

COMPARATIVE AND INTERNATIONAL LAW JOURNAL OF SOUTHERN AFRICA (*CILSA*)

General

The Comparative and International Law Journal of Southern Africa (*CILSA*) was established in 1968 and is published by The Centre for Foreign and Comparative Law at the University of South Africa (Pretoria).

CILSA is devoted to comparative and international law, with particular reference to the Southern African context. Each edition contains approximately five full-length, in-depth articles by Southern African and international authorities, covering a wide range of topics from both international and comparative perspectives.

Editorial policy

Conditions for publication

Authors acknowledge that contributions have not been published in part or in whole elsewhere or sent for publication elsewhere.

Authors acknowledge that contributions will be sent for review to one or two expert referees.

The decision to publish contributions reside with the editors.

Editors reserve the right to make changes to copy:

- according to house style,
- to ensure clean and clear copy free of grammar, spelling, punctuation, syntax and idiomatic errors,
- to produce accuracy, coherence and clarity, and
- to avoid possible liability.

Guidelines to authors

Contributions considered for publication

Journal notes, case notes and book reviews

Ideally main articles should be between fifteen and thirty-five pages.

Journal notes should not exceed 3 000 words.

Book reviews should be between two to three pages.

Submission of contributions

- All contributions must be sent via email to the address ebothat@unisa.ac.za in a Microsoft Word document. No pdf documents will be accepted.
- All contributions must adhere to the *CILSA* house style.
- The name of the author, his/her academic qualifications, job description and institution, should be indicated by an asterisk at the beginning of the footnotes, for example: BA LLD. Associate Professor of Law, University of Johannesburg.
- An abstract of roughly 200 words is needed for a short summary of the article which is published at the beginning of the article.

***CILSA* house style**

General

In the interests of editorial consistency, the editors work within the parameters of an official style sheet. Generally, the standard rules of British English in regard to spelling and hyphenation are observed, but terms unique to the South African context have been standardised for *CILSA*. *CILSA* house style is based on the *Oxford University Standard for the Citation of Legal Authorities* (OSCOLA) (www.law.ox.ac.uk) and should be consulted specifically for citing footnotes.

Formatting

The margin parameters of the journal are 4.7cm (top and bottom margins) and 4.3cm (left to right margins).

Main heading 21 pt Times New Roman

Body text 11 pt Times New Roman

Set off quotations 10 pt Times New Roman

Footnotes 9 pt Times New Roman.

Alignment is justified full

Line spacing is 1.1pt for body text and 1pt for footnotes.

Page numbering is top right using plain numbers.

• **Heading levels**

First-level headings are bold and capitals; second-level headings are bold and lower case; third-level headings are italic and sentence case; and fourth-level headings are italic and right justified.

Please note that no numbering but rather bullets are used for setting out lists, unless they form part of a quotation.

Spelling, grammar and punctuation

British English in regard to spelling, grammar and punctuation is used.

A

Act

Act 51 of 1977

attorney-general – lower case unless a specific person or office ie: the attorney-general, but the Attorney-General of Canada or Attorney-General Smith.

Article is written out in full in the body text (Article 6 of), but abbreviated in footnotes as art 6.

B

Bill of Rights

black (as in race) – lower case

C

cabinet

centuries eg twelfth century

chairman

colonial

coloured (as in race) – lower case

commission – lower case unless specific ie: the Olivier Commission/ the commission decided

commissioner – lower case unless specific ie: the commissioner recommended/but the

Commissioner for Inland Revenue/Commissioner Smith

Commonwealth – upper case, unless adjective (commonwealth countries)

communist

Congress (USA)

(the) Constitution

cooperation

crown – lower case (except in specific cases, eg The Crown v ...)

Currencies (monetary)

US dollar – US\$10 000

Rand – R10 000

Euro – €10 000

British Pound – £10 000

D

Dates – 20 December 1992

Decree – capitalise

department – lower case unless specific ie the department was/ the Department of Justice
Deputy-Attorney-General, Minister, Commissioner etc follow same rule as for Attorney-
General

directions (north, south, east, west) – lower case unless in special considerations like the
American South, the East, the West etc.

director-general – lower case, unless specific.

Directive

E

e-commerce

e-mail

Europeans (replace with the word ‘whites’ where applicable)

F

Facebook

First World, Third World

federal – lower case as in federal legislation, but capitalise as in the Federal Law (as opposed
to state in USA)

G

General Division

government

Government Gazette (also *Provincial Gazette*)

H

Hansard

Head of State

House of Assembly

I

Indian

Industrial Court – capitalise when a specific court, but lower case when a court in general

Instagram

infra – replace with the word “below”

internet

ibid – refer to immediate source above (consult OSCOLA on use of Latin ‘gadgets’)

J

judge (noun)

Judge Smith (proper noun)

judgment

justice (noun)

Justice (proper noun)

K

kilometre (distance)

L

legislature

Legal Notice (abbreviate as LN)

M

magistrate

Middle Ages (same for Dark Ages etc).

minister (noun)

Minister of Justice (proper noun)

N

National Assembly

O

order

oriental

P

parliament

people

per cent (percentage)

President (proper noun)

president (noun)

Prime Minister

Proclamation

provincial division

Q

Queen

R

Rand (SA currency) – eg R50 or fifty Rand.

registrar (noun)

Registrar of Companies (proper noun)

rule

S

Schedule

section (of the law) – written in full in body of article ie ‘section 13’ and in footnote ‘s 13’.

Senate

south

Southern – as in Southern Africa etc.

state

state of the USA

statutes in general

subsection

supra – replace with the word ‘above’ (consult OSCOLA on use of Latin ‘gadgets’)

Supreme Court

T

Third World

Twitter

U

US Federal Government

V

W

war (noun)

World War I (proper noun)

west

white – (as in race)

white paper

X

Y

Z

z – *CILSA* adheres to the British practice of changing z to s in all verbs and nouns containing

the -ize and -ization endings – thus ‘realise’ and ‘realisation’ instead of ‘realize’ and ‘realization’ etc.

Abbreviations and acronyms

Abbreviations in the body text should be avoided; but its use in footnotes is encouraged. Recognised abbreviations may be used inside brackets in the text (first time use), as well as in footnotes (s for section, ch for chapter, para for paragraph, (2edn 1989) for second edition, and so forth). Full stops are not used in abbreviations. Consult OSCOLA (4.2) for a comprehensive guide on abbreviations.

Chapter – ch

Civil appeal – civ app

Civil case – civ case for *CLD*

Civil trial – civ tr for *CLD*

Criminal appeal – crim app for *CLD*

Criminal trial – crim tr for *CLD*

Geographical names – United States of America, thereafter USA (without mention in brackets)

Government Notice – GN

Judge – J

Judges – JJ

Chief Justice – CJ

note – n (eg n 3)

paragraph – para

paragraphs – paras

regulation – reg (eg *CLD* as reg)

review case – rev case

Senior Council – SC

Section – s

sections – ss

subsection – sub-s

University of South Africa – Unisa

United States of America – USA

Parentheses

Rounded brackets () are used for parentheses in-text. When parentheses or brackets are used to enclose an independent sentence, the full stop belongs inside. If the enclosed matter is part of an including sentence, the full stop should be placed outside the parentheses or brackets.

Square brackets [] are used within quotations to indicate where text has been omitted (see Quotations).

Page numbers

Page numbers appear at the top right-hand corner.

Reference to page numbers in footnotes are indicated as; 'at 8' (see Footnotes).

Italics

Do not italicise words that are in common usage in legal English, such as *ultra vires*, *stare decisis*, *obiter dicta*, *a priori*, and *a fortiori*. Commonly used abbreviations, such as *ie* and *eg*, are not italicised and have no full stops.

Foreign words and expressions are italicised, but not quotations.

Case names are italicised and capitalised with no punctuation marks, eg *Sappi Fine Papers (Pty) Ltd* and *The Competition Commission*. (Abbreviated as, the *Sappi Fine* case).

Quotations

Quotations should be used sparingly and judiciously and should be unaltered and correct; changes or insertions should be in brackets. Omitted sections should be indicated by an ellipsis eg When a quotation starts in the middle of a sentence the change in capitalisation is indicated by the use of square brackets eg [T]his study has been widely cited. Short quotations should be indicated by single quotation marks (double quotation marks inside quotations). Long quotations should be double-indented without quotation marks at the beginning and end. Use a colon before the quotation starts (consult OSCOLA).

Miscellaneous

Write out any number under 100 eg ninety-nine instead of 99

Over one hundred – 102 etc.

Use lower case after colon (still part of sentence), unless the first word is a pronoun.

Qualifications (academic) eg LLM LLB BA

Time of day written as 11:00 or 19:30

Referencing and footnotes

• Articles

Titles of articles appear in single inverted commas, for example AJGM Sanders, ‘How Customary is African Customary Law?’ (1987) XX 3 CILSA 405 at 412–415.

A ‘quote within a quote’ is put in double inverted commas. Example: ‘How “customary” is African Customary Law?’

Consult OSCOLA for a comprehensive guide on how to cite articles

• Authors

First name and surname followed by a comma.

More than one author use “and”, eg John Ross and Margaret Taylor, thereafter in footnotes cite only the surname of the first author with a pinpoint to the appropriate note eg Ross (n 3).

• Books

Titles of books are italicised and written in significant capitals. For example, Anthony Mathews, *Freedom, State Security and the Rule of Law* (UCP 1986).

Editions – omit abbreviations ‘nd’ and ‘th’ – write together in brackets with year of publication eg (2 edn 1990).

• Cases

The title of the case is italicised but words such as ‘and Another’ are omitted, for example *S v Makwanyane* [1995] 3 SA 391 (CC) para 10 and *Re Waxed Papers Ltd* [1937] 2 All ER 481.

• Cross-references

Where a book, article or case has already been referred to, the full citation should not be repeated.

Consult OSCOLA for a comprehensive guide on cross-referencing.

• Journals

Titles of journals are in roman. Recognised abbreviations of South African journals are used (eg SAJHR, SALJ, THRHR and CILSA), but the titles of foreign journals are quoted in full (except for common abbreviations like Univ, LR and LJ – eg Univ Pennsylvania LR; Yale LJ).

Journal articles should ideally be referenced as follows:

AJGM Sanders, ‘How Customary is African Customary Law?’ (1987) XX 3 CILSA 405 at 412–415.

[Author, ‘title’ (year) volume journal name or abbreviation first page of article]

Page numbers – where not confusing use only number but where necessary use “at”.

• Legislation

The title and number of a statute should not be italicised, except where the statute is used as a foreign statute in a different language, for example the Internal Security Act 74 1982, but *Bundesbeamtengesetz*.

• Newspapers articles

Titles of newspapers are italicised. Titles of articles are placed in single quotation marks. The city of publication and the date is placed in brackets.

Mpho Raborife, ‘State of the City wrap: Mashaba vows to focus on Joburg’s “forgotten people”’ *Mail & Guardian* (Johannesburg, 4 May 2017) 1.

• Internet references

Author, ‘title’ (*website*, date of publication) <url> accessed 4 May 2017.

Consult OSCOLA for a more comprehensive guide on how to cite internet sources.