

Ethical Disputes over Freebies and Gifts in Journalism Practice: An Analysis of 133 Media Ethics Codes

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Abstract

How do media ethics codes regulate journalists' treatment of freebies in relation to the public's right to journalism? This study examines 133 media ethics codes from 87 countries and regions. The analysis reveals that most codes overlook the issue of freebies in daily news practice. Among the 133 codes, 49 explicitly address freebies, with varying degrees of specificity, generally categorized into absolute prohibition, relative prohibition, and intermediate attitudes. Ethical codes need more explicit guidance on how journalists should handle freebies to ensure consistency on this issue. Additionally, the normative guidance on freebies requires greater operational feasibility. To enhance the effectiveness of ethical codes in journalism practice, this paper proposes incorporating the principles of bottom line, relevance, and openness in the discussion and revision of ethics codes.

Keywords: media ethics, ethical codes, freebies, bribery, journalism practice

1. Introduction: Why Are Codes of Ethics Important?

While there is a consensus among journalists worldwide to resist and reject news bribery, the stance on refusing various forms of freebies remains vague in ethical journalism practice. As Sanders points out, paying for news, which was commonplace in Western journalism in the 17th and 18th centuries, has largely disappeared with the development of modern journalism, while today's attempts to influence media coverage are primarily in the form of freebies or funded trips (Sanders, 2003, p. 122). Freebies, in this context, include items provided at no cost, such as free tickets, meals, vacations, trips abroad, special discounts, and various souvenirs.

Given the substantial influence of news reports, these freebies may carry a variety of motives and purposes. When freebies are associated with the power of news, the line between such freebies and bribery becomes very blurred. Scholars have documented the process in China where news practitioners accepting gifts and gratuities gradually evolved into a corrupt practice known as the chariot fee. Initially, journalists received simple gifts or souvenirs, such as pens or notebooks bearing the sponsor's logo. Gradually, these gifts became more valuable, including electronic products. Eventually, cash replaced gifts, with envelopes of money becoming standard at press conferences and public relations events (Zhao, 1998, p. 76). This phenomenon of "payments" or "rewards" to journalists in the form of freebies also varies worldwide. In Africa, it is known as "bonus journalism," "cocktail journalism," or "blessing fee" (Lodamo & Skjerdal, 2009), while internationally it is referred to as "brown envelope journalism."

As early as the late 19th and early 20th centuries, professional news organizations introduced, strengthened, and reformulated media ethics to maintain their legitimacy and unique social status (Cooper, 1989). Media ethics codes combine practicality and effectiveness, offering journalists value guidance and behavioral norms to follow.

These codes provide minimum ethical requirements for working journalists and help them understand business practices (Elliter-Boyle, 1985). This is particularly beneficial for new journalists, aiding them in familiarizing themselves with key ethical issues and training principles (Gordon, Kittross, & Merrill, 1999, p. 63). Additionally, robust media norms can enhance morality. They assist journalists in making ethical choices when faced with pressures from peers, superiors, and state interventions that might compel them to violate their professional values and norms (Black, 1996). Furthermore, high ethical standards require the media to serve the public. Their self-regulatory measures reflect democratic principles, and those who violate these standards face public condemnation and potential punishment (Belsey & Chadwick, 1999). Therefore, considering the guiding and evaluative function of media ethics on journalism practices, this paper explores how media ethics address the issue of freebies and gifts.

2. Literature Review: Avoiding Conflicts of Interest and the Conflicting Attitudes of Different Stakeholders

Although the question of whether freebies are gifts or bribes relates to the legitimacy of news organizations, the differing attitudes of scholars and journalists toward freebies and gifts have exacerbated the ambiguity and complexity of this issue.

Conflict of interest is a critical concern in the ethical regulation of the media. In journalism, conflicts of interest can undermine the credibility of the moral actor (Day, 1998, p. 184), leading the public to fear that a journalist's judgment and performance may be unduly influenced by external interests. Therefore, journalists must avoid situations of conflict of interest, whether actual or perceived, to maintain loyalty to their primary stakeholder, the public (Limor & Himelboim, 2006). Freebies are often identified as a potential conflict of interest in journalism (Wulfemeyer, 1989). Although the amounts involved are usually small, media ethicists and journalism textbooks often equate them with paid journalism, condemning them as a form of corruption. Accepting freebies and gifts carries several levels of moral risk. From the perspective of news reporting, these freebies and gifts can corrupt journalists and undermine the integrity of the news. From the standpoint of media workers, accepting freebies and gifts may expose them to accusations of bribery while seriously damaging the confidence of journalists committed to truthful reporting. This may undermine the integrity of the journalism profession and the reputation of news organizations. At the societal level, accepting freebies and gifts could lead the public to believe that journalists are bribed, making it difficult for them to trust that news is reported objectively and impartially. This undermines public confidence in independent news organizations. Therefore, to ensure the objectivity and impartiality of information, media workers should refuse freebies or gifts in any form.

However, despite the prevailing view that freebies and gifts are unfavorable, some scholars also argue that they may have positive effects. On the positive side, freebies can enable specific news organizations to cover events they could not otherwise afford, speeding up the news-gathering process and helping journalists meet deadlines by removing time-consuming obstacles. Accepting freebies may also help journalists gain access to inside information and scoops, as these giveaways help build relationships. For journalists, receiving freebies not only boosts their income but also affirms their social status and prestige (Wulfemeyer, 1989). Additionally, in some cultures, it is common for media workers to receive small gifts or souvenirs on special occasions (e.g., birthdays or Christmas), and few see this as an act of coercion to write or talk about sources in a favorable way.

At the same time, the results of empirical attitudinal surveys of journalists in various countries exacerbate the complexity of the situation, as journalists have unique perceptions of what is or is not acceptable regarding freebies. A comparative study of journalists in mainland China, Hong Kong, and Taiwan found that the vast majority of journalists considered most freebies unacceptable, although there was a shared acceptance of certain freebies. Free meals provided by news sources were the most acceptable, while cash, other freebies, and free trips were the least acceptable (Lo, Chan, & Pan, 2005). A survey of 286 television and radio news directors in the United States revealed that tickets to news and sporting events and free food were the most acceptable, whereas free trips and special discounts for personal entertainment were the least acceptable (Wulfemeyer, 1989). A survey of Spanish journalists found that although most media professionals were reluctant to receive gifts of high monetary value (more than \in 200), they were not averse to accepting gifts of lower value, such as promotional products, free tickets to shows and exhibitions, and paid food and trips (Damas & Barber, 2011). This suggests that Spanish journalists, the lack of measures by editors and supervisors to stamp out brown envelope journalism, and the view that it was up to individual reporters to accept or reject brown envelopes contributed to the persistence of the practice (Onyebadi & Alajmi, 2023).

Summarizing the previous section, there is a consensus among news media workers from different countries and regions about what types of gifts are acceptable and unacceptable. For example, low-value food is generally acceptable, but expensive gifts or high-value cash are not. The problem, however, is that media workers' subjective attitudes towards what is acceptable regarding different gifts or freebies may lack specificity and

consistency. A sandwich lunch may be a common offering at a press conference in the West and widely accepted, but for low-paid journalists in Africa, it may be quite attractive (Lodamo & Skjerdal, 2009). Thus, freebies do not pose the same threat to journalistic independence in different contexts. Additionally, it is worth noting that empirical surveys of media workers show that journalists tend to agree that gifts corrupt journalism, yet accepting various types of freebies is common.

Overall, scholars as theorists and media practitioners as actual practitioners have different perceptions of freebies and gifts. The essential attitude in academia is one of absolute prohibition; that is, regardless of the gift's value or the outcome, any possible conflict of interest in journalism should be avoided. In contrast, media workers tend to adopt a more moderate approach, selectively accepting gifts and presents based on the situation. Therefore, these real-world contradictions necessitate further inquiry into how media ethics codes address and guide journalists' behavior on this issue. The specific research questions are as follows:

(1) Do media ethics codes in different countries mention freebies or gifts as an important issue?

(2) How do media ethics codes guide journalists in dealing with freebies or gifts?

(3) How can we evaluate the guidance provided by media ethics codes on the issue of freebies or gifts? What aspects are neglected, and how can we improve these codes in future revisions?

3. Methods of Research

This paper selects 133 media ethics codes from 87 countries and regions as research subjects. When searching for media ethics norms from various countries, the authors encountered language barriers and difficulties with internet access in some regions. Nevertheless, adhering to the principle of maximization, they collected as many media ethics codes as possible from different countries and regions, providing a comprehensive overview of global norms. The excerpts of media ethics codes from various countries are sourced from the websites of national news organizations, journalists' associations, media councils, and similar entities. The content of these ethics codes has been published and compiled in two books: *Global Media Ethics Codes of Ethics: Translation and Review* and *Media Ethics Codes of Major Countries in the World* (Niu & Du, 2017; Niu, 2018). The two books contain a total of 140 ethical codes. For this paper, seven unrelated media ethics codes were excluded, such as those dealing solely with gender issues or anti-terrorism reporting.

The selected norms encompass not only economically developed countries but also economically developing countries and some countries with strong international influence but small territorial areas. From a regional perspective, these codes of ethics are divided as follows: 48 in Europe, 16 in the Americas, 35 in Africa, 28 in Asia, and 6 in Oceania, covering the media ethics codes of significant countries worldwide. Regarding the types of media norms involved, there are norms for newspapers, radio, television, and the internet, encompassing the ethical standards for all forms of media. Considering the number, geographical coverage, and types of media norms, the ethical normative texts of this study are relatively complete and reflect the normative characteristics of countries worldwide. Faced with these texts, the two researchers separately analyzed the provisions of all the norms that address issues such as freebies or gifts and discussed and summarized their statistical results comparatively.

4. Research Findings

4.1 Lack of Direct Guidance in the Norms on Freebies

Among the 133 ethical codes, 49 explicitly mention the issue of freebies, accounting for 36.8% of the codes, indicating that this issue holds a relatively important position. However, the remaining 63.2% of the codes do not address the issue of freebies. This raises the question: if this problem is encountered in journalistic practice, how can the norms that do not mention this issue guide journalists? This article provides the following explanations.

Explanation 1: The norm-setters considered freebies and gifts as part of the "conflict of interest" issue and therefore did not discuss them in detail. The remaining 57 norms (42.8% of the total) refer to "avoiding conflicts of interest" and "refusing bribes or temptations". For example, Greece's Code Principles of Media Ethics states that in carrying out the mission of journalism, a journalist should not accept any benefits, present or promised, that restrict independent expression. Ireland's Code of Conduct insists journalists should resist all intimidation and other temptations to influence, distort, or suppress information. The Association of Tunisian Journalists Code of Ethics declares that journalists should not accept gifts or special favors for their professional tasks. The National Institute of Journalists of Uganda Code of Ethics states that journalists shall not solicit or accept bribes to publish or conceal particular stories.

Explanation 2: The norm-setters believe that the issue of gifts should be left to the subjective judgment of journalists. Consequently, 27 codes neither directly refer to freebies nor indirectly address conflicts of interest. Journalists are expected to rely on their personal judgment and moral integrity to handle this issue.

It is evident that most norms do not explicitly mention or specifically guide the issue of freebies, leaving the

matter to journalists' subjective judgment. This, to some extent, explains why scholars and journalists have differing attitudes toward freebies and gifts.

4.2 Norms Are Not Consistent on the Issue of Freebies

Although 36.8% of the norms mention the issue of freebies, the attitudes of the 49 norms vary in detail. There are three primary attitudes: an absolute prohibition, equating freebies with bribery; a relative prohibition, allowing freebies based on their value; and a middle-of-the-road attitude, which neither absolutely approves nor prohibits freebies.

Of the forbidden discourses, 33 norms explicitly reject any gifts. The Representative national and regional codes of ethics include Code of Ethics for the Austrian Press, Code of Ethics of Lithuanian for Journalists and Publishers, the Rwandan Journalists and Media Practitioners' Code of Ethics, and the Canadian Association of Journalists Principals for Ethical Journalism. The main reasons for rejecting gifts are as follows: accepting gifts creates a conflict of interest; these gifts often come from individuals who wish to influence the reporting of events, thereby endangering the professional integrity and honor of the journalist; and any action that may affect the independence of journalism and the public's right to know is inappropriate. Their reasons for rejecting the journalist's ability to remain impartial and independent. Additionally, any action that might affect the independence of journalism and the public's right to know is considered inappropriate.

Among the relatively prohibited discourses, 5 norms also express rejection of gifts. Still, this refusal is not a blanket absolute refusal but rather a more flexible approach that considers the practice of some journalistic activities. According to the Malaysian Press Institute Code of Ethics under Proposed Malaysia Media Council, journalists and the media should not accept any remuneration, invitation, free travel, or any other benefit, as this would be detrimental to the credibility and integrity of journalism and undermine truthfulness, impartiality and independence; and if acceptance is inevitable, it needs to be revealed in the reporting. Another example is New Zealand's Press Council Statement of Principles, which states that publications should avoid any situation that might compromise their independence, and when outsiders sponsor a story or receive gifts and financial rewards, this should be clearly stated. Similarly, the Independent Newspapers' Code of Conduct of South Africa holds that the editor should be asked to receive gifts and gifts, stating that journalists shall not accept gifts or other services without asking the editor, and in any case, getting such gifts should not be accepted if it implies a particular obligation to the provider. The Washington Post Standards and Ethics states that gifts should not be accepted to avoid conflicts of interest but argues that the no-gift rule can be broken only in rare and apparent circumstances, such as an invitation to dinner.

Six norms believe that the receiving of gifts is acceptable. However, they all provide a primary bottom line for acceptance, namely, staying within an expected value and not jeopardizing news coverage. The German Press Code states that journalists should decline any gifts or invitations of value that exceed the standards of everyday business dealings and daily work. It is not harmful to accept specific advertising articles or low-priced items. Accepting certain gifts, invitations, or discounts must not affect, restrict, or even hinder the reporting. The Ethical Code of the National Association of Hungarian Journalists also insists that simple press gifts, theater tickets, and dinner invitations are acceptable because they do not make the reporter suspect of taking bribes. However, the above specifications do not provide an objective standard for what constitutes small value or harmless. The Argentine FOPEA's Code of Etiquette is more specific and operable, stating that if a gift is given, it should be returned to the giver with an explanation of relevant journalistic ethics; some courtesy gifts worth less than \$30 can be exceptions; and paid travel should be disclosed so that the audience can judge the impartiality of the journalists' work.

Finally, 5 norms occupy a middle ground, balancing between acceptance and rejection. These norms neither state that accepting gifts is acceptable nor mandate explicit rejection, leaving the judgment entirely to the subjective assessment of journalists. For example, the Tanzanian Code of Ethics for Media Owners and Publishers advises treating gifts and benefits that may affect the policies, objectives, and integrity of the business with caution. The Code of Ethics for Journalists of Bhutan suggests avoiding accepting gifts, favors, or any other form of hospitality from anyone who seeks to influence news coverage. Azerbaijan's Journalists' Trade Union Code of Journalistic Conduct prohibits accepting expensive gifts or inducing others to provide free services. However, there are very few norms that provide journalists with a clear standard for conflicts of interest. One such example is Poland's Code of Ethics, which states that the reliability and independence of journalists cannot be reconciled with the acceptance of gifts exceeding 200 zlotys, the endorsement of free travel services, the use of other people's products and equipment, and other similar behaviors.

To summarize, although the 49 norms referring to freebies and gifts differ in attitude and detail, there are at least two points of consensus. First, improper handling of gifts will damage the objectivity, independence, and

credibility of news reports. Second, the bottom line in dealing with freebies is that their value should not exceed a standard real value and should not jeopardize the independence and impartiality of news reporting.

4.3 Lack of Operational Feasibility of Normative Guidance on Freebies

From the above analysis of the code texts, this paper concludes that the vast majority of codes ignore the issue of freebies in daily journalistic practice. Although 57 codes mention the avoidance of conflict of interest and warn journalists to exercise caution, 27 codes do not mention freebies and gifts at all. In the codes that explicitly mention gift-giving, some use vague terms such as avoid to guide journalists, ultimately placing the moral responsibility on journalists without providing sufficient guidance to distinguish between gifts and bribes. Concerning the norms that specifically refer to the issue of freebies, this paper proposes the following improvements.

(1) The absolute prohibition norm overlooks the cultural significance and private context behind gifts. Thirty-three codes explicitly prohibit journalists from accepting gifts from sources, and these norms come from diverse cultural backgrounds in Europe, Asia, Africa, the Americas, and other regions. The cultural significance of this same rule may vary. For example, in China, gifts often symbolize the expression of friendly relations, and refusing gifts can cause others to "lose face," potentially hindering a journalist's future interviews. Additionally, absolute prohibition does not distinguish between journalists' private lives and their professional practices. For instance, the Tanzanian Code of Ethical Practice for Media Managers and Editors stipulates that no employee should receive gifts, cash, or bribes in kind, whether on or off duty. Such provisions, which entirely exclude news media workers from private life spaces and social interactions, raise questions about the effectiveness of this decision.

(2) The specifications need follow-up guidance on maintaining relationships with sources. After stating that journalists should reject gifts, most normative texts lack further elaboration on handling the relationship between journalists and sources. Only the Argentine FOPEA's Code of Etiquette points out that if a gift is given, it should be returned to the giver, along with an explanation of the relevant journalism ethics code. Gifts or presents are a way to maintain relationships between two parties. If the norm considers that such behavior undermines the objective independence of journalism, it should at least indicate the principles of engagement in the relationship with the source.

(3) Norms can easily lead to misunderstandings of news bribery in specific situations. Although some regulations explain the types of gifts, for example, gifts should not exceed \$30 or be of low value, such provisions can provide relatively clear guidance to domestic journalists. However, these guidelines can easily cause misunderstandings in the context of globalization. What is considered a low-value gift in one country may be seen as an act of bribery in another, which is particularly controversial in international journalism, where journalists from various countries are involved.

5. Conclusion and Discussion

Among the 133 ethical codes analyzed in this study, 57 focused on conflicts of interest and 49 on issues related to gift-giving. The primary aim of these ethical codes is to maintain journalistic independence, avoid conflicts of interest, and uphold public trust in news organizations. While these norms provide some practical guidance for journalists' daily activities, they often lack comprehensive advice. On the one hand, to maintain the objectivity, impartiality, and independence of the press, the norms typically require transparency with the public, ensuring that news coverage is not influenced by external interests. However, the norms often fail to specify how media organizations or journalists should respond to public concerns and reflect on public opinions to make further improvements. Maintaining a good relationship with sources can aid journalists in their work, yet the norms consistently warn against accepting gifts or expensive gifts without considering the cultural factors influencing these relationships. They also fail to provide specific guidance, such as defining the nature of the relationship that should be maintained with sources and distinguishing between professional and personal connections. As a result, this paper argues that the normative guidance on issues related to gift-giving could be more effective to some degree.

Indeed, there has always been a question regarding the symbolic value of norms in ethical decision-making. Skeptics argue that there is a gap between ethical normative decision-making and journalistic practice. Hirst (1997) pointed out that ethical norms based on commercial relations of production fail to resolve the fundamental conflict between journalism's fulfillment of citizens' right to know and news as a commodity. McQuail (1994) suggested that there is a gap between the idealistic values of neutrality and objectivity presented by ethical norms and the reality of news under the influence of the government and powerful economic interest groups. It can be argued that norms are superficial or rhetorical devices that do not reflect the way journalism is practiced and do not serve as practical workplace tools or standards for encouraging better behavior (Elgar, 1996). Additionally, media codes of ethics are controversial, and criticism of their symbolic role is reflected in

their lack of enforcement and punitive mechanisms. Most norms only publicize the minimum standards but fail to address what happens if these standards are not met. Some researchers have also argued that ethical norms cannot be enforced by law, that individuals lack an understanding of responsibility (Christians, 1985), and that members of the Society of Professional Journalists have limited support for the enforcement of norms within their organizations (Bukrow, 1985), which reduces the practical value of norms. In short, these critics argue that media ethics norms in journalistic practice are ineffective and unenforceable.

Although the debate about the utility of media ethics codes continues, researchers agree on three aspects: (1) Media ethics codes are intended to provide moral guidance and belong to the realm of ethics and moral philosophy rather than law and precedent. Ethical code enforcement depends on journalists' free-will choices and is a self-determined, voluntary behavior (Merrill, 1974). (2) There is no consensus on which subject (journalist, news organization, or other entity) should be held responsible for violations of the norms. However, the analysis of ethical norms can be approached by considering the specific context in which the norms were created (Wilkins & Brennen, 2004). (3) Norms represent the professional values and highest ideals of media organizations. Although media ethics norms are somewhat limited in the reality of media practice, they serve as markers of guidance for journalists (Anderson & Leigh, 1992). The need for media ethics norms is more important than ever, especially as the power and influence of the mass media grow (Herrscher, 2002). Based on these three points, a clear and compelling code of ethics helps journalists regulate their behavior and provides valuable guidance. A code of ethics needs to detail what is required and prohibited. It should state the importance of adhering to ethical principles, specify why an action is right, and how to achieve it (Harris, 1992).

Suppose there is no clear boundary of ethical behavior in the code. In that case, the code can quickly become a tool for other stakeholders, and practitioners can easily be caught in ethical and moral dilemmas. Therefore, in response to the lack of attention to the issue of gifts in the norms and the lack of operational feasibility in the guidance, this paper focuses on discussing and modifying the ethical norms and proposes three principles to improve the practice of journalism. The three principles are summarized below:

(1) The Principle of Bottom Line: This principle emphasizes viewing the independence and impartiality of journalism as the most fundamental position. It is challenging to determine whether it is better to accept or reject gifts because journalism is a highly practical career. However, the formulation of norms must emphasize the independence of news reporting. This bottom-line principle means that journalists need to prioritize the independence of the press and the impartiality of reporting when making decisions.

(2) The Principle of Relevance: This principle considers both the objective value of the gift and the subjective relationship with the source. When advising journalists on whether to accept or reject gifts, the code should not only consider the value of the gift but also clarify guidelines for the relationship between journalists and sources.

(3) The Principle of Openness: This principle advocates for open public participation in discussions and timely feedback. Different countries and regions have varied ethical and cultural backgrounds and economic levels, and the specific practices of news activities differ widely. This dynamic and diverse background means there is no fixed answer for journalists when dealing with practical problems. Therefore, it is essential to keep the journalistic process transparent and involve the public in the process to constantly reflect on and summarize practical experiences. As Boeyink (1994) pointed out, a code of ethics can be very effective when management values written codes of ethics and conducts open debates and discussions on ethical issues in the newsroom.

It is worth pointing out that this discussion and modification of norms do not imply that general guidelines are useless in providing a broad framework on the issue of gifts. Rather, for an ethical code to achieve maximum value and utility, it must be specific enough to be enforceable (Wulfemeyer, 1985). Undoubtedly, in the current state of media norms, establishing media ethics as an effective means of judgment and as a broad accountability mechanism for identifying the conduct of journalists will be a challenge for any country.

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