



NAMIBIA UNIVERSITY
OF SCIENCE AND TECHNOLOGY

FACULTY OF COMMERCE, HUMAN SCIENCE AND EDUCATION

DEPARTMENT OF COMMUNICATION AND LANGUAGES

QUALIFICATION: BACHELOR OF COMMUNICATION	
QUALIFICATION CODE: 07BACO	LEVEL: 7
COURSE CODE: LEC 721S	COURSE NAME: LEGAL AND ETHICAL ISSUES IN COMMUNICATION
SESSION: NOVEMBER 2022	PAPER: (PAPER 1)
DURATION: TWO HOURS	MARKS: 50

SECOND OPPORTUNITY EXAMINATION QUESTION PAPER	
EXAMINER(S)	Dr C PEEL, MR T ASINO
MODERATOR:	Dr. M NASSOR

<p style="text-align: center;">INSTRUCTIONS</p> <ol style="list-style-type: none">1. Answer TWO questions only.2. Read all the questions carefully before answering them.3. Indicate whether you are a FT, PT, or DE student.
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THIS QUESTION PAPER CONSISTS OF _9_ PAGES (Including this front page)

QUESTION 1

LEC

25 MARKS

Attached to the end of this examination paper (*Appendix 1* and *Appendix 2*) are two sets of ethical codes. One has the characteristics of a **code of ethics**, and the other has supervisory language about how members should **conduct** themselves.

- (a) Distinguish between the characteristics of the two codes (3 marks)
- (b) Which of the two codes do you consider more useful to a Communications practitioner? Give reasons for your answer. (2 marks)
- (c) Generate **your own two separate codes** (one a code of ethics, The other a code of conduct), each to be used in a sector of your choice within the communications industry. State clearly which one of these is a code of ethics and which one is a code of conduct. Each code should be crafted using the following structure:
 - Preamble, code of ethics(5 marks)
 - At least five principles of a code of ethics.....(5 marks)
 - Preamble, code of conduct.....(5 marks)
 - At least five principles of a code of conduct.....(5 marks)

QUESTION 2

25 MARKS

Affixed to the back of this question paper (see **Appendix 3**) is a report of a Citizen TV news crew which filmed a woman about to give birth after she was turned away from a hospital during a nationwide strike by health workers in Kenya. Analyse the circumstances of the case by reading and grasping the details of the account, and then responding fully to the following questions:

- (a) What were the choices available to the reporter and news crew? (3 marks)

- (b) If you were the reporter on the scene, and were influenced by Francis Kasoma’s principles of Afri-Ethics, explain and justify how you would have responded to the situation, using Kasoma’s principles. (11 marks)
- (c) In your estimation, which category or categories of ethical principles did the Citizen TV news crew ultimately use: virtue ethics, utilitarian ethics, of duty ethics? Give elaborate reasons for your choice, citing the scholar(s) who originated the principles you have chosen. (11 marks)

QUESTION 3

25 MARKS

In a critique of Immanuel Kant’s ethical theory, McCarty (1991, p.65) writes: “At some points, Kant’s doctrines seem outrageous...”.

- (a) Give an example of how the categorical imperative of Kant’s ethics creates huge dilemmas for ethical practice.....5 marks
- (b) Explain how W.D. Ross’s notions of moral regret, prima facie duty, and actual or absolute duty may relieve the stressful dilemmas created for the decision maker in your example.....3x5 = 15 marks
- (c) Kant is described by McCarty as “notorious for bluntly denying the possibility of conflicting obligations”. For Kant wrote: “...if it is our duty to act according to one of these rules, then to act according to the opposite one is not our duty and is even contrary to duty” (cited in McCarty, 1991, p.67). Defend McCarty’s statement using the arguments of your answers to questions (a) and (b).

QUESTION 4

25 MARKS

Using accurate definitions and examples in each case, identify and distinguish between the four categories of conventional media ownership.

- (a) Identifying the four categories of ownership.....4 marks
- (b) Defining the four categories of ownership.....8 marks
- (c) Detailed explanations of differences in ownership between the four categories, giving examples of each category.....13 marks

QUESTION 5

25 MARKS

List and explain the safeguards that can be used to prevent copyright infringement in Namibia.

- (a) List of five safeguards.....5 marks
- (b) A detailed explanation of each safeguard.....5x4 =20 marks

End of Examination Question Paper

Total: 50 marks

/Appendices 1, 2 and 3 follow....

APPENDIX 1: EXAMPLE OF A CODE OF ETHICS

Preamble

[...]

Principles

INTEGRITY

Maintain honesty and clear communication in the workplace

TEAMWORK

Work together to get the job done

OBJECTIVITY

Do not make career decisions based on whom you like best.

CONFIDENTIALITY

Maintain clients' confidentiality at all times.

GROWTH

Always pursue professional growth.

Appendix 2 follows/....

APPENDIX 2: EXAMPLE OF A CODE OF CONDUCT
Code of Conduct for sports club administrators and coaches

Preamble

[...]

Principles

AS AN ADMINISTRATOR I WILL:

- Create pathways for club members to participate not just as players, but also as coaches, referees, administrators, etc.
- Ensure that rules, equipment, length of games and training schedules are modified to suit the age, ability, and maturity level of players.
- Ensure quality supervision and coaching for players.
- Remember that players participate for their enjoyment and benefit.
- Help coaches and officials highlight appropriate behaviour and skill development, and help to improve the standards of coaching and officiating.
- Ensure that everyone involved in sport emphasises fair play.
- Distribute a code of conduct to players, coaches, officials and parents and encourage them to follow it.
- Respect the rights, dignity and worth of all people involved in each sports discipline regardless of their gender, ability, or cultural background..
- Promote adherence to anti-doping policies.

AS AN ADMINISTRATOR I WILL NOT:

- Arrive at the venue intoxicated or drink alcohol at junior matches.
- Allow the unlawful supply of alcohol at training, games, or club functions.
- Use bad language, nor will I harass players, coaches, officials or spectators.

AS A SPORTS COACH I WILL:

- Remember that players participate for enjoyment and winning is only part of the fun.
- Never ridicule or yell at players for making a mistake or not winning.
- Be reasonable in my demands on players' time, energy and enthusiasm.
- Operate within the rules and spirit of the game and teach my players to do the same.
- Ensure that the time players spend with me is a positive experience. All players are deserving of equal attention and opportunities.
- Avoid overplaying the talented players and understand that the average players need and deserve equal time.
- Ensure that equipment and facilities meet safety standards and are appropriate to the age and ability of all players.
- Display control, respect and professionalism to all involved with the sport including opponents, referees, coaches, officials, administrators, the media, parents and spectators. I will encourage my players to do so.

AS A SPORTS COACH I WILL NOT:

- Arrive at the venue intoxicated or drink alcohol at junior matches.
- Allow the unlawful supply of alcohol at training, games, or club functions.
- Use bad language, nor will I harass players, coaches, officials or spectators.

Appendix 3 follows/...

APPENDIX 3

In quest for a great story, Citizen TV crew watches a baby die during birth

By
LUKE MULUNDA

Jan 7, 2017



Ann Mawathe, who reports features for Citizen TV, trailed a woman in labour until she gave birth to a dead baby.

What was supposed to be a human-interest story on the ongoing strike by nurses has left Citizen TV reporter Ann Mawathe with egg all over her face. Ms Mawathe, her camera person and their driver – in search of what would be an award-winning story – gleefully trailed a pregnant woman who had been turned away from Pumwani Hospital

to St Mary's Hospital in Lang'ata, 10km away, and watched as she finally delivered but lost the baby.

Kenyans have reacted sharply to the story, aired on Citizen prime time news on Friday January 6th, criticizing the reporter and the TV station of being grossly inhuman. In the story, Ms Mawathe and her team followed the woman, who was in labour, as she struggled in vain to get medical help at the state-owned Pumwani Hospital. After she was turned away, the Citizen TV crew pursued her in heavy Nairobi traffic, filming every move as she boarded a *matatu* (public transport) at Eastleigh area in her desperate search for a hospital with nurses.

Many TV watchers say the least the Citizen TV crew should have done is be compassionate to offer transport to the nearest hospital or even, in a show of good corporate citizenship, book her at the nearest private hospital such as Guru Nanak, MP Shah, Aga Khan or even Nairobi Hospital.

This has raised debate on where to draw the line between being empathetic with a news subject and media ethics that require journalists not to be involved in the activities being covered. On a humanitarian ground, however, Kenyans feel Citizen TV and its crew failed the pregnant woman and her family, as journalism ethics do not bar journalists from saving lives or averting a disaster. Some journalists, though, are known to instigate a situation to result into a hot story.

Many believe the Citizen TV story ended the way any reporter would have loved: agony and death that give a story the shocking elements and juicy anecdotes. But does it have to take such avoidable death for the media house or reporter to be heard or to stand out for that matter?

Mediamax example

Here is an excellent example of journalists dumping ethics to save a life. On July 23, 2016, a Mediamax Network van ferrying crew to an assignment at Ewang'an Primary School stopped to help a woman who had just delivered herself of a baby in Kajiado. Deep in the recesses of Maasai plains, Josephine Ndanin lay writhing in pain. The woman had just given birth, with the only assistance at hand being her two daughters.

The girls explained that their mother needed help to get back home, 10 kilometres away, because she was experiencing childbirth pains – the crew offered a helping hand. Ndanin had given birth to a healthy baby girl who was named Mayian, a Maasai word for blessing (and name of Mediamax Maa vernacular FM station).

Outside journalism, in July 2010, Kenya Airways in-flight crew delivered a baby girl on board a flight that had just landed from Muscat, Oman in Nairobi. A well-trained Kenya Airways in Flight crew delivered the bouncing baby girl. The crew laid the woman in the aisle in economy class while others held up a blanket to create a makeshift delivery room.

These two cases show that professionals can go an extra mile to save a life or bring life to the world. TVs often screen investigative stories where people are mugged, stabbed and even killed in front of their rolling cameras. Footage of fire or accident victims writhing in pain abound, while journalists are happy to roll their cameras instead of offering help.

[This story has been abridged.]

Source: <https://businesstoday.co.ke/in-quest-for-a-great-story-citizen-tv-crew-films-a-baby-die-during-birth/>



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