



PAMIBIA UNIVERSITY
OF SCIENCE AND TECHNOLOGY

FACULTY OF COMMERCE, HUMAN SCIENCE AND EDUCATION

DEPARTMENT OF COMMUNICATION AND LANGUAGES

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| QUALIFICATION: BACHELOR OF COMMUNICATION | |
| QUALIFICATION CODE: 07BCMM | LEVEL: 7 |
| COURSE CODE: LEC 721S | COURSE : LEGAL AND ETHICAL ISSUES IN COMMUNICATION |
| SESSION: NOVEMBER - DECEMBER 2025 | PAPER: (THEORY) |
| DURATION: THREE HOURS | MARKS: 100 |

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| FIRST OPPORTUNITY EXAMINATION QUESTION PAPER | |
| EXAMINER(S) | Dr C PEEL |
| MODERATOR: | Ms. EMILY M. BROWN |

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| INSTRUCTIONS | |
| <ol style="list-style-type: none">1. Answer THREE questions and note that Question 1 is compulsory.2. Read all the questions carefully before answering them.3. Indicate whether you are a FT, PT or DE student.4. Write legibly. The examiner shall not award marks for answers he cannot read. | |

THIS EXAMINATION QUESTION PAPER CONSISTS OF _3_ PAGES (Including this front page)

QUESTION 1

(Compulsory)

50 MARKS

Note: Answer both (a) and (b) in full.

- (a) Discuss the similarities and differences between ethics and statutory law...
.....(20 marks).
- (b) Spirchez (2018) credits law and ethics with promoting “social order”, i.e. a state of community well-being that is “secured by a plurality and diversity of rules, of customary, religious, moral, legal and economic types” (Spirchez, 2018, p.3). Explain, with the use of appropriate examples, how legal and ethical standards facilitate each of these qualities of “social order” that Spirchez mentioned. Structure your answer to sub-question (b) as follows:
 - (i) Define “social order” and identify examples of legal and ethical norms that help maintain such social order.....(20 marks).
 - (ii) Five examples from identified categories of Namibian law that restrict freedoms of expression (10 marks).

QUESTION 2

25 MARKS

In many countries today, the media is expected to avoid prejudice towards an individual’s race, religion, gender, sexual orientation or any physical or mental illness or disability. Give a detailed account of how Article 8 of the Namibian Constitution may provide for the dignity of all such citizens to be respected and protected in all forms of media. Your answer should address each category of potential prejudice that this test question has highlighted, and should give examples where media users show themselves to be capable of such prejudicial remarks. Structure your answers to the question as follows:

- (a) Examples (one each) of media prejudice against race, religion, gender, sexual orientation, or physical or mental illness or disability6 marks
- (b) A detailed account of Article 8’s implications for communicating media content10 marks
- (c) A discussion of whether, in the student’s opinion, Article 8 explicitly and adequately spells out the responsibilities that media users have of being attentive to human dignity.....9 marks

QUESTION 3

25 MARKS

Explain the difference between laws passed by parliament and ethical standards of conduct in effect at institutions or in our personal lives.

QUESTION 4

25 MARKS

Outline the key ethical principles championed by each of the following scholars. For each scholar, give a practical example to illustrate the ethical communication behaviour that each scholar might have advocated for media industries in Namibia today. Students are required to arrange their answers as follows:

- (a) Aristotle's key ethical principle.....5 marks
- (b) John Stuart Mill's ethical principle.....5 marks
- (c) Immanuel Kant's ethical principle.....5 marks
- (d) Francis Kasoma's ethical principle.....5 marks
- (e) For each of the four theoretical frameworks identified above, demonstrate relevance and alignment with modern media practice in Namibia.....5 marks

QUESTION 5

25 marks

With reference to the application of the Common Law of Defamation in Namibia,

- (a) Explain what is meant by reputational harm.....5 marks
- (b) What risk does reputation harm carry for social media users?.....5 marks
- (c) Defamation is a Common Law offence in Namibia. What does this mean? 5 marks
- (d) In other jurisdictions (e.g. Zimbabwe), Defamation may also be prosecuted as a statutory offence. What does this mean, and how does it differ from common law Defamation?.....5 marks
- (e) Justify whether or not the law of Defamation may be used to prosecute a sitting President in Namibia.....5 marks

End of Examination Question Paper

Total: 100 marks