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# Exploring the Relationship Between Swazi Law and Custom and Journalism Practice in Eswatini: A Case Study of the Times of Eswatini (Swaziland)

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# EXPLORING THE RELATIONSHIP BETWEEN SWAZI LAW AND CUSTOM AND JOURNALISM PRACTICE IN ESWATINI: A CASE STUDY OF THE *TIMES OF ESWATINI* (SWAZILAND)

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A research report submitted to the School of Literature, Language and Media, Faculty of Humanities, University of the Witwatersrand in partial fulfilment of the requirements for the degree of Master of Arts in Journalism and Media Studies by combination of coursework and research.

June, 2025

**DECLARATION**

I declare that this research report has not been submitted before for any other degree or examination at any other university. It is my own unaided work and all sources used have been duly acknowledged and referenced properly.

SIGNATURE: K.C Nene DATE: 31 October 2025

## DEDICATION

I dedicate this project to my dearly loved mother, Sizakele Tsabedze, who departed this world while I was doing final touch-ups to this project. I wish she was here to join me in celebrating the completion of this project. I also dedicate this project to the late Charity Makhunga, a mother figure who nurtured and supported me during my formative years. This work is also dedicated to the late matriarch of our family Sabinah Shongwe, whose wise counsel still guides me even today. I would also like to dedicate this work to my dearest wife Gcebile Mndzebele and son Kwenziwe, who continue to motivate me to work hard. I wouldn't have succeeded in this project without their support, advice and prayers. I am also indebted to Melusi Shabangu, Siphelele Nxumalo and Tebogo Motsa, who accommodated me whenever I needed a place to stay in Johannesburg. Without their support, I wouldn't have completed my studies. Lastly, I dedicate this work to everyone who has supported me ever since the beginning of my academic journey. I cannot mention everyone here, but there are dozens of people, whom without their support, I would not have progressed this far in my academic journey.

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## ABSTRACT

Eswatini (formerly Swaziland), one of the world's last remaining absolute monarchies, is a country with strong observance of traditions and practices of customary law. As a result, restrictions on coverage of some aspects of events involving royalty and the Swazi monarch and traditional ceremonies are a reality, and so is the censoring of information on certain sacred rituals performed by the monarch. News audiences have become accustomed to relying on international media for stories on royal scandals and other mortifying matters involving the monarch. This study sets out to explore the nature of the relationship between Swazi law and custom and journalism practice in Eswatini in order to determine how customary law principles and norms influence the media when attempting to inform the public about matters of public interest-including those touching on royalty and the monarch. Employing a qualitative research approach, multiple historical articles from the *Times of Eswatini (Swaziland)* were analysed, and in-depth interviews were conducted with former editors of the publication. The study confirms that traditional/customary laws and practices influence media choices and demonstrates explicit processes of gatekeeping, agenda-cutting and enforcement of traditionalism as a social ideology.

**Table of contents**

**Contents** **Page**

Declaration……ii

Dedication……iii

Acknowledgements……..iv

Abstract……..v

Table of content……vi

Chapter 1: Contextual background……1

1.0 Introduction……1

1.1 Eswatini Media Environment……4

1.2 Motivation/Rationale……5

1.3 Objectives and scope of study……....6

Chapter 2: Literature Review and theoretical frameworks……....9

2.1 Contextualising Swazi law and custom……9

2.3 Criticism of Swazi law and custom……11

2.3.1 Criticism of the King's marriage to teenage girls……14

2.4 Theoretical frameworks……..17

2.4.1 Traditionalism……17

2.4.2 Gatekeeping……..18

2.4.3 Agenda Cutting……19

2.4.4 Sociology of news……20

Chapter 3: Customary law and journalistic work……...22

3.1 Customary law and journalistic work……22

3.2 Swazi Press & the monarchy: an acrimonious relationship……..23

3.3 The case of Mfomfo Nkhambule……26

Chapter 4: Research methodology……..30

4.1 Research approach……30

4.2 Research design……..30

4.3 Sampling plan……...31

4.4 Data collection plan……31

Chapter 5: Presentation of data findings……32

5.1 Introduction…….. 32

5.2 Analysis of newspaper articles……..32

5.3 Thematic exploration…….. 36

Theme 1: Shallow reporting on royalty……36

Theme 2: Royal censorship……...39

Theme 3: Media blackout……..41

5.4 Interviews with former editors of the Times of Swaziland……44

5.4.1 Background of former editors……44

5.5 Emergent themes……44

5.5.1 Customary law limits press freedom……45

5.5.2 Monarch immune from media scrutiny and criticism……..47

5.5.3 Restricted reporting on Incwala……50

5.5.4 Journalists consult and seek advice from traditional authorities on how to report on customary matters……..51

5.5.5 Cultural socialization has a bearing on journalism practice……...53

5.5.6 Consequences for journalists who violate customary law……54

Conclusion……...55

Chapter 6: Interpretation & Discussion of findings……57

6.1 Introduction……...57

6.2 Agenda cutting of negative stories on royalty…….57

6.3 Gatekeeping cultural sensibilities……..60

6.4 Enforcing Traditionalism as a social ideology…….63

6.5 Conclusion…….....65

6.6 Limitations of study……..66

Appendix……..67

Reference list……..73

## CHAPTER ONE: CONTEXTUAL BACKGROUND

### 1. Introduction

Eswatini (formerly Swaziland until 2018) is a tiny landlocked country bordering Mozambique and South Africa. The country gained independence from Britain in 1968 after the late King Sobhuza II (1899 – 1982) had successfully united all the clans of the Swazi tribe – fighting off British colonialism while also consolidating the power of the ruling Dlamini clan (Matsebula,1988). Five years into self-determination, the country experienced a clash between the Westminster-type constitutional democracy, adopted at independence, and the Swazi traditional governance system. The two governance systems, married at independence but with diametrically opposed ideals, eventually reached a collision course, which culminated in King Sobhuza II repealing the Independence Constitution through a decree promulgated on April 12, 1973 (Matsebula, 1988). King Sobuza II ruled by decree until his death in 1982 and his successor, his son King Mswati III, continued on the same path until he promulgated a new constitution in 2005 following pressure from progressive groups and the international community (Gumedze, 2005; Woods, 2015).

Though the Constitution of the Kingdom of Eswatini (Swaziland) guarantees certain fundamental human rights, it still protects the absolute powers of the monarch and further protects customary law and other traditional institutions (Samudzi, 2011; Woods, 2015). The Swazi monarchy is the last absolute monarchy in Africa, and one of the few remaining absolute monarchies in the world –outside the Middle East. King Mswati III rules Eswatini as a co-monarch with his mother Queen Ntombi Tfwala (US State Department, 2022). The King and Queen Mother have absolute control over the three arms of government, which are: the Executive, the Judiciary and the Legislature. According to section 67 (1)(2) of the Swaziland Constitution (2005), the King appoints the Prime Minister, Cabinet Ministers, Judges and other high ranking government officials. The King is also the Commander in Chief for all armed forces (Constitution of Swaziland,2005, section 4 (3)). In addition to the formal governance system, the Constitution also recognises a traditional governance system (Langwenya, 2013). The traditional governance system comprises the Monarchy, Traditional Councils and Chiefs.

The Constitution recognises the monarch as both head of the formal government (head of state) and head of the traditional governance structure (Langwenya, 2013). Section 252 of the Swaziland Constitution (2005) similarly recognises two legal systems to be applied in Eswatini; Roman-Dutch Law and Swazi law and custom. A formal court system, comprising Magistrates Courts, a High Court and a Supreme Court, is administered through Roman-Dutch law while the traditional court system is administered through Swazi law and custom (Whelpton, 1997). Swazi law and custom is the official term used to describe Swazi customary law originating from old-age traditions and customs that over the years have become classified as law (Whelpton, 1997). These traditions and customs only form part of Swazi law and custom once they are legitimised by the monarch (Vilakati 1977, in Whelpton,1997). Matters which fall under the jurisdiction of Swazi traditional courts include petty theft, domestic quarrels, domestic violence, robbery, theft and disputes among residents of chiefdoms (Dube and Magagula, 2007).

Swazi law and custom remains unrecorded in written text and is passed from one generation to another through oral tradition (Dube and Magagula, 2007; Nyane, 2019). Elderly men who frequent royal palaces possess in-depth knowledge of Swazi law and custom, and the King and members of the royal family are custodians of Swazi law and custom (Whelpton, 1997). Swazi law and custom is central to every aspect of the Swazi people's lives, and it permeates all spheres of governance, including the Swazi body politic (Langwenya, 2013). The dualism of the Eswatini state extends beyond the governance structure and the legal system but also to the modes of living and philosophy of life for the Swazi people. The lifestyles of the Swazi population incorporate two distinct cultures. It is not unusual in Eswatini to see rural homesteads of stray huts next to shopping malls or people in traditional garb carrying axes next to those wearing suits (Pejstrup, 2011). Hence, it wouldn't be off the mark to characterise Eswatini as a bicultural state because after independence, the Swazi people adopted some aspects of British/western culture but still retained indigenous traditional customs and cultural norms. This has resulted in Eswatini becoming a 'traditional nationalistic society' with a 'modern British influenced identity' (Pejstrup, 2011).

Central to the fabric of Swazi society is the institution of the monarchy. The Swazi King is not only a hereditary head of state but also ‘a symbol of unity and eternity of the Swazi nation’ (Swaziland Constitution, 2005). The monarch plays a critical role in Swazi society as all institutional behaviours of the Swazi people converge under his leadership (Schoeman,1986). The Swazi King is the most senior member of the royal clan, he is ranked first in the social hierarchy of the Swazi society, and he is the most respected person in the Swazi society (Schoeman, 1986). Additionally, the Swazi monarch possesses ‘ritual supremacy’ and is thus regarded as the ‘high priest’ of the Swazi people (Schoeman, 1986). Many Swazis hold the view that there can be no Swazi society without the King, while others see the monarch as the father of an extended family (Debly, 2011 cited in Woods, 2015). The King enjoys popular support throughout the country and this is largely due to the fact that Swazis have been taught to honour the royal family (Samudzi, 2011).

However, over the years, the monarch’s popularity appears to have waned, and there is growing dissatisfaction with the absolute monarchy governance system. In 2021 there were unprecedented protests that were characterised by violence and arson attacks on government properties and private businesses (BBC, 2021). Security forces quelled the protests with excessive force, killing 46 protesters and further injuring 245 demonstrators (US Department of State report, 2022). A local journalist and his South African colleague were detained and tortured by security forces while investigating the killing of protesters during the unrest, and two other local journalists were hospitalised after security forces fired teargas towards them while they were covering the June 2021 protests (RSF, 2021). Following the unrest, many political activists fled to neighbouring countries and some of those who remained were arrested and remain in custody. A South African court also dismissed a court bid by the Eswatini Government to have exiled journalist and editor, Zweli Martin Dlamini, extradited to Eswatini to face, among others, terrorism charges. (Maromo, 2024; Khumalo, 2024).

The Swazi king has also been criticised for his lavish lifestyle while thousands of Swazi citizens wallop in poverty. According to the World Bank (2024), 52 percent of Eswatini’s 1.2 million population lives below the US$3.65/day poverty line. In 2011, Eswatini

experienced a severe financial crisis which critics blamed on the monarch's mismanagement of the fiscus (Smith, 2011). King Mswati personally approached South Africa for a bailout amounting to R2.4 billion ($355 million), which South Africa agreed to but with attached conditions; including that there should be political and economic reforms in the kingdom (BBC, 2011). It appears King Mswati did not fully comply with the conditions set by South Africa, as in 2012, he received a luxury jet from 'anonymous sponsors' (BBC, 2012). Political activists insisted that the jet was purchased with public funds, but the government maintained that it was a donation from a developmental partner. In 2018, the Swazi king procured a second jet – an Airbus A340-300 – which was bought for R2.7 billion as his 50th birthday gift (Nkosi, 2018). In 2019, King Mswati was widely condemned for splashing millions on 15 luxury customised Rolls-Royce and 79 BMWs (Mahlangu and Madisa, 2019). The Swazi king has also come under scrutiny for having many wives and marrying teenage girls.

### 1.1 Eswatini Media Environment

The Eswatini media industry is relatively small and lacks the element of pluralism. For many years, there were only two daily newspapers; the *Eswatini (Swazi) Observer* and the *Times of Eswatini (Swaziland)*. The *Eswatini Observer* is owned by Tibiyo TakaNgwane, a wealth fund owned by the king, and is thus not considered to be independent due to its pro-monarch editorial policy (African Media Barometer, 2014). The *Times of Eswatini* is privately owned and is the oldest media house in Eswatini, having been established in 1897. However, its independence has been called into doubt because the publication's Managing Editor also works as the king's speech-writer (RSF, 2023), which is alleged to have created a 'clear conflict of interest' and also compromised his position as editor (African Media Barometer, 2014). In May 2023, the Rubricon Media Group, which is part of a conglomerate with close ties to the royal family, introduced the *Eswatini Daily news* (online), the *Eswatini Financial Times* (Saturday paper) and the *Eswatini Sunday* (Sunday paper). The editorial policy of the Rubricon Media Group has, hitherto, been pro-monarch.

Moving on to broadcast media, the Eswatini Government is a dominant player in the electronic media space as it owns both the state TV (Eswatini TV) and the state radio

(Eswatini Broadcasting and Information Services). There is a small and less influential privately owned TV station (Channel yemaSwati, formerly Channel S) but it eschews criticising the monarch. According to Reporters Without Borders (RSF), the media environment in Eswatini remains unconducive for a free and critical press. In the 2023 World Press Freedom Index, Eswatini was ranked at 111 out of 180 countries with a global score of 52.66 (RSF, 2023). The RSF further noted that the Eswatini monarch interferes considerably with news content and' [a]lmost all media outlets are controlled, directly or indirectly, by (King) Mswati III' (RSF, 2023). Moreover, the state spies on critical journalists by infiltrating newsrooms, and this is largely seen as being enabled by the fact that, until 2023, the Minister of Information, Communications and Technology was one of the king's daughters (RSF, 2023). The King has the authority to suspend the Constitutional rights to freedom of expression and freedom of the press at his discretion (UNESCO, 2017).

### 1.2 Motivation/Rationale

Some studies zooming into the state of journalism in Eswatini (see Simelane,1995; Rooney, 2007) have hinted that there could be a relationship between the country's entrenched customary laws and journalism practice. These studies further surmise that the presumed relationship has a direct effect on the work of journalists and the general operations of the media. However, none of the studies have explicitly explored or established the nature of the relationship between customary law and journalistic work in Eswatini. As a journalist who has worked in Eswatini for over a decade, I was interested in exploring the nature of relationship between customary law and journalism practice in Eswatini, and to examine if the relationship has taken hold of editorial decisions - particularly at the privately-owned *Times of Eswatini*.

Eswatini's 1.2 million people ought to enjoy freedom of expression and freedom of the media as guaranteed in Section 24 (1)(2) of the Swaziland Constitution (2005), and as enshrined in the Universal Declaration of Human Rights (1948). In Eswatini there have been incidents where the media has been intimidated by traditional authorities and further gagged from discussing pertinent national issues. In 2009, a columnist for the *Times of*

*Swaziland* was forced to stop writing after he was consistently intimidated by traditional authorities and the police. Mfomfo Nkhambule, who was a member of the king's regiment and a former cabinet minister, had penned a series of articles criticising the monarchy and the governance system of Eswatini, which prohibits political parties. Jim Gama, who was governor of the main royal palace at the time, warned Nkhambule not to 'dare disrespect the King' through his articles (Dlamini, 2009).

Nkhambule was summoned by the police and traditional authorities to answer for his writings, which were critical of the King (Dlamini, 2009). Gama, the palace governor who also held the title of 'traditional Prime Minister' told the *Times of Swaziland* at the time that "any freedom of speech without respect and responsibility is dead" (Dlamini, 2009). Around the same time, the Swazi Prime Minister at the time, Barnabas Sibusiso Dlamini, threatened civil society organisations and political activists for criticising a speech King Mswati had delivered when opening parliament. Civil society organisation had highlighted that the monarch's speech lacked substance in that it did not touch on critical issues like the HIV pandemic and other socio-political matters (Shaw, 2009). The Prime Minister warned critics of the king's speech, stating that any criticism must be presented 'in a language and manner that showed respect to the office of the monarch' (Shaw, 2009). It is therefore important to explore the relationship between Swazi traditional institutions like the monarchy and the press in order to examine how the monarchy interacts with or impedes the media's critical role of being a watchdog. As Swazi law and custom is broad, the study focuses more specifically on how the *Times* covers the monarch and royalty – two prominent customary institutions in Swazi society.

### 1.3 Objectives and scope of study

The objectives of the study are as follows:

1. To examine the relationship between Swazi law and custom and journalism practice at the *Times of Eswatini*.
2. To explore the extent to which Swazi law and custom impacts on editorial decisions relating to the coverage of the monarchy and/or royalty at the *Times of Eswatini*.
3. To contribute to the limited body of knowledge on the influences of customary law on journalism practice in Eswatini.

## 1.4 Research Questions

1. Is there a relationship between Swazi law and custom and journalism practice in Eswatini?
2. Does the relationship between Swazi law and custom and journalism practice impact on editorial decisions at the *Times of Eswatini*?

The *Times of Eswatini (Swaziland)* is the oldest publication and leading independent media enterprise in Eswatini. Founded in 1897, by Allister Miller, then Swaziland's British Resident Commissioner, it became the country's first news publication and over the years, the paper has been managed by different proprietors (Simelane, 1995). Currently, the publication's holding company, Africa Echo, is owned by the Loffler family based in Namibia (Rooney, 2008). However, the current publisher, Paul Loffler, is a resident of Eswatini. Having been a leading source of news and information for Swazi society for over a century, the *Times of Eswatini* has long assumed an influential role as it sets the agenda on many national issues.

For instance, the *Times of Swaziland*, as it then was, once exposed how the Eswatini government had attempted to purchase a private jet for King Mswati, and had deposited E28 million (about US $1.5 million) with an aircraft manufacturer without the knowledge of the Eswatini Parliament (Maphalala, 2009; Mordaunt, 2009; Gama, 2009). The newspaper ran a series of articles exposing how the government had not followed procurement procedures in its attempts to purchase a jet for the monarch. The stories about the government's attempts to buy a private jet for King Mswati drew public ire as all this happened while the country was being devastated by the HIV/AIDS pandemic. Eswatini Parliamentarians demanded that the purchase be called off and the government obliged. But already E28 Million (US $1.5 million) had been paid as a deposit to the aircraft manufacturer (Maphalala, 2009). The newspaper further revealed other failed attempts by the government to purchase a jet for the monarch (Maphalala, 2009).

Notwithstanding the challenging environment it operates in, which is characterised by anti-media laws, among other unconducive factors, the *Times of Eswatini* has always been seen as a 'beacon of hope' among the Swazi populace (Mthembu, 2011). However, the publication appears to have lost its sting as it no longer enjoys the influence it had in the 80s and 90s. And this could be attributed to a change in the publication's editorial policy, which can be deduced from comments attributed to the publisher in 2011 where he was quoted by the South African press saying Swaziland doesn't need democracy (Mthembu, 2011).

## CHAPTER TWO: LITERATURE REVIEW AND THEORETICAL FRAMEWORKS

### 2.1 Contextualising Swazi Law and Custom

Eswatini customary law can be defined as 'the original indigenous legal system of the Swazi people' (IPSS, 2021). It originates from age-old traditions and customs that over the years have become classified as law (Whelpton,1997). Swazi law and custom is administered by a traditional administrative structure comprising Chiefs and the monarch. It is interpreted by traditional courts called Swazi National Courts, established by the *Swazi National Court Act No.80 of 1950* (Dube and Magagula, 2007). This law was enacted by the British colonial government to enable customary law institutions to operate side by side with the Roman Dutch law legal system that had been introduced by the colonial government (Whelpton, 1997).

Apart from the Swazi traditional courts, there are other informal dispute settling structures that are permitted under Swazi law and custom. These include the family council *(Lusendvo)* and regimental and age-group institutions *(emaButfo)* (Whelpton, 1997). When customary matters are heard in traditional courts, public participation in the adjudication of matters is allowed. This is done to allow the public to give expression to the prevailing Swazi values and the acceptable moral behaviours of the community (Whelpton,1997). Furthermore, it is presumed that the community has a firm comprehension of customary law, hence they can participate in the adjudication process (Marwick,1966, p.280 in Whelpton, 1997).

One of the features of Swazi law and custom is that it is not codified (Nyane, 2019). Instead, the knowledge of the law is orally transmitted from one generation to the next, and even traditional court procedures are conducted orally (Whelpton, 1997). Swazi law and custom has never been recorded in any legal resources, including statutes, law reports or textbooks (Whelpton, 1997; Nyane, 2019). This explains in part why there is limited literature on Swazi law and customs. Even when still under British colonialism, Eswatini strongly resisted the codification of her customary law, unlike other African countries, which were forced by colonial masters to codify their customary laws through legislation and other frameworks (Nyane, 2019). The United Nations (UN) once offered

to assist Eswatini with codifying her customary law but the offer was rejected by Swazi authorities (Freedom House, 2013).

Another feature of Swazi law and custom is that it is protected in the Eswatini Constitution. According to Nyane (2019), while customary law in other African states has been 'manipulated by statutes', Eswatini customary law enjoys 'protection and reinforcement' from the Constitution and other pieces of legislation. Whelpton (1997) explains that the 1968 Independence Constitution, which was repealed in 1973, also recognised and protected Swazi law and custom. According to Whelpton, Section 62(2) of the Swaziland Constitution (1968) 'entrenched certain areas which could not be changed by legislation' but would continue to be regulated through Swazi law and custom. These areas or institutions included: the office of the *Ngwenyama* (the king), the office of the *Ndlovukazi* (the queen mother), the appointment, removal and suspension of chiefs, the composition and procedure of the Swazi National Council, the *Ncwala* ceremony (the national first fruits ceremony) and the *Libutfo* system (the regimental system) (Whelpton, 1997)

Swazi authorities have fervently resisted the codification of Swazi law and custom supposedly to protect Swazi traditions and customs from being deliberately or accidentally distorted by liberal scholars and lawmakers. However, Freedom House, a global human rights watchdog, believes the reason is political and has to do with maintaining the absolutism of the Swazi monarchy. Freedom house elaborates:

> In exercising the powers of the chiefdom, it probably is convenient for the Dlaminis (ruling clan) and their allies not to be bound by written statutes. Thus customary law relies on oral tradition and ad hoc decision making. In important matters, decisions are made by the king, sometimes together with his mother, a traditional prime minister and a royal advisory council. In matters of lesser importance, local chiefs decide along with their local councils. Chiefs are also permitted to make and enforce additional laws as they see fit. As a consequence, ordinary Swazis must contend with an uncertain legal framework in which people more powerful than themselves can make up the rules as they see fit. (Freedom House, 2013, p.12)

Notwithstanding this perspective, Swazis generally observe and voluntarily comply with the rules of Swazi law and custom. Accordingly, Swazi law and custom permeate all

spheres of the Swazi society. Whelpton (1997) noted that when Swazis speak of their way of life or their traditions, they are referring to “the social relationships and social actions which take as their point of departure age-old customs validated by the ideology of traditionalism and legitimized by the king” (Vilakazi,1977 in Whelpton,1997). Swazi customary law and the concomitant traditional institutions play a very critical role in Swazi society because they are the pillars that buttress the institution of the monarchy (Dlamini-Ndwandwe, 2013).

### 2.3 Criticism of Swazi Law and Custom

While resisting codification, Swazi law and custom has been a subject of scholarly criticism for decades. From when anthropologist Hilda Kuper exposed to the world the mode of lifestyle and traditions of the Swazi people in her 1947 publication, *African Aristocracy (rank among the Swazi)*, several scholars have, through the prism of traditionalism, liberalism and cultural feminism theoretical frameworks, criticised some aspects of Swazi law and custom (see Adinkrah, 1990; Nyawo, 2021; Nkuna and Thwala, 2017). While local scholars like Matsebula (1988) have attempted to drive a narrative that Swazi law and customs are an intrinsic aspect of the fabric of the Swazi society, several other scholars have called out Swazi customary law for its authoritarianism, absolutism and entrenched patriarchy.

Feminist scholars have been among the most outspoken in criticising some aspects of Swazi law and custom. Ubelejit-Nte (2020) came down hard on Swazi law and custom, stating in no uncertain terms that ‘the social structure and cultural practises of Swaziland has placed women in excruciating bondage’. She added that Swazi customary law is composed of cultural traits and circumstances that have placed women in ‘bondage of gross marginalisation and abuse’. Ubelejit-Nte recommended the abolition of Swazi culture and traditions that ‘treats women like nonentities’. She further called for the extermination of Swazi cultural practices that ‘engenders the bondage of women’. Nkuna and Thwala (2017) agreed with Ubelejit-Nte that Swazi law and custom oppresses Swazi women.

> Swazi women have no rights in traditional systems. Their husbands rule them. Their lives depend on their husbands. The norms and values of their society govern them (Nkuna and Thwala, 2017, p.70)

Adinkrah (1990) was scathing in her criticism of Swazi law and custom. Adinkrah highlighted that, under Swazi law and customs, women are a 'nonentity', they are of no importance and absolutely have no rights. She argued that young Swazi females are considered valuable only for the cattle they bring to the family upon getting married. Adinkrah added that "a (Swazi) female is a minor from cradle to grave. As an infant she is under the guardianship of her father and this right [passes over] to her husband upon marriage. Upon divorce, it reverts again to her father" (Adinkrah, 1990).

On the political front, Mthembu (2018) contended that women are discriminated against when participating in the traditional *Sibaya* dialogue, an important institution in the Swazi body politic. *Sibaya* (a cattle byre) is a gathering of Swazis from all walks of life which takes place at the main royal palace (Ludzidzini) to discuss pertinent economic, political and traditional matters. The King uses the Sibaya meetings to make political pronouncements like appointing or dismissing a Prime Minister and dissolution of Parliament. According to Section 232 of the Swaziland Constitution (2005), *Sibaya* 'constitutes the highest policy and advisory council of the nation'. The King chairs *Sibaya* meetings, but he may decide to delegate this function to any other official (Swaziland Constitution, 2005).

Swazi women previously did not attend *Sibaya* but now that they are allowed to participate and make submissions, they are ridiculed either by the chairman of the proceedings or by other men who are in attendance (Mthembu, 2018). Women are also shouted at and ordered to leave the microphone when they make submissions on matters that men are against (Mthembu, 2018). Mthembu concluded that sexism was rife at *Sibaya*, adding that there could never be equality at Sibaya because men call the shots. Other legal scholars have criticised not only Swazi law and customs per se but the dualism of the Eswatini administration system. Langwenya (2013) noted that the dualism of the administration system had created a 'paradox' in the Eswatini constitutional order. The paradox is that, while on one hand, the Constitution of Swaziland (Eswatini) provides for

a bill of rights, a judiciary and an elected legislature, on the other hand, it establishes a traditional governance system headed by an unelected monarch who wields absolute powers (Langwenya, 2013, p.7).

Langwenya (2013) further pointed out that the supremacy of the Swaziland Constitution was 'challenged' by Swazi law and custom. Though the Constitution pronounces itself as the supreme law of the land, there is a general belief that the supremacy of the constitution is only on paper and not in practice. Prior to the Constitution coming into force in 2005, Swazi law and custom was the supreme law of Eswatini as provided for in the King's Proclamation (Amendments) Decree of 1987 (Langwenya, 2013). The Constitution (2005) formally assumed supremacy when it became operational in 2006, but its supremacy is eclipsed by the profound influence of Swazi law and custom (Langwenya, 2013). As such, Swazi law and custom has more practical meaning in the lives of Swazis than the Constitution (Langwenya, 2013).

Another aspect of Swazi law and custom that has been intensely criticized is the traditional land tenure system and the customary inheritance procedures which discriminate against women. Legal scholars and feminists have long called for an overhaul of customary laws and norms that govern land ownership, property rights and inheritance in Eswatini (See Dlamini-Ndwandwe, 2013; Nyawo, 2023). There have also been calls for the amendment of statutes regulating the administration of estates so "[…] to ensure women and children receive equal shares of inheritance from the estates of their deceased husbands and fathers as required by the new Constitution" Bluett et al. (2009). Until recently, only males could acquire communal land through the traditional '*kukhonta'* (to pay allegiance) system, whereby the person interested in utilizing the land pays a cow to a chief (Nyawo, 2023).

Women are now allowed to acquire communal land but only if they have a male family member who can act as a proxy on their behalf (Dlamini-Ndwandwe, 2013). The proxy can be the woman's husband, a male relative or a male child (Nyawo, 2023). According to Nyawo (2023), the patriarchal nature of the Swazi society is the primary reason women are deprived of the right to own land. Nyawo lamented that Swazi women "are victims of

socially constructed norms and practices that deprive them of what Mother Earth offers" (Nyawo, 2023). Dlamini-Ndwandwe (2013) concurs with Nyawo that Swazi women have no right to own land under customary law –despite the Swazi Constitution guaranteeing the right to property.

### 2.3.1 Criticism of the King's marriage to teenage girls

While local media has observably reported glowingly about Swazi traditions and customs (see Dhladhla, 2013; Motau, 2019), the same cannot be said of international media. The global press has criticized a host of Swazi traditions and customs – particularly those that are performed by the monarch. The cultural practice whereby the monarch marries teenage girls has been widely condemned by feminists, human rights defenders and human rights activists. And the international media has provided a platform for these activists to express their disapprobation of the Swazi king's nuptials to teenage girls. In 2005, the BBC reported that then 37-year-old King Mswati would be marrying 17-year-old Phindile Nkambule, who would be his 13th wife. The news channel added that the new bride was younger than the king's first-born daughter – who was 18 years old at the time (BBC, 2005).

Two years earlier, King Mswati had been similarly criticized when marrying his 11th wife Noliqhwa Ntenteza – another 17-year-old – amidst the rampant HIV/AIDS pandemic that was killing dozens of Swazis. *KFF Health News* (2003) reported that HIV/AIDS activists and women's rights advocates had criticized the non-monogamous monarch, saying 'he is setting a bad example for the country, which has one of the highest HIV prevalence rate in the world'. The monarch would typically choose his new wife from the hundreds of teenage girls who were presented at the annual traditional reed dance ceremony (*Umhlanga*), an event where thousands of young girls, supposedly virgins, deliver reeds at the main royal palace Ludzidzini, and then dance before royalty and spectators. According to Swazi custom, once the King picks a girl, she becomes *Liphovela* (King's fiancée) and she is only traditionally wedded by the King once she becomes pregnant (BBC, 2005).In another incident that sparked global outrage in October 2002, royal aides abducted 18-year-old Zena Mahlangu after she had been dropped by her mother at

school. Mahlangu was kept at a royal guest house for a couple of days before she was paraded as King Mswati's fiancée at a traditional ceremony (Heard, 2003). The British *Guardian* newspaper provided space for Mahlangu's mother, Lindiwe Dlamini, to express her frustrations with trying to stop the monarch from marrying her daughter. She wrote that after her daughter had been abducted, she approached the Swazi High Court seeking an order to have her daughter released from a royal guest house to her custody. However, the court application yielded no positive results, but instead it became a 'circus' (Heard, 2003). Dlamini insisted that she was not against her daughter marrying the King, but her only gripe was "simply that she (Mahlangu) had been taken away unlawfully" (Heard, 2003). Dlamini further poured out her misgivings about her daughter marrying the Swazi King.

> She is staying at a royal guest house. I guess she sees the king. Reports have said that Zena told me she loves him. In fact, by the time I realised Zena was not going to be released, I knew there was no point in asking her whether she loved him or not. It would not be fair. I think all the girls, when the king first selects them, cannot know how they feel. There is no choice here. If the king likes you, that's it. Zena had plans and dreams. Next year she was due to study industrial psychology at a university in South Africa. Now, all those plans have been cut short. She will be able to pursue her studies through distance learning, but I doubt whether she will be able to leave Swaziland to study full-time (Heard, 2003).

In September 2024 King Mswati officially unveiled 21-year-old Nomcebo Zuma as his fiancée. Nomcebo is a daughter to former South African President Jacob Zuma. Nomcebo's engagement to the 56-year-old monarch was criticized in some quarters, with some commentators suggesting that the marriage was 'a political alliance' (Kupemba, 2024). However, a spokesperson of the Eswatini Government defended the monarch's engagement to the former President's daughter, stating that "love has no eyes to see or count age" (Kupemba, 2024). King Mswati will reportedly pay 100 cattle as lobola (a traditional dowry) plus R2million (about US $108 000) (WaAfrika, 2024). Zuma is going to be his 16$^{th}$ wife. Polygamy is permitted in Swazi culture and the late King Sobuza II, father of the incumbent monarch, was reported to have had about 70 wives and 210 children (Osman, 2023).

## 2.4 THEORETICAL FRAMEWORKS

### 2.4.1 Traditionalism

Swazi law and customs are intrinsically connected to the cultural norms and practices that the Swazi people have held onto so dearly for centuries. It can best be described as a doctrine that underpins the Swazi people's way of life. The theory of traditionalism is the appropriate prism through which one can attempt to comprehend the significant role of Swazi law and custom in preserving and sustaining Swazi customs and traditions. Bizumic (2017) explained that traditionalism is when one respects and upholds 'traditional values, morality, norms and practices' of their social group. Bizumic added that traditionalism also included fervent resistance to any altering of traditional values, norms and practices.

Agashi (2019) elaborated that traditionalism, in the African context, is a school of thought that is opposed to the manner in which democracy is practised in Africa. According to Agashi, scholars of traditionalism advocate for indigenous democratic systems which they believe could extricate Africa from the socio-political and economic quagmire she finds herself in – which aligns quite strongly to the ways in which the ruling regime in Eswatini often positions its approaches. Agashi also stated that scholars of traditionalism in Africa were against the idea that pre-colonial African governance structures were undemocratic. In Eswatini, traditionalists and proponents of the absolute monarch governance system subscribe to this idea. They believe Eswatini is well governed by this traditional system, which is characterised by the absolutism of the monarchy and intolerance to dissent. Simelane (1995) concurs that traditionalism is a dominant ideology in Swaziland (Eswatini). However, Simelane cautioned that traditionalism in the Swazi context should not be confused with conservatism.

According to Simelane (1995), in the Eswatini context, traditionalism refers to safeguarding of customs, norms and values, and patriotism, which includes loving the king and 'condemning dissenting views of any forms' (Matsebula, 1975, p.13, in Simelane, 1995). Moreover, Simelane mentioned that the Swazi version of traditionalism is characterised by heightened interest in participating and publicisation of Swazi cultural

ceremonies, including *Incwala* and *Umhlanga*. During the *Umhlanga* ceremony, unmarried young girls are summoned from the length and breadth of Eswatini to deliver reeds to the main royal palace (Ludzidzini) as a way of paying homage to the Queen Mother (Sone, 2010). The reed is used to rebuild *tihonco* (royal kraals) at the Queen Mother's residence (Sone, 2010). On the last and main day of the ceremony, the maidens sing and dance before crowds of spectators and royalty. On some occasions, the monarch may pick his next wife from among the participating maidens.

*Incwala* is a centuries –old sacred Swazi ritual that can only be performed during the reign of a King because he is 'the only one qualified to lead the *incwala* ceremony' (Schoeman,1986). *Incwala* unfolds over several weeks starting from early December and may spread over to January depending on the phases of the moon. There are two primary and principal purposes of the *Incwala* ritual. The first one is to renew the powers of the monarchy and the kingship (Lincoln, 1987). Secondly, it is during *Incwala* that the Swazi king declares the national harvest ready for consumption and distribution (Schoeman, 1986). From Simelane's explanation of traditionalism, we can infer that in a society where traditionalism is a dominant ideology, customs and traditions are sacrosanct. And this holds true to Eswatini.

### 2.4.2 Gate keeping

Gate keeping occurs when information is included or excluded by a mediator before that information gets to audiences (Perreault, 2022). This theory basically explains how editors decide on which content to include or exclude from the messages they churn out to audiences. The theory exposes possible factors that influence decisions by journalists and editors to include or exclude certain stories or content. Perreault described gatekeeping as both a normal journalistic practice and a theory explaining how 'content decisions for mass audience were made by editors'. Notwithstanding that the gate keeping theory was expounded by media scholars in the 20$^{th}$ century, during the era of traditional media, the theory is still relevant in the digital/new media era (Perreault, 2022).

Shoemaker & Vos (2009) explain that gatekeeping occurs when the news media process multiple occurrences and ideas and reduce them to the handful of messages that are transmitted to audiences. Shoemaker and Vos include newspaper publishers and TV

station managers among the gatekeepers because they have the authority to develop policies which can greatly influence the selection of news and TV programmes. Sources can also be gatekeepers as they may decide which stories to share with reporters and which ones to ignore or conceal (Shoemaker & Vos, 2009). Erzikova (2018) concurs with Shoemaker and Vos further adding that gatekeeping could best be described as a filter that controls whether information should pass through a 'gate'. Erzikova notes further that gatekeeping does not only occur during the news editing stage, it could take place during all the news preparation stages including news gathering, news production and news dissemination. According to Erizikova (2018), gatekeepers decide on 'what information should be gathered, evaluated, and ultimately shared' with audiences.

Erzikova (2018) further notes that the decisions of gatekeepers can be influenced by several factors including: the size and ownership of the organisation, social institutions like government and advertisers and social systems like economics, politics and ideology. Shoemaker & Vos (2009) added that culture may also influence gatekeeping. According to Shoemaker and Vos (2009), culture influences news selection decisions, affecting how parts of the world are covered and to what extent they are covered. Barzilai-Nahon (2009) concurred that gatekeepers may in some instances play the role of 'preserving cultural ethos and symbols' and further help in 'the political and social lives of communities'. This observation is particularly relevant to this study which looks to explore the relationship between Swazi law and custom and journalism practice in Eswatini and whether it influences editorial decisions at the *Times of Eswatini*.

### 2.4.3 Agenda Cutting

The agenda cutting theory belongs to the family of agenda setting, the decades-old theory exploring how media organisations set a public agenda by placing emphasis on particular issues and projecting them more prominently on news platforms (McCombs & Shaw, 1972). Agenda cutting can best be described as the opposite of agenda setting. According to Colistra (2006), agenda cutting occurs when media organisations give little or no attention to certain issues, thus keeping those issues 'off the agenda'. Colistra adds that in agenda cutting, issues may have attention directed away from them by giving them very little or no media coverage at all.

Haarkötter (2022) described agenda cutting as a ‘counter concept’ of agenda setting. Haarkötter (2022) explains that though it is normal for editors to omit and discard certain topics, their actions become agenda cutting when they intentionally ignore or remove a particular topic. Haarkötter lists three forms of agenda cutting. The first form of agenda cutting is when a news item is placed ‘low on the news agenda (burying it)’. The second form of agenda cutting is when a news item is removed from the agenda ‘once it is there’. The third form of agenda cutting occurs when a news item is completely ignored by not placing it on the agenda at all. (Colistra, 2008, p.60 in Haarkötter, 2022).

According to Colistra (2006), the third form of agenda cutting occurs “usually due to some outside force’s intervention”. In the Eswatini context, agenda cutting occurs when news organisations deliberately avoid topics critical of the monarch and other institutions, as revealed by Rooney (2007). For instance, in 2010, the entire mainstream media decided to keep out of the agenda a public interest story whereby a Minister of Justice was forced to resign due to allegations that he was in an adulterous relationship with one of the King’s wives (UNESCO, 2017). The story was widely covered in South African media (News24, 2010).

### 2.4.4 Sociology of news

The sociology of news is a research framework that focusses on how news is packaged and produced. Social scientists employ sociological approaches in order to comprehend the ‘practical understandings of the process and role of news production in society’ (Belair-Gagnon,2018). The sociology of news framework provides a ‘sociological perspective’ that scrutinises how news is produced within the bureaucratic processes of news organisations (Reese and Ballinger, 2001). Sociological research of news focusses on “work routines, interactions, and relationships among individuals/groups involved in news production” (Belair-Gagnon, 2018).

Additionally, sociological research of news focuses on the ‘organizations, institutions, structures, professional norms, and values that are part of news production’ (Belair-Gagnon, 2018). This research framework is relevant to this study which sought to investigate possible influences of customary law on journalism practices at the *Times of Eswatini*. Darnton (1975) employed the sociology of news framework when observing the

structure and operations of the *New York Times* newsroom. Schudson (1989) also employed the sociology of news framework when describing how news is 'manufactured'.

According to Darnton (1975), researchers who seek to understand how journalists function need to analyse the structure of the journalist's social environment. Secondly, Darnton noted that researchers should analyse the relations between editors, reporters and news sources in order to comprehend the processes of news production in media organisations. Darnton (1975) further observed that researchers of news production within a newsroom need to focus on the 'occupational socialization' of reporters and further analyse the 'social determinants' of how journalists encode and tell stories. These approaches proposed by Darnton were employed in this study in order to understand the nature of the relationship between Swazi law and custom and journalistic work at the *Times of Eswatini*.

## CHAPTER THREE: CUSTOMARY LAW AND JOURNALISTIC WORK

### 3.1 Customary law and journalistic work

The Swazi King is referred to as *umlomo longacali manga* ('the mouth that never lies') (Whelpton, 1997). This literally means what the King says goes, and that the King does not tell lies. His word is final. And in traditional circles, the King's word is law. Pronouncements by the monarch automatically become law (LWSA, 1994, p.24 in Whelpton, 1997). As supreme leader of the Swazi society, the Swazi King is also head of the traditional court system and his judgements are final, and his office is also 'the highest court of appeal' (Schoeman, 1986).

King Mswati's unilateral decision to change the official name of Swaziland to Eswatini in 2018 provides a quintessential example of how pronouncements by the Swazi monarch officially become law. During the double celebrations of 50 years of independence and the 50th birthday of the monarch on 19th April 2018, King Mswati III pronounced that Swaziland would revert to her pre-colonial name; Eswatini (Mbingo, 2018). After this pronouncement, government departments, state enterprises and private entities rebranded to accommodate the new name. Slain human rights lawyer Thulani Maseko was the lone voice that stood up to the absolutism of the monarch by challenging in court the legality and constitutionality of the name change (*Mail & Guardian*, 2018). Maseko was murdered in January 2023 before the Swazi High Court could hear his case.

Media houses have also rebranded at their own cost and changed their names and logos to accommodate the country's new name. The state radio, which was previously known as the Swaziland Broadcasting and Information Services (SBIS) became the Eswatini Broadcasting and Information Services (EBIS). The state television, which was previously called Swazi TV, changed its name to Eswatini TV. *Swazi Observer*, a daily publication owned by a royal company Tibiyo TakaNgwane, changed its name to *Eswatini Observer*. The privately owned *Times of Swaziland* also changed its name to *Times of Eswatini* without questioning the legality or constitutionality of the country's name change.

Many would have expected the Swazi press, particularly the privately-owned and supposedly independent *Times of Eswatini*, to set the agenda by questioning the

constitutionality, legality and financial implications of the country's name change. However, the publication could not risk being seen as challenging the King's directive because pronouncements by the Swazi King officially become law (Whelpton, 1997). Also, the *Times* would have been seen to be undermining customary principles if it had questioned the king's directive. According to Rooney (2007), customary principles shield the monarch and other individuals from media scrutiny. This is problematic for journalistic work because the Swazi king is not only head of the traditional administrative structure, he is also head of the formal government (head of state). Hence, journalists have an obligation to hold him to account.

Rooney (2007) observed that in Eswatini, there are unwritten cultural and traditional rules that restrict Swazi journalists from holding the monarch and other traditional institutions to account. These cultural and traditional rules are enforced by traditional authorities, who also enjoy the power to declare what is culturally correct or incorrect (Rooney, 2007). These cultural rules have entrenched a culture of self-censorship which has compelled Swazi journalists to be extremely cautious when going about their duties (Mamba, 2004, p.99-101 in Rooney, 2007). Also, the entrenched self-censorship within newsrooms in Eswatini has had a detrimental effect on the credibility of the Swazi press. Mthembu (2011) noted that the two daily publications (*Times of Swaziland* & *Swazi Observer*) had lost credibility due to their failure to publish certain information about those in the higher echelons of power in Eswatini.

The sanctity of the Swazi monarchy could be another reason Swazi journalist avoid criticising the Swazi king. Ndlovu (2007) observed that the Swazi monarchy is 'sacred' and that it is 'metaphysical' in nature, and that it also plays 'priestly roles' within Swazi society. According to Ndlovu, many Swazis believe the king is 'endowed with mystical power that enables him predict future events and to outwit his enemies'. Swazis also believe that the king and queen mother are installed by ancestors and that they also have the powers to make rain (Ndlovu, 2007). These beliefs about the mystical powers of the monarch are reinforced during national rituals like Incwala, where the king performs 'unique magical rites' (Ndlovu, 2007). It is probable that journalists also believe in the

sanctity of the monarchy hence they feel they should thread carefully when reporting on matters of the monarchy.

Even courageous journalists have their hands tied because if they do not self-censor, they risk being fined for violating customary law by criticising sacred institutions like the monarchy. Whelpton (1997) revealed that customary law delinquents in Eswatini may be fined a cow or may be 'deliberately ostracised' by traditional authorities. Since Swazi law and custom permeates all spheres of Swazi society, it is probable that journalists could find themselves on the wrong side of customary law if their reporting is construed by traditional authorities to be un-Swazi or culturally immoral.

### 3.2 Swazi Press & the Monarchy: An acrimonious relationship

The Swazi press has had an acrimonious relationship with the institution of the monarchy for decades. The relationship between the press and the monarch can be traced back to the 19th century when a British settler, who was also an advisor to the Swazi King Mbandzeni, established the *Times of Swaziland* in 1897 (Mbingo, 2017). During the early reign of King Sobhuza II (1921-1982), the *Times of Swaziland* maintained a good relationship with the monarch as it supported his *Imbokodvo* National Movement party, which was fighting for independence from Britain (Mbingo, 2017). However, the *Times of Swaziland* had a fallout with King Sobhuza II after he abrogated the independence Constitution on 12th April 1973, banned political parties and declared a state of emergency.

Irrespective of the restrictions on press freedom and freedom of expression imposed by the state of emergency, the *Times of Swaziland* continued to report on the arrest of political dissidents, corruption and inefficiency of the government (Mbingo, 2017). This angered pro-monarch politicians who threatened to shut down the *Times of Swaziland,* but they couldn't because, ironically, King Sobhuza II read the paper (Burton, 1979 in Mbingo, 2017). However, by 1981, King Sobuza II was fed up with the *Times of Swaziland,* and he decided to establish his own publication, the *Swazi Observer*. The Observer Media Group was established as a subsidiary of Tibiyo TakaNgwane – a royal wealth fund (Mbingo, 2017). The main reason King Sobhuza II and his advisors established the *Swazi Observer* was that they wanted a publication that would accentuate

the affairs of the Swazi nation and further 'demonstrate a responsibility to the King, Government and Swazi people' (Mbingo, 2017).

During the early reign of the incumbent monarch in the 90s, the Swazi press – particularly the *Times of Swaziland*, clashed on several occasions with the institution of the monarchy and its buttressing structures. On several occasions, the *Times of Swaziland* incurred the wrath of traditional authorities by reporting on matters which traditional authorities reckoned were a no-go area for the media. When the *Times of Swaziland* criticised King Mswati III for travelling to the UN General Assembly in New York with a large delegation in 1995, Senators took great exception (Ndlangamandla,1995). The Swazi Senate, which was dominated by staunch traditionalists and Chiefs, summoned the then Prime Minister Prince Mbilini to 'explain what he [was] doing in so far as protecting the King from bad publicity' (Ndlangamandla, 1995). According to Ndlangamandla (1995), Swazi senators called for a bill banning the press from criticising the monarch. Mbingo (2017) noted that by criticising the King's delegation to the US, the Swazi press had crossed a red line, because under Swazi law and custom, 'criticising the King is a strictly no-go area'.

Incensed by the press criticism of the monarch, government officials took several measures which were apparently aimed at crippling the press. Firstly, the Government withdrew government adverts from mainstream newspapers and further commenced a process of putting in place a media regulatory framework (Mbingo, 2017). The Media Council Bill of 1997 was tabled in Parliament, and it sought to establish a state regulatory framework for the media. The bill was later withdrawn as journalists and media practitioners vigorously opposed it (Hlathwayo, 2022). The government also targeted the management of the *Times of Swaziland*. Publisher Douglas Loffler, who was of British origin, was forced to flee Swaziland and relocated to Namibia (Mbingo, 2017). His son Paul took over the reins at the *Times*.

In 1999, Bheki Makhubu, then editor of the *Times of Swaziland Sunday*, was arrested for exposing King Mswati's new fiancée 'as a high school dropout' (*Times of Swaziland*, 12 September 1999). Local media reported extensively on Makhubu's arrest – further providing a platform for press freedom advocates to condemn the attack on journalists

and their freedom (Yende, 1999). Traditional authorities did not like the manner the press covered the arrest of Makhubu and, as such, media owners and editors of both print and electronic media were summoned to the main royal palace by the Swazi National Council (SNC), the king's advisory council, and were given 'tongue lashings' and further warned to stop reporting on Makhubu's arrest (MISA,1999 in Hlatshwayo, 2011). The summoning of news editors and media owners by the King's advisory body, 'created a pervasive atmosphere of intimidation and fear in the newsrooms' (Hlatshwayo, 2011).

In another incident, around March 2007, the *Times of Swaziland Sunday* was compelled to retract a story blaming King Mswati III for the country's economic troubles. The publication further fired the editor who had sourced the story from a news agency (UNESCO, 2017). Additionally, the publisher of the Times Group of newspapers was summoned to the palace, where authorities threatened to shut down his publication if he did not publicly apologise for the article. The publisher apologised unreservedly to the monarch for the article (UNESCO, 2017).

According to UNESCO (2017), threats from senior government officials and royal officials (who are predominantly traditionalists) have resulted in high levels of self-censorship and official censorship of matters involving royalty. In 2011, King Mswati III forced the *Swazi Observer*, his own newspaper, to retract a story it had published about him, after the paper revealed that the King had approached South Africa for a R2.4 billion financial bailout amid fiscal challenges in Swaziland. The story was true and factual, but nevertheless, the publication was forced to retract it (Mthembu, 2011). Mthembu noted that the retracting of the *Swazi Observer* story demonstrated the seriousness of media censorship in Swaziland (Eswatini).

### 3.3 The case of Mfomfo Nkhambule

The case of Mfomfo Nkhambule demonstrates how traditional authorities in Eswatini deal with journalists who dare to criticise the monarch and royalty. Nkhambule was a columnist for the *Times of Swaziland,* as it then was, between 2008 and 2009. He was also a member of the King's regiment (*emabutfo*) after undergoing the traditional custom of *kubutseka* (to swear allegiance to the King). Before he started his column 'Mfomfo on Monday', Nkhambule served as a Member of Parliament (MP) and as Minister of Health

and Social Welfare. He was relieved of his duties as minister following rumours that he was mobilising members of parliament in order to form a political party (Magongo, 2009). Nkhambule used his column to tackle socio-political issues. But, in the main, he directly criticised King Mswati's leadership style and the obtaining governance system in which political parties are prohibited. In one of his columns, Nkhambule accused King Mswati of violating the Swaziland Constitution (2005) – further calling upon the monarch to reverse his decision which had allegedly violated the Constitution (Nkhambule, 2009). Nkhambule wrote:

> The King has to be a good teacher other than just being a leader to us and our children so that we may all know that in this country, the king, the head of state, our leader says yes when he means yes. Time has to teach us that the king does not renege on the promises he makes to his subjects…His Majesty has to show us, his subjects, that he can correct mistakes when they are brought to his attention (Nkhambule, 2009, p.32)

Nkhambule was summoned by police and ordered to tone down his criticism of the monarch lest he risks being charged with sedition (Mordaunt, 2009). Nkhambule was defiant and continued with his column. But it was not long before traditional authorities acted against him. His regiment made an announcement through national radio and summoned Nkhambule to Engabezweni Royal Residence (Magongo, 2009). Nkhambule honoured the summons and was accompanied to the palace by his father and younger brother. During the meeting, leaders of the regiment told Nkhambule that his articles 'had brought shame and disrepute to [the] regiments and the king'(Magongo, 2009).

> In what could be seen as a blow to freedom of the press, Nkhambule, a columnist with the Times [of Swaziland], was told that the regiment has no room for people who discuss politics, especially in newspapers (Magongo, 2009, p. 4).

Nkhambule was again defiant, telling journalists after the meeting that his objective was to school Swazis on socio-political and economic issues so that they could find a way of overcoming the challenges they faced (Magongo, 2009). The headman of the main traditional Palace Ludzidzini, Jim Gama, who was also referred to as the traditional Prime Minister, took great exception to Nkhambule's defiance. Gama reportedly warned Nkhambule to desist from 'poking his nose into affairs pertaining to the institution of the

monarch through his writing' (Dlamini, 2009, p.3). Gama further warned Nkhambule, saying:

> I would like to advise him to demonstrate [the] utmost respect for the king in his writings. The king is the father of the nation hence he deserves to be accorded respect by every citizen at all times…Any freedom of speech without respect and responsibility is dead (Dlamini, 2009, p.3).

Nkhambule was apparently not bothered by what appeared to be subtle threats by Gama, the Ludzidzini governor. He continued criticising King Mswati through his column, telling journalists that 'only death [could]silence [him]' (Dlamini, 2009). Traditional authorities then decided to take action against Nkhambule. He was expelled from the king's regiment and ordered to surrender a traditional artefact (*Lichuzu*) that is given to males when they become members of the regiment (Magongo, 2009). This corroborates Whelpton (1997), who mentioned that customary law delinquents in Eswatini are 'deliberately ostracised' by traditional authorities. On top of being expelled from the king's regiment, Nkhambule was fined one cow (Magongo, 2009). It is unclear whether Nkhambule was fined for criticising the king or for bringing the name of the regiment into disrepute.

In addition to paying one cow as a fine to the leadership of the king's regiment, Nkhambule was further fined an 'undisclosed number of cattle' by his Chief (MISA, 2009). Nkhambule's Chief at the time was Prince Logcogco, a senior member of the royal family and Chairman of the all-powerful Swazi National Council Standing Committee (SNSC), which advises the monarch. Nkhambule was fined the cattle 'for criticising King Mswati III in his articles' (MISA, 2009). Upon paying the fine, Nkhambule was ordered to stop his articles or risk further action being taken against him, which could include the eviction of himself and his family from the area of their birth (MISA, 2009). The Media Institute for Southern Africa (MISA) – Swaziland chapter, condemned 'the actions by the authorities to censor, harass and threaten Nkhambule'. Comfort Mabuza, the Director of MISA Swaziland at the time, asserted that expelling Nkhambule from the king's regiment and fining him a cow was not the right decision. Mabuza added:

> If they had problems with his writing, they should have sat him down with the aim of finding a solution. In a way, this is a media issue, therefore, if Nkhambule had done something wrong or wrote something that is unacceptable, they should have alerted institutions such

> as SNAJ and MISA which could have better dealt with such a complaint, if indeed he had done something wrong (Magongo, 2009, p.2).

Traditional authorities advised Nkhambule to appeal his expulsion through the available structures, which includes the office of the king. As revealed by Schoeman (1986), the Swazi King is the head of the traditional court system and his office is also 'the highest court of appeal'. Nkhambule told journalists that he was going to appeal his expulsion to the king (Nhleko, 2009). He accused the traditional authorities who had expelled him of divorcing him from culture (Nhleko, 2009). Nkhambule wondered what wrong he had done since he had not committed witchcraft and adultery, two serious offences which, according to Swazi law and customary, are considered heinous and warrant an expulsion (Nhleko, 2009). Nkhambule did appeal his expulsion, but the outcome of his appeal came two years later. His family had to pay three cows to the king as a 'show of gratitude' and the monarch forgave Nkhambule (Masimula, 2012). But by the time the monarch forgave Nkhambule, he had stopped writing his column and was now singing praises to the monarch. Nkhambule praised King Mswati for pardoning him, saying:

> The King's wisdom and etiquette on my issue is sheer divinity at its best. The manner in which His Majesty the King Mswati III applied himself [to] my pardon is divine. Words are meaningless to how I feel…Even in the face of the Lord almighty, adultery is the basis for nullifying the highest institution in man's history; family. My transgressions, specifically to the king, were tantamount to adultery and I will forever be learning to forgive myself (Masimula, 2012).

The case of Nkhambule is one of many that highlights the influence of Swazi customary law on journalism practice in Eswatini. However, the relationship between Swazi customary law and journalism practice remains underexplored. Previous studies on journalism practice in Eswatini have focused mainly on the history and development of journalism in Eswatini (Mkhonza, 2009; Mthembu, 2020; Cabrita, 2024). Other studies have focused on the effects of social media on freedom of expression and the media in Eswatini (Rooney, 2013; Hlatshwayo, 2014; Lunga & Mthembu, 2019). There has also been an examination of the impact of the 2005 Swaziland Constitution on journalism

practice in Eswatini (Rooney, 2008: Hlatshwayo, 2011; Mthembu, 2011). The influence of traditions and culture on journalism practice in Eswatini is highlighted, albeit superficially, in Rooney (2007). Rooney observed that unwritten cultural and traditional laws restrict Swazi journalists from holding the monarch to account, and further force journalists to self-censor in fear of agitating traditional authorities –who enforce the uncoded customary laws (Rooney, 2007).

## CHAPTER FOUR: RESEARCH METHODOLOGY

### 4.1 Research Approach

In order to answer questions about the relationship between Swazi law and custom and Swazi journalism practice relating to coverage of the monarch and/ or royalty, the study employed a qualitative research approach. According to Creswell (2009), a qualitative research approach explores and attempts to understand a phenomenon by focusing on 'the meaning individuals or groups ascribe to a social or human problem'. In a qualitative research approach, the researcher systematically collects data from the setting of the participants, and then proceeds to process and analyse the data by identifying themes and interpreting the meanings of the data (Creswell, 2009). Creswell adds that the qualitative research approach employs case studies as one of the strategies for analysing a phenomenon.

### 4.2 Research Design

The study uses in-depth interviews with former news editors together with manual text analysis of news stories, to build a better body of data. Rutledge and Hogg (2020) explained that the purpose of in-depth interviews 'is to get detailed information that sheds light on an individual's perspective and the perceived meaning about a particular topic, issue or process'. Three former editors of The *Times of Eswatini* group of newspapers were interviewed separately and asked about their perceptions of the relationship between Swazi law and custom and journalism practice in Eswatini. Additionally, at least 60 news articles published in the *Times of Eswatini* between 1994 and 2004 were analysed, which dealt with one or more aspects of Swazi law and custom. From the news article, five specific news events or incidents which involved the Swazi royal family between 2010 and 2019 were further examined and contrasted with purposively selected coverage from neighbouring South African news publications, which could not be affected by the influence of Swazi law and custom.

### 4.3 Sampling Plan

Purposive sampling and incident-driven selection were employed in selecting 60 news articles (see appendix) that were published by the *Times of Swaziland (Eswatini)* between 1994 and 2024. The articles were drawn from all publications under the *Times of Eswatini* group of newspapers, which includes: the *Times of Eswatini* (daily), *Eswatini news* (Saturday) and the *Times of Eswatini Sunday*. The articles were viewed from the Eswatini National archives.

From the purposively selected news articles, five major incidents which occurred within the Swazi Royal House between 2010 and 2019 were selected for further analysis. The analysis focused on how these incidents were covered by the *Times of Eswatini*, juxtaposed with how the same incidents were covered by South African media. These incidents were selected because they brought the Swazi monarch and royalty under intense media scrutiny and further called into question the moral uprightness of the institution of the monarchy.

Since the study sought to establish the nature of the relationship between Swazi law and customs and journalism practice in Eswatini, only articles whose gist was Swazi royalty and traditional institutions were selected. Comparative South African news articles were later selected by searching for news coverage of pre-identified topics drawn from the articles above. The selected articles were then analysed and reviewed for prominent themes. The themes which emerged from the analysis of the newspaper articles are discussed in the following chapter.

The content analysis method was employed to analyse the selected newspaper articles. A coding sheet was prepared where news articles about the Swazi monarchy published by the *Times* were listed in a column alongside news stories about the same subject matter published by South African newspapers. The articles by the *Times* and those published by South African newspapers were reviewed for similarities and differences. The analysis focused on the headlines, the opening line (the lead), language and the framing and outline of facts and major details.

The editors who were interviewed were selected on the basis that they are former editors of the *Times* Group of newspapers and are thus familiar with the editorial policy and general operational philosophy of the publication. Current editors were not included in the study because of the potential for compromised objectivity regarding their employer and because of the potential risk to employees. Initially, five former editors were identified and approached, but only three were available to participate in the study. Ethical approval for the study was obtained from the Wits Centre for Journalism Ethics Committee.

### 4.4 Data Collection Plan

Structured questions were prepared for the in-depth interviews with the former editors of the *Times of Eswatini*. During the interviews, follow-up questions were asked for clarity and elaboration. The interviews were recorded before they were transcribed so they could be easily analysed. Employing descriptive coding, the interviews were categorised into different codes and then reviewed for themes. Both the themes that emerged from the in-depth interviews and the textual analysis of the news articles were grouped and discussed in tandem.

## CHAPTER FIVE: PRESENTATION OF DATA FINDINGS

### 5.1 Introduction

The findings of the study are presented in two sections. The first part outlines data obtained from an analysis of news stories by the *Times of Eswatini* about the Swazi monarch and royalty. The second part focusses on data obtained from in-depth interviews conducted with three former editors of the *Times of Eswatini*. From the analysis of both the news articles and the interviews with the former editors, several themes emerged which point to a perceptible relationship between Swazi law and custom and journalism practice in Eswatini. The emergent themes shall be discussed in detail in the next chapter.

### 5.2 Analysis of newspaper articles

The news articles were selected following a survey of archival news reports (maintained in the Eswatini National Archives) about the Swazi monarch and royalty – which were published by the *Times of Swaziland (Eswatini)* between 1994 and 2024. A longitudinal review of these articles indicated that the *Times* had held the monarchy to account in the 1990s despite the multiple customary and traditional impediments which usually affect journalism practice in Eswatini. The *Times* also held to account other members of royalty, government officials and traditional authorities like Chiefs. The *Times* journalists in the 1990s were perceptibly fearless, and they seemingly enjoyed much more freedom than there appears to be today. As one former editor of the *Times of Swaziland* puts it, 'the 90s were a golden age of Swazi journalism' (Makhubu).

It was difficult to find empirical reasons for the boldness of the *Times* journalists of the 1990s, and the freedom they enjoyed. But an analysis and contextualisation of the political outlook of Swazi society in the 1990s could perhaps provide some ideas. The 90s were a transitional period from the rule of the late King Sobhuza II, who died in 1982, and the beginning of the reign of King Mswati III, who assumed the throne in 1986. The period between Sobhuza's death and the coronation of his son Mswati III were tumultuous. Two major events took place in this period which historians and analysts have described as unprecedented. Prime Minister Prince Mabandla Dlamini, who the late King Sobhuza had appointed, was forced into exile and the Queen regent Dzeliwe Shongwe,

who had taken over the reins from Sobhuza, was ousted by a council of senior royal family members (Lelyveld, 1983). Apart from the power struggle within the Swazi royal family, the volatility of that period was heightened by events happening in the two countries sharing borders with Eswatini. In the east, the Mozambican civil war was raging and in the west, the South African struggle against apartheid had become tense, with the South African military occasionally raiding Eswatini in search for freedom fighters. It was indubitably a period of uncertainly for tiny Eswatini.

When 18-year-old King Mswati took the throne, Swazis probably heaved a sigh of relief and viewed him as the one person that would bring about stability to the tiny Kingdom. Expectations were most likely high that the monarch would address the governance system following the repeal of the independence Constitution by his predecessor in 1973 (*New York Times*, 1986). King Mswati did indeed address the governance issue. He commissioned a committee led by senior princes to go around the country seeking public views on how the country could be governed. After the commission had compiled its report, King Mswati announced the first direct Parliamentary elections where candidates were to be elected from their constituencies (Dlamini, 1993; Mabuza, 1993). Though a ban on political parties remained in force, King Mswati promised Swazis that more political changes and adjustments were coming (Mabuza,1993). The monarch appeared to be inclined towards democratising the kingdom. His willingness to reform the governance system seemingly emboldened the *Times* to play a more efficient role in holding those in power to account, notwithstanding the existential customary bottlenecks that stifle media freedom.

In 1994, though, the *Times* exposed how the monarch had overspent on his trip to the USA. The newspaper revealed that the government had budgeted US $373 000 for King Mswati's trip to the US, but the monarch ended up exceeding the provision by US $199 847.40 (Mabuza, 1994). This did not immediately spark outrage. But the government responded by tabling in parliament a Sedition and Subservice Activities Amendment Bill which critics believed was intended to shield the monarch from media scrutiny and criticism. Journalists wrote to parliament through their association and urged

parliamentarians not to pass the bill into law. A statement by the Swaziland National Association of Journalists (SNAJ) read:

> We are concerned that the new bill seeks to crush the common right of our people, by stifling their freedom of expression through fear [of] offending the law (*Times of Swaziland*, 1 July 1994, p.5).

The *Times* also exposed how royal family members employed in government were inefficient and incompetent. The publication quoted a member of the public who described royal family members in the civil service as 'untouchables' adding that they "…come to work late, knock off early and get a free cheque at the end of the month because they are hardly found in their offices when you need them" (*Times of Swaziland*, 18 January 1995). No one was safe from the *Times* microscope as the publication exposed how police had not arrested senior Prince Phinda, who was also Minister of Tourism, Broadcasting and Information, despite seizing his car on suspicion that it had been stolen (*Times of Swaziland*, 31 January 1995). The *Times* also exposed what was described then as the looting of the state-owned bank (Swazi Bank) by royal family members and other political elites. The publication exposed how an unregistered company owned by senior Prince Masitsela, a former cabinet minister, had obtained an over E2 million loan from Swazi Bank despite the fact that the company had not renewed its operating licence with the registry of companies (*Times of Swaziland*, 11 November 1995).

The mid-1990s also saw a wave of pro-democracy protests in Swaziland. The winds of change that were blowing in neighbouring South Africa had seemingly inspired local activists to push for democratisation of the kingdom. The *Times* reported extensively on the demands of political activists and the inefficiencies of the absolute monarch governance system. In response, the government accused the *Times* of being pro-multiparty and anti-monarch (Ginindza, 1995). In an editorial, the *Times* fearlessly hit back:

> To say the *Times* has a policy of encouraging multi-partism just because we publish what the people are saying and our reflections on the people's views, is misguided. We would be failing in our duty if we were to stop the service to the people because of veiled threats and intimidation (*Times of Swaziland*, 4 February 1995).

Pro-democracy activists also intensified calls for a new constitution. The *Times,* as the only independent publication at the time, was the most reliable source of information on the discourse on political reforms. It was the go-to platform for news on Swaziland's political reform processes. In March 1996, the *Times* exposed how King Mswati and his appointed cabinet were sending mixed signals in the process of drafting a new constitution. The then Deputy Prime Minister, Dr Sishayi Nxumalo, had called a press conference and invited civil society groups to select individuals who would be part of a constitution review committee. A week later King Mswati was asked by *Times* journalists in a press conference to provide an update on the constitution drafting process. The monarch vehemently denied instructing his cabinet to select candidates for a constitutional review exercise. The *Times* story carried the headline 'King embarrasses Govt'(*Times of Swaziland*, 17 March 1996). After this story, a *Times'* editor penned an opinion piece criticising King Mswati and accusing him of being economical with the truth.

> Once the king starts telling stories that are far from the truth, it creates an awkward situation because…truth continues to show its beautiful head because truth knows no masters (*Times of Swaziland Sunday*, 24 March 1996).

By 1999, the *Times* remained steadfast in holding those in power to account and playing the public watchdog role. Except for parliamentarians making noise and demanding state regulation of the media, the *Times* had for close to a decade got away with criticising King Mswati's management of state affairs and administration of the government. However, when the publication set about scrutinising the monarch's customary functions and traditional obligations, it stirred up the hornet's nest. When editor Bheki Makhubu exposed King Mswati's new fiancée as a high school drop-out, he got himself and the publication into trouble (*Times of Swaziland Sunday*, 12 September 1999). Makhubu was arrested and charged with criminal defamation. He was later released on E3 000 bail (Nkhambule, 1999; Fakudze, 1999). Civil society organisations and global press freedom advocates condemned Makhubu's arrest. The general perception was that King Mswati had ordered Makhubu's arrest. However, this was vehemently denied by the government. The Prime Minister at the time, Barnabas Sibusiso Dlamini, told journalists that neither the government nor the monarch knew about Makhubu's arrest (Yende, 1999). Makhubu was subsequently fired by the *Times*.

At the turn of the millennium, the *Times* cautiously continued to hold to account government officials and, to a certain extent, the monarch. For instance, the publication exposed how the Swaziland embassy in the USA had spent US $103 151.68 on a party marking the official opening of the ambassador's residence (Ginindza*,* 2000). The publication reported that King Mswati had also attended the party. From the early 2000s, though, the *Times* seemingly took a more cautious approach when reporting on customary and traditional matters. In some instances, the publication appeared to be shielding the monarch from scrutiny by South African media. For instance, when a South African publication exposed King Mswati's fiancée as a clubber, the *Times* wrote what appeared to be a rebuttal titled "SA media lies about Liphovela (king's fiancée)" (Lushaba, 2001). The *Times* added: "The South African media continue to misinform the world about activities taking place in the country without verifying facts" (Lushaba, 2001). This appeared to suggest that the *Times* was shielding the monarch from scrutiny by international media.

### 5.3 Thematic exploration

From the larger article database, five specific themes or events were selected for closer analysis, focusing on how the *Times of Swaziland* covered selected news events about the Swazi monarch juxtaposed with how South African media covered the same stories. These news events are about: the sacred *Incwala* ceremony; an alleged royal sex scandal involving a Justice Minister and one of King Mswati's wives; the acquisition of a private jet by King Mswati in 2012; the impounding of King Mswati's jet in 2015; the death of King Mswati's 8$^{th}$ wife *(*Inkhosikati LaMasango*)* in 2018; and the death of the monarch's 12$^{th}$ wife *(*Inkhosikati LaDube*)* in 2019. These news events were purposefully selected because they touch on issues that are taboo in the context of Swazi society. Matters involving the monarch's wives, finances (wealth) and the sacred *Incwala* ceremony are spoken in hushed tones in Eswatini. Three central themes emerged from the *Times of Swaziland's* coverage of these news events.

#### Theme 1: Shallow reporting on royalty

When King Mswati took delivery of a McDonnel Douglas DC9 twin-engine jet in 2012, the government issued a statement saying the plane was a gift from 'development partners

and friends of the Kingdom of Swaziland' (Ndzimandze, 2012). The *Times of Swaziland* reported the story based on a statement issued by the then Prime Minister of Swaziland, Sibusiso Barnabas Dlamini. Based on the article, it appears journalists did try to press Dlamini to disclose the identities of the 'friends' and 'development partners'. However, the *Times* reported that Dlamini said the people who had 'donated' the plane had elected 'to remain anonymous' (Ndzimandze, 2012). The *Times* did mention that security officials had blocked the media and the public from taking pictures of the plane when it landed at Matsapha airport. A *Times'* photographer who attempted to take pictures of the plane was confronted by security officials and 'was questioned and told to stop' (Ndzimandze, 2012).

The *Times* described the features of the jet but did not estimate the cost of the plane. The article also did not include details of previous attempts by the Swaziland government to purchase a plane for the monarch, even though it was the *Times* that had revealed in 2009 how civil society groups and developmental partners had pressured the government to abort buying a private jet for the monarch after a sum of E28 million had been deposited to an American plane manufacture (Maphalala, 2009; Mordaunt, 2009; Gama, 2009). The *Times* had earlier reported that Swaziland had requested a R2.4 billion loan from South Africa, but the 2012 article did not provide additional information on whether the Swazi economy would afford the costs of operating a private jet.

In contrast, South African online publication News24 provided in-depth and elaborate reporting on the monarch's private jet. The plane was delivered just before the king's 44th birthday on 19th April 2012, and News24 surmised that the plane was a birthday gift for King Mswati (News24, 2012). The article mentioned that the king's jet had arrived against the backdrop of a 'crippling financial crisis'. The article also stated that the jet was delivered days after King Mswati had celebrated his birthday at a cost of R3 million (US$386 000) 'partly paid by the state' (News24, 2012). A *Forbes magazine* report, which rated king Mswati as the world's 15th richest monarch 'with a personal fortune of $100 million', was also cited in the News24 story. The article also made reference to previous attempts by the Swaziland Government to procure a private jet for the monarch, and mentioned that in 2002, the Swaziland Government had 'secretly deposited R28 million for the deposit of a 19-seater Bombardier Global Express long-range jet' (News24, 2012).

When King Mswati's private jet was later impounded in Canada, the *Times* reported on this event cautiously. The headline of the story was in the form of a rhetorical question *(Where is the King's Jet?)* (Shaw, 2015). The article did not tell readers what had happened to the king's plane despite the fact that international media had revealed that an erstwhile business partner of King Mswati had obtained an order from Canadian courts to attach the jet over a US$3.5 million debt allegedly owed to him by the monarch (Simelane, 2015). The *Times* article mentioned, instead, that the king's plane had been attached over a US $ 3.5 million debt owed "by a Swazi Company, which is operating the jet on behalf of the Government of Swaziland" (Shaw, 2015).

This contradicted what the same article had mentioned in its opening paragraph where it explicitly stated that the plane was owned by the king and that he 'normally uses [it] for official travels to attend summits and meetings abroad' (Shaw, 2015). The *Times* also reported that the businessman who had attached the king's jet used to run an iron ore mine in Swaziland which had shut down in 2017 while owing suppliers E790 million (Shaw, 2015). However, the *Times* made no reference to King Mswati's involvement in the mine as reported by other local and international publications. The *Times* also omitted statements made by the businessman in court where he had alleged that the Swazi monarch owed him money, and further blamed king Mswati for the closure of the mine.

The South African *Sunday Independent*, reported on this news event with more details and analysis (Simelane, 2015). Right from the lead, the *Sunday Independent* was straightforward that the impounded plane was 'Swaziland's king Mswati III's personal jet' (Simelane, 2015). Quoting court documents, the *Sunday Independent* reported that the disgruntled businessman had claimed in court that King Mswati and the Swazi Government had liquidated their mining company without his consent so that "the king wouldn't have to repay a R10 million personal loan taken from the mining operation" (Simelane, 2015).

The *Sunday Independent* further reported that the Swaziland Government had kept the attachment of the king's jet secret 'for two months', and that government officials rushed to do 'damage control' in Parliament after local media had enquired about the king's jet (Simelane, 2015). The *Independent* went further to reveal that King Mswati had acquired

the jet from the now disgruntled businessman and not from a 'development partner' as pronounced by the Swaziland government at the time the jet was delivered. The paper also reported that a caucus of Swazi MPs were sent to Canada 'at the expense of Swazi taxpayers' to plead for the release of the king's jet (Simelane, 2015).

There is a notable stark contrast between how the *Times of Swaziland* and the *Sunday Independent* reported on the news event about the impounding of king Mswati's private jet in Canada. While the *Sunday Independent* was more elaborate, the *Times* concealed some important details and facts about the controversy surrounding the king's jet. It can be deduced that the *Times* effected gatekeeping by deliberately concealing factual details that would have painted the monarch in a negative light.

**Theme 2: Royal censorship**

The *Times of Swaziland* reported the death of King Mswati's 8th wife (Inkhosikati LaMasango) based on an announcement made on national radio by the acting Governor (*Indvuna*) of Ludzidzini Palace, Lusendvo Fakudze. The *Times* contacted Fakudze for comment, and he confirmed the story 'in a brief interview with the publication' (Moahloli, 2018). The *Times* also reported that Inkhosikati LaMasango had died 'while at her royal residence' but there were no details of the suspected cause(s) of death. The *Times* made no reference to allegations that Inkhosikati LaMasango had committed suicide. *Times* journalists did visit the royal palace and found that 'preparations for the funeral were already underway' (Moahloli, 2018).

However, there were no pictures of the royal palace accompanying the *Times* story. Worth noting is that taking pictures of royal palaces in Eswatini is strictly prohibited unless permission is granted by traditional authorities. This could probably be the reason *Times* Journalists did not capture any of the activities they saw when they visited the royal palace. The *Times* did not report that the late Inkhosikati LaMasango had married King Mswati while she was 18 years old, and that the same newspaper's former editor had been fired after he had exposed the Queen as a high school dropout. In South Africa, News24 stated outright that the late Inkhosikati LaMasango 'took [an] overdose' of some medication (News24, 2018). The report further alleged that Inkhosikati LaMasango had

committed suicide because she was unhappy after the king had refused her permission to attend her sister's memorial service and funeral (News24, 2018).

News24 explicitly reported that King Mswati had married Inkhosikati LaMasango when she was just 18 years, and that a newspaper editor was arrested and charged with criminal defamation after he 'revealed the educational shortcomings of the king's bride-to-be' (News24, 2018). News24 also revealed that two of king Mswati's wives, Queen Putsoana Hwala and Queen Delisa Magwaza, had fled the royal house in 2004, and that another Queen (Angel Dlamini) 'has not been seen at royal functions' (News24, 2018). News24 also alluded to the alleged royal sex scandal where a cabinet minister was allegedly caught red-handed in a comprising position with one of the King's wives.

The *Times of Swaziland* report on the death of King Mswati's 12th wife, Nothando Dube (official title: Inkhosikati LaDube), similarly lacked depth and was also thin on details. The *Times* again reported the death of Inkhosikati LaDube based on a statement issued by the Swazi royal family through the acting governor (*Indvuna*) of Ludzidzini Palace, Lusendvo Fakudze. The article had no independently obtained facts. The *Times* did mention that Inkhosikati LaDube was the second king's wife to die in less than 12 months, but the report made no hints to the suspected causes of death. The *Times* reported that the death of the king's wife had 'circulated on social media'(Shange, 2019) but did not describe the rumours that were doing rounds on social media. The *Times* also did not allude to the information that the late queen had previously been embroiled in a widely reported alleged sex scandal with a former Justice Minister.

The *Times* article cited only the positive things that were said by social media users about the late queen. The article ignored all the negative comments by social media users. By contrast, News24 highlighted a very different narrative – right from the headline that the deceased queen had died while undergoing treatment in an undisclosed South African hospital (News24, 2019). News24 also reported that Inkhosikati LaDube's demise had followed that of Queen Senteni Masango, who had died the previous year. News24 further reported that King Mswati had, at the time, been married 15 times and that some of his wives had left him (News24, 2019). News24 further mentioned that in 2017 King Mswati married a 19-year-old girl, who was the daughter of a cabinet minister.

Royal censorship was also discernable in an older news story about a senior prince who threatened journalists for writing negatively about the monarch. Prince Mahlaba, who was a member of the King's advisory council, told a public gathering that 'journalists who continue to undermine the country's leadership and system of government would die' (Nxumalo, 2010). The Prince did not elaborate on what would kill journalists who write negatively about the monarch. His utterances were construed by journalists as a threat. The Prince urged journalists to 'bury things that have the potential of undermining the country' (Nxumalo, 2010).

Though it is an ethical requirement for journalists to balance their stories by getting comments from all subjects of a story, Swazi journalists are sometimes intimidated by royalty matters to a point where they fear approaching traditional and royal authorities for comments. When the *Times* wrote about the death of Swazi Prime Minister Ambrose Mandvulo Dlamini, the author elected not to approach traditional authorities because the subject matter was sensitive (Nkhambule, 2021). The *Times* had written that the deceased Prime Minister had not been replaced for five months. This was unprecedented, according to the publication.

While comments were sought from civil society and other individuals, the *Times* elected not to seek comment from the King's office or relevant traditional structures on why the deceased Prime Minister had not been replaced. The *Times* explicitly stated that 'due to cultural and political sensitivities, comment was not sought from *Liqoqo*, an advisory council to the king' (Nkhambule, 2021, p.8). It is probable that the author feared that traditional authorities might advise that the story be dropped. Another likelihood is that the author feared that traditional authorities may advise that the story be framed differently.

**Theme 3: Media Blackout**

There was a media blackout when an alleged sex scandal rocked the Swazi royal house in 2010. A Justice Minister and a close ally to King Mswati was allegedly caught in a compromising position in a hotel with one of the king's wives (News24, 2010). The cabinet minister was later forced to resign from the executive and from other positions he held. International media reported extensively on the alleged scandal and there were pictures

circulating on social media purporting to show the cabinet minister hiding underneath a mattress (Prince, 2010; The Telegraph, 2010). However, the *Times* only reported on the resignation of the cabinet minister without disclosing the reason(s) the minister had resigned. The *Times* based its report solely on the statement of the Prime Minister when he announced the resignation of the Justice Minister (Nhleko, 2010).

The *Times* reported that the 'prime minister did not disclose the nature of the allegations' levelled against the Justice Minister (Nhleko, 2010, p.2). Despite the fact that details of the alleged scandal had been reported by international media and were all over social media, the *Times* did not ask the Justice Minister to give his side of the story. Three days after the alleged scandal had been reported by foreign media, the *Times* carried a story that MPs had questioned the Justice Minister over an international trip he had allegedly spent E200 000 'that had not been budgeted for' (Sukati, 2010, p.3). When the alleged sex scandal occurred, King Mswati was away on an official trip to Taiwan. When the monarch returned, journalists did not ask him about the alleged sex scandal despite the fact that the monarch held a press conference to report about his foreign trip.

The *Times* could only report that upon landing at Matsapha airport, the king went straight to Ludzidzini palace where he held a press conference to report to the media about the Taiwan trip (Moahloli, 2010). News24 explicitly reported that one of King Mswati's wives and a Justice Minister were allegedly caught having sexual intercourse in a hotel (News24, 2010). News24 further reported that the Swazi King had ordered that the matter be kept secret until he returned from a foreign trip, adding that the queen who was involved in the alleged scandal was being held 'under 24-hour surveillance at the queen mother's royal palace at Ludzidzini' (News24, 2010). Previous infidelity scandals that had rocked the Swazi royal family were alluded to by News24. It was reported by News24 that newspapers in Swaziland had been banned from reporting on the alleged sex scandal involving the king's wife (News24, 2010).

An analysis of the coverage of the sacred *Incwala* ceremony indicated that journalists are restricted when covering the event. A *Times*' journalist was kicked out of the royal palace when King Mswati commissioned young warriors to cut a sacred shrub *(Lusekwane)* (Mohammed, 2008). The journalist was barred from taking pictures of the king

commissioning young warriors despite the fact that the journalist had covered other royal events before. A police officer warned the journalist that his camera would be 'confiscated' if he resisted to leave (Mohammed, 2008). Police explained to the journalist that 'it wouldn't be easy for [the *Times*] to even capture [the King] and the warriors walking on the road, as cameras had not been sanctioned on the day' (Mohammed, 2008).

In 2011, the media was banned from covering the entire *Incwala* ceremony. Government officials, and not traditional authorities, informed media bosses that they would not be allowed to cover the *Incwala* ceremony. The ban was also extended to the international press. Government officials informed foreign journalists that they would get 'footage from Swazi TV', the state broadcaster (Dlamini, 2011).

> For the first time in recent history, the local media was officially barred from covering the main day of the sacred *Incwala* ceremony. Print and electronic media editors were…called to a meeting with Principal Secretary in the Ministry of Information and Technology (ICT) Nathaniel Mahluza where he informed them of the ban (Dlamini, 2011).

Fuming editors stormed out of a meeting with government officials after the officials had failed 'to give reasons for the ban' (Dlamini, 2011). Minister of Tourism and Environmental Affairs at the time, Mtiti Fakudze, hinted that the ban might have been caused by the media's criticism of *Incwala*. He told journalists that those criticizing *Incwala* had helped boost the popularity of the sacred ceremony. Fakudze asserted that "Incwala represents us as Swazis. If you criticize it then you are marketing it" (Dlamini, 2011).

*Incwala* is held at the main royal palace and every Swazi is allowed to attend. Even tourists are welcomed. However, ordinary people are prohibited from accessing certain sacred areas within the royal palace. Anybody found straying into those areas risks being fined or detained by the police. A man who strayed into a 'sacred *Incwala* place' was locked up in 'solitary confinement of a mental health hospital (Magongo, 2009, p.2). Traditional authorities suspected that the man could be mentally disturbed because no sane Swazi could walk into the sacred places where the *Incwala* rituals are performed. The family of the man was fined five cattle by traditional authorities (Magongo, 2009).

Criticism of *Incwala* is frowned upon. A pastor who labelled *Incwala* 'ungodly' 'invited the ire of traditional authorities' (Dlamini, 2009). The *Times* reported that the pastor 'might

soon be hauled before the traditional structures to answer his public assertion that the sacred *Incwala* ceremony was more of witchcraft' (Dlamini, 2009). The Pastor was adamant that some aspects of the *Incwala* ceremony needed to be removed because they were ungodly (Nkhambule, 2010). The *Times* reported that it could not repeat the specific details of the *Incwala* ceremony which the pastor had identified as ungodly (Nkhambule, 2010). In the same report, traditional authorities wondered what guts the pastor had to 'evaluate and edit an old culture formulated by Swazis of great wisdom (Nkhambule, 2010).

*Incwala* is one of the most sacred Swazi rituals whose primary purpose is to 'renew the powers of the Swazi king, kingship, nation and land' (Lincoln, 1987). The mystical nature of *Incwala* could be one of the reasons some of its aspects are not open to the public and the media. Also, the significance accorded to Incwala by the monarchy and other traditional structures demonstrates the sacredness of the ritual. According to Ndlovu (2007), Swazis who do not participate in the *Incwala* ritual 'without a valid reason' are construed to be denouncing 'fundamental Swazi values and believes'. Ndlovu adds that non-participation in *Incwala* is also seen 'as some form of civil disobedience'.

## 5.4 Interviews with former editors of the *Times of Swaziland*

### 5.4.1 Background of former editors

The three former editors of the *Times of Swaziland* who were interviewed for this study held editorial positions between 1985 and 2017. Jabu Matsebula assumed the position of editor in 1985 until 1993, when he was promoted to the position of Managing Editor. He held that position until 1996. Matsebula had joined the *Times* as a cub reporter in 1977. The other editor, Bheki Makhubu joined the *Times* as a sports reporter in 1988. He was promoted to the position of editor of the Sunday edition (*Times of Swaziland Sunday*) in 1994. He held that position until 1999, when he was fired as described above. And the final editor who was interviewed is Innocent Maphalala. He joined the *Times* as a cub reporter in 1994. Maphalala assumed the position of editor in 2009 until he resigned in 2017.

### 5.5 Emergent themes

The analysis of the interviews focuses on issues rather than cases. This means it focuses on the experiences, beliefs and actions of former editors of the *Times of Swaziland*. The analysis employed descriptive coding to generate several codes, which were then examined and categorized into multiple preliminary themes. The preliminary themes were analyzed further culminating into six key themes which are as follows: (1) Customary law limits press freedom, (2) Monarch immune from media scrutiny & criticism, (3) Restricted reporting on *Incwala*, (4) Journalists consult and seek advice from traditional authorities on how to report on customary matters, (5) Cultural socialization has a bearing on journalism practice and lastly, (6) Consequences for journalists who violate customary law. Since the data is qualitative, it has been presented in illustrative quotes.

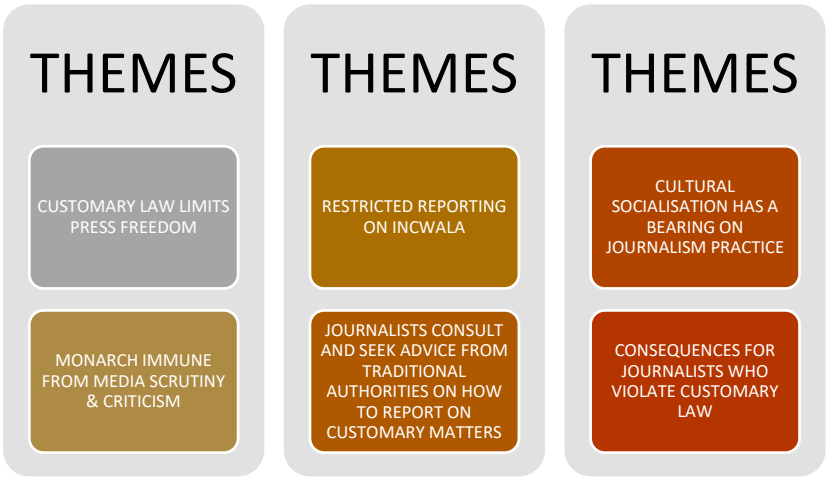



**Figure (1): The six key themes that emerged from the interviews with former editors of the Times of Swaziland.**

#### 5.5.1 Customary law limits Press Freedom

The most salient theme that emerged from the interviews with the former editors is that customary law limits press freedom in Eswatini. Notwithstanding that the Swaziland Constitution (2005), in Section 24 (2), guarantees freedom of the media, the former editors noted that customary law principles, beliefs, norms and practices severely limit

the freedom of the media in Eswatini. One former editor cited the notion of '*akubutwa loku'* (do not question this) as one customary belief that inhibits the media from questioning some matters. This notion implies that certain matters should not be questioned. Usually the matters that society believes should be immune from scrutiny are those involving revered traditional institutions like the monarchy. Former *Times* editor Bheki Makhubu broke with tradition by not adhering to this notion. He questioned some of the matters which society reckoned ought to be immune from media scrutiny. As a result of his defiance, Makhubu was chastised by society – mainly ordinary people.

> I remember in places I used to hang out at bars and…people condemned me for being disrespectful and for being very personal with the king. Ordinary people, not [the] authorities, were like; how can he say this about the King? People were shocked! There was shock at how can you say that about the King's wife. How can you write that about the King's wife? (Makhubu).

Press freedom in Eswatini is further limited by the common praxis of discrediting those criticizing authorities and customary norms. According to one of the editors, any reporting that criticizes authorities is often scorned as un-Swazi. In the Swazi society, being labelled unSwazi is a pejorative term for anything construed to be contradictory to Swazi customary norms and morals. Traditional authorities and even government officials often invoke this term (un-Swazi) in an attempt to undermine the credibility of journalists and media organisations that are highly critical of the government and the absolute monarch governance system (Makhubu). Makhubu observed that criticism of customary issues and traditional institutions is often labeled un-Swazi and this usually dents the credibility of journalists. Makhubu recalled how he introduced a reporting style that did not sugarcoat issues but was very direct in criticizing those in the higher echelons of power. Makhubu directly criticized traditional institutions including the monarch. As a consequence, Makhubu stated that "people in authorities would say; this kind of reporting is un-Swazi because Swazis are not as direct as this."

> People [would] say; well you didn't put it nicely but we can't dispute the truth of what you're saying. But we just don't like the way you said it. You could have been nicer. (Makhubu)

Maphalala observed that customary law principles restrict Swazi journalists from practicing journalism like their counterparts do in other countries. Maphalala noted that, due to self-censorship, Swazi journalists are unable to 'practice the journalism you see in other publications outside the country' because of the fear of violating customary principles and norms. Maphalala lamented: "You always go home at the end of the day an unhappy person knowing that today I had this story I was supposed to publish it this way, but I couldn't because of Swazi law and custom boundaries." Coverage of some royal events can only happen by invitation. According to Matsebula, Swazi journalists cannot just wake up and go to the royal palace to cover a ceremony or any other story they perceive to be of public interest. Matsebula elaborated:

> …you cover the story of royalty because you have been invited to come and cover it. You go to the king's palace because there are credentials. You go there [for instance] on a Thursday, you know that it's going to happen. And that is what you do…you cover what the king says. You say he said he said he said and who was there. And that's it! You don't then pull the king aside and say what about this or that or that. That doesn't happen. It is not going to happen (Matsebula).

Interviews are a primary news gathering tool and an important aspect of journalism. But Swazi journalists are restricted from interviewing certain people due to customary norms. It is culturally taboo for a male journalist to interview the king's wives (Matsebula). Swazi customary law also prohibits males from talking to and/or staring at the king's wives.

> You know that as a Swazi you cannot talk to the king's wives. You know! You don't need to be told by anyone. You know that's just taboo. No one tells you that don't do this. But you just know on your own because you're a good Swazi that these things you don't do as a good Swazi (Matsebula).

Swazi journalists are forced to self-censor because they fear violating customary norms and principles. According to Maphalala, Swazi journalists are cognizant of the possible consequences they could suffer if they do not comply to customary norms and values. Journalists who report like foreign journalists and undermine customary norms 'might be called up to explain' themselves (Maphalala).

In summary, the former editors have highlighted how customary law principles, beliefs and practices limit media freedom in Eswatini. They have pointed out issues that limit the freedom of Swazi journalists. From this theme, we can infer that customary law principles and norms restrict Swazi journalists from enjoying the freedom that is enjoyed by journalists in countries with the most media freedom.

### 5.5.2 Monarch immune from media scrutiny & criticism

Another theme which emerged from the interviews with the former editors is that the Swazi monarch is immune from media scrutiny and criticism. The editors noted that the greatest challenge facing journalists in Eswatini is holding to account the monarch-who is both head of state and *Ingwenyama* (head of the traditional governance structure). According to the editors, customary norms and principles shield the monarch from media scrutiny and criticism. And any journalist who criticizes the monarch is perceived to be undermining the institution of the monarchy and by extension customary law principles.

> …culturally, when the king has spoken, we say *inkhosi ngumlomo longacali manga* (the king is a mouth that never lies). Which means that, whatever the king says, even if it is nonsense, the king has spoken it and therefore it can't be nonsense. Which means your own judgement does not count for much (Matsebula).

According to the editors, customary law also prohibits the media from publishing any negative story about the king. If journalists come across a negative story about the king, they have to drop it. Maphalala recalled: "You find that maybe in a year, you have four or five [of] such stories that you dropped and [were] not published." Makhubu was fired after he published a negative story about a king's fiancée. Makhubu insisted that the story was factual and of public interest, but because it appeared to be questioning the king's judgement, it was perceived by traditional authorities to be inappropriate.

> …you don't publish anything negative about the King. That's one. Actually, it's not only the King but most members of the Royal family. Not only the King. The King, Indlovukazi (Queen mother) and the others (Maphalala).

Traditional authorities have summoned journalists who criticize or publish negative stories about the monarch or royalty. Sometimes media owners are summoned to the royal

palace to answer questions on stories they have published about the monarch or royalty (Maphalala). Makhubu stated that though he was never summoned to the palace, he was aware that some of his colleagues had been summoned numerous times. Maphalala also mentioned that he was never summoned to the royal palace, but his bosses were summoned for stories that he had published in his publication. Matsebula revealed that he had been summoned on many occasions to answer on stories his publication had published about royalty.

Matsebula recalled how he once landed himself in trouble by publishing a picture of warriors who were relocating sacred royal huts (*inhlambelo*) within the main royal palace (Ludzidzini). In his assessment of the picture, Matsebula had concluded that the image was neither in bad taste nor culturally inappropriate. But when the picture appeared in the paper, traditional authorities were agitated. And as a result, Matsebula was summoned to the royal palace together with the Minister responsible for communication and media affairs. Matsebula recalled how he was scolded for publishing a customary activity that was not open to the public.

> …they [traditional authorities] were so angry, but they couldn't say what they were angry about. Ultimately, they… I just think they just thought we [were] wasting their time, so they dismissed us (Matsebula).

The editors revealed that in some instances, media owners and editors are summoned by the king himself and not the royal council or headman. Maphalala noted that there were many instances whereby editors and publishers of newspapers were summoned to the royal palace to explain their editorial decisions before the king. Maphalala recalled an instance when his bosses were summoned by the king to explain a negative story involving the monarch. According to Maphalala, when his bosses returned from meeting the king, they gave him an ultimatum; either to resign or fire the reporter who had written the negative story about the monarch. Maphalala did not do either of the two.

> It's basically the King [who summons editors]. They would meet the King and speak to him. Hear what he says and then… usually he never takes a decision. He just tells them to do the right thing. They know they have done wrong (Maphalala).

Apart from the king and the Queen Mother, there are other royalty members who are immune from media scrutiny. Some are not members of royalty per se, but they occupy senior positions in the traditional governance structures (Maphalala). Such people are generally referred to within media circles as 'untouchables'. Swazi journalists are forced to consult extensively when investigating stories as to ensure that none of the so-called untouchables are subjects of their stories (Maphalala). Journalists have dropped stories after discovering that the stories directly or indirectly involved some of the people who are immune from media scrutiny (Maphalala).

> [The untouchables] could be anyone. It could be people from traditional structures. Yes! And it's usually those people. But it can be anyone outside that. As you continue with your job as a journalist or editor, you learn to exercise extra caution. You do that by consulting. That's how you deal with the intricacies [of Swazi law and custom] (Maphalala).

In summary, the former editors have demonstrated how customary law shields the Swazi monarch from media scrutiny and criticism. This immunity enjoyed by the monarch and other traditional leaders affects the work of journalists, who have an obligation to hold those in power to account. This could provide clues to those who have been wondering why the Swazi media eschews criticizing or questioning the leadership style of the monarch.

### 5.5.3 Restricted reporting on *Incwala*

The media is restricted when reporting on traditional ceremonies, particularly the sacred *Incwala*, which is one of the most important traditional ceremonies in the Swazi kingship. *Incwala* is a centuries-old ceremony that is held annually over several weeks in December or early January, and it involves a series of rituals that are aimed at renewing the powers of the monarch, the kingship and the Swazi nation (Lincoln, 1987). *Incwala* also serves as a celebration of the first harvest. Though the ceremony is open to all Swazi people and tourists, there are certain rituals which are not open to ordinary people and the media. Also, within the main royal palace (Ludzidzini) where the *Incwala* ceremony takes place, there are certain areas where access is restricted for ordinary people and journalists.

The former editors were in consensus that covering the *Incwala* ceremony comes with challenges for journalists. According to the former editors, when covering *Incwala,*

journalists are restricted from certain areas and are also prohibited from publishing some aspects of the ceremony. The editors mentioned that when covering *Incwala,* journalists have to exercise extreme caution and guard against overstepping boundaries laid down by traditionalists and the ritual men who facilitate the *Incwala* ceremony. Makhubu recalled that when covering *Incwala*, they 'respected sacred areas of Incwala'. He explained that they did this for two reasons. One, there was a lot of secrecy around *Incwala*, hence they tended to thread carefully. Secondly, they feared the consequences of overstepping the boundaries laid down by traditional authorities. A white foreign priest who had criticised *Incwala* was deported by Swazi authorities in the 1990s (Makhubu). The deportation of the foreign priest seemingly struck fear into the hearts of journalists hence they exercised extreme caution when reporting on the activities of the *Incwala* ceremony.

> Because even pictures, you can't take pictures from anywhere in … the royal residences. You're told that now you can take pictures. Here you cannot take pictures (Maphalala).

Matsebula noted that Swazi journalists have to carefully select the aspects of *Incwala* which they can publish. He stressed that not everything that happens at *Incwala* can be published. Matsebula added that Swazi journalists have to familiarise themselves with the aspects of the *Incwala* ceremony that are open to the public and those that are not. Only those aspects of the *Incwala* ceremony that are open to the public can be published or broadcast by the media. "So you don't need to be told by anyone what to do and what not to do. The open part of the *[Incwala]* ceremony is open [for publication]" (Matsebula).

In summary, the former editors highlighted the existential restrictions Swazi journalists face when covering the sacred *Incwala* ceremony. They also highlighted that journalists fear that they could suffer serious consequences if they were to overstep the restrictions on covering *Incwala*, which have been laid down by traditional authorities. Because of the restrictions, journalists have to exercise extreme caution when covering *Incwala*.

### 5.5.4 Journalists consult and seek advice from traditional authorities on how to report on customary matters

The influence of traditional authorities on journalism practice in Eswatini is one of the themes that came out of the interviews with the former editors of the *Times of Swaziland*. Maphalala mentioned that journalists in Eswatini interact with traditional authorities almost every time they are writing about customary matters or royalty. Journalists consult and seek advice from traditional authorities on how to report on customary matters, and in some instances, journalists are advised not to publish certain aspects of a story – especially when those aspects are taboo or touch on cultural sensitivities (Maphalala). For instance, the media is prohibited from reporting on the king's fiancée (Liphovela) before she has been formally presented or introduced to the nation (Maphalala). Even if journalists could have all the details of the king's fiancée, it would be indecorous for the press to break the story about the King's new fiancée before a formal pronouncement by traditional authorities.

> You speak to them [traditional authorities] while you're going about the story, and ask them how you can approach it. And they advise you so that you don't make mistakes. Sometimes you call them [traditional authorities] for a comment and then get advice instead of the comment. Then you're told to take another approach to a story or at times you're advised that it's too early to publish this one, wait! (Maphalala).

Maphalala noted that sometimes journalists are instructed by traditional authorities to not publish a story about royalty or customary matters. Even if a journalist can have all the facts, traditional authorities can issue orders to the effect that a story be dropped, especially if the story has the potential of shocking people's sensibilities (Maphalala). In the event journalists publish culturally sensitive stories, they are scolded by traditional authorities.

> …sometimes you'll have the facts, but you'll be asked why [you] were bothered? Yes! its true, but why did you write it? Was it any of your business? So it's always being careful. Otherwise, most people will just ignore them [stories] all together, especially if they are negative (Maphalala).

The influence of traditional authorities extends beyond the gathering and writing of stories but also to the process of laying out a paper. Maphalala revealed that there is an 'unwritten law' in mainstream newspapers in Eswatini that says the picture of the king should always be above other pictures in a publication. Maphalala noted that this 'law' is neither customary nor statutory but traditional authorities have ensured that it is adhered to.

> When laying out the paper; you never place the picture of His Majesty the King below any other picture on the paper…Even if the story involving the King is not as big as the other one. You have to make sure that the King's picture is on top. If you don't do that, maybe place a picture of somebody else and then that of the King below the picture of an ordinary person, then you'll have to explain. You'll be called to explain. Why you did that? It's not done! It has actually become an unwritten law (Maphalala).

The picture of the king dominates front pages of Swazi newspapers due to the perception that the picture of the king attracts readers (Matsebula). Newspaper owners believe that when people see the picture of the king on the front page, they will automatically develop interest in reading the newspaper (Matsebula). Another reason for placing the picture of the king on the front page is that editors believe 'that the status of the king is such that, if he is [on] the paper, he is [on] the first table' (Matsebula).

### 5.5.5 Cultural socialization has a bearing on journalism practice

One of the themes that emerged from the interviews with former editors of the *Times of Swaziland* is that cultural socialization of young Swazi children has a bearing on journalism practice. When most Swazi children are brought up, they are socialized to embrace and love Swazi traditions and customary norms. Some children frequently participate in cultural ceremonies and even join the different regiments which form part of the traditional governance system. Swazi journalists who have gone through cultural socialization have a particular approach to journalism and their world view is influenced by what they learnt when they were socialized (Matsebula). Matsebula went through different cultural rites of passage which shaped the way he perceives things and the way he interacts with society.

> …when you *Butseka* (take an oath to join the king's regiment), for instance, you have to take an oath. And that oath is to respect the King and to take all instructions that you perceive to come from him. And, of course, defend anything that you perceive to undermine his authority. Now those kinds of things directly contradict your training as a journalist and directly contravene the ethos of journalism. So you find yourself walking a tight rope between protecting the interests of the king consciously and pursuing your journalistic profession (Matsebula).

Swazi children are taught to love and respect the king and to protect the monarch from anything that could be harmful to the institution of the monarchy, and such teachings have a bearing on how Swazi journalists practice their craft (Matsebula).

> You know that as a Swazi child anything that you see, or you think is going to be offensive to the king, you instinctively remove [it]. Just out of instinct. You just…if editorially anything came up, and I could see that this is something that could offend the king, my own sense of responsibility as a Swazi [tells me] I wouldn't include it in a story (Matsebula).

Due to the fact that Swazi law and custom permeates all spheres of life in Eswatini, it is necessary for Swazi journalists to be well versed in customary law principles and norms. Media houses in Eswatini prefer a journalist who understands customary law principles over a journalist who has no clue about Swazi customs and traditions. Having a firm grasp of Swazi law and customs is a requirement for editors in Swazi newsrooms (Matsebula).

> A good Swazi is someone who knows the laws and the customs. And knows when and what and how not to offend those laws. I think within the context of the period [I was editor] that would be one of the qualifications for actually holding the position; do you know the law? Do you know the customary norms? If the publication got in trouble, what do you think would be the first question? Don't you know? Didn't you know? (Matsebula, 2024).

Editors also prefer journalists who understand customary law to cover traditional ceremonies. Editors always prefer to send experienced journalists, who understand the intricacies of Swazi law and custom, to cover the sacred *Incwala* ceremony (Maphalala). During *Incwala*, traditional authorities place people in designated areas to control and restrict journalists from assessing restricted areas.

> So it's always better to send someone who has experience who will know even the people to talk to. The traditional authorities to speak to when he/she gets there (Maphalala, 2024).

In summary, this theme has highlighted how the cultural socialization of Swazi children influences their behaviors and world view when they grow up to become journalists. This theme also shows that knowledge of customary law principles and norms is one of the requirements for anyone who wants to practice journalism in Eswatini.

### 5.5.6 Consequences for journalists who violate customary law

According to the former editors of the *Times of Swaziland*, there are consequences for anyone, including journalists and media houses, who violate customary law principles. Since customary law is part of the legal system in Eswatini, traditional authorities have both statutory and customary powers to impose fines and penalties for customary law delinquents. The Swaziland Administration Act of 1950 gives traditional authorities powers to impose fines and penalties on any Swazi citizen, including journalists, who violate customary law (Matsebula).

> If you violate Swazi law and customs…it becomes an issue. Some of these issues are subject to…can attract fines. But some of them do not attract fines. Some of them are actually career limiting. Very seriously so. And there is nothing I think as intimidating as your career being limited (Matsebula).

Journalists who violate customary law could be fined or else expelled from their job. The editors did not refer to any cases of journalists who were fined for violating customary law. But there are a couple of cases of Swazi journalists who suffered serious consequences for violating customary law principles. For instance, in 2010, a *Times of Swaziland* columnist, Mfomfo Nkhambule, was fined by his chief and was further expelled from the king's regiment after he wrote a series of articles criticizing the king and the obtaining absolute monarchy governance system. Veteran editor Bheki Makhubu was expelled in 1999 after he wrote an article exposing king Mswati's new fiancée as a school dropout. Makhubu was editor of the *Times of Swaziland Sunday*.

There were also penalties for media houses which violate customary law principles. According to the editors, media houses can violate customary law principles by reporting on stories which are either culturally taboo or which undermine the authority and credibility of traditional institutions like the monarch. In early 2000, some news publications in Eswatini were shut down by the government after they had published a very sensitive story about the monarch (Matsebula).

> There was a number of new publications that had come in. They wrote the story that the king had been poisoned by one of his wives. There were serious consequences! Serious consequences! …amongst the consequences was the closure of several publications including *The Nation* [magazine] (Matsebula).

## Conclusion

This chapter has presented data obtained from the in-depth interviews with the former editors of the *Times of Swaziland*. It has further presented data from the analysis of news stories about the Swazi monarch and royalty. From the interviews with the former editors, six themes emerged which highlight a discernable relationship between Swazi law and custom and journalism practice in Eswatini. The analysis of news stories about the Swazi monarch shines light on the stark difference between how the *Times of Swaziland* and South African publications cover stories about the Swazi monarch and royalty. From the comparison of how the *Times* and South African publications covered the reviewed stories, this chapter concludes that there is perceptible agenda cutting in the manner the *Times* covers the Swazi monarch and royalty.

## CHAPTER SIX: INTERPRETATION & DISCUSSION OF FINDINGS

### 6.1 Introduction

From the onset, this study sought to achieve two key objectives. Firstly, to examine the relationship between Swazi law and custom and journalism practice at the *Times of Eswatini*. Secondly, to explore the extent to which Swazi law and custom impacts on editorial decisions at the *Times of Eswatini*. To achieve the aforementioned objectives, the study had to answer two fundamental questions; (1) Is there a relationship between Swazi law and custom and journalism practice in Eswatini? (2) Does the relationship between Swazi law and custom and journalism practice impact on editorial decisions at the *Times of Eswatini*? The findings from both the in-depth interviews with the former editors of the *Times of Swaziland* and the analysis of news events involving royalty point to a discernible relationship between Swazi law and custom and journalism practice in Eswatini. This chapter interprets the outcomes of the study through the prism of three theoretical frameworks namely: agenda cutting, gatekeeping and traditionalism.

### 6.2 Agenda cutting of negative stories on royalty

One key finding from both the in-depth interviews with the former editors of the *Times of Swaziland* and the analysis of the news events about Swazi royalty is that; customary law and norms force journalists in Eswatini to avoid stories that have the potential of placing royalty or the monarch in a negative light. It can be surmised that reporting negatively on the monarch and royalty is construed by the general Swazi society as culturally inappropriate. Media houses also omit negative stories involving royalty in fear of violating customary law and norms, which in some instances may attract strict fines. The alleged sex scandal involving one of king Mswati's wives and a justice minister is a quintessential case of self-imposed media blackout engendered by the fear to publish content which places the monarch and the entire royal family in a negative light.

While South African media and other global media outlets went to town reporting on every detail of the alleged royal sex scandal (BBC, 2010; News24, 2010; Smith, 2010), there was a total media blackout in Eswatini. The *Times*, which is supposedly independent, waited six days after the story had been reported by South Africa publications before it

could report only on the resignation of the justice minister (Nhleko, 2010). Even then, the news report about the resignation of the justice minister was shallow and thin on details. It did not disclose or allude to the reason(s) and factors(s) that had caused the minister to resign. Contrary to standard journalistic practice of connecting two or more similar events in order to provide context and demonstrate patterns, the *Times* article on the resignation of the justice minister did not allude to previous sex scandals in the Swazi royal family that were widely reported by the international press.

It is improbable that the *Times* did not have full details of the alleged royal sex scandal since pictures of the justice minister purported to be hiding under a mattress in a hotel room went viral on social media. Also, *Times* journalists were on the ground hence one of them would likely have interacted with sources who were well versed with the matter. The implication is that an editorial decision was taken not to publish the alleged sex scandal because it painted a revered institution of the Swazi society (monarchy) in a bad light and it was also mortifying in the person of King Mswati. It is probable that the *Times* management may have decided against publishing the story on the alleged royal sex scandal to avoid possible repercussions. As revealed by former editors of the *Times*, traditional authorities and, in some instances, the king himself have summoned editors to answer on stories that are perceived by authorities to be culturally inappropriate or in violation of customary norms and morals.

Another observation from the *Times* coverage of royalty matters is the deletion of negative facts from stories and the use of only positive facts, comments and suppositions. An examination of the news articles on the deaths of King Mswati's wives indicated that the *Times* predominantly relied on the statements issued by the royal family, and not on independently obtained facts. Despite that some of the information was readily available online from social media users, local authorities/sources and from previous news reports, the *Times* elected to solely report the information provided by the palace. It was further observed that the *Times* did allude to comments made by social media users but reference was made only to positive comments – not the negative ones. On the other hand, South African media reported every available detail about the death of the king's wives – demonstrating that international media, unlike the local press, is not constrained

by customary impediments and traditional bottlenecks that limit the media from reporting on all matters of public interest.

The practice of omitting certain information from news reports or give very little attention to certain matters, in order to keep them off the agenda, can also be considered a form of agenda cutting. Colistra (2006) explained that media houses perform agenda cutting when they direct attention away from some issues by either giving those issues very little coverage or not giving them any coverage all together. Though it is normal for editors to omit and discard certain topics, their actions become agenda cutting when they intentionally ignore or remove a particular topic (Haarkötter, 2022). It wouldn't be off the mark to characterise the manner in which the *Times of Swaziland* covered the five news events on royalty cited in this study as agenda cutting. By omitting negative factual information in order to protect the image of royalty or the monarch, the *Times* is cutting the agenda because if those negative facts were to be included in the news reports, they would set the public agenda and possibly trigger discourses questioning the integrity and moral authority of the institution of the monarch.

Moreover, Haarkötter (2022) highlighted three forms of agenda cutting. The first form of agenda cutting is when a news items is placed 'low of the news agenda (burying it)'. The second form of agenda cutting is when a news item is removed from the agenda 'once it is there'. And the third form of agenda cutting occurs when a news items is completely ignored by not placing it on the agenda at all (Haarkötter, 2022). From the analyses of how the *Times* covered the five news events involving the Swazi monarch and royalty, it can be inferred that the *Times* performed all three forms of agenda cutting. In the news event about the impounding of King Mswati's private jet in Canada, the *Times* deliberately buried information about the business relationship between the monarch and the businessman who had attached the plane. In the same story, the *Times* buried information about the ownership of the plane. Despite alluding to the fact that the monarch had used the plane for trips abroad, the *Times* contradicted itself in subsequent paragraphs by stating that the plane was owned by a Swazi Company 'which is operating the jet on behalf of the Government of Swaziland" (Shaw, 2015).

In the same news event about the impounding of king Mswati's jet in Canada, the *Times* performed the second form of agenda cutting, which occurs when a news items is removed from the agenda 'once it is there' (Haarkötter, 2022). The *Times* story omitted a claim made in court by the businessman who had attached the king's plane. The *Sunday Independent*, which is a South African publication, reported that the businessman had claimed in court that King Mswati and the Swazi Government had liquidated their mining company without his consent so that "the king wouldn't have to repay a R10 million personal loan taken from the mining operation". Since this claim was in the same court papers, which the *Times* story had alluded to, it is probable that the initial draft of the story had this information but it was later edited out for fear of agitating the powers that be. The last form of agenda cutting which occurs when a fact or information is completely ignored by not placing it on the agenda, was observed in the two news events about the deaths of the king's wives whereby some facts were eschewed by the *Times* ostensibly in fear of contravening customary norms and morals. From the analyses of the five news events involving the Swazi royalty, it can be surmised that the *Times of Swaziland* performed agenda cutting of negative information in order to protect the image and moral authority of the Swazi monarchy.

### 6.3 Gatekeeping cultural sensibilities

The interviews with the three former editors of the *Times of Swaziland* clearly showed that editors in Eswatini are caught in between a rock and a hard place. On one hand editors in Eswatini are required to perform their basic function; which includes managing the editorial processes and gatekeeping on behalf of media proprietors. On the other hand, they are expected to ensure that information that has the potential of offending cultural sensibilities does not pass through to audiences. Audiences also expect editors to churn-out uncensored news on matters of public interest. From the assertions of the former editors of the *Times*, it can be inferred that the adeptness of editors in Eswatini is measured by their ability to manoeuvre various customary barriers that impact on journalism practice, and by their efficacy in censoring information that could potentially offend cultural sensibilities. As observed by one of the former editors of the *Times*, demonstrating a firm grasp of Swazi customary law and all concomitant customs and

traditions is a prerequisite for assuming an editorial position. This prerequisite was ostensibly put in place to ensure that editors have firm comprehension of intricacies of Swazi law and custom, so they could manoeuvre with ease customary impediments to journalistic work.

As noted from the interviews with the former editors of the *Times*, covering the sacred *Incwala* ceremony is a burdensome task for both journalists and editors. During the sacred *Incwala* ceremony, the media is not allowed to report on every aspect of the ceremony. Additionally, journalists are prohibited from taking pictures of some activities and sacred areas within the main royal palace where *Incwala* takes place. Journalists are also barred from accessing certain areas within the royal palace which are designated to be sacred. In order to maneuver these customary barriers, editors have to deploy experienced journalists who are aware of these restrictions that are put in place by the traditional authorities who facilitate the *Incwala* ceremony. The journalists who are deployed to cover *Incwala* also have to be willing to follow instructions of the traditional commissionaires who are placed in strategic areas around the *Incwala* main arena. The task by editors of identifying and putting together a team of culturally aware journalists to cover *Incwala* can be characterised as a form of gatekeeping because the editor seeks to ensure that culturally inappropriate information is kept out of the final draft of news stories which are submitted to the editorial desk. Perreault (2022) concurs that gatekeeping occurs when information is excluded by a mediator before that information gets to audiences.

Another arduous task for Eswatini editors is looking out for and ensuring that information that could possibly offend cultural sensibilities does not get published. As mentioned by the former editors of the *Times*, there are serious consequences for editors and media houses which publish culturally inappropriate stories. However, it seems Eswatini editors have invariably struggled to perform the function of weeding out from the final copy news stories which are culturally inappropriate. The many instances whereby editors and publishers have been summoned to the royal palace to answer on stories that they had published is a gleaming indication that editorial teams are not always accurate in determining whether stories are culturally suitable or improper. This observation is

corroborated by the firing of the *Times of Swaziland Sunday* editor in 1999 after the paper had exposed King Mswati's fiancée as a high school drop-out. The story was construed to be offensive to cultural sensibilities by traditional authorities and even ordinary members of society. It is apparent that the *Times* editorial team was found wanting in its gatekeeping role because it was unable to foresee the consequences that this story would have – even thought it was a matter of public interest. It can be surmised that editors in Eswatini are always in a make or break situation. Their careers could end the moment they publish news stories that are deemed to be offensive to cultural sensitivities.

Another discernible observation is that traditional authorities practice gatekeeping on behalf of journalists. In the context of Eswatini, traditional authorities comprise of heads of traditional councils, chiefs, senior princes/princesses and the governors of royal palaces. The authority to determine if a story is suitable or offensive to cultural sensibilities lies with traditional authorities. When a story that is construed to be culturally inappropriate is published, traditional authorities rebuke and/or impose fines on journalists and editors. A case in point is the dismissal of the *Times of Swaziland Sunday* editor in 1999 and the fining of the *Times of Swaziland* columnist in 2009. By limiting coverage of certain aspects of traditional ceremonies and rituals, and by instructing journalists not to publish certain stories, traditional authorities are themselves playing the gatekeeping role as they are blocking what they believe to be inappropriate information from reaching the public. But since traditional authorities do not directly control what can be published by media houses, they invoke their customary law powers to intimidate editors and force them to publish only matters that are perceived to be culturally appropriate.

As mentioned by the former editors of the *Times*, when writing a story about customary matters, journalists call traditional authorities (usually the governor of the main royal palace) for comment, and in some instances for guidance on how best to write the story without offending customary sensibilities. In some instances, journalists are advised to withhold the story up until a time when its publication won't offend customary sensibilities. It can be surmised that this is a form of gatekeeping because information is deliberately withheld from audiences because traditional authorities believe it could offend customary sensitivities. Shoemaker and Vos, (2009) mentioned that institutions that affect the

gatekeeping process included the following: audiences, advertisers, markets, economic forces, government, interest groups, public relations agencies and other media. From the analyses of the interviews with the former editors of the *Times*, it wouldn't be off the mark to include traditional authorities on the aforementioned list.

### 6.4 Enforcing Traditionalism as a social ideology

The interviews with the former editors of the *Times of Swaziland* indicate that the media in Eswatini generally complies with the various customary norms that impact on journalism practice. King Mswati's unilateral decision to change the official name of Swaziland to Eswatini in 2018 is one case in point. The media did not only embrace the name change without scrutinising its legality and constitutionality, but the media went further to rebrand its own trademarks in order to comply with the monarch's directive. Another example of the media's compliance with customary norms, is the continuing media blackout on royal scandals and suspected transgressions, which are of public interest. Also, the Eswatini media continues to eschew information about certain aspects of the sacred *Incwala* ceremony as required by customary norms. Accordingly, it can be inferred that, by adhering to the customary requirements detecting how journalism should be practised in Eswatini, the media is consciously or unconsciously enforcing traditionalism as a social ideology.

Bizumic (2017) described traditionalism as when an individual respects and upholds traditional values, morality, norms and practices of their social group. Bizumic added that traditionalism also included fervent resistance to the altering of traditional values, norms and practices. In the context of Eswatini, traditionalism refers to safeguarding customs, norms and values, patriotism, loving the king and rejection of any form of dissenting views (Simelane, 1995). When Eswatini media omits negative stories on royalty – particularly the monarch, it is upholding the traditional norm which requires all Swazis to keep out of public discourse any negative information that could potentially project the monarch in a bad light. Also, when the media incessantly reports positively about the king and royalty, it enhances the image of the monarchy and thus foments among society love and admiration for the institution of the monarchy and its buttressing structures. Furthermore, when the media blocks negative stories about the king, it shuts the door for dissenting

voices, who are invariably critical of the absolute monarch governance system. No matter how rational the arguments on dissenting voices can be, the media doesn't always publish them because dissenting voices are invariably critical of the monarch's administration style and management of state affairs. By blocking stories on dissenting voices, the media may not be conscious that it is effectuating traditionalism, which enforces love for the monarch and respect for customary norms and traditions.

Moreover, when the Eswatini media censor certain information about some aspects of the sacred *Incwala* ceremony, it is complying with customary requirements which have endeavoured for centuries to stringently keep the *Incwala* ceremony mystical. As observed by Lincoln (1987), there are a series of rituals that take place during *Incwala* which are aimed at renewing and strengthening the powers of the king, the kingship and the entire Swazi nation. By blocking some activities which take place at *Incwala* from being shared with the public, traditional authorities do not want to provide a window for society to know some of the anchors of the Swazi kingship. It is likely that some journalists in Eswatini are well versed in the sacred rituals that take place during *Incwala*. But they elect not to publish the details of the *Incwala* rituals, probably because they feel obligated to safeguard customs, norms and values of the Swazi society. Another likelihood is that they fear the repercussions of publishing such information. As revealed by one of the former editors of the *Times*, a foreign priest was deported after he had characterised *Incwala* as an ungodly ceremony.

Another likelihood is that Eswatini journalists comply with the customary requirement of not publishing some aspects of the *Incwala* ceremony because they have been socialised to uphold and respect Swazi law and custom. As observed by one of the former editors of the *Times*, cultural socialisation of young Swazi children has a bearing on journalism practice. Swazi children are socialised to love culture and respect customary and traditional requirements, which include respecting the monarch and all of its buttressing structures. Some Swazi journalists participate in the various cultural ceremonies and activities –some of which require participants to take an oath to respect the king and protect the monarchy from any possible threat. It is probable that any journalist who has been socialised to love and respect the king would immediately remove from their stories

any information that is likely to offend the king or threaten his rule. It is also probable that any journalist who has been through cultural socialisation would comply with customary requirements which dictate that certain aspects of the sacred *Incwala* ceremony should not be published.

### 6.5 Conclusion

An analysis of newspaper articles and interviews with former editors of the *Times of Eswatini (Swaziland)* shows that Swazi law and custom has a powerful impact on journalism practice in Eswatini, and that this plays out in distinct arenas, even within the country's small independent media. The selected articles suggest that newspapers deliberately refrain from engaging in negative stories about the monarch and royalty. This is done by completely avoiding such stories, or else framing issues in a manner that does not place the monarch in a negative light. In this context, the editorial team at the *Times* plays a gatekeeping role by not publishing suspected iniquities within the Swazi royal house and other matters which could potentially be mortifying to the revered institution of the monarch.

The study shows how stories or information that could embarrass the monarch, or else which have the potential to diminish the institution of the monarchy, are blocked or edited, even when they are potentially matters of public interest. News audiences in Eswatini have to rely on international media for accurate news reporting about the Swazi monarchy. South African publications, in particular, have reported elaborately and extensively on some of the matters that are shunned by the *Times of Eswatini*. Additionally, it is clear that the *Times* both displays and enforces traditionalism as a dominant social ideology within contemporary Swazi society. As described by Simelane (1995), traditionalism in the Eswatini context encourages the love and protection of the institution of the monarchy, safeguarding of traditions and customs, patriotism, resistance to the alteration of customary morals and values, and rejection of dissenting voices.

Traditionalism remains a dominant ideology in Eswatini, as evident by the fervent support for traditional ceremonies, love for traditions and customs, and resistance to some western social values that have gained traction in many African countries. It is possible that traditionalism remains a dominant ideology in Eswatini partly because the media

abstains from exposing suspected iniquities of Swazi customs and norms, encourages fervent love for traditions and customs and also paints the monarch as an infallible being. The *Times'* persistent publication of only positive matters about the monarch could be one of the reasons the Swazi royal family maintains a positive reputation among the Swazi populace despite widespread allegations of immorality, corruption and malfeasance.

The study also demonstrates that customary law and norms are one of the key factors contributing to self-censorship by Eswatini journalists. The media is forced to self-censor in fear of upsetting traditional authorities who wield enormous power within the Swazi governance system. Another observation from the study is that traditional authorities influence journalism practice as they are the ones who decide which customary matters can be published, how customary matters should be framed and when customary matters can be published. The study further highlights the role of cultural socialisation in shaping journalists' world views. This cultural socialisation inculcates into journalists a sense of receptivity to the customary requirements which impact on journalism practice in Eswatini.

This study explores the relationship between Swazi law and custom and the *Times of Eswatini (Swaziland)*, using purposely-selected stories about specific news 'scandals' related to the monarch or royal family. Future studies could expand this by examining the relationship between Swazi law and custom and the broader media industry in Eswatini, exploring a wider range of themes and stories, and could also expand the historical scope of study to include different decades of ownership. Additionally, other studies may specifically investigate how the media covers traditional ceremonies in Eswatini, including *Incwala* –which was cited in this study– and other ceremonies like the *Umhlanga* reed dance. Another area of academic enquiry may be the challenges faced by female journalists when covering traditional events and activities attended by the monarch. There have been reports to the effect that traditional authorities impose stringent requirements for females covering events in royal palaces. This includes specific dress codes.

### 6.6 Limitations of study

The sacred nature of Swazi traditions and customs and the high stature that the institution of the monarchy holds within the Swazi society demands extreme caution from any researcher, who seeks to investigate matters pertaining to these revered Swazi

institutions. At every level of this study, this researcher had to be circumspect, weigh risks and develop less risky pathways in order to navigate the multiple hurdles that confront researchers who seek to investigate matters involving Swazi law and custom. Additionally, only former editors of the *Times of Eswatini* were approached as suitable participants in the study. The current editors of the *Times* were not interviewed since, by virtue of being substantive employees of the publication, their objectivity and/or their safety would have been compromised. Lastly, only three of the five former editors of the *Times of Eswatini* agreed to be interviewed. The other two former editors were not available for the interview.

**Appendix A**: Articles selected for analysis

| | PUBLICATION | DATE | AUTHOR | HEADLINE | THEME |
|---|---|---|---|---|---|
| 1 | Times of Swaziland | 18 March 1994 | Nimrod Mabuza | That very costly trip | Shallow reporting on royalty |
| 2 | Times of Swaziland | 18 January 1995 | Martin Dlamini | Untouchable royals are destroying the country | Shallow reporting on royalty |
| 3 | Times of Swaziland | 31 January 1995 | Nkululeko Dlamini | Minister won't be arrested-say cops | Shallow reporting on royalty |
| 4 | Times of Swaziland | 4 February 1995 | Vusie Ginindza | The Times is for multi-party | Media blackout |
| 5 | Times of Swaziland | 8 May 2011 | Mfanukhona Nkambule | Traditionalist giving jounos a tough time | Royal censorship |
| 6 | Times of Swaziland | 11 November 1995 | Nimrod Mabuza | Prince Masitsela's company got over E2m loan from Swazi Bank | Shallow reporting on royalty |
| 7 | Times of Swaziland | 17 March 1999 | Vusie Ginindza | King embarrasses govt | Shallow reporting on royalty |
| 8 | Times of Swaziland | 24 March 1996 | Bheki Makhubu | King playing games and it's not funny | Shallow reporting on royalty |
| 9 | Times of Swaziland | 12 September 1999 | No author | Liphovela a high school dropout | Royal censorship |
| 10 | Times of Swaziland | 27 September 1999 | Mfanukhona Nkambule | Times Sunday editor arrested and charged | Royal censorship |
| 11 | Times of Swaziland | 28 September 1999 | Sonnyboy Fakudze | Times Sunday editor granted E3 000 bail | Royal censorship |
| 12 | Times of Swaziland | 28 September 1999 | Muzie Yende | Their Majesty's did not sanction editor's arrest | Royal censorship |
| 13 | Times of Swaziland | 2 October 2001 | Alec Lushaba | SA media lies about Liphovela | Media blackout |
| 14 | Times of Swaziland | 3 February 2000 | Vusie Giniindza | Costly Party in USA | Shallow reporting on royalty |

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| 15 | Times of Swaziland | 10 February 2009 | Senzo Dlamini | Don't you dare disrespect king | Royal censorship |
| 16 | Times of Swaziland | 24 March 2009 | Bheki Gama | E300m more from Dafin | Shallow reporting on royalty |
| 17 | Times of Swaziland | 25 January 2009 | Makhosi Magongo | Regiment wants Mfomfo out | Royal censorship |
| 18 | Times of Swaziland | 22 March 2009 | Makhosi Magongo | You are nolonger welcome here Mfofo-Balondolozi | Royal censorship |
| 19 | Times of Swaziland | 11 March 2009 | Innocent Maphalala | King warned cabinet on Jet | Shallow reporting on royalty |
| 20 | Times of Swaziland | 7 January 2009 | Author Mordaunt | Watch your mouth Mfomfo | Royal censorship |
| 21 | Times of Swaziland | 4 March 2009 | Author Mordaunt | Majozi stands by budget speech | Shallow reporting on royalty |
| 22 | Times of Swaziland | 23 March 2009 | Mbongiseni Nhleko | Mfomfo to appeal to king | Royal censorship |
| 23 | Times of Swaziland | 6 August 2010 | Musa Nhleko | Minister Ndumiso Mamba resigns | Media blackout |
| 24 | Times of Swaziland | 10 February 2009 | Cassandra Shaw | Govt sends warning to king's speech critics | Royal censorship |
| 25 | Times of Swaziland | 26 April 2012 | Mbongiseni Ndzimandze | King gets jet | Royal censorship |
| 26 | Times of Swaziland | 27 March 2015 | Cassandra Shaw | Where is the king's jet? | Royal censorship |
| 27 | Times of Swaziland | 7 April 2018 | Zwelakhe Moahloli | Inkhosikati LaMasanga passes on | Media blackout |
| 28 | Times of Swaziland | 14 December 2018 | Mbongiseni Ndzimandze | Mgwagwa evicted me-widow | Shallow reporting on royalty |
| 29 | Times of Swaziland | 8 March 2019 | Sibusiso Shange | Inkhosikati LaDube passes on | Media blackout |
| 30 | Times of Swaziland | 14 February 2011 | Moses Dlamini | Widow fights in-laws with SWAGAA's help | Shallow reporting on royalty |
| 31 | Times of Swaziland | 21 July 1994 | Gordon Mbuli | Flight chaos warning | Shallow reporting on royalty |
| 32 | Times of Swaziland | 30 May 1995 | Vusie Ginindza | Ludzidzini blamed for E3.7m govt debt | Shallow reporting on royalty |
| 33 | Times of Swaziland | 5 July 1995 | Nimroad Mabuza | Royal Family refusing to pay for govt services | Shallow reporting on royalty |
| 34 | Times of Swaziland | 3 August 1995 | Albert Masango | E25 000 public funds wasted on royal wedding | Shallow reporting on royalty |

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| 35 | Times of Swaziland | 8 November 1995 | Nimrod Mabuza | Royal Kraal failing to settle E400 000 water bill | Shallow reporting on royalty |
| 36 | Times of Swaziland | 30 November 1995 | Nimrod Mabuza | Prince a soldier and MP illegal | Shallow reporting on royalty |
| 37 | Times of Swaziland | 19 September 1999 | Sunday Reporters | Newspaper editor could be charged | Royal censorship |

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|---|---|---|---|---|---|
| 38 | Times of Swaziland | 24 September 1999 | No author | Ludzidzini appeals for responsible reporting | Royal censorship |
| 39 | Times of Swaziland | 29 January 2000 | Innocent Maphalala | Mamba sells farm to Tibiyo for E500 000 | Media blackout |
| 40 | Times of Swaziland | | Ncamsile Mamba | King's office rubbishes story about liphovela | Media blackout |
| 41 | Times of Swaziland | 28 August 2016 | Mduduzi Magagula | King's jet returning to SD | Royal censorship |
| 42 | Times of Swaziland | 17 May 2015 | Zwelakhe Moahloli and Linda Jele | Finally: The King's jet is back | Royal censorship |
| 43 | Times of Swaziland | 11 March 2019 | Sibusiso Shange | Royalty tried to save Inkhosikati | Media blackout |
| 44 | Times of Swaziland | 25 January 2009 | Makhosi Magongo | You must be mad | Royal censorship |
| 45 | Times of Swaziland | 18 January 2009 | Makhosi Magongo | Emakhosikati move to their new palaces | Shallow reporting on royalty |
| 46 | Times of Swaziland | 23 March 2009 | Mbongiseni Nhleko | Mass evictions in Matsapha | Shallow reporting on royalty |
| 47 | Times of Swaziland | 7 December 2010 | No author | No pictures, only dancing | Media blackout |
| 48 | Times of Swaziland | 11 July 2010 | Mfanukhona Nkambule | Christians could attend Incwala – Justice | Royal censorship |
| 49 | Times of Swaziland,<br><br>19 August 2009 | 19 August 2009 | Senzo Dlamini | Labadzala to meet over pastor justice's incwala statements | Royal censorship |
| 50 | Times of Swaziland,<br><br>13 January 2024 | 13 January 2024 | Mthunzi Mdluli | Soldier arrested for rape of Ingatja | Shallow reporting on royalty |
| 51 | Times of Swaziland,<br><br>21 January 2017 | 21 January 2017 | Eugene Dube | Boy's death during Incwala | Media blackout |
| 52 | Times of Swaziland,<br><br>14 December 2011 | 14 December 2011 | Welcome Dlamini | Media barred from covering Incwala | Media blackout |
| 53 | Times of Swaziland | 13 December 2008 | Brian Mohammed | Journalist kicked out of Incwala | Media blackout |
| 54 | Times of Swaziland | 23 February 2012 | Mbongiseni Ndzimandze | Ndzingeni fined for working on Incwala holiday | Media blackout |
| 55 | Times of Swaziland | 22 September 1999 | No author | Times,SBIS,TV chiefs summoned | Royal censorship |
| 56 | Times of Swaziland | 23 September 1999 | No author | Media owners ordered to return to Ludzidzini today | Royal censorship |
| 57 | Times of Swaziland | 24 September 1999 | No author | Ludzidzini appeals for responsible reporting | Royal censorship |

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| 58 | Times of Eswatini | 29 May 2021 | Martin Dlamini & Mfanukhona Nkambule | Minister calls editors to private meeting | Royal censorship |
| 59 | Times of Eswatini | 16 May 2021 | Mfanukhona Nkambule | No successor five months after Mandvulo's death | Royal censorship |
| 60 | Times of Swaziland | 23 July 2010 | Manqoba Nxumalo | Prince Mahlaba says journalists will die if… | Media blackout |

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