

**UNIVERSITY OF SWAZILAND**  
**FACULTY OF HUMANITIES**  
**DEPARTMENT OF JOURNALISM AND MASS COMMUNICATION**  
**2016/2017 EXAMINATION QUESTION PAPER: MAIN**

**TITLE OF PAPER: MEDIA LAW AND ETHICS**

**COURSE CODE: JMC 339**

**TIME ALLOWED: 3 HOURS**

**INSTRUCTIONS:**

Answer **THREE** questions. At least one question should be from each section.

Spelling and grammar will count in grading.

Use your own examples to illustrate your answer(s).

**THIS PAPER IS NOT TO BE OPENED UNTIL PERMISSION HAS BEEN  
GRANTED BY THE INVIGILATOR**

## SECTION A

### QUESTION 1

- a) Write a critique of the stories (attached) that were published by the local press explaining whether or not they were ethical. (See appendix).

**(20 Marks)**

### QUESTION 2

- a) In October 2014, private investigators from Zwemart accosted Mr Phila Buthelezi (MP) and his girlfriend, Ms. Cebile Ngwenya in an apartment that belonged to the latter. They (private investigators) are alleged to have broken into the flat and took pictures of the two lovers inside the bedroom. The pictures were handed to the *Times of Swaziland* which published the story and the pictures.

Discuss whether the publication of the story was ethical or not.

**(10 Marks)**

- b) According to the Magistrates Court Act of 1938, any person, including journalists, can be subpoenaed to give evidence or to produce documents in their possession. You have already promised your sources confidentiality but the court wants you to reveal the sources of your story. Explain in detail what you would do under the circumstances (if you were called upon to reveal your sources).

**(10 Marks)**

### QUESTION 3

Write a critique of Francis Kasoma's article on Afri-Ethics.

**(20 Marks)**

## SECTION B

### QUESTION 4

Critically analyse the law of contempt (contempt of court) vis a vis freedom of expression. This argument should be discussed in the light of the 'recent' case involving *The Nation* magazine, Bheki Makhubu (editor) and Thulani Maseko (columnist).

(20 Marks)

### QUESTION 5

- a) Discuss the difference between the regulation of journalists and other professions such as doctors, lawyers and nurses.
- (8 Marks)
- b) On two occasions (1997 and 2009) the government has made moves to regulate journalists in the country.
- i) If such moves were to succeed, what would be the implications to the profession?
- ii) Is the argument that journalists shouldn't be regulated justified? Discuss, giving examples to support your answer.

(12 Marks)

### QUESTION 6

- i) Explain the following terms.
- a) Libel
- b) Slander
- (4 Marks)
- ii) Detail two recent court cases where the press were taken to court for defamation.
- (10 Marks)
- iii) Explain any three sources of media law giving examples to illustrate your answer.

(6 Marks)