

NATIONAL UNIVERSITY OF SCIENCE AND TECHNOLOGY

**FACULTY OF COMMUNICATION AND INFORMATION SCIENCE
DEPARTMENT OF JOURNALISM AND MEDIA STUDIES
MEDIA LAW II: HUMAN RIGHTS: (IJM 2201)
MAY 2006 EXAMINATION
TIME ALLOWED: 3 HOURS**

INSTRUCTIONS TO CANDIDATES

1. Section A is **compulsory**.
2. Answer **any three** questions from section B.
3. Start each answer on a new page.
4. Poor spelling and grammar will be penalized.

SECTION A: COMPULSORY

Question 1

CASE STUDY: MAIMOUNA

Maimouna is a 39-year-old woman and mother to 11 children. She has been married to Musa for the last 27 years although he now lives with his second wife in a town about 500 kilometers from her home. She sees him only twice a year and he never sends money home. She maintains her family by tending to her garden from which she sells vegetables. Recently she has been unable to manage, as she has been sickly. At the local clinic she has been advised by a nurse to avoid further pregnancies as she has developed complications caused by a uterus infection, which resulted from an abortion she had after her last child. A local 'medicine' woman carried out the abortion. Abortion is illegal in the country and is not a service provided for the local clinics. Her friends tell her that she should use contraception to avoid unwanted pregnancies but she does not know how to access them, as there is a law in the country that forbids the publication on information on family planning. Besides, Musa will not hear of it. He thinks such methods are unAfrican.

Because of her present health difficulties, Maimouna arranges to marry off one of her adolescent daughter for dowry. After all, the girl has been circumcised and is ready for marriage. Her other daughters now tend to the garden, while Maimouna attends to her merry go round group where she has invested some of the dowry money. The boys are still in school.

Six months ago, Musa died in a car accident. Immediately thereafter his brother Majid, comes to Maimouna's home and declares himself the heir to all the property under customary law. He states he will allow her to stay only on condition she agrees to be his wife. He also forbids her to continue her merry go round activities. Maimouna agrees in order to protect and provide for her children. A few weeks ago however, she returned to the merry go round, as Majid would give her no financial support and the children were starving. When she gets home in the evening, she finds Majid has returned and discovered where he had gone. He beats her thoroughly and throws her out of the home. Maimouna has extensive injuries and is rushed to the hospital by neighbors. When she left the hospital last week. She went to report the matter to the police station. There the police constables laugh it off as a domestic matter and tell her to go back where she came from.

- a) Which human rights have been violated and by whom? [5 marks]
- b) Differentiate between practical and strategic needs in this case study? [10 marks]
- c) Which rights in this case study are protected under the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)? [15 marks]
- d) How can the media intervene to protect women and children from such occurrences? [10 marks]
- TOTAL: [40 marks]**

SECTION B: ANSWER ANY THREE QUESTIONS

Question 2

“International law is no law.” In relation to this statement, discuss the effectiveness of human rights treaties and conventions in protecting people's rights at country level.

[20 marks]

Question 3

The media in its coverage of issues can either promote or undermine human rights. With reference to this statement, examine how two local newspapers of your choice have covered issues dealing with human rights violations in the country. [20 marks]

Question 4

With reference to two specific laws dealing with the media in the region, assess the impact these laws have on human rights and on the operation of the media.

Question 5

Are human rights absolute? If not, to what extent and under what circumstances is the enjoyment of human rights limited. **[20 marks]**

Question 6

Discuss the various branches of human rights. How easy/difficult is it to enforce them in a court of law. Give examples. **[20 marks]**