Tutorial Letter 201/1/2018

Constitutional Law

CSL2601

2018

Semester 1

Department of Public, Constitutional and International Law

IMPORTANT INFORMATION
This tutorial letter contains important information about your module.
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Dear Student

Read this tutorial letter carefully as it contains feedback on Assignments 01 and 02 for the first semester of 2018. It also contains information on the format of the examination paper for this semester.

We trust that you found the assignments challenging and hope that the feedback will enhance your knowledge and understanding of this module.

1 FEEDBACK ON ASSIGNMENT 01

Indicate whether the following statements are TRUE or FALSE by marking 1 for TRUE or 2 for FALSE:

1. When the Marikana Commission of Inquiry, appointed by the President in terms of section 84(2)(f) of the 1996 Constitution of South Africa, released its final report, the President was bound to follow the recommendations made by this Commission in its report. (1)

   False. In The President of the Republic of South Africa v South African Rugby Football Union 2000 (1) SA 1 para 146–8 it was held that the President was bound neither to accept the Commission’s findings nor to follow its recommendations.

2. Constitutionalism includes the idea that the power of the state is limited by a constitution in which fundamental rights are protected. (1)

   True. The term “constitutionalism” is sometimes used to convey the idea of a government that is limited by a constitution.

3. The constitutional recognition of customary law as a legitimate system of law alongside other legal systems in South Africa means that customary law enjoys equal recognition as a source of law. (1)

   True. Section 211(3) of the Constitution directs the courts to apply customary law when that law is applicable subject to the Constitution and any legislation that deals with specifically
customary law. Therefore, customary law is recognised and placed on the same footing as common law.

4. In *President of the Republic of South Africa v South African Football Rugby Union* 1999 (10) BCLR 1059 (CC) it was held that under no circumstances at all can a President be called upon to give evidence in court because of the dignity of the President, his busy schedule and the importance of his work. (1)

**False.** In *The President of the Republic of South Africa v South African Rugby Football Union* 2000 (1) SA 1 para 243 it was held that careful consideration must be given to make a decision compelling the President to give evidence, and that such an order should be made if the interest of justice demands it.

5. Parliament may assign its legislative authority including the power to amend the Constitution to any legislative body in another sphere of government. (1)

**False.** In terms of section 44 (1) (a) (iii), Parliament may assign any of its legislative powers, except the power to amend the Constitution, to any legislative body in another sphere of government.

6. In *Oriano-Ambrosini, MP v Sisulu, MP Speaker of the National Assembly* 2012 (6) SA 599 (CC), the Constitutional Court declared invalid the rules of the National Assembly which required a member of the National Assembly to obtain permission from the National Assembly to initiate and introduce Bills. (1)

**True.** The Constitutional Court declared invalid the rules of Parliament which required a member of Parliament to obtain permission from the National Assembly to initiate and introduce Bills. The Court held in *Oriano-Ambrosini, MP v Sisulu, MP Speaker of the National Assembly* 2012 (6) SA 599 para 64 that rules of the National Assembly which would make it impossible for individual MPs to have their alternative legislative proposals tabled and discussed by the Assembly diminish democracy and rob voters of the opportunity to judge whether they support the legislative proposal of the governing party or any given opposition party.
7. Judicial authority of South Africa is vested in the Judicial Service Commission.  

False. Section 165(1) of the Constitution provides that the judicial authority of the Republic is vested in the courts.

8. Under the current constitutional dispensation in South Africa, local government is a public body exercising powers delegated by the national and provincial spheres of government.

False. Local government is no longer simply a creature of statute. In terms of section 156 (1) (a) and Part B of Schedules 4 and 5 of the Constitution, local government derives its powers directly from the Constitution.

9. According to the Constitution, when appointing members of the cabinet, the President must select all ministers from members of the National Assembly.

False. In terms of section 91(3)(c) of the Constitution, the President may select no more than two ministers from outside the Assembly.

10. The right of the media and members of the public to attend Parliamentary committee sittings is a privilege granted by Parliament.

False. Sections 59(1)(b) and 72(1)(b) of the Constitution requires Parliament to conduct its business in public, unless it is reasonable and justifiable to exclude the public, including the media, in an open and democratic society.
FEEDBACK ON ASSIGNMENT 02

ASSIGNMENT 2
Read the following set of facts carefully.

Transformation of the higher education sector has been on the agenda for the past few years in South Africa. This was all the more urgent because at the end of the 2016 academic year, the majority of learners writing their Grade 12 examinations (matric) at public schools throughout South Africa performed poorly. A consequence of this was that few learners obtained matric exemption (the right to enrol for tertiary education).

On 26 January 2017 a member of Parliament representing the Proud South Africans political party sought to introduce a Bill called The Transformation of Tertiary Education Bill. The purpose of this Bill was to empower the Department of Basic Education to adjust the marks of every matric student upwards (in other words, the marks of every student in public schools would have been automatically increased by 10%) to ensure that more students have access to tertiary education.

On 7 February 2017 the National Assembly passed The Transformation of Tertiary Education Bill with 268 votes in favour of it. Parliament issued a statement indicating that the law was consistent with the imperative to improve the number of graduates with tertiary qualifications in South Africa.

On 19 February 2017 the Bill was sent to the President of the Republic of South Africa to assent to the Bill. The President signed the Bill and it became known as The Transformation of Tertiary Education Act 6 of 2017.

The Minister of Transformation and Social Upliftment, the honourable Mrs Jane Ginwala, appeared in Parliament on 10 March 2017 to report on the important work that her Ministry had been involved in. In her speech she declared that it would be in the country’s best interest that the President issued an order that all public schools should increase the marks of every matric pupil by 20% instead of the 10% as contained in The Transformation of Tertiary Education Act.

On 1 April 2017 you were approached by the parents of Busi Madonsela. Busi was an extremely intelligent matric learner who achieved A symbols and wanted to study law. She was disappointed with this Act because she believed that it was not fair that she had to work hard whereas other learners’ marks were merely adjusted to allow them to enter university. The Madonselas wished to challenge the Act. They approached you because you were the best constitutional lawyer in South Africa.

You decided on a strategy to challenge the Act. The primary substantive argument that you intended to make was that section 29 of the Constitution refers to the need to maintain the quality and standards of education in South Africa so that qualifications obtained are internationally recognised. This is obviously in order to promote South Africa's socio-economic advancement.

Two weeks later, to your utter dismay, you read in the newspaper that a judge who was not involved in the case had approached two of the judges hearing this case and had allegedly said “You are our last hope. You must find in favour of the struggle for
academic transformation. The new law must stay”. Moreover, the newspapers reported that the President had issued a statement to all public schools that they should disregard the new Act, which states that marks should be increased by 10%, and increase marks by 20%.

Now answer the following questions:

1.1 The Bill was introduced by an ordinary member of Parliament and not a cabinet minister. Is this permissible? Discuss with reference to relevant case law.  (5)

Yes, this is provided for in section 55(2) as read with 73(2) of the Constitution, which provides that any individual member of the National Assembly may introduce a Bill in the National Assembly even if that member is not a cabinet member and even if that member belongs to an opposition party. The authority for this position is the case of Oriano-Ambrosini, MP v Sisulu, MP Speaker of the National Assembly (2012) which caused the Rules of the National Assembly to be invalidated because the former Rules required a member of the National Assembly to obtain permission from the National Assembly to initiate and introduce Bills. Bills were regarded as private members’ legislative proposals and it was thought that a Committee had to decide whether Bills could be introduced or not. This Committee decided whether a Bill was consistent with the spirit and objectives of the Constitution; whether other legislation on the same issue was soon to be introduced; whether a Bill was frivolous or vexatious or would have financial implications. The Oriano-Ambrosini case is important for the fact that the Court stated that South Africa’s constitutional democracy is designed to ensure that the voiceless are heard and the views of the marginalized or the powerless minorities cannot be suppressed.

1.2 May the President refuse to assent to a Bill? If so, what are the rules/processes that must be complied with if he is not satisfied with the constitutionality of a Bill?  (6)

No, the President does not have a general right to veto Bills. He may refuse to sign a Bill only if he has reservations about its constitutionality. If this happens, the President must refer the Bill back to the National Assembly for reconsideration in terms of section 79(1) of the Constitution. If Parliament adequately addresses the President’s concerns, then the President must sign it. If not (and only if his reservations have not been fully accommodated by Parliament), the President may invoke section 79(4) of the Constitution and refer the Bill to the Constitutional Court. Once the Constitutional Court has decided that the Bill is constitutional, the President
must assent to it. The relevant case in this regard is *Ex Parte President of the Republic of South Africa: In re Constitutionality of the Liquor Bill*, which held that only the specific reservations identified by the President were to be addressed.

1.3 **In your opinion, is this law constitutional?** Refer to both procedural and substantive reasons why the law is constitutional or unconstitutional. Refer to relevant authority such as case law and provisions of the Constitution to substantiate your answers. (10)

No, this law is not constitutional. As far as procedural reasons are concerned, the law was passed in apparent secrecy because at no time whatsoever was the Bill made public and, furthermore, no public participation whatsoever was afforded. Section 59 of the Constitution is unequivocal about the fact that in the legislative process, public participation must be facilitated and the views of the public should be properly considered and could be rejected only if they are of no value or relevance. The Constitution emphasizes that accountability, transparency and democracy are central to the governance of the South African state. Therefore, we can expect that public participation should be ensured when decisions are made that affect some or all of us.

The *Doctors for Life* case is authority for the assertion that in the absence of public participation in the legislative process, an Act is unconstitutional and must be declared invalid because affected persons had no knowledge of the proposed law; it was brought into effect without following the correct processes and procedures and as such constitutes an infringement of the rule of law (as declared in section 59 of the Constitution). Indeed, the Constitutional Court was emphatic that the public have a right (and a duty) to participate in decision-making. Public participation also gives credibility to decisions because they stem from a legitimate source (the people) and have the buy-in of the people.

None of the required steps in the legislative drafting process were followed. In addition to a failure to afford public participation, this legislation was not passed by the National Council of Provinces; it was not referred to the Portfolio Committee; the state’s law advisers never provided their recommendations concerning the constitutionality of the Bill; and it was not assented to in the National Council of Provinces.
Substantively, the legislation is fatally flawed because it infringes section 1 of the Constitution which proclaims that South Africa is founded on human dignity, the achievement of equality and the advancement of human rights and freedoms. By undertaking measures that effectively undermine the entire education system in South Africa, the consequences can only be the perpetuation of poverty and inequality instead of social upliftment. As set out in the facts, the primary substantive argument that you intended is that section 29 of the Constitution refers to the need to maintain the quality and standards of education in South Africa so that the qualifications obtained will be internationally recognised. This is obviously necessary to promote South Africa’s socio-economic advancement. This law thus infringes the Constitutional provision governing education and, for this reason, it violates the rule of law.

1.4 With specific reference to the notion of the rule of law, explain whether the President has the power to declare that public schools have the right to ignore the provisions of The Transformation of Higher Education Act and adjust students’ marks by 20% instead of 10%. Apply appropriate case law and legal theory to substantiate your answer.

No, the President does not have the power to declare that the provisions of The Transformation of Higher Education Act can be ignored. The rule of law means that if the law states a specific thing, then it must be complied with. The rule of law also means that no one is above the law.

According to Dicey, the rule of law comprises three main principles: Firstly, the law is supreme; public power can only be exercised in terms of authority conferred by law. Secondly, the law must be applied equally to all persons, irrespective of their status. Thirdly, courts are responsible for enforcing the law in the manner that protects the basic rights of all. However, the framers of the Constitution of the Republic of South Africa, 1996, had a much broader understanding of the rule of law than that of Dicey. The doctrine of the rule of law is incorporated in section 1 of the Constitution. Further, the fact that the Constitution is supreme and contains the Bill of Rights entails that the reference to the rule of law should be understood in the broadest sense, that is, as a system of government in which the law reigns supreme. Therefore, in the South African context, rule of law means that government must have authority provided by a law for everything it does, regardless of the procedural or substantive qualities of that law.
The courts have invoked the rule of law as a mechanism to limit, regulate and give a more precise meaning to how government power is to be exercised. Thus, the rule of law has emerged as a powerful practical principle that can be invoked before our courts to ensure that the way in which state power is exercised conforms to the basic criteria. In *FedSure Life Assurance Ltd v Greater Johannesburg Transitional Metropolitan Council* 1998 (12) BCLR 1458 (para 56), FedSure Life challenged the Johannesburg local government’s power to levy substantially higher property rates. The Court held that the local government was permitted to exercise only powers that were lawfully conferred on it. Moreover, the Court held that it was central to our constitutional order that the legislature and the executive are constrained by the doctrine of the rule of law and that they may not exercise any powers or perform any functions that go beyond the powers or functions conferred on them by law.

The doctrine of the rule of law was further applied in the Constitutional Court judgment of *Pharmaceutical Manufacturers Association of South Africa: In re Ex Parte President of the Republic of South Africa* 2000 (2) SA 674 (para 98). This case arose from the conduct of the President, who had mistakenly brought into force legislation that required the prior or simultaneous promulgation of regulations and schedules so that it could be implemented properly. The Court found that the President’s decision to bring the Act into operation in such circumstances was objectively irrational in that the Constitution requires that public power vested in the executive is exercised in an objectively rational manner. Accordingly, South African courts have invoked the rule of law in ensuring that the executive exercises its powers within the ambit of the law.

1.5 Assume that opposition parties were outraged by the President’s instructions to ignore the law. Is there any institution established by the Constitution which could investigate the President’s conduct? What is the status of the findings of this institution? Explain your answer.

Yes, the opposition could refer the matter to the Public Protector. In terms of section 182(1), the Public Protector has the mandate of investigating “any conduct in state affairs, or in the public administration in any sphere of government, that is alleged or suspected to be improper or to result in any impropriety or prejudice”. As far as the status of the findings of the Public Protector is concerned, they should be implemented.
The case of Hlaudi Motsoeneng, the former CEO of the South African Broadcasting Corporation (SABC), highlighted the confusion that surrounded the status of the findings of the Public Protector. Initially, in Democratic Alliance v South African Broadcasting Corporation Ltd and Others 2015 (1) SA 551, Schippers J in the Western Cape High Court held that:

The fact that the findings of and remedial action taken by the Public Protector are not binding does not mean that these findings and remedial action are mere recommendations, which an organ of state may accept or reject. (para 59)

The subsequent litigation in the Supreme Court of Appeal, on the other hand, lends support to the fact that the Public Protector’s findings are indeed binding. In South African Broadcasting Corporation Limited and Others v Democratic Alliance and Others (393/2015) [2015] ZASCA 156, the Supreme Court of Appeal held that:

The Public Protector cannot realise the constitutional purpose of her office if other organs of state may second-guess her finding and ignore her recommendations. Section 182(1)(c) must accordingly be taken to mean what it says. The Public Protector may take remedial action herself. She may determine the remedy and direct its implementation. It follows that the language, history and purpose of section 182(1)(c) make it clear that the Constitution intends for the Public Protector to have the power to provide an effective remedy for State misconduct, which includes the power to determine the remedy and direct its implementation.

In the recent Constitutional Court judgment of Economic Freedom Fighters v Speaker of the National Assembly; the Democratic Alliance v Speaker of the National Assembly (CCT143/15; CCT171/15) [2016] ZACC 11 (31 March 2016), the Court affirmed that the findings of the Public Protector were binding. Members of the public, including MPs, lodged complaints with the Public Protector, Thuli Madonsela, concerning aspects of the security upgrades that had been carried out at President Zuma’s Nkandla private residence. The Public Protector investigated the matter and concluded that several improvements were non-security features and that any installation that had nothing to do with the President’s security amounted to undue benefit or unlawful enrichment of him and his family. In this regard the Public Protector said the President had acted in breach of his oath of office in terms of the Constitution. The Public Protector proposed remedial action by requiring the President to pay a reasonable percentage of the cost of the non-security measures (refer to para 10). The Public Protector submitted her report to the President and the National Assembly. The National Assembly set up an ad hoc committee to examine the Public Protector’s report and nominated the Minister of Police to do a further
investigation based on the findings of the Public Protector. Parliament considered the reports of the ad hoc committee and the Minister of Police, which exonerated the President, and subsequently resolved to absolve the President from all liability. Consequently, the President did not comply with the remedial action proposed by the Public Protector. Dissatisfied with the decision of the National Assembly, the EFF, joined by the DA, requested an order affirming the legally binding effect of the Public Protector’s remedial action, directing the President to comply with the Public Protector’s proposed remedial action and declaring that both the President and the National Assembly acted in breach of their constitutional obligations.

The Court found that in disregarding the remedial action proposed by the Public Protector, the President had failed to uphold and to defend the Constitution as the supreme law of the land (para 83). The Court, moreover, found that the conduct of the National Assembly by passing a resolution purportedly nullifying the findings and remedial action taken by the Public Protector and replacing them with their own findings, offended the rule of law and was another way of taking the law into their own hands (para 95). This case dispelled any uncertainty about the legal status of the findings of the Public Protector. The person against whom the findings are made cannot ignore them since they are binding.

1.6 Would the President’s conduct justify his removal from office? Explain the two methods by which the President could potentially be removed from office. Use examples where either of these methods have been invoked in the past. (7)

Yes. In terms of the Constitution, there are two methods of removing the President from office. The first is a resolution passed pursuant to section 89(1) of the Constitution. In such an instance, the National Assembly must have objectively concluded that one of the specified grounds for the removal of the President exists, namely a serious violation of the Constitution or the law, serious misconduct or an inability to perform the function of office. These grounds safeguard the nation against the abuse of power by the President. Should one of these grounds exist, a two-thirds majority vote (66,6%) is required. Schedule 3 of the Electoral Act 73 of 1998 sets the number of members of the National Assembly at 400. Therefore, 267 out of 400 members of the National Assembly must vote in favour of the removal of the President. The removal of the President in this manner has nothing to do with politics, such as losing the support of the majority party in Parliament.
The other method by which the President can be removed from office is in terms of section 102(2) of the Constitution and this is for purely political reasons. This method of removal takes the form of a motion of no confidence in the President. For a motion of no confidence to succeed, a majority vote (51%) is required; in other words, 204 out of 400 members of the National Assembly must vote in favour of the motion.

It is therefore easier to remove the President by passing a motion of no confidence than by impeachment because of a lower threshold of votes required. Passing a motion of no confidence is not as easy as it seems because the minority parties combined have only 161 seats in Parliament. To achieve a majority of 204 votes, some members of the majority party need to vote in favour of the motion of no confidence. This is highly unlikely in the South African context because members of political parties always support their political leadership.

This method is successful only when the President loses the support of his party. According to the Constitution, any member of the National Assembly can propose a motion of no confidence in the President (and not only members of the majority party) and this motion must be debated in the National Assembly. This is due to the case of Mazibuko Leader of the Opposition in the National Assembly v Sisulu MP Speaker of the National Assembly and Others (2012) where the Western Cape High Court had to consider whether the National Assembly and its Speaker had erred in not scheduling a debate on a vote of no confidence in the President which had been tabled by the official opposition. The Court’s decision was:

"You must operate within a constitutionally compatible framework; you must give content to section 102 of the Constitution; you cannot subvert this expressly formulated idea of a motion of no confidence; however, how you allow this right to be vindicated is for you to do, not for the courts to so determine."

Sections 187 to 190 in chapter 12 of the Rules of the National Assembly contained provisions which permitted the majority party in the National Assembly or any of the minority parties to block the tabling, discussion, consideration and voting on a motion of no confidence. The unconstitutional provision was thus declared invalid by the Constitutional Court in the case of Mazibuko v Sisulu and Another 2013 (6) SA 249 (CC), where Deputy Chief Justice Moseneke did not hesitate to highlight the importance of a motion of no confidence in a democratic society when he said in paragraph 43:

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A motion of no confidence in the President is a vital tool to advance our democratic hygiene. It affords the Assembly a vital power and duty to scrutinize and oversee executive action ... The ever-present possibility of a motion of no confidence against the President and the Cabinet is meant to keep the President accountable to the Assembly which elects her or him. If a motion of no confidence in the President were to succeed, he or she and the incumbent Cabinet must resign. In effect, the people through their elected representatives in the Assembly would end the mandate they bestowed on an incumbent President.

**QUESTION 2**

In its most fundamental sense, the African philosophy of ubuntu represents personhood, humanity, morality, collective unity, and group solidarity, where such group solidarity is central to the survival of society in a context of scarce resources. Compassion, respect and human dignity are thus integral to ubuntu. A society governed by ubuntu also emphasises that everybody should participate in society and not disappear in the whole. Ubuntu thus embodies a tradition of consultation and decision-making by ordinary members of society.

With reference to the concept of ubuntu, write an essay in which you highlight and compare the objectives of constitutional law and ubuntu using relevant case law, the provisions of the Constitution and the concepts underpinning constitutional law to reach a legally sound and compelling conclusion. 

It is important to note that ubuntu is both a factual description and a rule of conduct or social ethic. It not only describes being human as being with others but also prescribes what being with others should entail. The meaning of ubuntu becomes much clearer when its social value is highlighted.

Since ubuntu means that everybody counts in society, its relationship with the constitutional law principle of democracy is clear. In a democracy everyone's opinion counts and must be considered. This is the hallmark of a multi-party democracy such as South Africa. Everyone's place in society and right to be heard must be respected.

Parliament is the embodiment of democracy in action. Members of Parliament are elected by us, the people, to represent our needs in that forum where the laws and important decisions
governing our lives are made. Therefore, ubuntu is applicable to participation in the legislative process. The democratic values in the Constitution coincide with some key values of ubuntu, for example, human dignity, respect, inclusivity, compassion, concern for others, honesty and conformity. Since ubuntu is premised on these values, people should be afforded the opportunity to express their opinion on decisions that will affect them.

What the Merafong case (Merafong Demarcation Forum and Others v President of the Republic of South Africa and Others) has shown is that genuine public participation should occur. In the Merafong case, even though a consultative process had been followed, the opinions of the community were blatantly disregarded. Most residents of Khutsong opposed the Constitutional Amendment which would reallocate the Merafong municipality, which fell under Gauteng, to the North-West Province. The legislature enacted the law regardless of public dissatisfaction. As a direct result the Khutsong township in the Merafong municipality became ungovernable and resembled a war zone. Therefore, the conclusion is that public participation is essential and public opinion must be taken for real.

We expect Parliament not to act arbitrarily (as it did in the Nkandla matter when it laundered the Public Protector’s Report “Secure in Comfort” in an attempt to absolve the President of wrongdoing), but to embrace the views and opinions of minority parties and act strictly according to the Constitution. It is unacceptable that minority parties are marginalised simply because they have fewer seats in Parliament. Since resources are scarce (according to Mokgoro’s description of ubuntu), corruption cannot be tolerated. It is those same resources which are required for society’s development and survival. Ubuntu thus signifies the approach that everyone must act in solidarity towards a common objective.

Also, the ubuntu values of collective unity and group solidarity can translate into a spirit of national unity expected in the new South Africa. In S v Makwanyane 1995 (3) SA 391 (CC) the Constitutional Court maintained that ubuntu could play a role in the interpretation of the Bill of Rights. Mokgoro J stated that “although South Africans have a history of deep divisions characterised by strife and conflict, one shared value and ideal that runs like a golden thread across cultural lines, is the value of Ubuntu – a notion now coming to be generally articulated in this country” (Makwanyane para 306). Accordingly, the concept of ubuntu is placed at the forefront of constitutional interpretation of the fundamental rights entrenched in the Constitution. In the Constitutional Court, ubuntu was referred to as a concept which underlies the Constitution. The Court stated:
It recognises a person’s status as a human being, entitled to unconditional respect, dignity, value and acceptance from the members of the community such person happens to be part of the same respect, dignity, value and acceptance to each member of that community. More importantly, it regulates the exercise of rights by the emphasis it lays on sharing and co-responsibility and the mutual enjoyment of rights by all.

Devenish asserts that constitutionalism is based on the traditions and philosophies of civilisation that includes values like Ubuntu. The hallmark of a constitutional state is the protection of human rights. Since South Africa’s Constitution contains a Bill of Rights it is evident that the protection of rights is a priority.

There is a need for Africans to translate this uniquely African world perspective into an organised, disciplined and prosperous way of modern life characterised by justice and the establishment of sustainable and fair communities. Ubuntu and its ideals must be applied to solve the problems that Africa is currently facing. According to Sindane and Liebenberg, the philosophy of ubuntu needs to be studied closely to strengthen and revive those features that can enrich governance and give democracy a distinctly African flavour.

The concept of ubuntu has been expressed in the following cases (although the reference was only superficial and the notion “collapsed under the weight of expectation” surrounding the concept casual):

- **Makwanyane** (death penalty)
- **Azapo** (the consequence of the TRC hearings)
- **Hoffmann** (HIV/AIDS)
- **PE Municipality** (evictions)
- **Bhe** (primogeniture rule)
- **Dikoko** (defamation)

### 3 FORMAT OF THE EXAMINATION PAPER

The examination paper will consist of three questions covering all the study material. The format of the examination paper will be as follows:
Question 1 will consist of 20 true or false questions that count 1 mark each and that must be completed on a mark-reading sheet. This question will be similar to Assignment 01 and will be based on all the prescribed study material.

Questions 2 and 3, totalling 60 marks, will consist of longer, problem and essay type questions.

4 CONCLUDING REMARKS

We hope that the above feedback will help you to understand what is expected of you in this module. We wish you success in the coming examination.

Your lecturers