

When the watchdogs BITE!

by Montgomery Cooper



He was black, potent, reckless and HIV-positive. The court sentenced him to jail and the press sentenced him to unrequested fame. Suddenly Steven Thomas' face was everywhere.

The 36-year-old African-American part-time rapper, odd-jobber and nightclub casanova was presented as a serious threat to Finnish society.

It was the beginning of 1997 and Thomas was accused of attempted manslaughter. About four years earlier he had found out he was HIV-positive. Wild estimates claimed that since then he had had sex with hundreds of women. He had not told his partners about the virus. Neither had he been particular about using a condom. Altogether 17 women pressed charges against Thomas, five of whom were by then HIV-positive.

In old westerns a stranger rode from out of town and started terrorising the community. In Finland the threat preferably stems from abroad. If it happens to be black – all the better.

The interpretation may be mean, but it has some truth to it. We Finns tend to consider ourselves liberal. Yet it was amazing how smoothly we swallowed the publishing of Steven Thomas' photo, considering he was already imprisoned and could not possibly spread the virus any further.

"It is important to inform all the women who may have been involved with Thomas," the police argued. After the photo was published, hundreds of women contacted the police and rushed to have blood tests. Any black lover might as well have been Steven Thomas.

Before the court hearings, Thomas came out in public to apologise and defend himself. He also criticised the press: "The person created by the press is not me. It's a monster that has my name and my face. That monster has destroyed my life and that of people close to me. I was deprived of my human and legal rights because I'm black."

Thomas and his legal adviser referred to a similar HIV-case. The person accused was a Finn and his photo was not published.

"His family was protected because he was a Finn. But my family was destroyed. They wanted to make an example of me."

Steven Thomas never bothered to take his case to the Finnish media council (JSN). There was kind of a precedent: an African-born, HIV-positive man was accused and later found guilty of several rapes. His identity was made public in order to warn potential victims. The media council decided there was strong enough cause for publicly identifying the man.

It would be wrong to say the Finnish media lacked all reflection on Thomas' fate. Afterwards, comparisons were made between journalistic and medical ethics: under what circumstances should the individual's right to privacy be subordinated to the good of the community?

Just how far will an editor go today to achieve a greater good and risk damaging her paper's credibility? Beata Kasale, editor of the weekly tabloid, *The Voice*, in Francistown, Gaborone, challenges the status quo every week.

One of her classic stories was headlined: "Have you had sex with this lady?" The story continues: "Sally Modise wants everyone to know she has Aids."

Kasale justifies this invasion of Modise's privacy by saying that the greater good of teaching a whole community to pursue safe sex outweighs Modise's embarrassment.

Another story in the paper of 13 to 26 September 1996 is entitled: "WASTED, Girl, 14, dies from Aids two years after school rape ordeal." The reporter names the 32-year-old teacher (the "villain") and relates the saga of the court case to the readers. A further headline running across pages 8 and 9 shouts: "The rape of innocence: victims speak out. Was it Justice?"

In the report of the court case there is a photograph of the "criminal", but no evidence was led and the case was thrown out of court without the teacher even appearing. The "villain's" name was published several times in the article. As a result of the story, the teacher was forced out of the school by peer and community pressure.

The Voice is a curious mixture of tabloid and broadsheet intent. The paper is tabloid in design with screaming headlines.

Kasale is an intense editor who believes this controversial treatment of stories to be justified in terms of the greater good of Botswana society.

Meeting her last year during a Mass Media Ethics workshop in Gaborone, Botswana, I was struck by her passion for her work and unrepentant attitude to her banner headlines and the sometimes scandalous content of the paper.

Over 60 Botswana journalists, including Kasale and I, workshopped and produced working guidelines for ethical behaviour for the mass media (mostly print) in the country.

One of the principles that was developed was: "In pursuance of the duty to have the interests of the public at heart, journalists shall endeavour to defend the principles of freedom in the honest collection and publication of news, including respect for the rights of individual privacy, the right of fair comment and criticism ..."

At the workshop Kasale maintained that her approach is one of causing personal "harm for the greater good" following the line of Dr Bob Steele from the American Poynter Institute for Media Studies who advocates a "Green light/red light policy". "Green light" being that the journalist "goes for it" even though harm may be caused, but the aim is for the common good.

Kasale's paparazzi actions are unusual in Botswana. She does appear to have community interests at heart, but her methods are ethically unsound, if we are to go by the decisions made by the joint working group in Gaborone last year.

I await with interest her next "coup", challenging not only the community in a pro-active role, but also confronting her peers with another ethical dilemma.



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The case was followed by the international press. Americans disapproved of publishing the photo and asked whether cases like Thomas' belonged in the courtroom in the first place. After all, the probability of getting infected in a casual relationship is relatively low.

At least the biggest Finnish newspaper (Helsingin Sanomat) gave space to these issues.

In the court Thomas' case was handled behind closed doors. He was first sentenced to 14 years. In December the Court of Appeal brought the sentence down to 11 years and 6 months.

The Court of Appeal emphasised that – probabilities aside – each unprotected intercourse includes a full risk of infection. And the disease is lethal. Thus Thomas was found guilty of 17 counts of attempted manslaughter.

The court did not consider the vast negative publicity an extra burden that should mitigate the actual sentence.

Apart from the press, who would Thomas himself accuse? Who was it that infected him?

"Maybe it was my (Finnish) ex-wife, maybe it was somebody else. It could have been any woman," he said.



Erja-Outi Heino works for KEPA, a Finnish NGO, which runs projects with handicapped people in Mozambique.