

Pretoria University Law Press
———— PULP ————

PUBLICATION
STYLE GUIDELINES

A. REFERENCING TO SOURCES

REFERENCE TO BOOKS

- In footnotes (first reference): CH Heyns *Human rights law in Africa* (2004) 333 (Note: title not in initial caps; author's name not given, only initials; no space between initials)
- In footnotes (subsequent references): Heyns (n 2 above) 350 (no initial)
- In bibliography: Donnelly, J *International human rights* (Westview Press: Boulder 1993)
- Two authors: CH Heyns & F Viljoen; in bibliography Heyns, CH & Viljoen, F
- More than two authors: in text CH Heyns *et al*; in bibliography Heyns, CH; Viljoen, F & Murray, R
- When referring to **translated** source: WD Ross (ed) *The works of Aristotle* trans DW Thompson (1910)

REFERENCE TO JOURNAL ARTICLES

- In footnotes (first reference): E Bondzie-Simpson 'A critique of the African Charter on Human and Peoples' Rights' (1998) 31 *Harvard Law Journal* 643
- In footnotes (subsequent references): Bondzie-Simpson (n 3 above) 644
- See above for two or more authors
- In bibliography: Bondzie-Simpson, E 'A critique of the African Charter on Human and Peoples' Rights' (1998) 31 *Harvard Law Journal* 643

REFERENCE TO CHAPTERS IN BOOKS

- In footnotes (first reference): D Hendrych 'Constitutionalism in the Czech Republic' in J Priban & J Young (eds) *The rule of law in Central Europe* (1999) 222
- In footnotes (subsequent references): D Brown 'A critique of the African Charter on Human and Peoples' Rights' in Priban & Young (n 3 above) 350
- In bibliography: Hendrych, D 'Constitutionalism in the Czech Republic' in Priban, J & Young, J (eds) *The rule of law in Central Europe* (Aldenshot: Dartmouth 1999)

REFERENCE TO THESES AND DISSERTATIONS

Unpublished: CH Heyns 'Civil disobedience in South Africa ...' unpublished PhD thesis, University of the Witwatersrand, 1992 169

REFERENCE TO NEWSPAPER ARTICLES

'The ordeal of children' *The Star* 29 September 2000 3

REFERENCE TO INTERNATIONAL TREATIES

- First reference (in text): name in full - International Covenant on Economic, Social and Cultural Rights (CESCR) (not **ICESR**); subsequent references in text: CESCR (not **the** CESCR)
- But ICCPR
- First reference (in text): UN Committee on Economic, Social and Cultural Rights (Committee on ESCR); subsequent references in text: Committee on ESCR

- First reference (in text): Universal Declaration of Human Rights (Universal Declaration) (**not** UDHR)
- General Comment 14

REFERENCE TO LEGISLATION

Act 13 of 1992 (not No), thereafter ‘the Act’
Industrial Relations Act 8 of 2000 secs 12(1) & (3), 14(2) & 15(1)

REPORTS/PAPERS

The title of a freestanding report, paper or statement should be enclosed in quotation marks, not italicised. The same goes for the title of a webpage. However, the name of an interactive online database – like the UN Population Division’s *World population prospects: 2004 revision population database* – is more analogous to a book title and should be italicised.

REFERENCE TO EMAILS

E-mail messages and telephone calls should be cited as below:

E-mail from B Xhosa on 28 July 2006.

Telephone communication with B Xhosa on 28 July 2006.

REFERENCE TO CASE LAW

- In case names where there are many parties, use an ampersand (&) and then Others or Another. You may choose to ignore the reference to ‘Others’ and merely use the initial parties but be consistent.
- Do not put case names and citations in both the text and footnote. It is preferable to have the case name in the text and the citation in the footnote. The footnote number should immediately follow the case name, eg Ras NO v Van der Meulen.¹

REFERENCE TO SOUTH AFRICAN CASE LAW

S v Makwanyane and Another 1995 (3) SA 391 (CC) (**not** 1995 3)

The Government of the Republic of South Africa & Others v Grootboom & Others 2000 11 BCLR 1169 (CC) (**not** 2000 (11))

REFERENCE TO INTERNATIONAL CASE LAW

African Commission:

If reported in *African Human Rights Law Reports*:

Modise v Botswana (2000) AHRLR 30 (ACHPR 2000)

If not reported in AHRLR:

Communication 101/93, *Civil Liberties Organisation v Nigeria*, Thirteenth Annual Activity Report

Inter-American Commission:

Yahom v Colombia, Inter-American Commission of Human Rights, IAm Comm of HR (26 June 1992), OAE/Ser L/V/II6 Doc 10 Rev 1

¹ 2011 4 SA 17 (SCA).

Inter-American Court:

VR v HIACHR (26 September 1986) Ser L/ Doc 8 Rev 1

European Court:

Sramek v Austria ECHR (22 October 1984) Ser A 17

OR, if not in Series A

S v Austria (1998) EHRR 598

ICJ judgments:

Case ... v Iran ICJ (24 May 1980) (1980) ICJ Reports 3

United Nations human rights treaty bodies:

Communication 135/94, *Bloomings v Italy*, UNHR Committee (26 June 1996), UN Doc CCPR/C/OP/1 (1984)

Intial:

Concluding observations on the fourth report of Cyprus, CAT Committee (16 June 2014), UN Doc CAT/C/CYP/CO/4 (2014).

Should read:

Concluding Observations on the Fourth Report of Cyprus, CAT Committee (16 June 2014) UN Doc CAT/C/CYP/CO/4 (2014).

REFERENCE TO FOREIGN CASE LAW (examples)**Canada:**

Eldridge v British Colombia (1997) 151 DLR (4th) 577 (not 4th)

USA:

Goldberg v Kelly 397 US 235 (1970)

S v K (2002) 292 F 3d 597

REFERENCE TO WEBSITES

<http://www.chr.up.ac.za> (accessed 31 January 2005)

When an author or article is cited, provide full information, eg Human Rights Watch 'The death penalty debate' 21 February <http://.....> (accessed 31 March 2007).

REFERENCE TO THE CONSTITUTION

When referring to the Constitution in full, it should read 'The Constitution of the Republic of South Africa, 1996' (as set out in sec 1(1) of the Citation of Constitutional Laws Act 5 of 2005).

B. CROSS-REFERENCING

Footnotes referring to earlier footnotes should lead with the author's surname (not her initials and surname as in the first reference) or the abbreviated name of a case or authorless policy document:

Viljoen (n 16 above) 12-13.

Grootboom (n 17 above) para 99.

In order to avoid redundancy, an exception to this rule should be made when the sentence to which the footnote attaches includes a reference to the author, case, or document. In such cases, the format below should be used:

- n 16 above, 12-13.
- n 17 above, para 99.

Note that a comma should set off the page or paragraph reference in this last format but not in the format above.

SUBSEQUENT REFERENCE TO CASES

First reference in text: In the well-known case of *Grootboom v Minister of Housing* (*Grootboom case*)

Thereafter: The *Grootboom case*

C. OTHER STYLE GUIDELINES

ABBREVIATIONS

- Abbreviations are generally not used in the text. (Exceptions: Madala J, Chaskalson P)
- Acronyms, abbreviated form – write term in full the first time, eg United Nations (UN) (**no** ‘...’, or ‘hereafter’ or ‘later cited as’)
- ‘for example’ (in text); use ‘eg’ only in footnotes
- Use para and paras in footnotes, full out in text
- Use sec and secs, art and arts in footnotes, full out in text
- Use abbreviations in footnotes such as ‘eg’

CAPITALISATION

- Avoid capital letters; only use for proper names and specifics, such as England, Constitutional Court
- Reference to a specific court: High Court, Constitutional Court: The **Court** held ... (but **courts** will not interfere ...)
- Reference to a specific **Constitution** (the South African **Constitution**; the **Constitution of Nigeria**); but generic **constitutions**
- Reference to a specific **Bill of Rights** (the Bill of Rights in the South African Constitution), but the **bills** of rights contained in African constitutions
- Reference to a specific **Protocol** – as above
- After a colon (:): Capital letter if a new full sentence is introduced; decap if it is merely a list of items
- Reference to books: CH Heyns *Human rights law in Africa*
- Reference to journals: *African Human Rights Law Journal*; articles in journals: ‘The human rights dimension of conflict’ (NOT caps)
- Words **NOT** capitalised:
 - apartheid (not italics)
 - commissioners (but **Commissioner** Badawi)
 - court (unless specific court)
 - government
 - interim/final Constitution
 - member state

ordinary session (of Commission)
parliament (but Pan-African Parliament)
state
state party
twentieth century
anti-retroviral

- Words capitalised:
Anglophone
Chairperson
Cold War
Francophone
Preamble/Postamble
Protocol (specific)
Rules of Procedure
Secretariat
Secretary
Secretary-General
Shari'a
Southern Africa
Vice-Chairperson
West Africa
World War II
South, East, North, West

DATE FORMAT

31 January 2005 (**not** January 31st, 2005; 31 January, 2005)

FOOTNOTES

- Full stops after footnotes
- First line of footnote is indented; other lines aligned left
- No *ibid*, *supra*, etc
- Footnotes start with capitals, **except** if they start with 'n' (note) eg 'n 17 above'
- As far as possible, use abbreviations (without full stops) eg para, paras, sec, secs, art, arts, ch, etc
- If more than one source is cited in a footnote, list them chronologically (unless no dates, then alphabetically); separate sources with ';
- No 'paragraphs' in footnotes
- Use '&' when referring to articles and authors (arts 1 & 2; De Waal & Currie; *Grootboom & Others v Minister ...*); use 'and' in full sentences
- Journals are not abbreviated – provide full title, eg **not** JAC, but *Journal of African Law*
- No 'at' or 'page' to refer to specific pages cited in an article or book – eg (2005) 1 *African Human Rights Law Journal* 375 380 (where '375' is the page where the article starts, and '380' the page specifically cited)
- Authors: two authors, both names in full (&) with initials; more than two authors, use *et al*
- When referring to earlier footnote reference, **no** initial (Heyns n 2 above)
- Use 'as above' only when reference is exactly as in preceding footnote; otherwise 'n 33 above, 45'.

HEADINGS

Headings – do not use initial capital letters

HEADING LEVELS

1 Introduction (bold; font 14 pitch)

1.1 The South African experience (bold; font 12 pitch)

1.1.1 The position in Nigeria (bold; font 12 pitch)

Subsequent sub-headings: no numbering, italics

NUMERALS

- 1 – 10 written out (one, ten); above 10: figures (14, 32) **except** at start of sentence (Forty-five soldiers were killed ...)
- Ordinals:
In text: first, second, twenty-ninth, etc, **but** 2nd session of Commission, 29th session of Commission
In footnotes: 1st, 2nd, 29th (no superscript, eg 29th)
- Thousands: 25 000 (not 25,000 – space, not comma)
- Numbers should be separated by a hyphen and a space placed on each side of the hyphen:

150 000 - 290 000, not 150 000–290 000 or 150 000 – 290 000

15 - 49, not 15-49, 15–49 or 15 – 49

21.2 - 45.3%, not 21.2-45.3%, 21.2–45.3% or 21.2 – 45.3%

- Words should be matched with words: eight kilograms.
- Figures should be matched with symbols or abbreviations:

34 kg 12 mm 100 m.

R50 million, not R50m.

PUNCTUATION

- Avoid punctuation marks where possible
- No full stop after Mr, Prof, Dr, etc
- During 2003, the United Nations
- Quotations: ' ... ' in South Africa ...' (no full stop after ')
- Footnote reference in text: ... in South Africa.⁶ (footnote number **after** full stop or comma); also when quote ends: ... in South Africa.⁶
- Avoid /, rather use 'or'
- Bullets: If followed by full sentences, initial capital and full stop after each; if not full sentences, no initial cap and ';' after each.

PARENTHESIS

Paranetical text should be set off by dashes as below:

- Certain infringements that would simply not be capable of justification in terms of section 36(1) – infringements that occur in terms of simple state conduct, for

example, unrelated to any law of general application – can be justified in terms of the reasonableness test that applies to the qualified rights.

Each of the following examples is incorrect:

- Certain infringements that would simply not be capable of justification in terms of section 36(1) - infringements that occur in terms of simple state conduct, for example, unrelated to any law of general application - can be justified in terms of the reasonableness test that applies to the qualified rights.
- Certain infringements that would simply not be capable of justification in terms of section 36(1)—infringements that occur in terms of simple state conduct, for example, unrelated to any law of general application—can be justified in terms of the reasonableness test that applies to the qualified rights.
- Certain infringements that would simply not be capable of justification in terms of section 36(1) — infringements that occur in terms of simple state conduct, for example, unrelated to any law of general application — can be justified in terms of the reasonableness test that applies to the qualified rights.

PARAGRAPHING

The first paragraph starts aligned.

Subsequent paragraphs are indented.

Paragraphs under indented quotes are also aligned.

Top of page remains indented if paragraph should ordinarily be indented

QUOTATIONS

Quotes longer than **30** words must be indented (on left hand side, not on right hand side), for example:

The challenge of building one nation and one economy in which all South Africans may participate and from which all may benefit remains a major challenge for the short, medium and perhaps even long term.

For indented quotes, use font 10 pitch.

Indented quotes do not have quotation marks.

The footnote sign should usually precede the indented quote, unless the indented quote forms part of a sentence, which ends at the end of the quote; then the footnote sign comes at the end of the quotation.

In quoted text, American spelling should not be changed to British spelling. The same goes for the title of a cited work. However, the name of an organisation should be spelled according to British norms regardless of how the organisation chooses to spell its own name. Thus, World Health Organization should be changed to World Health Organisation.

QUOTATION MARKS

- Always use single quotes, unless it is a quote within a quote (then double quotes).
- Where a quotation is part of a sentence only, the full stop should be placed outside the last quotation mark, example: The judge said it was his 'duty to apply the law'.

- Where a passage from a quotation is omitted indicate this with the use of ellipses, in other words three dots with spaces at the beginning and end (eg 'cannot ... preserve'), except at the start of the quotation.
- Quotations should be verbatim, including American spelling. However, avoid using (sic!) to draw attention to mistakes in material quoted. If the error is a typographical one, correct it. If the grammar is incorrect, interpose using your own wording between square brackets.

SPACING

Article 27(2) - no space before (2)

SPELLING OF SPECIFIC WORDS

UK English – 's' instead of 'z' – organisation, not organization
 acknowledgment (not acknowledgement)
 co-operation
 healthcare (not health care)
 judge
 judgment (not judgement)
 licence
 licensing
 practice (noun)
 practise (verb)
 Shari'a
 state party/parties (not states parties)
ubuntu

USE OF BRACKETS

Rather use commas than brackets for parenthesis.

USE OF BOLD

Avoid.

USE OF FOREIGN TERMS

- Try to avoid – replace with modern English term, instead of *supra* rather use 'above'
- If used, use italics: eg *inter alia*

USE OF HYPHENS

anti-retroviral
 bilateral (not bi-lateral)
 case-law
 claw-back clauses
 co-operation
 Dar es Salaam
 decision making (but decision-making process)
 extrajudicial
 HIV positive (but HIV-positive status)

intergovernmental
mother-to-child-transmission
multilateral (not multi-lateral)
Secretary-General
subregion/subregional
subsection
Vice-Chairperson

USE OF ITALICS

- Always use italics for:
 - titles of journals, books, newspaper names, cases
 - foreign words, unless acknowledged as part of English, and unless part of or in a quotation
 - emphasis (... opinions on the *compatibility* of domestic laws ...) – add ‘my emphasis’ or ‘our emphasis’ in footnote (use sparingly)
- Italics should not be used for legislation and treaties.
- Specific words/phrases:
 - *et al*
 - *coup d'état*
 - *ubuntu*
 - *prima facie*
 - *inter alia*
 - *per se*
 - *a quo*

APOSTROPHES

The modern practice is not to use an apostrophe in abbreviated plurals (eg MPs, CVs) or with dates (eg 1990s instead of 1990's).