractor Edward Snowden released classified documents in 2013 that exposed the agency's extensive surveillance programs, which included gathering phone records and internet communications from millions of people globally. Snowden maintained that since he thought these actions violated people's civil liberties and privacy rights, the public had a right to know about them. "I can't in good conscience allow the U.S. government to destroy privacy, internet freedom, and basic liberties for people around the world with this massive surveillance machine they're secretly building" (Greenwald, 2014, p. 1). Snowden claimed that the existing laws permitted unethical mass surveillance, which served as justification for his actions. Despite breaking the law, he felt that exposing these practices was morally required and that the legal ways of reporting were ineffective. The question of why not

abide by the rules is brought up by this decision. "In a letter to Attorney General Eric Holder last year, they argued that "there is now a significant gap between what most Americans *think* the law allows and what the government secretly *claims* the law allows"(The Guardian, 2013, p.1).

Snowden believed that going through official channels would only lead to the suppression of his findings rather than significant change and that the NSA's internal reporting procedures were not enough. He decided to leak the information to journalists because he thought that in order to encourage change, public awareness was required. The global public, who learned more about the extent of government monitoring, and privacy advocates, who used the disclosures to demand changes, are the winners in this case. The NSA, whose operations were compromised, and Snowden, who was exiled and subject to legal consequences, are the losers. A global discussion about how to strike a balance between security and privacy was spurred by the leaks, which resulted in some policy changes and heightened scrutiny of government monitoring methods. But Snowden's actions also strained international relations and jeopardized some intelligence operations, underscoring the difficult trade-offs that must be made when making such moral choices. Increased public awareness and ensuing policy changes are two ways to assess the ethical value of Snowden's leaks. The USA Freedom Act, for example, placed restrictions on the NSA's mass gathering of phone records as a result of the disclosures. But it also came with a lot of risks, which could jeopardize international relations and national security operations. The ethical question of whistleblowing in the face of alleged government overreach is highlighted by Snowden's actions.

Snowden was impacted by his moral beliefs and the encouragement of journalists and privacy activists. Government representatives and legal authorities, however, criticized him for what they saw as betraying his country. A journalist named Glenn Greenwald praised him as a civil

liberties hero, while prominent people like former Vice President Dick Cheney called him a traitor. The range of responses to Snowden's actions is indicative of the larger discussion surrounding the morality of government transparency and whistleblowing. "The intelligence community, like all branches of government, needs to be held accountable by the public they serve. Journalists do have a right to exercise their role as the "4th estate" to check government power. Yet, they also have a responsibility to use their access to sensitive information in a way that does not compromise the ability of those institutions to protect sources and methods, which can put people's lives at risk" (Greenwald, 2014, p.5). The case demonstrates the continuous conflict between the need to preserve national security and the public's right to know.

To get sensational stories, journalists in the News of the World scandal broke into the phones of politicians, celebrities, and even victims of crimes. The breach of privacy for financial gain and readership is the main ethical concern. This 2011 scandal exposed the lengths some media companies would go to obtain a competitive advantage. The shocking revelations revealed that journalists had hacked into the voicemails of many public figures, including victims of the 7/7 London bombings and murder victim Milly Dowler. News of the World journalists disregarded ethical rules and legal limits in favor of extreme reporting and competitive advantage over privacy protection and legal behavior. This begs the question: why not abide by the regulations? The pressure to increase sales and readership, as well as the desire for exclusive stories, motivated the participating journalists. The organization's ineffective accountability and supervision system made this unethical behavior even worse. Paul McMullan, a former News of the World reporter states "The technique was simple. All it required was knowing an individual's mobile phone number. The reporter would ring it, hope it went to voicemail, then guess the individual's PIN – usually still set to the default of '0000' or '1234'. They could

immediately listen to all the voicemails left on that individual's phone. In an era before smartphones made it easier to send lengthy text messages, a typical set of voicemails could include everything from declarations of love to private medical information" (The Guardian, 2021). The newspaper and its readers, who were treated to exclusive stories, were initially the winners. The losers were the hacking victims, whose personal information was leaked without their permission, and finally, the newspaper itself, which was shut down due to public indignation and legal repercussions. The public's confidence in journalism was damaged by News of the World's illegal conduct, which also resulted in legal changes to media practices. Several recommendations were made by the Leveson Inquiry, which was set up in reaction to the scandal, to enhance media ethics and regulation in the United Kingdom. The controversy made clear how crucial it is to follow the law and practice ethical journalism. The competitive pressure to produce exclusive stories and their editors probably had an impact on the journalists involved. The desire for profit and viewers took priority over ethical considerations. Widespread errors resulted from News of the World's culture, which put profit and excitement ahead of moral reporting.

Political clients looking to use data for electoral advantage had an impact on Cambridge Analytica. Facebook was under pressure to boost engagement and make money off of user data, frequently at the expense of privacy concerns. The tech industry's competitiveness and profit-drivenness were factors in this instance's unethical behavior. Both Facebook and Cambridge Analytica suffered legal repercussions and harm to their reputations as a result of the widely condemned decision to exploit user data. In his congressional testimony, Facebook CEO Mark Zuckerberg admitted the company had failed to protect user data and pledged to strengthen

privacy safeguards. The controversy highlighted the necessity of strong data security and moral principles when managing personal data.

In addition to these cases, recent news reports offer more instances of defamation and privacy violations. A prominent example of a privacy breach is the 2014 celebrity pictures leak, also known as "The Fappening." Hackers unlawfully gained access to several celebrities' private iCloud accounts, posting intimate images online. Significant ethical and legal questions about the protection of personal data and the obligations of tech companies to protect user information were brought up by this breach. The breach of privacy and the legal consequences for the involved hackers were the main topics of the extensively publicized story. Katie Morley states "Despite me having two-factor authentication across my phone and most of my applications, the thieves were able to immediately remove my trusted devices, locking me out of my iCloud account. They accessed all my sensitive information, including my emails, social media, banking and credit cards" (The Telegram, 2024). In the media, defamation accusations are also common. The defamation suit that Johnny Depp brought against Amber Heard is a well-known example. After Heard wrote an opinion piece in The Washington Post describing herself as a victim of domestic abuse, Depp filed a defamation lawsuit against her. According to Depp, the article harmed his reputation and career by implying that he was the abuser. The case has received extensive media coverage, including in-depth accounts of the court proceedings and the consequences for the public perceptions and careers of both parties.

In conclusion, the complicated relationship between media ethics and the law is shown by the cases of Edward Snowden, News of the World, Facebook-Cambridge Analytica, the celebrity photo leak, and the Depp-Heard defamation lawsuit. Every case highlights the repercussions of putting other interests ahead of moral and legal requirements, emphasizing how crucial

accountability, openness, and privacy protection are in media operations. Respecting legal requirements and ethical standards is essential to preserving public confidence as well as the integrity of data management and journalism. These cases are crucial reminders of the necessity of legal compliance and ethical vigilance in a world that is becoming more interconnected and information-driven.

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