PROTECTING CHILDREN FROM HARMFUL CONTENT IN NEW MEDIA: AN ETHICAL APPROACH*

Ruhdan UZUN**

Abstract

Development and proliferation of new media have made ethical issues more complicated and multidimensional. The presence of children as users and content generators in new media has been the common source of concern regarding the possibilities of their exposure to harmful content and abuse. The new legislative regulations proposed quell this concern has brought a new concern regarding the possibility of the growth of government control over freedom of expression. In this study, it is suggested that ethical regulations must be discussed to minimize demands for legislative regulations that may restrict freedoms. Therefore, we try to detect the parties and their responsibilities in the development of proper content for the children in new media. Thus, this paper aims at contributing to the discussions on developing ethical principles and behavioral codes in accordance with specific characteristics of new media while producing content that consider the best interests of the child.

Key Words: ethics, new media, child rights, harmful content, self-regulation.

* Revised paper presented in IAMCR (2016), Leicester/UK ** Professor Doctor, Gazi University, Faculty of Communication

ÇOCUKLARIN YENİ MEDYADA ZARARLI İÇERİKTEN KORUNMASI: ETİKSEL BİR YAKLAŞIM*

Ruhdan UZUN**

Özet

Yeni medya, etik sorunları daha karmaşık ve çok boyutlu hale getirmiştir. Yeni medyada çocukların hem kullanıcı hem de içerik üreticisi olarak varlıkları, zararlı içeriğe ve suistimale maruz kalma olasılıkları açısından endişe kaynağı olmaktadır. Bu endişelerin giderilmesi için yasal düzenlemelerin gündeme getirilmesi ise ifade özgürlüğü üzerindeki hükümet denetimini artırmaya götürebileceği yönünde yeni endişelere neden olmaktadır. Bu makalede, özgürlükleri kısıtlayıcı yasal düzenleme taleplerini en aza indirmek üzere etiksel düzenlemelerin tartışılması önerilmektedir. Bu nedenle, yeni medyada çocuk haklarına yönelik etik ihlallerden yola çıkarak uygun içerik oluşturulmasında taraflar ve sorumluluklarının neler olduğu incelenecektir. Böylelikle, içerik üretiminde yeni medyanın kendine özgü özelliklerine uygun etik ilkeler ve davranış kodları geliştirilmesine yönelik tartışmalara katkı hedeflenmektedir.

Anahtar Kelimeler: etik, yeni medya, çocuk hakları, zararlı içerik, öz denetim.

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Introduction

The widespread proliferation of new media platforms have brought into question new challenges to communication ethics. One of these challenges is protecting children from harmful contents in new media. Chester and Montgomery suggested that children grow up in an expanding and ubiquitous digital media culture including cell phones, mobile devices, instant messaging, social media, videogames and virtual, three-dimensional world (Chester and Montgomery, 2008; Montgomery et al. 2012). This situation has caused a necessity of consideration for communication ethics that take into account of the changes of conditions in which children grow up.

With the proliferation of new media platforms, ethical behavior codes in media have become increasingly more detailed and the tendency to develop special ethical rules related with disadvantaged groups and groups that need special protection like children have risen. Children are considered traditionally as a group that must be approached sensitively because they need others to be looked after and protected, and are vulnerable to all kinds of threats in their developmental period (Livingstone, 2014).

In the meantime, the developments of new media platforms have made the issues about ethics more complicated and multidimensional. The presence of children as users and content generators in new media has been the common source of concern regarding the possibilities of their exposure to harmful content and abuse.

Sutter indicated that public concern about the effects of media is not new. He stated that, from a historical perspective, "the novel, music hall, the cinema, comics, television, video and computer games have each in turn become the focus of recurrent waves of public anxiety" (Sutter, 2000: 341). With the introduction of each new wave of innovation in mass media debates on the effects of new technology have recurred, especially with regard to the effect on children and young people. While the advocates emphasize its great promise for social and educational benefits, the opponents voice great concern for children's exposure to inappropriate and harmful content including violence, sexuality and commercialization (Wartella and Jennings, 2000: 31).

In the early 1990s, public debate focused on the potential harm of violent and sexually explicit computer games. By the mid-1990s, public concern turned to the internet and online environments. Concerns focused on two key issues the first of which is the possibility that children might interact with strangers and meet online pedophiles. The second is the possibility that children might access inappropriate content, including sex, violence, and sites including hatred and racism (Wartella and Jennings, 2000: 38). The new legislative regulations proposed quell this concern has brought another concern regarding the possibility of the growth of government control over freedom of expression. Then it may be asked whether law or ethics to be used to enhance media quality in a national context (Belsey and Chadwick, 2002: 8). Incidents caused by inappropriate and harmful media content create moral panic and demands for enhancing legislative control over media content. Self-regulation is what the media industry prefers. Furthermore, rights activists advocate that many issues in the field of communication should be preferred to regulate by ethical codes because of the threat to restrict freedoms by legislative regulations (Uzun, 2014). Moreover, as Belsey and Chadwick (2002) put it, even if most of the legal restrictions are lifted, distortions, bias, propaganda, sexism, racism, homophobia, personal attacks, and so on continue.

Censorship is inacceptable in today's democratic societies. However, considering protecting children there is a consensus that contents like child pornography and hate speech must not flow freely. Therefore, when discussing the protection of children in new media, it is necessary to distinguish between illegal and harmful contents. While the framework of illegal content is drawn by law, ethical principles may be discussed to provide protection from harmful content (Uzun, 2014: 162).

In this study, it is suggested that ethical regulations must be discussed to minimize the moral panic and demands for legislative regulations, which may restrict freedoms. The importance of developing ethical control systems to minimize harmful contents in new media is emphasized since they make a great contribution to creating awareness and raising consciousness.

Risks and Opportunities in New Media

New media platforms, especially the internet not only provide opportunities regarding development of children but also cause important risks. The EU Kids Online Project, a research network funded under the European Commission's Safer Internet Programme, has mapped the risks and opportunities that online technologies have created.

According to the Project, "The more children use the internet, the more digital skills they gain, and the higher they climb the 'ladder of online opportunities' to gain the benefits. Not all internet use results in benefits: the chance of a child gaining the benefits depends on their age, gender and socio-economic status, on how their parents support them, and on the positive content available to them" (EU Kids Online 2014). Risks summarized in the EU Kids final report are given in the following list:

Giving out personal information is the most common risk (approximately half of online

teenagers).

• Seeing pornography online is the second most common risk at around four in 10 teenagers across Europe.

• Seeing violent or hateful content is the third most common risk, experienced by approximately one-third of teenagers.

• Being bullied or harassed is fourth, affecting one in five or six teenagers online, along with receiving unwanted sexual comments (with varying degrees of incidence across Europe).

• Finally, meeting an online contact offline appears the least common, though arguably the most dangerous risk at around 9 percent (one in 11) online teenagers. (O'Neill, 2010: 332).

Violation of Privacy and Protecting Personal Information

Lwin and others (2008), stated that although the internet can be a powerful tool in a child's development, education, and communication, the spread of the internet has sparked growing concerns about privacy, safety, and access to inappropriate contents for children. The presence of commercialized web sites has been rising rapidly in households and many parents are concerned that online marketers obtain sensitive information from children that may cause a violation of privacy (Turow, 2001). Indeed, the nature of new media technologies make relatively easy to collect information from children without any parental involvement or awareness (Montgomery, 2000).

Today's children are growing up in a ubiquitous digital media environment including mobile devices, instant messaging, social networks, virtual reality, avatars, interactive games, and online video. This digital media environment contains a great number of online marketing applications. Marketers have devised a variety of techniques to collect detailed data and to compile individual profiles on children. For example, children are offered gifts or chances to win prizes if they fill out an online survey about themselves. (Friedman 2000: 43).

Though the matter of online privacy has been studied elaborately for adults, very few studies have empirically carried out on privacy issues surrounding children's revelation of personal information (Lwin et al. 2008: 205)

Lorenzana (2002) has noted that protecting children on the internet generally takes two forms: regulatory intervention and parental mediation. The U.S. Federal Trade Commission (FTC) suggested legislation to reduce the unnecessary solicitation of personal information from children. The result was the implementation of the Children's Online Privacy Protection Act (COPPA), which sets guidelines for online safeguards designed to prevent the collection of personally identifiable information from children unless parental consent is given. According to this Act, a commercial web site that does so must:

• Provide notice on the web site or online service of what information it collects from children, how it uses such information, and its disclosure

practices for such information;

• Obtain verifiable parental consent prior to any collection, use, and/or disclosure of personal information from children;

• Provide a reasonable means for a parent to review the personal information collected from a child and to refuse to permit its further use or maintenance;

• Not condition a child's participation in a game, the offering of a prize, or another activity on the child disclosing more personal information than is reasonably necessary to participate in such activity; and

• Establish and maintain reasonable procedures to protect the confidentiality, security, and integrity of personal information collected from children.

On the one hand, similar legislative regulations fall short of the goal because of the onslaught of technology and they cause concerns like restricting access. Under the law, web sites that maintain chat rooms directed at children must either condition a child's participation on the consent of a parent, a guardian or monitor the chat room and censor references to personal information. Simmon examines whether COPPA's chat room restrictions infringe on the free speech rights of children. He finds that "aspects of the chat room restrictions are constitutionally suspect because it is questionable whether the parental consent requirement is narrowly tailored" (Simmons, 2007: 141-142).

Debates on protecting the online privacy of children suggest that mechanisms of protection, either legal, ethical or technical, should meet the following qualities:

- They should safeguard online personal information of children while enabling their access to appropriate content,
- Should facilitate parental involvement of their children's online activities,
- Should comply with legal requirements in terms of notice, access and security (Xu et al. 2008).

Commercial Content and Development of Consumption Culture

Media and marketing landscape has changed and expanded dramatically recently. The growing commercialism is underlying online content aimed at children. In today's world, children are immersed in cultures of consumption in every aspect of their lives. The ascending popularity of social media among children and the young, also the emergence of marketing strategies designed for those popular networks have made children vulnerable to interactive advertising. With this growth in children's access to the Internet, thousands of child-oriented web sites have sprung up, and many are laden with commercial promotion (Kunkel et al. 2004). Children are increasingly defined and viewed by their spending capacity in contemporary marketing. Marketers seek not simply to expose children to ads but to foster ongoing engagement. According to Hill, there is mounting evidence to suggest that the structure of childhood is eroding and children are suffering from serious physical, emotional and social deficits directly related to consumerism (Hill, 2011).

One of the important aspects of marketing to children on the new media is that the boundaries between commercial and noncommercial content are blurred if not absent entirely (Kunkel, 2004: 3). Many of the practices are potentially deceptive for little children who may find it hard to distinguish persuasive intent from entertaining content in the online environment. For example, many adverts like adver-games are not clearly labelled; signposting from host sites to an advertiser's site is poor; there is significant use of popular children's characters to incite sales; product placement is increasing in especially online games (Nairn and Dew, 2007; Hackley et al. 2008). Therefore, Interest groups, parents, site owners, and regulatory bodies have voiced concerns over the ethical implications of online marketing strategies aimed at children.

Marketing and advertising on the new media is self-regulated and a number of national and international codes now exist to guide responsible practices. However, these codes remain inadequate in the face of increasing covert and stealth marketing strategies. "There is thus a strong case for site owners, advertisers and self-regulatory bodies to work together to ensure that sites are aware of the audience they are attracting and that they make it easy for children to understand quite clearly the difference between what is designed to entertain and what is designed to persuade." Moreover, revision and updating ethical code of conducts continuously is required because of the development of media technologies and marketing strategies. Besides, effective media literacy programmes should be developed to help children to be competent of understanding both explicit and implicit persuasion.

Pornographic or Obscene Contents

Fears about the dark side of new media, especially the potential exposure of children to the harmful effects of pornography have given rise to strong demands for the introduction of heavy censorship. Some fear that this will lead to excessive state control over freedom of communication (Sutter, 2000: 338).

Although the protection of children by their parents comes to prominence in traditional media environment since it is family-centered, new media creates an environment for individual activities (Timisi, 2011: 144). This situation raises access to information and knowledge for children. On the other hand, it increases children's possibility of exposure to inappropriate contents like pornography or obscenity that may be harmful to their development. Although censorship is unacceptable in democratic societies, legislative regulations to protect children are demanded, which may restrict communication.

Sutter points out that the "furore over internet pornography, follows the classic pattern of moral panic throughout the ages." He also states that "from Plato's concerns regarding the dramatic poets effects on the young to the 1980s video nasties scare, to screen violence and internet pornography in the 1990s and beyond: contexts change but the arguments are consistent" (Sutter, 2000: 338).

In Turkey, The Act on Regulating Broadcasting in the Internet and Fighting Against Crimes Committed through Internet Broadcasting was passed in 2007. Under the act, "obscenity" is considered as a justification to block access to a web site. Cultural or moral variations in the Turkish society make it difficult to define "obscene content" in a way acceptable to all. Therefore, there is no settled definition of the concept in Turkey. Because of this, the act opens some doors to governmental censorship. As a result, thousands of web sites have been blocked to access since the act gone in effect.

Although the goal of protecting children from obscene content is rightful and reasonable, the method for blocking access is not a favorable tool to achieve this goal. Because, with blocking access to some sites, protection of children is not accomplished completely and it violates the rights of adult people to access obscene contents. In addition, it causes arbitrary intervention because of vagueness in the meaning of "obscenity". As Walker (1996), puts it:

Self-regulation in this field has a number of advantages. Rules devised by the media are more likely to be internalized and accepted. In addition, it may avoid heavy-handed legal intervention which carries with it the spectre of government censorship.

It should not; however, be forgotten that the prime responsibility for assuring an appropriate moral environment for children does not rest with internet content suppliers or access providers. Instead, parents and schoolteachers should also be responsible for protecting children from accessing obscene contents.

New Media Ethics in Protecting Children

With the development of new media technologies, as in all technological advancements, it is necessary to contend ethical challenges in various levels. Violation of child rights and protecting children should be discussed in this context. Concepts like social dialogue and social responsibility should guide regulations to create child-friendly networks so that technologies do not develop in emptiness in contrast, they are determined as a result of political preferences.

The democratic process of communication area intertwines implementing rights and freedom. Therefore, in the face of problems, it is important to raise ethical consciousness instead of restrictive and repressive legislative regulations in order that people can use basic rights like the right to freedom of speech and the right to be informed. To protect rights and freedom, it is important to promote ethical principles that guide legislative regulations related to hazardous aspects of new media, without creating moral panic.

In Turkey, considering currently available ethical codes of conduct in media, there are general principles concerning protection of children. Rules of conduct based on these ethical principles are sometimes manifested in the guidebooks that are published by relevant institutions and associations and sometimes in the studies of organizations like UNICEF.

In Turkey, news organizations in new media or relevant professional organizations do not have detailed principles and codes of conduct directed to children. However, protecting children in new media is not limited to only journalism practices. Ethical responsibility belongs to parents, children, teachers, websites, content generators, service providers, software developers and technology developers. For example, children are the main actors in some incidents like cyberbullying. However, content generators are a wide range of social groups including from policy makers in game industry to bloggers.

Developments of new media technologies at an unprecedented pace and following these technologies needs time and new media literacy skills make it difficult for parents to protect their children. At this point, as other actors, technology developers, hardware designers and software developers should respect to child rights and take responsibility of protecting children while doing their job.

Criteria in Developing Content

Media technology can be developed as to serve best for the needs of children. For example, the concept of "interactivity" enables content developers to create more targeted programming to contribute cognitive growth for children of different ages. Besides, the efforts of developing contents for children should take into account the structure of media industry and institutional regulations that may develop media culture. Media contents are not likely to change unless the underlying economic incentives of media industry are addressed. To this end, new partnerships between academics, content providers, and governments are needed to create new incentives for developing higher-quality media. In this context, criteria to consider when creating new media content for children might be sorted as following (Wartella and Jennings, 2000: 40-41):

Diversity

• Is the content relevant to children from different racial groups?

• Does the content provide strong female role models?

• Does the content create or exploit stereotypes-ethnic, racial, or gender?

Accessibility

• Does the technology take into account accessibility for children with special needs? *Interactivity*

• Is the best medium used for this content (or would it be better used in a different way-as

a book, magazine, radio or television show, CD-ROM, Web site)?

Does it use its interactive potential to the best effect?

Does it help to create a community of young people?

• Does it give children unique access to information, ideas, or people?

• Does the interactivity give children real choices, integral to the content and with real results or consequences?

· Does the child have an opportunity to create something?

Education

· Is the content educational or informational?

• Do the providers of this content seem to know their target audience and offer content appropriate for children of that age?

Value

Is it fun?

• Is it engaging to children, so they will want to explore further?

• Does the content have something to tell, instead of just something to sell?

Artistry

• Is the content's art design of the high quality that adults would expect?

• Do the design elements support the information or play value (as opposed to distracting or overwhelming it)?

• (For Web sites) Is the interface quickly understandable, so children can navigate it alone? *Safety*

• (For Web sites) Are children asked for personal information, other than what is integral to use of the site? Is the site self-contained? If not, does it offer links only to carefully chosen, child-safe sites?

Does the content employ gratuitous violence or sexual content?

Recent surveys show that considerable numbers of children access to the internet without parental guidance or supervision. Considering this, automatic means of determining child-appropriateness of web pages would be notably desirable. When identifying the criteria of a good children's web page based on children's needs and abilities, it may be benefited from Open Directory Project (ODP). The ODP editors state in their content selection guidelines that a good children's web page should be:

- informative
- age-appropriate

- non-commercial
- for children, not about children (Eickhoff et al. 2011: 505-506).

In the meantime, opportunities for peer-to-peer learning begin to gain importance to encourage children to gain the skills they need for succeeding in school. McManis and Gunnewig (2012), suggested that educational technology with positive outcomes for children needs to

- · be developmentally appropriate for children,
- include tools to help teachers implement the technology successfully, and
- be integrated into the classroom and curriculum.

In addition, Murray and Kliman (1999), suggest that educators should be concerned about the development and content of computer games. The authors suggest three criteria to consider when choosing computer games:

- the educational content of the game,
- the features that make it more or less equitable, and
- the factors that make it more or less fun and engaging to play.

New Media Literacy in Raising Ethical Consciousness

Becoming conscious about new media is important to both children and their parents. Therefore, new media literacy courses should be planned separately to address both children and their parents. Silverstone argued that at the core of media literacy there should always be a moral agenda. Calling for new media civics, he suggested that a responsible and accountable media culture can only be sustained by "a moral discourse that recognizes our responsibility for the other person in a world of great conflict, tragedy, intolerance and indifference" (Silverstone, 2004: 440).; O'Neil (2010: 334) argued that the elaboration of that moral discourse remains an ongoing challenge but in this context, a reconsideration of communication rights provides an important starting point. This should involve adopting an applied ethics making new media literacy a real and action-oriented experience for children. Because, as O'Neil suggested, ethics has the potential to act as the basis for a full consideration of communication rights and responsibilities in the new media and to empower citizens.

Spreading the child rights-based new media literacy programme in society and teaching it as early ages as possible contributes to the understanding of rights and responsibilities in new media environment and raising ethical consciousness.

In Lieu of Conclusion

In discussions about protecting children in new media environment, it should

be advocated that children use this platform as a medium that they can advocate their rights and improve their ability for self-expression. Therefore, when making ethical regulations, it is important to adopt an approach that is based on the ground of rights and freedoms and that considers children as subjects instead of objects.

The opportunities of new media should be used to create more liberal, more participative, more equalitarian, more sharing and more solidarist contents against threats of new media to struggle hate speech, cyberbullying, violation of privacy, excessive commercialization. In this struggle, it is given preference to guidance of new media ethics instead of repressive laws that may increase governmental control and may restrict child rights.

It should not be forgotten that the transformation of new media is not possible unless these efforts are not supported by a civic organization.

Even though digital media means are new, concerns that children may get harmed socially, emotionally or mentally in media platforms are nothing new. Therefore, besides media means, social conditions should be dwelled on in which content being created and all sorts of policies that contribute to improve these conditions should advocate as an element of communication ethics.

References

- Belsey, A. and Chadwick, R. (eds) (2002). *Ethical Issues in Journalism and The Media*. Routledge.
- Chester, J. and Montgomery, K. (2008). "No Escape: Marketing To Kids in The Digital Age". *Multinational Monitor*. 29(1). 11.
- Children's Online Privacy Protection Rule. (1999). 16 C.F.R. § 312.2
- Eickhoff, C., Serdyukov, P., De Vries, A. P. (2011, February). "A Combined Topical/Non-Topical Approach to Identifying Web Sites for Children". *Proceedings of the Fourth ACM International Conference on Web Search and Data Mining*. (505-514). ACM.
- EU Kids Online: Findings, Methods, Recommendations. http://eprints.lse. ac.uk/60512/.
- Friedman, S. J. (2000). *Children and the World Wide Web: Tool or Trap*. University Press of America.
- Hackley, C., Tiwsakul, R. A., Preuss, L. (2008). "An Ethical Evaluation of Product Placement: A Deceptive Practice?". *Business Ethics: A European Review*. *17*(2). 109-120.

- Hill, J. (2011). "Endangered Childhoods: How Consumerism Is Impacting Child And Youth Identity". *Media, Culture & Society 33*(3). 347–362.
- Kunkel, D. et al. (2004). "Report of the APA Task Force on Advertising and Children, Section: Psychological Issues in the Increasing Commercialization of Childhood".
- Livingstone, S. (2014). *Regulating the Internet in the* Interests of Children: Emerging European and International Approaches. http://eprints.lse. ac.uk/44962/.
- Lorenzana, J. A. (2002). "Addressing the Gaps in the Expanding Media Environment: A Report from the Philippines". S. Kavitha (ed.) *Kids On-Line: Promoting Responsible Use and A Safe Environment on the Net in Asia.* Singapore: Stamford Press te. Ltd. 124-53.
- Lwin, M. O. Stanaland, A. J. S. Myazaki A. D. (2008). "Protecting Children's Privacy Online: How Parental Mediation Strategies Affect Website Safeguard Effectiveness". *Journal of Retailing*. 84(2). 205-217.
- McManis, L. D. and Gunnewig, S. B. (2012). "Finding the Education in Educational Technology with Early Learners". YC Young Children. 67(3). 14.
- Montgomery, K. C. (2000). "Youth and Digital Media: A Policy Research Agenda". Journal of Adolescent Health. 27(61).8.
- Montgomery, K. C. Chester, J. Grier, S. A., Dorfman, L. (2012). "The New Threat of Digital Marketing". *Pediatric Clinics of North America*. 59(3). 659-675.
- Murray, M. and Kliman, M. (1999). "Beyond Point and Click: The Search for Gender Equity in Computer Games". *ENC Focus.* 6(3). 23-27.
- Nairn, A. and Dew, A. (2007). "Pop-Ups, Pop-Unders, Banners and Buttons: The Ethics of Online Advertising to Primary School Children". *Journal of Direct, Data and Digital Marketing Practice*. 9. 30-46.
- O'Neill, B. (2010). "Media Literacy and Communication Rights: Ethical Individualism in the New Media Environment". *The International Communication Gazette*. 72(4-5). 323–338.
- Silverstone, R. (2004). "Regulation, Media Literacy and Media Civics". *Media, Culture and Society.* 26(3). 440–9.
- Simmons, C. (2007). "Protecting Children While Silencing Them: The Children's Online Privacy Protection Act and Children's Free Speech Rights". *Communication Law and Policy. 12*(2). 119-142.

Sutter, G. (2000). "Nothing New Under the Sun: Old Fears and New Media".

International Journal of Law and Information Technology. 8(3). Oxford University Press.

- Timisi, N. (2011). "Medyada Çocukları Koruyucu Önlemler". M. R. Şirin (haz.) Çocuk *Hakları ve Medya*. (141-160). İstanbul: Çocuk Vakfı Yayınları.
- Turow, J. (2001). "Family Boundaries, Commercialism, and the Internet: A Framework for Research". *Applied Developmental Psychology*. 22. 73–86.
- Uzun, R. (2014). "Çocukların Medyadan ve Medyada Korunması: Çocuklara Yönelik Etik Davranış Kurallarının İncelenmesi". *Akdeniz İletişim*. 22.
- Walker, C. (1996). "Fundamental Rights, Fair Trials and the New Audio-Visual Sector". *MLR 59*(4) 517-539.
- Wartella, E. A. and Jennings, N. (2000). "Children and Computers: New Technology-Old Concerns". Children and Computer Technology. 10(2).
- Xu, H., Irani, N., Zhu, S., Xu, W. (2008). "Alleviating Parental Concerns for Children's Online Privacy: A Value Sensitive Design Investigation". ICIS 2008 Proceedings. 106.