University of Pretoria Yearbook 2020

MPhil Sexual and Reproductive Rights in Africa (Coursework) (04251025)

Minimum duration of study	2 years		
Total credits	200		
NQF level	09		
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Programme information

Closing date for applications: SA applicants - 30 November; non-SA applicants - 31 August.

The curriculum will generally consist of:

- Six modules which are compulsory and has to be completed during the first year of registration.
- A module in research methodology (NRM 801 – 5 credits) (this module must be completed during the first year of registration).
- A research proposal (RHP 803 – 5 credits). The student must submit the research proposal to the supervisor no later than the end of the first semester of the second year of registration for the degree, prior to commencing with the writing of the mini-dissertation. This period may be extended with the approval of the relevant head of department.
- A mini-dissertation. The mini-dissertation must deal with the subject content of one of the modules or a combination of the modules registered for by the student for his/her LLM/MPhil degree. Any request for an extension of the period for submission of the mini-dissertation may only be granted by the Postgraduate Committee on recommendation of the relevant head of department.

Also refer to the Postgraduate Brochure for the complete study programme as well as the Postgraduate administrative processes after registration.

Admission requirements

At least an honours degree in an academic discipline relevant to legal aspects in South Africa or Africa as well as to the contents of the specific MPhil (coursework) programme,

OR

any other qualification in an academic discipline relevant to legal aspects in South Africa or Africa as well as to the contents of the specific MPhil (coursework) programme that allows admission to a master's programme at the institution where the undergraduate qualification was obtained. If the duration of that qualification is less than four years, substantial proven practical or professional experience in legal aspects in South Africa or Africa will furthermore be required, subject to the discretion of the Dean.

A minimum average mark of 65% with respect to the prescribed modules of the honours programme is required for admission to the MPhil coursework programmes.

Where an average of below 65% is achieved, the student may be admitted on recommendation of the relevant head of department after consultation with the programme coordinator and consideration of other merits (eg relevant professional experience; the applicant's performance in undergraduate modules related to the particular MPhil; the candidate's performance in independent research essays or similar components) and/or an admission examination.

Linguistic competence, primarily in English; foreign applicants who did not complete undergraduate studies through the medium of English must show proof of competence in English at a minimum average level of 6 out of 10 for IELTS or a minimum total score of 83 in TOEFL calculated as follows: reading 21, listening 17, speaking 23 and writing 22. In any other instance where there is doubt as to the English linguistic competence of an applicant, the Dean may require the same proof as prescribed for foreign applicants.

Foreign qualifications are subject to SAQA evaluation. (Some MPhil coursework programmes or modules as indicated in the yearbook may only be available to students who hold a relevant South African qualification.)

Even though a student may comply with the above requirements, the Dean may, on the recommendation of the head of department presenting a specific degree or module, refuse to accept a prospective student for any MPhil programme if such a student's performance in the chosen modules or field of study during undergraduate study was not satisfactory. Alternatively, the Dean could set additional requirements with a view to admission.

An admission examination may also be required in respect of a particular programme or module.

Other programme-specific information

- The mini-dissertation must comprise 18 000 – 20 000 words – including footnotes but excluding the list of contents and the bibliography
- The examination copies of the mini-dissertation to send out to the external examiners must be submitted to Student Administration not later than the end of October for the Autumn Graduation Ceremony, end of April for the Spring Graduation Ceremony. A final electronic version must be submitted to Student Administration on or before 15 February for the Autumn Graduation Ceremony, 15 July for the Spring Graduation Ceremony after the evaluation of the examination copies of the mini-dissertation to comply with degree requirements.

Examinations and pass requirements

In the event of having failed all modules during a particular year of study, a student will only be allowed to continue with his/her studies with the consent of the Postgraduate Committee.

Although no supplementary examination will be granted with regard to LLM and MPhil modules, the General Regulations and rules apply with regard to special and ancillary examinations.

Research information

The relevant head of department must recommend a supervisor and title for a mini-dissertation and these must be approved by the Postgraduate Committee. The mini-dissertation must be assessed and finalised as set out in the Faculty Board-approved LLM/MPhil Policy Document of the Faculty.

Mini-dissertations, where required, must be submitted in the format determined by the supervisor and approved by the Postgraduate Committee. The supervisor may likewise, subject to the approval of the Postgraduate

Committee, also determine the research topic and the scope of the proposed research. (Refer to the Faculty of Law regulations regarding mini-dissertations and also Postgraduate administrative processes brochure for the Faculty)

Pass with distinction

For the degree to be awarded with distinction a student must obtain an average of at least 75% for all the coursework modules, as well as a minimum of 75% for the mini-dissertation. The modules must have been written for the first time.

General information

Language of tuition
The official language of tuition is English. However, should circumstances allow it, a master's module may be presented in Afrikaans. The Dean, in consultation with the relevant head of department, determines the language of tuition.

Limiting of modules on offer in a particular academic year and availability to foreign students
The Dean may on recommendation of the relevant head of department limit the number of students to be allowed to register for any MPhil programme or module. Where such limitation applies, prospective students must be informed about the limitation when they apply. Where the Dean allows such a limitation, the relevant head of department must, in consultation with the relevant programme coordinator, select students who otherwise comply with the admission requirements for an MPhil coursework degree, according to the following selection guidelines:

1. General academic performance in the undergraduate degree; specific academic performance in undergraduate degree module(s) directly related to the particular MPhil; and academic performance in independent research essays or similar components.
2. Any academic qualifications other than the prescribed undergraduate degree.
3. Relevant practical experience and training.
4. Diversity.
5. Whether the relevant MPhil is the applicant's first choice.
6. Where an admission examination is prescribed, the results of such examination may be considered in addition to the above criteria.
7. Date on which a complete application was received (only complete applications will be considered - incomplete applications will be set aside and will not be considered until a complete application is received).

Where applicants satisfy the criteria set out above, applicants will in general be accepted on a date-of-receipt order of preference.

Re-registration for modules
A student may not register more than twice for the same module. In order to pass a module the student must obtain a final mark of 50%.

The duration of the programme will in general be four semesters (2 years). The two-year period may only be extended by the Postgraduate Committee on recommendation of the relevant head of department based on good reason shown and if it is clear that the student will be able to complete the programme in a further year of study.

Curriculum: Year 1

Minimum credits: 95

Core modules

International human rights law relevant to sexual and reproductive rights in Africa 802 (HRA 802)

Module credits	15.00
Prerequisites	No prerequisites.
Contact time	30 contact hours per semester
Language of tuition	Module is presented in English
Department	Centre for Human Rights
Period of presentation	Semester 1

Module content

The focus of this module is on the principles and processes of international human rights law at the global and regional level, and their relevance to issues of reproductive and sexual health and to the situation of sexual minorities, with specific reference to Africa.
Topics include:
(a) History, philosophy and ideology of human rights, with particular reference to Africa
(b) Basic concepts of international and national human rights law
(c) The global (UN) system of human rights protection: norms, institutions, procedures, and their relevance to reproductive and sexual rights
(d) The African (African Union) system of human rights protection: norms, institutions, procedures, and their relevance to reproductive and sexual rights (placed in comparative perspective, with reference to European and inter-American systems)
(e) The actual and potential role of regional economic communities regional level) in Africa in the protection of human rights in Africa, with specific reference to reproductive and sexual rights
(f) An overview of human rights protection at the domestic level, with specific reference to selected African states
(g) Understanding the role of international human rights mechanisms in the protection of sexual minorities.

Applying human rights principles to realise sexual and reproductive health rights claims 803 (HRA 803)

Module credits	15.00
Prerequisites	No prerequisites.
Contact time	30 contact hours per semester
Language of tuition	Module is presented in English
Department	Centre for Human Rights
Period of presentation	Semester 1

Module content

The focus of this module is on the application of human rights principles to reproductive and sexual health with a view to realising claims on these rights at domestic, regional and global levels.
Topics include:
(a) Applying human rights to sexual and reproductive health, including the rights to equality, life, human dignity, freedom from inhuman and degrading treatment, health, information, education, reproductive self-determination, maternity protection in employment, liberty and security of the person, and privacy.
(b) Developing a sexual and reproductive rights claim through identifying the reproductive health wrong, its causes and the wrongdoer; documenting the alleged wrongs; determining which laws are implicated, identifying human rights standards for determining breach of a reproductive right.
(c) Advancing a sexual and reproductive rights claim at the domestic level with reference to realising reproductive rights through regulatory and disciplinary procedures, courts of law, alternative dispute resolution, domestic human rights institutions, and ombudspersons.
(d) Advancing a sexual and reproductive rights claim at the regional and sub-regional levels with reference to realising reproductive rights through African regional and sub-regional institutions.
(e) Advancing a sexual and reproductive rights claim at the global level with particular reference to realising reproductive rights through United Nations treaty monitoring bodies.
(f) Drawing lessons from comparable regional human rights systems with particular reference to the European and Inter-American regional human rights systems.

Applying human rights principles to selected reproductive health issues in Africa 804 (HRA 804)

Module credits	15.00
Prerequisites	No prerequisites.
Contact time	30 contact hours per semester
Language of tuition	Module is presented in English
Department	Centre for Human Rights
Period of presentation	Semester 2

Module content

The focus of this module is on the application of human rights principles to discrete reproductive health issues with a view to developing human rights responses to contemporary reproductive health challenges in the African region.
Topics include:
(a) Contraception
(b) Domestic violence
(c) Female genital cutting
(d) Infertility and medical-assisted reproduction
(e) Maternal death
(f) Sexual violence in times of conflict
(g) Sexuality and reproductive health education
(h) Trafficking in women and children
(i) Unsafe abortion

Applying human rights principles to selected sexual rights and sexuality issues in Africa 805 (HRA 805)

Module credits	15.00
Prerequisites	No prerequisites.
Contact time	30 contact hours per semester
Language of tuition	Module is presented in English
Department	Centre for Human Rights
Period of presentation	Semester 1

Module content

The focus of this module is on the application of human rights principles to selected issues related to sexual and sexuality issues in Africa, with a view to developing human rights responses to related contemporary challenges in the African region.
Topics include:
(a) Overview of relevant concepts
(b) The foundation of sexual rights in international human rights instruments
(c) Sexual norms and gender stereotypes
(d) Sex work and human rights
(e) Sexual coercion and abuse
(f) Sexually transmitted infections including HIV and rights relating to information and prevention
(g) The right to comprehensive sexual education
(h) Harmful traditional practices that violate sexual rights
(i) Link between sexual rights and reproductive health rights
(j) Advocacy strategies for sexual rights

Research methodology for human rights 801 (NRM 801)

Module credits	5.00

Prerequisites	No prerequisites.
Contact time	2 lectures per week
Language of tuition	Module is presented in English
Department	Centre for Human Rights
Period of presentation	Semester 1

Module content

In this module, the focus is on aspects of human rights research, fact finding, advocacy and education.

Curriculum: Final year

Minimum credits: 160

Core modules

Applying human rights principles to selected rights of sexual minorities in Africa 806 (HRA 806)

Module credits	15.00
Prerequisites	No prerequisites.
Contact time	30 contact hours per semester
Language of tuition	Module is presented in English
Department	Centre for Human Rights
Period of presentation	Semester 1

Module content

The focus of this module is on the application of human rights principles to selected issues affecting sexual minorities in Africa, with a view to developing human rights responses to related contemporary challenges in the African region.
Topics include:
(a) Providing a critical understanding of the concepts ‘sexual orientation’ and ‘gender identity', ‘homosexual’, ‘bisexual’, ‘gay’, ‘lesbian’, ‘transgender’, ‘intersex’, ‘sexual minority’, ‘heterosexism’, and ‘queer’
(b) Understanding theories on the psychology, biology and sociobiology of homosexuality
(c) Investigating the global history of homosexuality, particularly in the ‘West’ (USA and Britain) and its influence on Africa
(d) Investigating the evolution of homosexuality and society in Africa, including an anthropological review of homosexuality in traditional African societies, and under colonialism and in post-colonial Africa
(e) Understanding the nature of the violation of rights of ‘sexual minorities’ including violations to the rights to health; discrimination based on actual or presumed sexual orientation, gender identity and HIV status; sexual and other forms of violence; violations of the right to privacy; stigmatisation and its consequences) particularly by states and non-state actors in Africa
(f) Understanding the reasons for rights violations and homophobia in Africa by investigating the role of culture/tradition, religion and majoritarianism
(g) Considering the role of public policy, by focusing on the need and possibilities for legal reform, and strategies to sensitise communities for the rights of sexual minorities and change homophobic attitudes

Research and adv to realise sexual, reprod health and sexual minority rights claims in Africa 807 (HRA 807)

Module credits	15.00

Prerequisites	No prerequisites.
Contact time	30 contact hours per semester
Language of tuition	Module is presented in English
Department	Centre for Human Rights
Period of presentation	Semester 1

Module content

This module aims to equip students with the skills for advocacy of and to conduct research on sexual and reproductive health issues, with a view to the realisation of these rights and the rights of sexual minorities in Africa.
Topics include:
(a) Defining human rights violations
(b) Analysing root causes of human rights violations
(c) Social sciences research methods
(d) Investigating facts and gathering evidence
(e) Conducting interviews
(f) Strategic thinking including developing strategic partnerships
(g) Advanced legal reasoning and legal writing
(h) Strategic impact litigation
(i) Negotiation and mediation
(j) Media advocacy
(k) Engaging government and other stakeholders
(l) Conducting a practical exercise as simulation of an actual intervention to decrease stigma and increase sensitisation and acceptance of the rights of LGBTI communities in the context of the country in which the students find themselves.

Mini-dissertation 802 (MND 802)

Module credits	100.00
Prerequisites	NRM 801 and RHP 803
Language of tuition	Module is presented in English
Department	Centre for Human Rights
Period of presentation	Year

Module content

(a) The student must submit a research proposal during his/her first year of registration for the LLM degree to the supervisor prior to commencing with the writing of the mini-dissertation.
(b) A mini-dissertation (MND 802) of 18 000 to 20 000 words inclusive of footnotes but excluding the list of contents and the bibliography, is required. The mini-dissertation must be submitted to the study leader not later than August of the second year of registration for the LLM programme. The mini-dissertation must deal with the subject content of one of the modules or a combination of the modules registered for by the student for his/her LLM degree. Any request for an extension of the period for submission of the mini-dissertation may only be granted by the Dean on recommendation of the LLM Committee.

Research proposal 803 (RHP 803)

Module credits	5.00
Prerequisites	No prerequisites.
Language of tuition	Module is presented in English
Department	Law Deans Office
Period of presentation	Year

Module content

Development and presentation of a research proposal. (A research proposal must be submitted to the supervisor and accepted in the first semester of the second year of study before the student will be allowed to register for the mini-dissertation.)

The information published here is subject to change and may be amended after the publication of this information. The General Regulations (G Regulations) apply to all faculties of the University of Pretoria. It is expected of students to familiarise themselves well with these regulations as well as with the information contained in the General Rules section. Ignorance concerning these regulations and rules will not be accepted as an excuse for any transgression.