



Journal for Juridical Science (*JJS*)

Author Guidelines

- Please note that these guidelines are applicable as from 1 January 2020 -

1. The ***Journal for Juridical Science*** (*JJS*) is accredited by the Department of Higher Education (DHET) and the International Bibliography of the Social Sciences (IBSS). It is a national scholarly journal that publishes original research contributions in law in Afrikaans and English. Multidisciplinary and interdisciplinary contributions, which bridge the gap between legal scholarship and other pertinent academic disciplines, are also welcomed. *However, all contributions submitted to the journal must, in the opinion of the editorial staff, be of sufficient relevance to the journal's mainly South African readership.*¹ An assessment in this regard will be made before the contribution is submitted for blind peer-review.
2. Manuscripts must, on receipt thereof by the Editor, be in accordance with the **editorial and house style requirements**, as stipulated in this document. Manuscripts not in accordance with this (whether partly or wholly) will not be considered for evaluation. The manuscript *must truly contribute to the relevant field, as well as provide coherent, clear and well-researched argumentation/analysis*. This applies to both articles and notes (chronicles and case notes).
3. Once the Editor is satisfied that the manuscript (i) is of relevance to the *JJS*'s audience, and (ii) meets the editorial and house style requirements, it will be sent for **evaluation** to at least two experts in the field so as to determine whether it is publishable. Upon agreement by an expert to evaluate a manuscript, a period of approximately 6 weeks is allowed for such a determination to be made. However, an evaluator may be granted an extended period if convincingly motivated and on condition that such an extension comprises a reasonable period. Manuscripts are presented anonymously to evaluators and the evaluators similarly remain anonymous.
4. A manuscript submitted to the *JJS* must be accompanied by a **declaration** by the author(s), to the effect that:

¹ The *JJS* therefore does not, as a general rule, publish contributions that deal solely with legal issues posed in jurisdictions other than South Africa *without clear relevance for the latter jurisdiction (for example by virtue of a comparative legal analysis) being demonstrated*. This requirement may however, in the discretion of the editorial staff and the relevant guest editor involved, be more flexibly applied in the case of *special editions* of the Journal which are, by definition, dedicated to focussed topics that may be analysed in a jurisdiction-specific context.

- (i) The manuscript (or any part thereof) has not been published, or submitted for publication, in any other journal and, if accepted for publication in the *JJS*, will not be published, either wholly or in part, in any journal other than the *JJS*;
 - (ii) The manuscript has been properly text-edited and fully complies with the house style of the *JJS*;
 - (iii) The author(s) has/have removed, for evaluation purposes, any content or references in the manuscript that may identify the author(s) to the anonymous reviewers;
 - (iv) The manuscript contains no actionable defamatory, insulting or infringement of privacy material; and
 - (v) The manuscript is entirely original and does not include any borrowings from other published works that could cause the *JJS* or any other party legal liability of any kind.
5. Manuscripts may be submitted in English or Afrikaans. The desired length for **articles** is 9000 - 11000 words (including footnotes). For **notes** (chronicles and case notes), the desired length is 4000 - 6000 words (including footnotes). Solicited **book reviews** are also published, with the desired length being 1500 - 2500 words. The journal also occasionally publishes **public lectures** by eminent jurists, which appear under the title *Praelectiones tsa rona* (a combination of Latin and Sesotho that may be translated as “Eminent lectures of ours”), and which should generally not exceed the length of an article. (Book reviews and public lectures will not be subjected to the blind-peer-review-process and are not subsidised by the DHET).
 6. For manuscripts written in English, authors must use **UK spelling**.
 7. An electronic version of the manuscript must be submitted to the Co-managing editor, Dr JL Mathee, at mattheejl@ufs.ac.za
 8. Manuscripts should be submitted in a **12 pt Arial font, with 1.5 line spacing**. Both left and right margins should be **justified**, and each page must be **numbered**.
 9. Suitable **headings and sub-headings** must be supplied where necessary. These must be numbered by means of Arabic figures, for example: 3. is followed by 3.1 and 3.1.1. Note that headings and sub-headings do not appear in bold type.
 10. Where used in the main text, all **case titles** and **titles of legislation** must be placed *in italics* (for example: “In *Volks NO v Robinson*¹ the Constitutional Court held that the *Maintenance of Surviving Spouses Act*² was not applicable to heterosexual cohabitants.”) As indicated in this example, footnotes are used to provide the case’s citation and the year and number of the applicable legislation.
 11. Where reference is made to the South African **Constitution of 1996** – either in the main text or in the footnotes – the first reference should be in full. The author may then indicate that he/she will subsequently simply refer to “the *Constitution*”. Thus, for

example: “Sec. 9 of the *Constitution of the Republic of South Africa, 1996* (hereafter the *Constitution*)” provides that ...” Note should be taken of the appropriate use of italics in this example. Where reference is made to the **interim Constitution** of 1993, the appropriate footnote reference is “Act 200/1993”.

12. **Footnotes** appear below the main text of each page (and thus not as endnotes). *Please also note that, with the exception of book reviews, the JJS does not make use of in-text referencing (ie referencing in brackets in the main text).* Footnotes must read as follows:

- (1) Coetzee & Brink 1986:234-245.
- (2) Ngwena *et al.* 2016:15.
- (3) Davis & Geach (eds.) 2019: 37.
- (4) *Standard Bank v Neugarten* 1987 3 SA 695 (W):703A-B.
- (5) Where there is a reference to a paragraph in a judgment, the following applies: *National Director of Public Prosecutions and Others v Freedom Under Law* 2014 4 SA 298 (SCA):par. 33. Where more than one paragraph is referred to, the following applies: paras. 27-30.
- (6) Cases that are only available on websites such as SAFLII: *F v D* [2019] ZAWCHC 77 (24 June 2019): par. 20.
- (7) *Close Corporations Act* 69/186:sec. 55(3)(6).
- (8) *Close Corporations Act*:sec. 56.
- (9) GK 162 Government Gazette 1974:103(4157).
- (10) GK 162/1974:reg. 3.
- (11) **Internet sources** must be referred to as follows: Anderson “The meaning of natural law”, <http://www.da.org.za/2015/05/da-wins-court-case-for-live-sabc-coverage-of-congress> (accessed on 12 August 2015).
- (12) Note that when a source is referred to more than once in the footnotes – even in consecutive footnotes – the above style should be maintained. There is therefore no use of (for example) “*ibid*”, “*supra*” or “*op cit*”.
- (13) Names of **international instruments** (such as the United Nations Convention on the Rights of the Child) are not placed in italics, either in the main text or in the footnotes.
- (14) Footnotes should appear **after** the first relevant punctuation mark.

13. **Bibliography**

Only books, chapters in books, articles, theses and internet sources must be included in the bibliography (by implication, therefore, cases and legislation are excluded). A complete bibliography must be provided, giving all relevant details. All sources must be listed alphabetically according to the surnames of the authors. Prospective authors should refrain from creating a separate section for books, articles and internet sources.

The following format must be used:

COETZEE JS & BRINK KL

1977. Inflation in South Africa. *Acta Economica* 27(3):17-36. (Note that “27” denotes the volume number; “(3)” denotes the issue number and “17-36” denotes the first and last page numbers of the article.)

DAVIS D & GEACH W (eds.)

2019. *Companies and other business structures*. 4th edition. Cape Town: Oxford University Press Southern Africa.

JOHNSON HJ

1977. The effect of legal policy. *American Law Review* 36(2):23-42. (Note that the journal’s name is written in full.)

MOFOKENG LL

2009. *Legal pluralism in South Africa: Aspects of African customary, Muslim and Hindu family law*. Pretoria: Van Schaik.

STAFFORD RB

2010. A legal-comparative study of the interpretation and application of the doctrines of the sham and the alter-ego in the context of South African trust law: The dangers of translocating company law principles into trust law. Unpublished LLM thesis. Rhodes University.

VOET J

1698-1704. *Commentarius ad Pandectas*. Vol 1. Den Haag: De Hondt.

WATSON AB

2015. *New jurisprudential perspectives on partnerships*.

<http://www.da.org.za/2015/05/da-wins-court-case-for-live-sabc-coverage-of-congress> (accessed on 12 August 2015).

Several entries under the same author: List from older to more recent date. For example:

DE KLERK W

2006. University law clinics in South Africa. *South African Law Journal* 122(4):929-950.

2007. Unity in adversity: Reflections on the clinical movement in South Africa. *International Journal of Clinical Legal Education* 12(2):95-104.

A separate entry is required for an author mentioned under another author (for example where a chapter appears in a book):

HOEXTER C & OLIVIER M (eds.)
2014. *The judiciary in South Africa*. Cape Town: Juta.

MHANGO M
2014. Transformation and the judiciary. In C Hoexter and M Olivier (eds.) 2014:68-98.

Where the same author has published more than one source in the same year:

HEATON J
2010a. *South African family law*. 3rd edition. Durban: LexisNexis.
2010b. *Casebook on South African family law*. 3rd edition. Durban: LexisNexis.

Where there are more than two authors of a source:

- (1) In a footnote, the reference should, for example, be "Battersby-Lennard *et al.* 2014:97."
- (2) However, the surnames and initials of *all authors* should be provided in the *Bibliography*, for example:

BATTERSBY-LENNARD J, HAYSOM G, TAWODZERA G, MCLACHLAN M, CRUSH J, LOMBARD T, LABUSCHANGE I, BITZER V, SIMPSON N, RATTLE J, DUNCAN S, MARSHAK M, JAMES J & KROLL F
2014. *Food system and food security study for the City of Cape Town*. Cape Town: City of Cape Town.

Please note that journal names must be in italics and written out in full.

14. **Latin terms** such as *per se*, *inter alia*, *et al* and *locus standi* must be italicised.
15. Full relevant **details of the author** must be provided, for example: Anthony Anderson, Associate Professor, Department of Public Law, University of Notre Dame. The author's **ORCID** should also be supplied, if possible. If applicable, details pertaining to the **origin of the manuscript** (for example: a paper presented at a conference), as well as **any acknowledgments**, must appear in the first footnote to the manuscript.
16. For **articles** (and thus not for shorter pieces), an **abstract** of approximately 300-400 words **in English** must be included, regardless of the language in which the article has been written. Where an article is submitted in Afrikaans, there is no need for an Afrikaans abstract. The English abstract must be preceded by an English translation of the article's Afrikaans title.

17. **Numbers** between one and twenty are written out in full, for example: “Children under sixteen years of age may not partake in any gambling activity”. Figures are to be used for numbers higher than twenty.
 18. References to “**section(s)**” or “**article(s)**” in legislation or any other formal legal document must be abbreviated as follows: sec. 3 (for plural: secs. 5-6) and art. 4 (for plural: arts. 5-6).
 19. Regarding **dates and percentages**: “19 March 2011” (not “19/3/2011”); “30 per cent” (not “30%” or “thirty percent”).
 20. When **cross-referring to a footnote**, or **citing a footnote in another source**, the following abbreviation must be used: “fn.”
 21. **Regarding quotations:**
 - (1) **All quotations from sources should as far as possible be reproduced as they originally appear.** Square brackets are inserted into the quote for any changes or interpolations made by the author. Ellipses (“...”) are used to indicate missing words. If applicable, a footnote should indicate any portions that are emphasised by the author and any omission of footnotes that appear in the original quotation. An example of such a footnote is: “*Van Zyl NO v Kaye NO* 2014 4 SA 453 (WCC):par 24 (emphasis supplied, footnotes omitted).”
 - (2) **Shorter quotations** are included as part of the main text and are indicated by using double quotation marks. **Quotations exceeding 50 words** must be indented and placed in a 10 pt font. No quotation marks are used to introduce or conclude longer quotations. However, double quotation marks are used to indicate a quotation within such a longer quotation.
 22. When introducing a **list of items**:
 - (1) Where applicable, use “first” (not “firstly”); thereafter “secondly”, “thirdly”, etc.
 - (2) Bulleted lists may also be used, but should be used sparingly. Where bullets indicate *full sentences*, each bullet must be introduced by a capital letter and concluded with a full stop. Where *phrases* are bulleted, lower case and semi-colons are used at the beginning and end of each bullet (with the exception of the final bullet, where a full stop is used).
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