

EDITORIAL GUIDELINES FOR PUBLICATION IN DE JURE

1 POLICY

1 1 Manuscripts in the form of articles, notes, case discussions and book reviews are welcomed by the editorial board.

1 2 De Jure has the promotion of a critical and interdisciplinary approach to law as its main objective and towards this aim publishes original contributions of a high academic standard.

1 3 No preference is given to authors from any particular institution. The decision whether to publish any submission depends on whether it meets the quality standards of De Jure and whether space is available for publication.

1 4 In order to be considered for publication, a contribution must be the result of original research by the author(s), meet with all applicable legal principles in respect of publication (such as copyright, etc), contribute something sufficiently new to the existing literature and conform to the linguistic, technical and stylistic requirements for publications in De Jure. Authors are personally responsible to ensure that their submissions meet all these requirements.

1 5 The submission of a manuscript for publication implies that it is the result of original research by the author(s) and that copyright vests in them. The editorial board has to be timely notified if the author(s) wish to submit a manuscript partially or in its entirety to another publication or if it has been published previously.

1 6 Submissions are only accepted for consideration on the basis that while the editorial committee makes the final decision on publication, submissions will be subjected to appropriate peer and expert review, as well as review by members of the advisory committee when necessary. The editorial committee further reserves the right to edit all submissions accepted for publication in terms of the editorial policy, as well as to shorten submissions if necessary.

1 7 Submissions are reviewed by members of the editorial board, the editorial advisory committee and knowledgeable arbiters. If a manuscript does not comply with standards set by the editorial board and advisory committee with regard to linguistic, content-based or technical standards, it is sent back to authors for reworking, if possible.

1 8 Manuscripts may only be submitted in electronic format (utilising MS Word) through the De Jure website. In addition, authors –

- (a) must supply their relevant contact particulars, especially e-mail address(es) and telephone numbers;
- (b) guarantee that they are legally entitled to have the full submission published and that it, or a part of it, has not been published elsewhere before;
- (c) disclose whether it, or a part of it, has been submitted to any other journal for publication; and
- (d) undertake to give reasonable notice to the editor if the submission is withdrawn for any reason.

2 GUIDELINES FOR AUTHORS

2 1 Manuscript

Manuscripts have to be typed in double-space. That is the case regarding the text itself, quotes and footnotes.

Unless prior arrangements have been made with the editor, an article (including footnotes and the summary) may not exceed 8000 words and other contributions may not exceed 5500 words.

Manuscripts are submitted in MS Word format via the De Jure website.

2 2 Summary

A summary of approximately 300 words must accompany an article.

2 3 Footnotes

2 3 1 Footnotes start with a capital letter and end with a full stop.

2 3 2 Footnotes are **not** used in **notes, discussions of case law or book reviews**. In respect of the latter, all references are integrated (in brackets) in the text itself, for example: (*Oza Children's Rights* (2020) 259-260); (*S v Maritz* 2019 1 SA 578 (ECG)).

2 3 3 Abbreviations have to be used in footnotes, for example **'S9'** and not **'Section 9'**.

2 3 4 Where multiple sources are referred to in one footnote, they have to be separated by semi-colons and preferably chronologically ordered.

2 3 5 Individual footnotes have to be presented flowingly; the text should not be divided into paragraphs.

2 4 Titles, Headings and Authors

2 4 1 Headings of articles and notes must be as short as possible.

2 4 2 Lowercase is used in the main headings of **articles**. Headings of articles are presented in the following way:

Sexual violence, armed conflict and international law in Africa

Zozo Dyani-Mhango

LLB LLM LLD

Professor, Department of Jurisprudence, University of Pretoria

An analysis of the right of a Muslim spouse to claim pension interest subsequent to divorce: a South African case study

Muneer Abduroaf
LLB LLM LLD

Senior Lecturer, Department of Criminal Justice and Procedure, University of the Western Cape

2 4 3 Headings of **notes** are presented in the same way as in 2 4 2 above. However, the names of authors and their institutions are placed right at the bottom of the note and uppercase is used, for example:

M CHINNIAN
Nelson Mandela University

L VAN DER MERWE
Department of Justice and
Constitutional Development

2 4 4 Headings of **discussions of case law** are presented as follows:

City of Cape Town v Meintjies 2021 4 SA 613 (SCA)

Customary law adoption, the action of dependents and the best interests of the child

2 4 4 1 Authors and their institutions are listed in the same way as in 2 4 3.

2 4 5 The headings of **book reviews** are presented as follows:

The Law of Government Procurement in South Africa

by

PHOEBE BOLTON

LexisNexis Butterworths South Africa 2007 xxiv + 528 pages

A Transformative Justice : Essays in Honour of Pius Langa

Editors ALLISTER PRICE & MICHAEL BISHOP

Juta & Co Cape Town 2015 494 pages

2 4 5 1 Names of authors (of book reviews) and their institutions are presented in the same way as in note 2 4 3.

2 5 (Sub)sections and Numbering

2 5 1 Sections and subsections of articles, notes, discussions of case law and book reviews are numbered in the following way:

1 Introduction

2 Tax resistance and tax revolt

2 1 The current context

3 Three historical tax revolts

3 1 The Jewish revolt

3 1 1 Historical background

3 1 2 1 High unemployment

2 5 2 Other hierarchical orders are presented as follows:

(a)

(b)

(i)

(ii)

(c)

2 6 Citation of sources

2 6 1 Case Law

First reference: *Bhe v Magistrate Khayelitsha* 2005 1 BCLR 1 (CC)

Subsequent references: *Bhe v Magistrate Khayelitsha* para 4;

- Brackets are not used when referring to year and volume numbers.

- Brackets can be inserted around the year or volume number to avoid confusion, for example: *Ex parte Gauteng Provincial Legislature: In re Dispute Concerning the Constitutionality of Certain Provisions of the Gauteng School Education Bill of 1995* (1996) 4 BCLR 537(CC).
- “NO”; ‘and Another’; “and Others” are obsolete as well as “on”, “on page” and ‘at para’.
- Please refrain from using Latin phrases such as ‘supra’ and ‘ibid’.
- The phrase ‘as above’ is acceptable when referring to the exact reference in the preceding footnote.

2 6 2 Books

First reference:

Soudien *Realising the Dream: Unlearning the Logic of Race in the South African School* (2012) 22.

Khunou, Phaswana, Khoza-Shangase and Canham (eds) *Black Academic Voices* (2019) 36.

Subsequent references: Soudien (2012) 35; Khunou, Phaswana, Khoza-Shangase and Canham (2019) 35.

Chapter in a book: Dugard “The Right to Land Remains a Thorny Issue” in Meiring (ed) *South Africa’s Constitution at Twenty-one* (2017) 3.

Subsequent references: Dugard (2017) 5.

- No initials of authors, full stops and commas and “on” and “on page” are used except if the initials are needed for identification, for example, where co-authors share a surname.
- Editions of books are not mentioned, except if more than one edition were published during a specific year or if the date of publication cannot be ascertained. Where a reference to an edition is made, it is done as follows: sixth edition (text); 3rd ed (footnotes). No brackets are used.
- Please refrain from using Latin phrases such as ‘supra’ and ‘ibid’.
- The phrase ‘as above’ is acceptable when referring to the exact reference in the preceding footnote.

2 6 3 Journal articles

First reference:

Fataar “Decolonising Education in South Africa: Perspectives and Debates” 2018 *Educational Research for Social Change* 36.

Dlamini and De Villiers “The Impact of Covid on Rural Communities” 2021 *Stell LR* 16.

Subsequent references: Fataar 2018 *Educational Research for Social Change* 10; Dlamini and De Villiers 2021 *Stell LR* 15.

- The volume and number of the journal are omitted.
- Only the accepted abbreviations of journal names may be used, for example: *SAJHR*, *Stell LR*.
- Please refrain from using Latin phrases such as ‘supra’ and ‘ibid’.
- The phrase ‘as above’ is acceptable when referring to the exact reference in the preceding footnote.

2 6 4 Legislation

First reference:

Disaster Management Act 57 of 2002

Subsequent references: Section 1(1)(a) of the Disaster Management Act (in the text); S 1(1)(a) Disaster Management Act (in the footnotes).

2 6 4 1 Reference to the Government Gazette:

First reference:

Anti-Dumping Regulations, GN3197 in GG25684 of 14 November 2003.

Subsequent references:

Anti-Dumping Regulations, reg 10.

- Refrain from using commas or “No”.
- Please refrain from using Latin phrases such as ‘supra’ and ‘ibid’.
- The phrase ‘as above’ is acceptable when refer to the exact reference in the preceding footnote.
- Foreign legislation and its abbreviations are printed in italics.

2 6 5 Dissertations and Theses

First reference:

Grant *The Responsible Mind in South African Criminal Law* (PhD thesis 2011 WITS) 78.

Subsequent references: Grant 90.

- It is not necessary to state whether the dissertation has been published or not.

2 6 6 Reference to LAWSA

First reference:

Madonsela LAWSA (edZuma) 6 (2020) par 117.

Subsequent references: Madonsela LAWSA par 118.

2 6 7 Newspapers

Jefta “Teachers Refuse Vaccination” *Mail and Guardian* (2002-01-15) 12.

2 6 8 Websites

UNICEF “Situation of Children in Zimbabwe” <https://www.unicef.org/> (last accessed 2020-08-18).

Oates “The Great Jewish Revolt of 66 CE” 2015 <https://www.ancient.eu/article/823/> accessed (last accessed: 2020-04-10).

2 6 9 International Law

First reference:

Convention on the Rights of the Child (CRC).

UN Committee on the Rights of the Child (CRC Committee).

Subsequent references: CRC; CRC Committee

2 7 Quotations

Quotes must be used sparingly.

Quotes must be precise. Hence, italics, uppercase and punctuation must be duplicated with precision. No changes to quotes are rendered during the editorial process.

Double quotation marks (“...”) should be used, except where a quotation within a quote is made.

Quotations longer than three lines must be indented.

Where a sentence or paragraph is not quoted in full, every omitted part, regardless of its length, are indicated by three dots.

Changes and insertions in quotes are indicated by means of block brackets, for example “[I]n...; “there [has to] ...”

2 8 Italics

The following are printed in italics: titles of books, title of theses and dissertations, the names of newspapers, magazines, court decisions and foreign legislation.

Words and phrases in other languages are in italics, except if they are quotes or fragments of quotes.

Use italics to add emphasis sparingly.

2 9 Capitals and Punctuation

Capital letters must be used sparingly. Names and subsequent references to specific legislation are capitalised, for example ‘constitutional courts’, but ‘Constitutional Court (of South Africa)’; ‘act’ but ‘the Act’ (when referring to a specific Act).

Lowercase is used in the following circumstances: court, registrar, administrator, legislator, bar, law commission, parliament and state.

2 10 Abbreviations

Abbreviations are not used in the text, except in notes, discussions of case law and book reviews where brackets perform the function of footnotes.

If possible, recognised abbreviations ought to be used, for example ‘HSCR; ‘SAHRC’

Full stops are not used in abbreviations, regardless whether it’s a word or phrase that’s abbreviated.

Where reference is made to page numbers in footnotes and in brackets the abbreviation “p” is not used. The page number follows directly, for example, Meintjies 603. In the text itself ,page is written out in full, for example, “On page 306, Desai J states...”

It is acceptable to abbreviate codes within the text after writing it out earlier in the text, for example Constitutional Court (CC).

Abbreviations like J and CJ are used in the text as well as in the footnotes. It is placed after the judge’s name, for example, Langa CJ, Theron DCJ, Baadjies J.

2 11 Numbers

Numbers less than twenty are written out in full (this is also the case concerning positions) for example, four applicants but 64 detainees; second but 42nd and chapter 4; R15. Ensuing numbers are not abbreviated for example 246-248 and not 246-8; dates are written as follows: yyyy-mm-dd, for example 2021-02-29.

2 12 General

2 12 1 Phrases like “learned”, “well read” and “respectfully” with regard to judges and their decisions are superfluous since respect is assumed.

2 12 2 Titles like “professor” and “doctor” are not used when referring to authors.
