

# Namibia Law Journal House Style Guide

We would like to acknowledge the University of the Witwatersrand's House Style (2000–2009), which served as a guide.

The *Namibia Law Journal* publishes articles as well as shorter contributions in other sections.

## **General style pointers**

Avoid polite legal clichés such as *the learned judge*, *the learned author*, *with respect*, *with the greatest respect*, and *it is submitted*.

Try to avoid the other clichés that creep into legal writing such as *the way forward*, *enshrined in the Constitution*, and *legacies of apartheid*.

Refer to judges as *Angula J* or *Angula JA*, etc.

Use *we/I argue*, *we/I will show*, etc. instead of clumsy constructions to avoid the use of the first person, *I*.

Write in the active voice.

*On* is usually preferable to *upon*.

## **Form**

Use UK English as your spelling default.

Use Arial font and 1.5 spacing for all text.

Always use footnotes instead of endnotes or parenthetical references in the body text. Rather repeat an abbreviated version of a previous footnote than refer the reader back and forth to other footnotes. The footnote font size is 10 point.

The following styles apply to unnumbered headings at each level:

Level 1 (title of article): Arial 16 point, bold

Level 2 (authors' names): Arial 12 point, bold

Level 3 (heading of major content division, e.g. Introduction, Conclusion): Arial 14 point, bold

Level 4 (subheading of major content division): Arial 12 point, bold italics

Level 5 (sub-subheading): Arial 11 point, regular

## **All article submissions require a single paragraph abstract.**

The abstract should state the principal questions investigated in the article and the outcome of the investigation. Here is an example of good abstracting style:<sup>1</sup>

Proposed constitutional amendments envisage the creation of a single apex court for South Africa. If adopted, this will change the system that has existed since 1994 in which the Constitutional Court of South Africa is the court of final instance for constitutional matters and the Supreme Court of Appeal the court of final instance in matters that are not constitutional. Since the distinction between constitutional and other matters is illusory, this change is

---

<sup>1</sup> Example cited from the University of the Witwatersrand House Style.

welcome. What is not welcome is the manner in which an important change to the structure of the judicial system has been introduced by stealth. It is also undesirable for the Constitutional Court as it is currently constituted to perform the role of the apex court.

**Quotations** should be clearly indicated by double quotation marks, with single quotation marks used only for quotes within quotes. Where a quotation is more than about 50 words in length, it should be indented as a separate paragraph, with a line free above and below it, and with no quotation marks. The source of the cited piece should be given at the end of the statement that introduces the citation. Amendments to quotations are indicated by way of square editorial brackets.

**Avoid Latinisms.** An exception is the use of *ibid.* in footnotes. In general, unnecessary Latinisms such as *in casu* should be avoided.

**Foreign words and phrases.** Where Latin phrases are used, they should not be italicised. Italics should be used for foreign words, case names (including the *v*), titles of books and journals, and for emphasis.

**Abbreviations** may be used provided that the name is set out in full at first mention, followed by the abbreviation in brackets, e.g.

United Nations Educational, Scientific and Cultural Organisation (UNESCO)

No full stops should be used in abbreviations, i.e. –

UNESCO, USA, the SWAPO Party

except for –

*ibid.* [lower case *i*, with full stop after *d*]

For abbreviated plurals, use only the *s*. Thus, it would be *1970s* (not *1970's*), and *MPs* (not *MP's*).

Use % (not *per cent*).

**S spellings.** Use *s* spellings rather than *z* spellings, e.g. *recognise*, *nationalise*.

**Emphasis.** Emphasis is indicated by italics. If the emphasis occurs in a citation, the source of the emphasis should be indicated, e.g. [Emphasis in original] or [Emphasis added].

**Dates.** 1 January 1999, and 1995–1996, the 1980s and 1990s

**Numbers** from one to ten are spelt out in words unless they refer to section or schedule numbers in statutes.

**Case names:** In italics, *v* (for *versus*) without a full stop – e.g. *Brown v White*. Please avoid multiple references. Reference only to the official Law Report and the superior court website are necessary.

A reference to a specific page should be made as follows, with the first page of the report always referred to first:

Subsequent references to the same case should be:

In footnotes:

<sup>1</sup> (*ibid.*:136). [where the case is cited in the immediately preceding footnote]

<sup>2</sup> (*ibid.*). [where the case and the page reference is the same as that in the immediately preceding footnote]

<sup>3</sup> *Smith v Jones*, at 134. [repeat the abbreviated name of the case rather than refer the reader immediately back and forth to other footnotes]

Page rather than paragraph references should be used wherever possible. This is the case for all Namibian Supreme and High Court decisions and all South African decisions. Examples:

*S v Kandovazu* 1998 NR 1 (SC), 4D-E

*S v Acheson* 1991 (2) SA 805 (Nm) ) at 813B-C.

The same rules apply to **foreign cases**. US *Bluebook* conventions may be used but case names must be italicised both in the text and footnotes and the use of full stops needs to be avoided.

*Eldridge v British Columbia* (1997) 151 DLR (4th) 577, at 631

*Romer v Evans* 116 S Ct 1620, at 1627 (1996)

*Brandenburg v Ohio* 395 US 444, at 451 (1969)

Always write out litigants' names in full, i.e. *Regents of the University of California* **not** *Regents of the Univ. of Cal.*

The use of **brief parenthetical explanations** of case holdings and other references is encouraged. Examples:

<sup>1</sup> *S v Makwanyane* 1995 (3) SA 391 (CC) (death penalty a violation of rights to life and human dignity).

*Cultura 2000 and Another v Government of the Republic of Namibia and Others* 1993 (2) SA 12 (NM) (Acts by predecessor Government in terms of Article 140(3) of the Namibian Constitution.)

<sup>2</sup> *Wisconsin v Yoder* 406 US 205 (1972) (compulsory school attendance for children of Amish religious community a violation of free exercise right).

<sup>3</sup> Mureinik, E. 1994. "A bridge to where? Introducing the Interim Bill of Rights". *South African Journal of Human Rights*, 10:31 (Bill of Rights seeks to create a culture of government based no longer on authority and coercion but on justification and

persuasion).

Amoo, S and Conteh, M. 2011 Property Rights of Women In Namibia and HIV/AIDS. A Myth or a Reality? *Namibia Law Journal* 3:1 (The effect of the HIV/AIDS endemic on the limitation to property rights of Namibian women).

## **Listing references in footnotes should follow the formats below:**

### **Books**

Surname, A, B Surname, C Surname & D Surname (Eds). Year. *Title* (in italics). Place of publication: Publisher, p [for *page* or *pp* for *pages*].

Surname et al. (Year: pages). [For subsequent footnote references]

### **Chapters in books**

Surname, I. Year. "Chapter title". In Surname, I (Ed.) *Title of book* [in italics], Place of publication: Publisher, page.

Surname (Year:pages). [For subsequent footnote references]

### **Papers in journals**

Surname, I. Year. "Title of article". *Journal title* [italics, name always written in full], Volume No.(Issue/No.):pages.

Surname (Year:pages). [For subsequent footnote references]

### **Newspaper articles**

Surname, I [if available]. Year. "Title of article". *Newspaper name* [italics], page.

Surname (Year:pages). [For subsequent footnote references]

### **Conference papers**

Surname, I. Year. "Title of paper". *Title of Conference proceedings publication* [italics]. Place of publication: Publisher, page.

Surname, I. Year. "Title of paper". Unpublished paper presented at the XYZ Conference, Location of Conference, dates of Conference.

Surname (Year:pages). [For subsequent footnote references]

### **Internet references**

Surname, I. Year. *Title of document* [italics]. Available at [www.webaddresshere.com](http://www.webaddresshere.com); last accessed

on [give day date, month name and year in full].

Surname (Year:pages). [For subsequent footnote references]

### **Law Reform Commission papers**

Note that the South African Law Commission changed its name to the South African Law Reform Commission in 2002. Pre-2002 publications should use the earlier name. Examples:

SA Law Commission Issue Paper 3 *Customary Marriages* (August 1996) 34.

SA Law Commission Discussion Paper 76 *Conflicts of Law* (April 1998).

SA Law Reform Commission Discussion Paper 108 *Stalking* (November 2004).

**Statutes.** When referring to a statute (including an amending statute for the first time), please give its full name and year in the body text, and insert its number and year in a footnote. Thus, it would be –

Labour Act, 2007 [in the body text]

No. 11 of 2007. [in the footnote]

Subsequent references to *the Labour Act*, or *the 2007 Act* [if reference is made to more than one version of it], or simply *the Act* [if only that specific version of the Act is referred to throughout the text].

**Hansard.** Parliamentary debates should be cited as follows:

*NA Debates* col 1472 (29 July 1998).

*NC Debates* col 125 (24 February 1999)

**Treaties and international instruments.** Give the *ILM* reference where available, failing which give the UNTS reference or the full UN Doc or OAU Doc reference. Examples:

United Nations Code of Conduct on Transnational Corporations (1984) 23 ILM 626.

General Agreement on Tariffs and Trade, 30 Oct 1947, Protocol Amending the General Agreement to Introduce Part IV on Trade and Development and to Amend Annex I (8 Feb 1965) 572 UNTS 320.

Resolution on an International Development Strategy for the Third UN Development Decade GA Res 35/56, UN Doc. A35/56 (1981).

These rules should be confined to the more obscure treaties and instruments. For most of the well-known multilateral treaties, instruments and UN documents, there is no need to give a bibliographical reference. Examples:

Universal Declaration of Human Rights (1948)

Vienna Convention on Consular Relations (1963)

International Covenant on Civil and Political Rights (1966)

International Covenant on Economic Social and Cultural Rights (1966)

Convention on the Rights of the Child (1989)

Convention on the Elimination of All Forms of Discrimination Against Women (1980)

Committee on Economic, Social and Cultural Rights, General Comment 9: The Domestic Application of the Covenant, (1998)

Beijing Declaration and Platform for Action, Fourth World Conference on Women, 15 September 1995