

## **PUBLIC LAW - ELECTIVES 2018**

### **LAND AND LAND REFORM LAW (GHR 420) (SEM 1)**

**PROF JFD BRAND – danie.brand@up.ac.za**

- A consideration of the land question in South Africa from different political and legal theoretical vantage points
- An analysis and critique of key judicial decisions in the context of eviction and restitution in light of different legal theoretical approaches

### **MEDICAL LAW (GRG 410) (SEM 1)**

**PROF PA CARSTENS – pieter.carstens@up.ac.za**

- General foundations of Forensic Medicine
- Legal basis of the relationship between doctor/hospital and patient
- Grounds of justification for medical interventions
- Medical negligence and vicarious liability
- The patient's privacy and medical confidentiality
- Artificial human procreation
- Liability for wrongful conception/birth/life
- Transsexualism and sex-change operations
- The moment of death and euthanasia
- Aspects of the medical disciplinary hearings

### **STATUTORY CRIMES (SMI 410) (SEM 1)**

**PROF GP STEVENS – philip.stevens@up.ac.za**

*Capita selecta* of the following crimes:

- Computer crimes
- Liquor and drug offences
- Economic offences
- Sexual offences
- Offences within the family and against children
- Offences against animals
- Offences relating to dangerous weapons, firearms and explosives
- Police and prisons offences

- Offences against the public safety and order
- Offences against the safety of the state
- Offences against the environment
- Traffic offences
- Minimum sentencing

### **MEDIA LAW (MDR 420) (SEM 2)**

**MS MK RADEBE – keneilwe.radebe@up.ac.za**

*Capita selecta* from media and communications law in the light of the Constitution, including:

- The philosophical foundations and history of freedom of speech, and the role of the media in a democracy
- Section 16 of the Constitution, and various limitations on freedom of expression
- A comparative study of freedom of expression in the US, Canada and Germany
- Defamation (including on-line defamation) and privacy
- Journalistic privilege in South African law
- Regulation of advertising
- The Films and Publication Act
- Child pornography

### **ENVIRONMENTAL LAW (OMR 410) (SEM 2)**

**MS MJ MURCOTT – melanie.murcott@up.ac.za**

- The nature and scope of environmental law
- The Constitution and the environment
- Environmental framework regulation
- Planning law
- Environmental assessment
- Water law
- Pollution control and waste management
- Mining and energy sources
- Biodiversity and conservation of forests, plant resources and wild animals
- Heritage resources
- Living marine resources

## **INTERNATIONAL HUMANITARIAN LAW (PUR 420) (SEM 2)**

**PROF CJ BOTHA – christo.botha2@up.ac.za**

- What is international humanitarian law (the law of war)?: the distinction between *ius ad bellum* and *ius in bello*
- The historical development and sources of international humanitarian law (IHL)
- Different types of armed conflict: The distinction between international and non-international armed conflicts
- Distinction between combatants and civilians
- The prisoner of war (POW) status: soldiers, spies, mercenaries and guerrillas
- Conduct of hostilities: legal restraints on how war is to be waged (including the prohibition of certain weapons and the targets that may be engaged during hostilities)
- The distinction between genocide, crimes against humanity and war crimes
- Winners or losers: war, international politics and the implementation of IHL
- The protection of women and children during armed conflict
- Accountability or impunity: the prosecution of war crimes by national courts, ad hoc tribunals (the ICTY and ICTR) and the International Criminal Court (ICC)
- The devil made me do it: superior orders and command responsibility during war
- The role of International Committee of the Red Cross (ICRC)

## **LEGAL PROBLEMS OF HIV AND AIDS (RHV 410) (SEM 2)**

**PROF A NIENABER – annelize.nienaber@up.ac.za**

- An introduction to the medical and social aspects of the disease
- Aspects of the legal position of people with HIV/Aids
- Seminar assignments (mini-dissertations) about problems of a moral and legal nature, such as the criminalisation of HIV infection as a separate statutory offence, implications of the right to healthcare, notification of HIV/Aids and the limits of privacy, as well as aspects arising from medical experimentation and the development of a vaccine