



## Master's degree Programme in Human Rights Protection, specializing in Land Reform, the Fundamental Right of Access to Adequate Housing and Constitutional Property Law

The Faculty of Law offers a high quality Master's programme in Human Rights Protection. For the first time in 2023, the programme will offer two new modules, Constitutional Property Law and Land Reform and Housing Law. These new modules reflect on multiple areas of law, including property law, human rights law, constitutional law, and administrative law.

Constitutional Property Law covers one part of the property clause (section 25), whereas land reform covers the second part of the same clause. The right of access to adequate housing is grounded in section 26 of the Constitution. A unique relationship exists amongst these provisions: property must be regulated to give effect to land reform and housing objectives, yet arbitrary interferences are not allowed. This tension has led to an array of high-profile cases (particularly in evictions), legislative developments (such as the Expropriation Bill of 2020) and scholarly debates.

Students who enrol for these modules will have a unique opportunity to critically engage with some of South Africa's most profound problems: the inaccessibility of land/housing for marginalised groups and the regulation of limited natural resources (land, and the urban environment). Methodological and theoretical approaches to these challenges will be explored in both modules, whereas comparative analyses will also be undertaken with jurisdictions such as the US, Germany and the UK.

This one-year Master's programme will appeal to students interested in transformative constitutionalism as well as interdisciplinary studies as many of the topics deal with sociology, history and political science.

Students are taught and supervised by housing and property experts from South Africa and abroad, including Prof S Viljoen, Dr N Sibanda, Dr S Fick and various guest lecturers, such as Prof G Muller, Dr J Strydom and Prof E Marais.

### The programme

The programme comprises of three modules and a Research Paper:

Core Modules
Research paper (1st enrolment)
Research paper (2nd enrolment)
International Protection of Human Rights Law
Three (3) Electives chosen from:
Gender Equality and Women's Rights 815
Legal and Cultural Pluralism 816
Children's Rights 817
International Family Law 811
International Humanitarian Law 815
Global Human Rights Issues 816
Islamic Law and Jurisprudence 811
Economic, Social and Cultural Rights 811
Constitutional Property Law
Land Reform and Housing Law

### Target

The content of this specialization would be appealing to students from South Africa and abroad. Students who are interested in pursuing a career in public law, and specifically the progressive realization of fundamental rights, would benefit immensely from completing this programme. The increasing focus on the welfare state, sustainable development and fundamental rights to land and housing makes this programme attractive for a variety of students who are interested in constitutional development and the gradual fulfilment of socio-economic rights. Students who are pursuing a career in the field of human rights or philosophical debates on human welfare and the role of the state will also benefit from this programme.

### Admission requirements

Applicants for the LL.M/Mphil in Human Rights Protection programme must have completed their undergraduate studies in law before enrolling for the programme. Candidates with an honours degree in social sciences (e.g. political science, international relations, etc.) may also apply for admission. Applicants must show proven ability to undertake advanced research.

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