

STUDY GUIDE QUESTIONS AND ANSWERS UNITS 1 – 10

STUDY UNIT 1

The University of Gauteng requires all prospective law students to pass a language proficiency test in either Afrikaans or English, the languages of instruction. Ms X, whose home language is Northern Sotho, applied to enroll for an LLB degree but was turned down. She feels that the University's language policy is discriminatory and therefore unconstitutional. Advise her about the following:

- a. The procedural questions a court will have to consider.
Ms X is protected in terms of section 9(1) and Section 9(3) of the Constitution, which provides the right to equal treatment and the prohibition against unfair discrimination on the grounds of language.
- b. The substantive issues raised by her case.
She is also protected in terms of section 30 of the Constitution, which allows persons to enjoy their culture, practice their religion and use of their own language.
- c. Possible remedies.
The respondent, the University of Gauteng, is bound by the Bill of Rights in terms of section 8(2) of the Constitution. This section provides that natural and juristic persons are bound by the Bill of Rights, if applicable, when the nature of the right and nature of the duty imposed by the right are taken into account.
- d. Who will bear the onus of proof at different stages of the litigation?

The University of Gauteng will bear the onus of proof at the different stages of litigation. [10]

STUDY UNIT 2

Who is entitled to the rights in the Bill of Rights?

- 1) Franco Phile, a French soccer player, has a one-year contract to play for a South African Club. Is Franco entitled to the following constitutional rights? Explain your answers briefly. [3]
 - a. The right to life
 - b. The right to administrative justice
 - c. The right to vote in general elections. [3]

Answer:

Section 11 of the Bill of Rights reads: "Everyone has the right to life." Section 33 provides: "Everyone has the right to fair administrative action that is lawful, reasonable and procedurally fair." Therefore, Franco is entitled to these rights. However, section 19 (Political Rights) is applicable only to every citizen, as a non-citizen, Franco is not entitled to this right.

- 2) When can a juristic person rely on the protection of the Bill of Rights? Briefly discuss section 8(4) when answering this question. [3]

- a. Can an insurance company invoke the right to life? [2]

By applying section 8(4), it is unlikely that a company can claim the right to life. This is so because the nature of the right is such that it refers to human life and does not encompass the existence of a company.

Human Rights Questions Answers

Andrew Mitchell



Human Rights Questions Answers:

Human Rights Leah Levin, 1998 This indian edition of UNESCO Publication provides basic information on major human rights instruments procedures for their implementation and activities of major international organisations in the promotion and protection of human rights

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The Global Justice Reader Thom Brooks, 2023-03-06 A unique compendium of foundational and contemporary writings in global justice newly revised and expanded The Global Justice Reader is the first resource of its kind to focus exclusively on this important topic in moral and political philosophy providing an expertly curated selection of both classic and contemporary work in one comprehensive volume Purpose built for course work this collection brings together the best in the field to help students appreciate the philosophical dimensions of critical global issues and chart the development of diverse concepts of justice and morality Newly revised and expanded the Reader presents key writings of the most influential writers on global justice including Thomas Hobbes Immanuel Kant John Stuart Mill Martha C Nussbaum and Peter Singer Thirty nine chapters across eleven thematically organized sections explore sovereignty rights to self determination human rights nationalism and patriotism cosmopolitanism global poverty women and global justice climate change and more Features

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Freedoms : Cases Mar Aguilera Vaqués,2021-04

Political Cultures in Asia and Europe Jean Blondel,Takashi

Inoguchi,2006-09-27 This book is a study of the attitudes to political and social life among the citizens of eighteen countries in Western Europe East and Southeast Asia Drawing on data from the largest cross national survey on political culture for the last half a century this book assesses how political culture differs across the two regions and whether this can be drawn back to a profound difference in basic societal values or Asian values Examining geographical religious and socio economic factors the authors discuss whether there genuinely is a common political value in the two regions or a profound difference as these countries move towards modernity This original and comprehensive study of the values norms and beliefs held by citizens of the East and West will appeal to students and scholars of political culture and comparative politics as well as Asian and European politics **AS Law** Andrew Mitchell,2008-07-15 Written for sixth form and college students AS Law covers the content of AS Law for AQA and OCR students in a lively and reader friendly style Topics are broken down into

manageable parts with clear headings and are illustrated throughout with photographs diagrams boxes and illustrations Each chapter includes an introduction outlining learning objectives relating to the subject specifications developing the subject sections explaining a particularly important or difficult point in more detail designed to challenge more able students a list of useful websites enabling students to access primary law materials intended to support chapter by chapter reading it s a fact sections highlighting interesting and contemporary applications of the legal principle under discussion dedicated sections providing detailed examination of key cases within the context of the chapter discussion hints and tips for revision topics and strategies helping students to prepare for the types of questions that are most likely to come up in exams The book contains a wealth of opportunities to test and apply knowledge with revision quizzes quick tests and sample questions and answers within each chapter and there are additional opportunities for self testing and revision available via the Companion Website This third edition has been revised and updated to take into account the new 2008 AQA specifications and contains a new chapter on contract liabilities as well as expanded material on sentencing and court procedures It also addresses recent legal developments such as the establishment of the Ministry of Justice changes in the legal profession and the constitution and

the reform of the House of Lords AS Law provides a stimulating and exciting approach to the subject profiling famous legal figures and examining law in films fiction non fiction and on the internet whilst offering comprehensive coverage of the AQA and OCR subject specifications fulfilling all syllabus requirements *Artificial Intelligence and Human Rights*, 2023-08-17

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Robinson,2007-03-06 This study brings together internationally renowned academics to provide a detailed insight into the theory and practice of state building State building is one of the dominant themes in contemporary international relations This text addresses both the theoretical logic behind state building and key practical manifestations of this phenomenon Unlike how to manuals that seek to identify best practice this book interrogates the normative assumptions inherent in this practice and the manner in which state building impacts on contemporary international relations The logic of state building is explored and analyzed providing insight into the historical context that catalyzed this process the relationship between international law and the practice of international administration and the political ramifications and implications of external governance Case studies on Bosnia Kosovo and East Timor provide practical examples of key contradictions within the state building process highlighting the lack of accountability democracy and vision manifest in these operations Offering a coherent critical analysis of an increasingly important international issue State Building will appeal to students and scholars of international relations comparative politics and political theory **Concentrate Questions and Answers Tort Law** Dr Karen Dyer,2019-05-16 The Concentrate Q the content is exceptional Wendy Chinenye Akaigwe London Metropolitan University I would not hesitate to recommend this book to a friend Blessing Denhere Coventry University

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