

**EDITORS' GUIDE**

**I INTRODUCTION**

The editors of *iiLwandle Zethu* (“Our Seas” in Xhosa) welcome the submission of manuscripts in English for consideration for publication, provided that the topic under discussion relates to the law of the sea, maritime law or ocean governance as it applies either in the whole African continent, in a specific African region or in one or more African States.

*iiLwandle Zethu* accepts manuscripts of four types. These are:

- (a) **Articles.** Articles are the feature pieces of each issue of the *Journal (JOLGA)*. They provide a detailed, if not seminal, analysis of the topic under discussion. Articles should not exceed 12 000 words (excluding references). Longer manuscripts will only be considered in exceptional circumstances. All references in articles must be footnoted. Each article must be accompanied by an abstract of not more than 200 words. The abstract should summarise rather than introduce the argument of the article, and should contain appropriate key words.
- (b) **Notes.** Notes are shorter, more focused pieces. They may analyse a particular recent judgment (or judgments) of the courts or discuss any other specific issue of legal interest, including issues arising in the practical application of the law of the sea, maritime law or ocean governance. Notes should be between 3 000 and 8 000 words long. Longer notes are not considered. Notes do not require an abstract. All references in notes must be footnoted.
- (c) **Updates.** Updates are brief descriptions of legal or policy developments which have taken place at the continental, regional or domestic level. Updates should not exceed 3 000 words. They do not require an abstract. All references in notes must be footnoted.
- (d) **Book reviews.** Book reviews are critical discussions of scholarly books on any topic relating directly or indirectly to the law of the sea, maritime law or ocean governance as it applies either in the whole African continent, in a specific African region or in one or more African States. Reviews should be between 2 000 and 5 000 words long. Longer reviews are not considered. All references in notes must be footnoted.

A manuscript will be considered for publication:

- only on the assurance that it has not in whole or in part or in substance been published or submitted for publication elsewhere;
- on the understanding that it may be submitted in confidence to at least two expert referees for evaluation; and
- on the understanding that the editors reserve the right to make whatever changes they consider desirable:
  - (a) to bring the manuscript into the house style of *JOLGA*;

- (b) to eliminate errors of typing, grammar, syntax, punctuation, spelling, idiom and the like;
- (c) to eliminate ambiguity, illogicality, tautology, circumlocution and redundancy;
- (d) to produce accuracy and coherence;
- (e) to improve the mode of expression and style of writing; and
- (f) to avoid possible criminal or civil liability.

Authors are required to prepare their manuscripts very carefully to avoid the need for the editors to exercise extensively their right to make changes. In particular, authors are asked to acquaint themselves with the house style of *JOLGA*, and to check their manuscripts carefully against the guidelines that follow.

NOTE: Regrettably, a manuscript that does not accord with the house style of *JOLGA* will be returned to the author(s) immediately, with a request that the manuscript be amended to conform to the house style. The quality of the piece will normally not be assessed before this has occurred.

## II HOUSE STYLE

### (a) General

What follows in this document are the stylistic requirements that most commonly require the attention of the authors and editors of *JOLGA*. This document is merely a general guide as it is not possible to cover every possible referencing and stylistic issue. Where this document does not provide assistance, authors are requested to consider one of the following:

- to consult previous issues of *JOLGA*, and to see how a similar stylistic issue has been dealt with;
- to consult the main *House Style for Juta Publications* which may be found on the web page where this document was accessed; or
- to contact the editors for advice (the contact details may be found at the front of each issue of *JOLGA*).

### (b) Matters of presentation and layout

#### (i) *Page layout*

The page should have 1 inch (2.54 cm) margins all round (top, bottom, left, right). Line spacing should be 1.15. The text must be right-justified.

All paragraphs (including those that come after long quotations) should be indented except the very first paragraph of a piece and any paragraph appearing immediately after a heading or subheading.

A 6 point space should be left after each paragraph except when the paragraph is followed by a heading, in which case there must be two line spaces after the paragraph, or a subheading or sub-subheading, in which case there must be one line space after the paragraph.

(ii) *Font and type*

A Times New Roman font is used by *JOLGA*. The text must be in 12 point font. An 11 point font must be used for all isolated or indented quotations, ie long quotations of more than 40 words. Footnotes must be in 10 point font.

Italics are used for emphasis, for case names, names of journals and titles of books, plays, operas and films, names of ships and the titles of paintings and other works of art; and for web sites and other electronic references. Italics are *not* used for foreign words. All italics in direct quotations are reproduced, however.

(iii) *Titles of articles, notes, updates and book reviews, authors' names*

Titles of articles and notes are right-aligned and always in caps.

Titles of articles are in italics with case names appearing in roman. Acknowledgements are placed in a footnote to an asterisk appearing at the end of the article's title. A line is left between the title and the author's name, which is in roman caps. The author's degrees are given in a footnote to the symbol † (and in the case of a second author, ††). The author's designation appears immediately under her name, in italics and sentence case.

Titles of notes are in roman with, if applicable, case names in italics on a separate line. A line is left between the title and the author's name, which is again in roman caps. The author's designation appears immediately under the name, in italics and sentence case. Degrees are not given but acknowledgements may be made in a footnote to an asterisk appearing after the author's name.

Titles of updates and book reviews are left-aligned and always in bold.

The first line of the titles of updates indicates the relevant State, region or organisation in roman caps. The second line is in sentence case and contains the title of the update, which may be limited to the title of the relevant legal or policy instrument(s). The author's name and designation are given in a footnote to the symbol †.

The first line of the book reviews contains the title of the review in sentence case. The second line contains the reference to the book reviewed in sentence case and in the format in which the reference would appear if it were in a footnote with, in addition, the thirteen digits ISBN number. The author's name and designation are given in a footnote to the symbol †.

(iv) *Headings*

All headings are left-aligned (other than headings of sections of the journal).

Main headings are in caps. The headings in articles are numbered in roman numerals (eg 'I INTRODUCTION').

Subheadings and sub-subheadings are in sentence case. (a), (b), (c) are used for subheadings, which must be underlined. (i), (ii), (iii) are used for sub-subheadings, which must be in italics). Authors should avoid, wherever possible, going beyond sub-subheadings.

(v) *Lists*

Bullet points may be used for any list, and should be used particularly where the list consists of phrases as opposed to full sentences. Full sentences should start with a cap and end with a full stop. Phrases may, however, begin with lower case and end with a semi-colon (and a full stop right at the end of the list).

Lengthy items consisting of whole sentences or several sentences may appear in numbered lists (using (a), (i) or whatever seems appropriate). Such items always begin with a cap and end with a full stop.

We use 'first' (not firstly); thereafter 'secondly', 'thirdly'.

(c) Spelling, grammar and other related matters of style or convention

(i) *Spelling and capital letters*

*JOLGA* uses the 's' form of English spelling: recognise, emphasise, analyse, realise, organization (but assets are 'realized'). We say 'in so far as' and not 'insofar as'; 'moneys' and never 'monies'.

Capital letters are used only where essential, ie in all proper names (South Africa, Constitutional Court) and by tradition for a few other things, such as State, Act, President (of the country), Parliament and the Constitution (in the sense of a particular document; otherwise lower case).

Please note: Caps are not used for court, appeal court, judge, judge of appeal, committee, board, council, municipality, province, premier, etc. (When in doubt, use lower case.)

The use of caps in titles and headings is dealt with below.

(ii) *Numbers, dates, percentages, currencies*

Use words for all numbers between one and twenty and for all approximations (about two hundred years, a thousand ways).

Numbers higher than twenty may be in figures. All numbers in tables and graphs are in figures. So are ages (5 years old), percentages (*JOLGA* uses the words 'per cent' in the text (10 per cent), and only uses the figure % in tables) and measurements and quantities and amounts (6 cm, 40 km, R5 million). It is advisable also to use figures where a lot of numbers appear in a piece, as a consistent style looks better. A dot (not a comma) is used in large numbers, as for instance in 42.567. Where a 'rands and cents' figure is used, the cents should be connoted by a short hyphen (R 456-45). For other currencies, us US\$, £, €.

A sentence should never begin with figures, ie recast the sentence or use words.

Dates and centuries: on the 4<sup>th</sup> of July 1978; in the 1980s (not 1980's – there is no apostrophe); in the twentieth century.

*(iii) Dashes, hyphens etc*

*JOLGA* uses the long dash — (known in the publishing trade as the ‘em rule’) where the author wishes either (i) to tack a word, phrase or clause onto the end of a sentence for emphasis, or (ii) to mark off a ‘by the way’ remark in much the same way as a parenthesis, but generally to give it greater emphasis.

Examples:

His expertise and loyalty are available — at a price.

A policy shift is necessary to protect third parties — possibly unsophisticated entrepreneurs — who enter into pre-incorporation contracts.

Where the author wishes to refer to sequences of figures to indicate continuity, or to join compounds, then a shorter en rule – should be used.

Examples:

*Pollak on Jurisdiction* (1967) 45–52. (This is the standard mark for all page references from ... to ... .)

The blood–brain barrier.

In other circumstances, the short hyphen - must be used.

Examples:

Jean-Jacques.

Seven-year-old boy.

**NB:** Some books (especially looseleaves) have double-jointed page numbering; for example ‘A-4’ or ‘3-32’. In such cases, the short hyphen should be used, as this will indicate clearly a specific page is being referred to, and not a sequence from ... to ... .

*(iv) Quotations*

Quotations are reproduced exactly, including all original italics and original punctuation, notwithstanding that the original forms may not comply with the *JOLGA* style.

Quotations appear in single quotation marks. Quotations within quotations appear in double quotation marks. (Back to single for the rare quotation within a quotation within a quotation.)

Short quotations appear as part of the text. Long quotations, ie quotations of more than 40 words, are isolated from the text by being indented from both the left margin and the right margin. It is permissible to isolate a shorter quotation for emphasis.

Whenever a quotation is introduced with a colon, the quotation itself should begin with a capital letter (using square brackets to indicate an alteration where necessary). If no colon is used, the quotation should start with lower case (using square brackets to indicate an alteration where necessary). Where the quotation begins with a capital letter, the closing full stop should normally appear inside the closing quotation mark. But if the quotation forms part of the larger sentence, the full stop should appear after the closing quotation mark.

Ellipses need not be used at the start of a quotation but must be used in the middle and at the end of a quotation to indicate missing words. We use three dots for any missing word(s) and a fourth dot to show any missing full stop. (The placement of the dots indicates where the full stop appeared, so it will be ‘... .’ or ‘. ...’.)

Square brackets are used for all editorial changes and interpolations.

(d) Requirements for referencing standard legal sources

(i) *International instruments*

A reference to an international instrument must include the year of adoption and official name of the instrument (if not mentioned in the text) as well as the reference to where the instrument has been published, including the UNTS and ILM reference if applicable. (See below for referencing style in the case where the instrument is only available on the Internet.) In addition, the reference must mention the fact that the instrument has not come into effect (if that is the case) and the status of the instrument with regard to the State(s) concerned (eg year of signature, ratification, accession) when relevant.

Examples:

1982 UN Convention on the Law of the Sea [1833 UNTS 3, (1982) 21 ILM 1245]. South Africa ratified the Convention in 1997.

2000 Constitutive Act of the African Union [2158 UNTS 3]. South Africa ratified the Act in 2003.

(ii) *Cases*

All case titles are to appear in italics.

The case name and citation should be given in full and exactly as it appears in the relevant law report the first time it is cited. However, additional parties should be left out unless it is necessary to retain them in order to make sense of the discussion (eg where the author makes mention of ‘the respondents’). Such parties are given in lower case, and ampersands are used (& another, & others).

Examples:

*M/V ‘Saiga’ (No 2) (Saint Vincent and the Grenadines v Guinea)* 1999 ITLOS Reports 10.

*Broad (Pty) Ltd v Thin* 2008 (4) SA 456 (SCA).

Paragraph references or page references (with marginal letters) may be given. The former are preferred. *JOLGA* does not use ‘at’ with paragraph references, although it does with page references.

If the case is not reported in a published set of law reports (either at all, or has not as yet been published in this manner due to the decision being very recent) the author should please provide some form of citation for the purposes of reference. This could be a JOL or JDR citation, or a neutral citation used by the courts and SAFLII.

With the proliferation of electronic databases and neutral citations, there is less and less call for an author to refer to a case as being unreported. However, where it is necessary to do so, the *Journal* uses two basic styles for unreported cases, the date being the date of judgment:

*Dlamini v Jacobs* (NPD) unreported case no 98/05 of 3 August 2006; or  
*Dlamini v Jacobs* (NPD) unreported case no 98/05 (3 August 2006).

In addition, the placement of the word ‘unreported’ may be varied in accordance with the structure of the sentence, e g ‘in the unreported case of *Dlamini v Jacobs* (NPD) case no 98/05 of 3 August 2006...’.

A full set of standard case abbreviations and citations may be found in the *House Style for Juta Publications*.

### (iii) Books

When a book is referred to for the first time, authors’ names must be given as they appear on the title page of the book or on the title page of the chapter / relevant page of the article. For instance, John D Smith must appear as John D Smith and not as J D Smith or J Smith.

In a reference the co-authors of any work (book, article, chapter, whatever) take an ampersand: Smith & Dlamini. We cite up to three authors: Smith, Dlamini & Pillay. Thereafter use ‘et al’. When referring to authors in an ordinary sentence the ampersand is not used: ‘Smith and Dlamini believe that . . .’.

If the named persons are the authors of the book, then no more need be said. But if these are the editors, then the abbreviation (ed) or (eds) must appear after the names.

Book titles take the title case and appear in italics.

If the book is in an edition after the first, the number of the edition must appear after the title: 2 ed, 3 ed, 4 ed – but not 2nd or 3rd ed. If it is the first edition of the book, then no edition need be referred to; it will be assumed that it is the first edition.

The year of publication must appear in brackets after the title (first editions) or edition.

The precise page number where the authority was found comes next, if necessary. If the book operates by numbered paragraphs or sections (which may be connoted either by ‘par’ or by ‘§’), then this will be a sufficient reference. If it is necessary to refer to both paragraph/section and page, then do so as follows: par 27 p 160. This latter method should be used only where absolutely necessary. Where the reference is generally to a chapter in the book, this should be indicated by the abbreviation ‘ch’ (unless the word chapter starts the sentence, in which case it must be in full).

Examples:

John D Smith & Siphon Dlamini *Hand’s Law of Arbitration* (2006) 5 ed 115.

P Q R Boberg *The Law of Delict: Aquilian Liability* (1984) ch 3.

(iv) *Chapters in books*

Where an author refers to a chapter in a book written by a specific author (most commonly in a book constituted of chapters by experts on a common theme, and which have been collected and edited by a general editor or editors), then both the chapter and the book must be referenced in full the first time the work is cited.

The author must be referred to exactly as he or she was in the book, and the titles of chapters in collections are always in sentence case and roman. The book is to be cited as above.

Example:

M Bear & D Bear 'Too hot, too cold, just right?' in Mary Goldilocks (ed) *The Politics of Cookery* (2004) 3 ed 23–7.

Some works (especially encyclopaedias and looseleaf books) can give problems. Try to follow this style:

A J Kerr 'Lease' in W A Joubert (founding ed) *The Law of South Africa* (1999) vol 14 first reissue par 164.

Joe Bloggs 'Executive government' in Stuart Woolman et al (eds) *Constitutional Law of South Africa* (Service 12) 2 ed 6-18.

(v) *Journal articles*

The name of the author(s) must appear exactly as they appear in the journal being cited.

The title of the article must appear in sentence case, in roman, and within single inverted commas.

The year (in brackets) the volume (where relevant) and the title of the journal must be supplied. The title of the journal must be in italics.

The names of journals should only be abbreviated in the following cases:

AJICL	African Journal of International and Comparative Law
AJIL	American Journal of International Law
AJLS	African Journal of Legal Studies
AJMS	African Journal of Marine Science
AYIL	African Yearbook of International Law
CILSA	Comparative and International Law Journal of Southern Africa
DMF	Droit maritime français
EJIL	European Journal of International Law
ICLQ	International and Comparative Law Quarterly
IDM	Il Diritto Marittimo
IJMCL	International Journal of Marine and Coastal Law
ILM	International Legal Materials
JAL	Journal of African Law
JAUS	Journal of African Union Studies
JIML	Journal of International Maritime Law
JMA	WMU Journal of Maritime Affairs
JMLC	Journal of Maritime Law and Commerce



JSAS	Journal of Southern African Studies
LA	Law in Africa
LMLJ	Loyola Maritime Law Journal
MLJ	Maritime Law Journal
MP	Marine Policy
OCLJ	Ocean and Coastal Law Journal
OCM	Ocean and Coastal Management
ODIL	Ocean Development and International Law
OY	Ocean Yearbook
SAJIA	South African Journal of International Affairs
SAYIL	South African Yearbook of International Law
TMLJ	Tulane Maritime Law Journal

Examples:

E Witbooi ‘Towards a new “fisheries crime” paradigm: Challenges and opportunities with reference to South Africa as an illustrative African example’ (2015) 55 MP 39 at 41.

N Aloupi ‘Pays en développement et zone économique exclusive’ (2010) 18 AYIL 185 at 203.

Where the periodical carries no volume number, the year is not placed in brackets, eg 2006 *Acta Juridica* 43; 2003 *Journal of South African Law* 89; 2004 *Annual Survey of South African Law* 776.

(vi) *Theses*

Deborah B Hamman *River and Maritime Boundaries between South Africa and Namibia* (unpublished PhD thesis, University of Cape Town, 1991) 134.

(vii) *Newspapers*

Angela Jones ‘Nuclear reactor in trouble’ *The Star* 24 May 2005 at 2.

(viii) *White papers, etc*

The *White Paper on Energy Policy* (GN 3007 in GG 19606 of 17 December 1998).

The ‘National Policy on HIV/AIDS for Learners and Educators’ (published in GG 20372 of 10 May 1999).

(ix) *Law Commission papers*

South African Law Commission Issue Paper 20 (Project 123) *Protected Disclosures* (2002) par 3.

South African Law Commission Discussion Paper 107 (Project 123) *Protected Disclosures* (2004) par 56.

South African Law Commission (Project 123) *Report on Protected Disclosures* (2007).

(x) *The South African Constitution*

The new long citation (used when referring to the Constitution for the first time) is simply 'Constitution of the Republic of South Africa, 1996'. The interim Constitution remains 'the Constitution of the Republic of South Africa Act, 1993 (Act 200 of 1993)'.

(xi) *Legislation*

In the first reference give the short title, number and year of a statute without any punctuation: 'the Maritime Zones Act, 1994 (Act 15 of 1994)'. Thereafter variants may be used: 'the Maritime Zones Act', 'the Act', 'Act 15 of 1994'.

Use abbreviations for 'section', 'subsection', 'paragraph' and 'subparagraph', but never at the start of a sentence: chapter = 'ch', section = 's', subsection = 'subs', paragraph = 'par', subparagraph = 'subpar', article = 'art'. (Plurals: same as singulars.)

Schedules: 'in terms of Schedule 4 to the Act' (capital 's'), but 'according to the schedule' (lower case).

(xii) *Delegated legislation*

A proclamation is cited as follows: Proc R46 in GG 24567 of 31 January 2003.

Regulations are cited by referring to the notice in which they appear, eg 'the Merchant Shipping (Navigation Bridge Visibility) Regulations, 2004 (GN R1199 in GG 26878 of 15 October 2004)'. A regulation is abbreviated to reg, as in reg 5(1) (but not at the start of a sentence).

(xiii) *Internet references*

Wherever possible, a published and authoritative source should form the basis of a reference. When it is not possible, authors may refer to websites, provided that the authors consider carefully how authoritative the source of the information is before using it.

Where an Internet reference is to be used, it must appear as follows:

African Union 'Decision on maritime security in Africa' (AU Doc. EX/CL/Dec. 60 (III) 2003) (available at [http://www.au.int/en/sites/default/files/ex%20CL%20DEC%2020%20-%2074%20\(III\)%20\\_E\\_0.pdf](http://www.au.int/en/sites/default/files/ex%20CL%20DEC%2020%20-%2074%20(III)%20_E_0.pdf), accessed on 16 September 2013).

North Atlantic Treaty Organisation *Operation Ocean Shield Fact Sheet* (2012) Brussels: NATO (available at [http://www.nato.int/nato\\_static/assets/pdf/pdf\\_topics/1889-12\\_Factsheet\\_OOS\\_en.pdf](http://www.nato.int/nato_static/assets/pdf/pdf_topics/1889-12_Factsheet_OOS_en.pdf), accessed on 17 December 2013).

NB: the URL must appear in italics, in black, and must NOT be underlined.

Where an author has accessed a published source on the Internet (eg a journal article accessed through WestLaw), the original citation should be given, and there is no need to refer to the URL.

The exceptions to the above rule are newspaper articles accessed from the Internet, or resources such as law commission reports etc from other countries, which may not be obviously or easily accessible to interested readers. For convenience, authors are strongly encouraged to give a URL reference over and above the reference to the published source.

(e) The use of footnotes

Authors are welcome to use footnotes to elaborate on points that would otherwise clutter the main text of the contribution. The other important purpose of footnotes is to provide the relevant references without cluttering the text.

In footnotes a reference to any authoritative source (which must comply with the house style described above) is given once in full.

Thereafter a book, chapter, journal article, newspaper article, law commission report, thesis will be cited by author(s) and a cross-reference (using 'op cit') to the FIRST footnote, where the full reference appeared. An abbreviated reference to the work may be used to provide further guidance where appropriate (eg several of an author's works are cited sporadically in an article).

Examples:

Smith & Dlamini op cit note 5 at 67.

Dugard *International Law* op cit note 13 at 234.

Cases are also cited using the cross-referencing method, but 'supra' is used.

Examples:

*Nottebohm* supra note 12 par 34.

Supra note 16 at 365G–H.

For consecutive references to the same work, 'ibid' is used with or without a page number or paragraph reference as appropriate.

Examples:

Ibid.

Ibid at 45.

Ibid par 45.

(f) Miscellaneous

A name should appear in full before any acronym is used for it. (The acronym must be introduced at the instance preceding its first use: eg 'the Benguela Current Commission (BCC)'. *JOLGA* uses 'LOSC' for the 1982 UN Convention on the Law of the Sea and 'UNCLOS' for the UN conferences on the law of the sea.) However, this does not apply to acronyms that are very well known. Those include inter alia NGO, UN, US, EU, AU, SADC, IMO, FAO, UNEP and ILO.

If at all possible, avoid starting a sentence with an acronym or any other kind of abbreviation.

Where an entire sentence appears in parentheses, the full stop is placed inside the second bracket. (Here an entire sentence is bracketed.)

When giving starting and ending page numbers and paragraph numbers, do not chop off the unnecessary ones: thus 34–35 and not 34–5.