

# University of Pretoria Yearbook 2019

## MPhil Multidisciplinary Human Rights (Coursework) (04251024)

**Minimum duration of study** 2 years

**Total credits** 200

**Contact** Prof FJ Viljoen [frans.viljoen@up.ac.za](mailto:frans.viljoen@up.ac.za) +27 (0)124203228  
Prof M Hansungule [michelo.hansungule@up.ac.za](mailto:michelo.hansungule@up.ac.za) +27 (0)124204532

### Programme information

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

Also refer to the Postgraduate Brochure for the complete study programme as well as the [Postgraduate administrative processes after registration](#).

The curriculum will generally consist of:

- Three modules counting 30 credits each (at least one of these modules must be completed during the first year of registration).
- A module in research methodology (RHP 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.

### 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.

## Other programme-specific information

### Mini-dissertation

- The mini-dissertation must comprise 13 000 – 15 000 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

### Period of registration

The duration of the programme will in general be four semesters (2 years) but may be completed within two semesters (1 year) where possible, subject to fulfilment of all the requirements for the degree and payment of the full amount prescribed for the MPhil degree. Programmes may also be structured to allow for one year of study only. The one- or 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.

### 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%.

# Curriculum: Year 1

## Core modules

### History and philosophy of human rights 801 (HPH 801)

<b>Module credits</b>	30.00
<b>Prerequisites</b>	No prerequisites.
<b>Contact time</b>	2 lectures per week
<b>Language of tuition</b>	Module is presented in English
<b>Department</b>	Jurisprudence
<b>Period of presentation</b>	Semester 1 or Semester 2

#### Module content

- (a) Historical and philosophical perspectives on rights
- (b) Critical perspectives on rights
- (c) Legal philosophical and political notions of justice
- (d) Applications within the South African context

### Law and sustainable development 801 (LRD 801)

<b>Module credits</b>	30.00
<b>Prerequisites</b>	No prerequisites.
<b>Contact time</b>	2 lectures per week
<b>Language of tuition</b>	Module is presented in English
<b>Department</b>	Centre for Human Rights
<b>Period of presentation</b>	Semester 1 or Semester 2

#### Module content

This module is an introduction to the Law and Sustainable Development discipline. Using a “systems” approach, the module exposes students to the complexities of development given globalisation, the separation of powers, and international public interest / human rights law. Three core subsystems (politics, economics and law) are considered, to make the case for a multidisciplinary but integrated development model. In this model, the law, judiciary and legal practitioners play a primary role to galvanise and shape development policy and a secondary role to redress infractions and omissions. Students will consider development in a post-WWII context and the paradigms that have shaped the thinking, policies, programmes and practices adopted by nation states to advance the aspirations and legal obligations set out in international, regional and national human rights instruments. The module content includes:

- i. Development in a Post-World War II context;
- ii. Institutional economics;
- iii. Foreign investment and Law and Sustainable Development; and
- iv. Practical considerations in Law and Sustainable Development.

## Global perspectives on law, justice and development 802 (LRD 802)

<b>Module credits</b>	30.00
<b>Prerequisites</b>	No prerequisites.
<b>Contact time</b>	2 lectures per week
<b>Language of tuition</b>	Module is presented in English
<b>Department</b>	Jurisprudence
<b>Period of presentation</b>	Semester 1 or Semester 2

### Module content

This module deals with the following aspects:

- (a) Post-structural/postmodern legal theory
- (b) Post-colonial legal theory
- (c) Feminist legal theory
- (d) Application within a developmental context

## Multidisciplinary human rights 801 (MHR 801)

<b>Module credits</b>	30.00
<b>Prerequisites</b>	No prerequisites.
<b>Contact time</b>	2 lectures per week
<b>Language of tuition</b>	Module is presented in English
<b>Department</b>	Centre for Human Rights
<b>Period of presentation</b>	Semester 1

### Module content

A combination of at least seven of the following topics:

- (a) The state, democracy and human rights
- (b) International relations and human rights
- (c) History of human rights, including “grassroots narratives”
- (d) Human rights in visual media (art and film)
- (e) Human rights in literature
- (f) Human rights fact-finding and reporting; human rights journalism
- (g) Human rights and HIV/Aids
- (h) Medicine, medical ethics and human rights
- (i) Civil society, “grassroots movements” and human rights
- (j) Poverty and human rights
- (k) Globalisation and human rights
- (l) Human rights and social change
- (m) Social science research and human rights
- (n) Tradition, religion and human rights
- (o) Gender and human rights
- (p) Transitional justice, reconciliation and justice



## Post-apartheid jurisprudence 801 (PAJ 801)

<b>Module credits</b>	30.00
<b>Prerequisites</b>	No prerequisites.
<b>Contact time</b>	2 lectures per week
<b>Language of tuition</b>	Module is presented in English
<b>Department</b>	Jurisprudence
<b>Period of presentation</b>	Semester 1

### Module content

This module deals with the following aspects:

- (a) Transformative constitutionalism
- (b) Post-apartheid jurisprudence
- (c) Law, memory, reconciliation and reparation

## Research methodology 801 (RHP 801)

<b>Module credits</b>	5.00
<b>Prerequisites</b>	No prerequisites.
<b>Contact time</b>	8 seminars or block sessions
<b>Language of tuition</b>	Module is presented in English
<b>Department</b>	Law Deans Office
<b>Period of presentation</b>	Semester 1 or Semester 2

### Module content

- (a) Planning and organising a research project
- (b) Drafting a research proposal: Hypotheses and research question
- (c) Theory in research and methodological approaches to legal research
- (d) Language
- (e) Citation and ethics of citation
- (f) Drafting of chapters and presentation

## Socio-economic rights under comparative and international law 801 (SRI 801)

<b>Module credits</b>	30.00
<b>Prerequisites</b>	No prerequisites.
<b>Contact time</b>	2 lectures per week
<b>Language of tuition</b>	Module is presented in English
<b>Department</b>	Centre for Human Rights
<b>Period of presentation</b>	Semester 1

## **Module content**

- (a) Protection of socio-economic rights in other domestic jurisdictions, in particular in Africa
- (b) Introduction to international human rights law
- (c) Socio-economic rights in the UN human rights system
- (d) Socio-economic rights in the African human rights system
- (e) Socio-economic rights in the European human rights system
- (f) Socio-economic rights in the Inter-American human rights system
- (g) Socio-economic rights in other emerging regional human rights systems

## Curriculum: Final year

### Core modules

#### Mini-dissertation 800 (MND 800)

<b>Module credits</b>	100.00
<b>Prerequisites</b>	RHP 801 and RHP 803
<b>Language of tuition</b>	Module is presented in English
<b>Department</b>	Law Deans Office
<b>Period of presentation</b>	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 800) of 13 000 to 15 000 words inclusive of footnotes but excluding the list of contents and the bibliography, is required. The mini-dissertation must be submitted to the supervisor 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)

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