

University of Pretoria Yearbook 2017

Constitutional law 801 (CSL 801)

Qualification	Postgraduate
Faculty	Faculty of Law
Module credits	30.00
Programmes	LLM Constitutional and Administrative Law (Coursework)
Prerequisites	No prerequisites.
Contact time	2 lectures per week
Language of tuition	Afrikaans and English is used in one class
Academic organisation	Public Law
Period of presentation	Semester 1

Module content

(a) Revisiting the concept of constitutional supremacy and its interaction with popular sovereignty (b) Constitutional dynamics – (tacit) constitutional change in ways not constitutionally authorised (c) A critical reassessment of separation of powers, judicial independence and impartiality and the impact of judicial review in the contemporary state (d) Consideration of legality and constitutionality in view of relevant South African case law (e) The foundation of the state, effectiveness and legitimacy particularly in the face of rampant violent crime (f) Co-operative government in South African constitutional practice (g) Constitutional values with specific reference to democracy in the South African constitution (h) The legal claims of communities in contemporary constitutional law (i) New trends in South African constitutional jurisprudence and the local and international scholarly discourse

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