

University of Pretoria Yearbook 2018

Constitutional law 801 (CSL 801)

Qualification Postgraduate

Faculty [Faculty of Law](#)

Module credits 30.00

Prerequisites No prerequisites.

Contact time 2 lectures per week

Language of tuition Afrikaans and English are used in one class

Department 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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