

SAJHR Housestyle

2017

Formatting

For all formatting and style guides, please see the 'Instructions for Authors' available at:
http://www.tandfonline.com/action/authorSubmission?show=instructions&journalCode=rjhr20#Preparing_your_paper

Abstracts

All article submissions must include a single paragraph abstract of not more than 200 words. Contributions that are case-notes, comments, book reviews and current developments do not require abstracts.

Keywords

All articles, case notes, comments and current developments must include a maximum of six (6) keywords.

Author

Please provide: Name, affiliation, email and postal address, brief biography (maximum of three lines and no degrees).

Titles and headings

Articles and notes should be divided into sequential sections and subsections in the following manner:

This is the title of the article or note: a colon is followed by lower case

1. First sub-heading

1.1 *Second sub-heading*

1.1.1 *Third sub-heading*

Spelling & dictionary

Please use British and not American spelling.

Eg: -ise endings / -sation – civilisation, rationalise, idealise.

Eg: judgment

Quotations

Quotations should be clearly indicated by single quotation marks, with double quotation marks used only for quotes within quotes. Where a quotation is more than five lines, it should be indented as a separate paragraph (with the text introducing the indented paragraph ending with a colon), and a line space above and below, and no quotation marks or leader dots.

Indented quotes should be the same font size as the main text.

The full stop, comma or semi-colon at the end of the quote comes after the quotation mark where the quotation forms part of a sentence. If the citation is a full sentence, the full stop comes within the quotation marks.

According to Collier, ‘about 29 percent of people in the bottom billion [of the world’s poorest people] live in countries in which resource wealth dominates the economy’.

About 29 percent of people in the bottom billion [of the world’s poorest people] live in countries in which resource wealth dominates the economy.’ (if full sentence quote, with reference to Collier in footnote)

Dugard and Meyersfeld explain that ‘sexual harassment is not limited to sex or sexualisation; it extends to “unwanted heterosexual sexual advances as the core conduct that constitutes sex-based harassment”’.

Foreign words and phrases

Please avoid the use of Latinisms. Use the English terms ‘above/below’ rather than Latin ‘supra/infra’, ‘ante/post’. Exception: Use technical Latin phrases such as ‘ibid’ when used in footnotes as indicated in this housestyle. Please avoid unnecessary Latinisms such as ‘in casu’. Italicise technical Latin and other foreign phrases and words.

Abbreviations

Abbreviations may be used provided the name is set out in full, followed by the abbreviation in brackets, at the first usage (for each article within an issue).

Council for Conciliation, Mediation and Arbitration (CCMA)

The abbreviation can then be used throughout.

No full stops should be used in abbreviations.

SAJHR, USA, CCMA, ICJ, AU, SADC (no full stops)

Never use CC for Constitutional Court.

Use compare (not cf) and namely (not viz).

Ackerman J (no comma or full stop in between or full stop after J)

Abbreviated plurals do not have an apostrophe before the 's'. Thus NGOs not NGO's; 1970s not 1970's; and MPs not MP's.

Other common abbreviations: Use the following abbreviations in the text and in footnotes (unless it is the beginning of the sentence when written out in full).

Section s

Article art

Paragraph para

Regulation reg

Numbers

Numbers from one to twenty are spelt out in words, unless they refer to section or schedule numbers in statutes. Numbers from 21 onwards are written numerically.

Use 'per cent' not '%', ie use the word and not the symbol. In tables use '%'

1,500

53 million

Dates

Dates should be written as follows: day month year.

1 January 2017

A period of years should be referred to as follows: 2015–2017, ie the full years separated by an en rule (long hyphen).

When referring to a decade, there should be no apostrophe after the year. 1970s and not 1970's.

Books

Use the full names of an author the first time he/she is mentioned in text, but only initials in footnotes (no full stop after initial).

When citing books give the author's initial and surname, full title (Title Case, italicised), edition if relevant, year (in brackets) and page reference. There is no need to give place of publication and publisher. Page numbers should not be preceded by 'p' or 'pp'.

S Grovogui *Sovereigns, Quasi Sovereigns, and Africans: Race and Self-Determination in International Law* (1996) 12.

A Cassese *International Law* 2 ed (2005) 52.

F Fanon *Black Skin, White Masks* (1967) 22.

Where an author has two initials, there is no full stop between those initials.

HH Koh *Transnational Litigation in United States Courts* (2008) 4.

For subsequent references to this work in a footnote use:

N'Zatioula Grovogui (note 8 above) 100.

Cassese (note 8 above) 100.

Fanon (note 8 above) 100.

Co-authors must be joined by an ampersand (&) rather than 'and'.

C Sunstein & M Nussbaum *Animal Rights Current Debates and New Directions* (2005) 22.

For subsequent references to this work use:

Sunstein & Nussbaum (note 8 above) 22.

Where there are more than two authors, all authors should be named in the first reference. In subsequent references, the first author's name should be used, followed by 'et al' (no full stops and not italic).

H Steiner, P Alston & R Goodman *International Human Rights Law in Context* (2008) 1385.

For subsequent references to this work use:

Steiner et al (note 8 above) 125.

Translations should be indicated as follows:

K Marx *Capital* vol 1 (1867) (trans J Mander, 1976) 121.

Editions of books should be indicated as follows :

B Meyersfeld *Domestic Violence and International Law* 2 ed (2012) 121.

Chapters in books

When citing a chapter in a book give the author's initial and name, full title in single quotation marks (in sentence case), initial and name of editor followed by (ed), full title (italicised), year in brackets, first page of article and page referenced. The same rules regarding multiple authors as above apply in respect of authors of chapters.

Do not use 'at' when referring to particular page numbers.

M Ramose 'Ubuntu: Affirming a right and seeking remedies in South Africa' in L Praeg & S Magadla (eds) *Ubuntu: Curating the Archive* (2014) 121, 136.

E Colvin & J Chella 'Multinational corporate complicity: A challenge for international criminal justice in Africa' in V Nmehielle (ed) *Africa and the Future of International Criminal Justice* (2012) 297, 315.

C Loots & G Marcus 'Jurisdiction, powers and procedures of the courts' in M Chaskalson et al (eds) *Constitutional Law of South Africa* (1996, 3 rev 1999) 6.i, 6-9.

Journal articles

When citing a journal article, use the author's initial and surname, full title in single quotation marks (in sentence case), year (in brackets), volume number, the full name of journal (italicised), first page of article and page referenced. Do not use 'at' when referring to particular page numbers. Where there is no volume number and the edition is known by the year of publication, omit the brackets.

D Chirwa 'In search of philosophical justifications and suitable models for the horizontal application of human rights' (2008) 8 *African Human Rights Law Journal* 294.

M Addo 'The reality of the United Nations Guiding Principles on Business and Human Rights' (2014) 14 *Human Rights Law Review* 133, 147.

C Albertyn 'Women and the transition to democracy in South Africa' 1994 *Acta Juridica* 39, 45.

C Sunstein 'Rights and their critics' (1995) 70 *Notre Dame Law Review* 727.

Cross referencing of books, chapters and journals

In subsequent references to the same book, chapter or article use *ibid* where the document is cited in the immediately preceding footnote.

Ibid 290.

Where the reference is not to an immediately preceding footnote, use the following:

Addo (note 10 above) 138.

Sibanda et al (note 26 above) 8.

Alston & Goodman (note 15 above) 238.

South African cases

In the main text:

The first reference to the case must specify the main parties in full and the citation should be in the footnote. Do not include 'and others' or 'and another' in the case name.

The name of a case must be in italics, v (for versus) without a full stop.

Brown v White

Subsequent references should only refer to the main party in italics.

In *Brown*, the court argued that ...

In the footnotes:

You need only to reference one official Law Report. For South African cases use the South African Law Reports wherever available.

Glenister v The President of the Republic of South Africa 2011 (3) SA 347 (CC)

And not *Glenister v The President of the Republic of South Africa* [2011] ZACC 6, 2011 (3) SA 347 (CC)

For unreported cases, use the following format:

Fischer v Unlawful Occupiers, Erf 150, Philippi High Court Cape Division: Cape Town (unreported case numbers 9443/2014; 11705/15; 14422/14) [2017] ZAWCHC 99 (30 August 2017)

The use of brief parenthetical explanations of case holdings is encouraged in footnotes.

S v Makwanyane 1995 (3) SA 391 (CC) (death penalty a violation of rights to life and human dignity).

When citing a case, omit the phrases ‘and others’ and ‘and another’ in the full citation and all citations thereafter.

Paragraph rather than page references should be used wherever possible. This is the case for all South African Constitutional Court decisions and for most Supreme Court of Appeal, Land Claims Court and High Court decisions.

When referring to a specific page or para number in the judgment, do not use ‘at’. A reference to a specific page should be made as follows (note the use of the short dash):

Firststrand Bank Limited v Kruger 2017 (1) SA 533 (GJ) 536-8

A reference to a specific paragraph should be made as follows:

National Commissioner, South African Police Service v Southern African Human Rights Litigation Centre 2014 (2) SA 42 (SCA) paras 35-40

Subsequent references to the same case should be:

Ibid. [where the case and the page reference is the same as that in the immediately preceding footnote]

Ibid 136. [where the case is cited in the immediately preceding footnote but with a different page or paragraph number]

Note 8 above 137 [where the case is not in the immediately preceding footnote and where the footnote refers to a case named in the text]

National Commissioner, South African Police Service v Southern African Human Rights Litigation Centre (note 8 above) 134 [where the case name is not mentioned in the text]

Foreign cases

The same rules apply to foreign cases.

Trump v International Assistance Refugee Project 582 US (2017) (Supreme Court of the United States decision)

International Assistance Refugee Project v Trump 857 F. 3d 554 (2017) (United States Federal decision)

Teva Canada Ltd v TD Canada Trust 2017 SCC 51 (Supreme Court of Canada)

Brown v The Parole Board for Scotland, The Scottish Ministers (Scotland) [2017] UKSC 69 (UK Supreme Court decision)

The Constitution

The first reference to the Constitution should be in full in the text and does not need a footnote:

The Constitution of the Republic of South Africa, 1996.

Subsequent references must be 'the Constitution' and not 'the 1996 Constitution' or 'the Final Constitution'.

When referring to the Interim Constitution, use the title 'the Interim Constitution'. The first time this is mentioned, it should have a footnote as follows:

Constitution of the Republic of South Africa, Act 200 of 1993 (Interim Constitution). The Interim Constitution has been repealed.

Thereafter, use 'interim Constitution' in the text and footnotes

Statutes

When referring to a statute, including an amending statute, for the first time give its full name, number and year in the text.

Employment Equity Act 55 of 1998.

Do not place the number and year of an Act in a footnote.

In subsequent references just use the name of the Act without the number and date.

Employment Equity Act.

Treaties and international and regional instruments

For all international law citations, see OSCOLA 2006 'Citing International Law Sources':
https://www.law.ox.ac.uk/sites/files/oxlaw/oscola_2006_citing_international_law.pdf.

Some common examples are:

International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171 (ICCPR).

Universal Declaration of Human Rights (adopted 10 December 1948 UNGA Res 217 A(III) (UDHR) art 5.

African Charter on Human and Peoples' Rights (adopted 27 June 1981, entered into force 21 October 1986) (1982) 21 ILM 58 (African Charter).

Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights (Protocol of San Salvador) (entered into force 16 November 1999) OAS Treaty Series No 69 (1988) reprinted in Basic Documents Pertaining to Human Rights in the Inter- American System OEA/Ser L V/II.82 Doc 6 Rev 1 at 67 (1992).

Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights, as amended) (ECHR) art 3.

International and regional cases and decisions

For all international law citations, see OSCOLA 2006 'Citing International Law Sources': https://www.law.ox.ac.uk/sites/files/oxlaw/oscola_2006_citing_international_law.pdf.

Some common examples are:

Corfu Channel Case (UK v Albania) (Merits) [1949] ICJ Rep 4.

Land, Island and Maritime Frontier Case (El Salvador/Honduras, Nicaragua intervening) (Application for Intervention) [1990] ICJ Rep 92.

Legal Consequences of the Construction of a Wall (Advisory Opinion) 2004 <<http://www.icj-cij.org/icjwww/idocket/imwp/imwpframe.htm>> accessed 21 July 2005 [139]–[142].

Prosecutor v Tadic (Judgment in Sentencing Appeals) (2000) 39 ILM 635.

Juridical Condition and Rights of the Undocumented Migrants, Advisory Opinion OC-18, Inter-American Court of Human Rights Series A No 18 (17 September 2003)

Documents and resolutions by international organisations

For all international law citations, see OSCOLA 2006 'Citing International Law Sources': https://www.law.ox.ac.uk/sites/files/oxlaw/oscola_2006_citing_international_law.pdf.

Some common examples are:

UNSC Res 1373 (28 September 2001) UN Doc S/RES/1373

UNGA Res 51/210 (17 December 1996) UN Doc A/RES/51/210

Declaration on the Granting of Independence to Colonial Countries and Peoples, UNGA Res 1514 (XV) (14 Dec 1960) (adopted by 89 votes to none; 9 abstentions)

UNCHR 'Report of the Special Rapporteur on Torture' (1986) UN Doc E/CN.4/1986/15

Organization for African Unity (Council of Ministers) 'Proposals for an OAU Mechanism for Conflict Prevention and Resolution, Report of Secretary-General' (OAU Addis Ababa 1992) CM/1710 (L.VI)

United Nations Code of Conduct on Transnational Corporations (1984) 23 ILM 626

Government, Parliamentary and Official Sources

When citing a government, parliamentary or other official resource, use the full name of the entity, the title of the document in italics and the date in brackets followed by the page number.

Law Reform Commission papers: The South African Law Commission changed its name to the South African Law Reform Commission in 2002. Pre-2002 publications should use earlier name.

South African Law Commission *Issue Paper 3 Customary Marriages* (August 1996) 34.

South African Law Reform Commission *Discussion Paper 108 Stalking* (November 2004).

Chapter 9 reports:

South African Human Rights Commission *The Right to Access to Nutritious Food in South Africa* (2016-2017) 3.

Hansard. Parliamentary debates should be cited as follows:

NA Debates col 1472 (29 July 1998).

NCOP Debates col 125 (24 February 1999).

Websites

Websites: Include the protocol name and format (http://, etc) in brackets < >.

Eg: <<http://www.law.wits.ac.za/sajhr/sajhr.html>>

Eg: <https://www.concourt.gov.za/courtrecords.php?case_id12017>

There is no need to record the date the site was last visited. It is not necessary to use the phrase 'available at'.