

Recent articles and research

By Meryl Federl

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Abbreviation	Title	Publisher	Volume/issue
<i>AJHRLJ</i>	African Human Rights Law Journal	University of Pretoria	(2015) 15(1)
<i>DJ</i>	De Jure	University of Pretoria	(2015) 48(1)
<i>EL</i>	Employment law	LexisNexis	(2015) 31.3
<i>ILJ</i>	Industrial Law Journal	Juta	2015 vol 36 July
<i>JJS</i>	Journal for Juridical Science	University of the Free State	(2014) 39.2
	LitNet Akademies (Regte)		(2015) 12 (2)
<i>PLD</i>	Property Law Digest	LexisNexis	(2015) June
<i>SAJCJ</i>	South African Journal of Criminal Justice	Juta	(2015) 28.1
<i>TSAR</i>	Tydskrif vir die Suid-Afrikaanse Reg	Juta	(2015) 3

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Consumer law

Bauling, A and Nagtegaal, A 'Bread as dignity: The Constitution and the Consumer Protection Act 68 of 2008' (2015) 48(1) *DJ* 149.

Mupangavanhu, Y 'Fairness a slippery concept: The common law of contract and the Consumer Protection Act 68 of 2008' (2015) 48(1) *DJ* 116.

Sibanda, OS 'WTO Appellate Body Ruling in United States – Certain country of origin labelling requirements: Trading away consumer rights and protections, or striking a balance between competition-based approach in trade and consumer interests?' (2015) 48(1) *DJ* 136.

Constitutional law

Rautenbach, IM 'The limitation of more than one constitutional right by the same law or action' (2015) 3 *TSAR* 602.

Swanepoel, N 'Die aanwending van die gestruktureerde interdik in die Suid-Afrikaanse Konstitusionele regsbedeling: 'n Eiesoortige beregtingsproses' (2015) 12(2) *LitNet Akademies (Regte)*.

Contract

Nortje, M 'Pre-contractual duties of disclosure in the South African common law (part 2)' (2015) 3 *TSAR* 567.

Corporate law

Henning, JJ 'Some manifestations of the statutory recognition of a partnership as an entity' (2014) 39.2 *JJS* 53.

Credit law

Brits, R 'The "reinstatement" of credit agreements: Remarks in response to the 2014 amendment of section 129(3)-(4) of the National Credit Act' (2015) 48(1) *DJ* 75.

Kelly-Louw, M 'The 2014 Credit-information Amnesty Regulations: What do they really entail?' (2015) 48(1) *DJ* 92.

Otto, JM 'National Credit Act. *Vanwaar Gehási? Quo vadit lex?* And some reflections on the National Credit Amendment Act 2014 (part 1)' (2015) 3 *TSAR* 583.

Criminal law

Bezuidenhout, I and Karels, M 'Die bekostigbaarheid van 'n aktiewe verdedigingsreg in die Suid-Afrikaanse strafregstelsel' (2014) 39.2 *JJS* 122.

Howell, S and Couzyn, K 'The South African National Drug Master Plan 2013 – 2017: A critical review' (2015) 28.1 *SAJCJ* 1.

Mujuzi, JD 'Diversion in the South African criminal justice system: Emerging jurisprudence' (2015) 28.1 *SAJCJ* 40.

Nkosi, T 'Where ignorance is bliss tis folly to arrest, or is it?' (2015) 3 *TSAR* 662.

Peté, SA 'Angels and demons, innocents and penitents: An analysis of different "characters" within the penal discourse of Apartheid South Africa 1980 to 1984 - Part One' (2015) 48(1) *DJ* 55.

Spies, A 'Reconsidering the *amicus curiae* participation in *S v Zuma*: Lessons for future participation' (2015) 28.1 *SAJCJ* 59.

Visser, JM 'Defence challenges of forensic scientific evidence in criminal proceedings in South Africa' (2015) 28.1 *SAJCJ* 24.

Watney, M 'Formulation of charges in a criminal trial: Imprecision of language leads to imprecision of thought' (2015) 3 *TSAR* 640.

Delict

Scott, J 'Middelike staatsaanspreeklikheid – mistastings oor gevestigde regsbeginsele' (2015) 3 *TSAR* 623.

Election law

Azu, M 'Lessons from Ghana and Kenya on why presidential election petitions usually fail' (2015) 15(1) *AJHRLJ* 150.

Environmental law

Madebwe, T 'A rights-based approach to environmental protection: The Zimbabwean experience' (2015) 15(1) *AJHRLJ* 110.

Evidence

Mujuzi, JD 'Evidence by means of closed circuit television or similar electronic media in South Africa: Does section 158 of the Criminal Procedure Act have extra-territorial application?' (2015) 48(1) *DJ* 1.

Mujuzi, JD 'Evidence obtained through violating the right to freedom from torture and other cruel, inhuman or degrading treatment in South Africa' (2015) 15(1) *AJHRLJ* 89.

Theophilopoulos, C 'The admissibility of data, data messages, and electronic documents at trial' (2015) 3 *TSAR* 461.

Family law

De Jong, M and Pintens, W 'Default matrimonial property regimes and the principles of European family law – a European-South African comparison (part 2)' (2015) 3 *TSAR* 551.

Van Schalkwyk, LN 'Onderhoudstoekenning vir gades of vennote pendente lite en by egskeiding: Het ons 'n nuwe benadering?' (2015) 48(1) *DJ* 193.

Van Schalkwyk, N 'Die ekstrinsieke-getuienis-reël: Universele vennootskappe en die huwelik buite gemeenskap van goed met uitsluiting van wins en verlies en aanwas' (2015) 12(2) *LitNet Akademies (Regte)*.

Human rights

Asomah, JY 'Cultural rights versus human rights: A critical analysis of the trokosi practice in Ghana and the role of civil society' (2015) 15(1) *AJHRLJ* 129.

Insurance law

Van Zyl, R 'Die aanvaardingsvereiste in lewensversekeringskontrakte' (2015) 48(1) *DJ* 17.

International law

Possi, A 'Striking a balance between community norms and human rights: The continuing struggle of the East African Court of Justice' (2015) 15(1) *AJHRLJ* 192.

Van der Vyver, JD 'Military intervention in Syria: The American, British and French alternatives and the Russian option' (2015) 48(1) *DJ* 36.

Labour law

Beerman, R 'The road to double regulation paved with good intentions: An analysis of the interplay between the Labour Relations Act and the Competition Act regulation of retrenchments' (2015) 36 *ILJ* 1693.

Botes, A 'Identifying sexual harassment in the workplace? Do not forget to remember the Code of Good Practice' (2015) 36 *ILJ* 1719.

Cohen, T 'Setting the record straight on procedurally unfair large-scale retrenchments' (2015) 36 *ILJ* 1781.

Du Toit, D and Tiemeni, TG 'Do cooperatives offer a basis for worker organisation in the domestic sector? An exploratory study' (2015) 36 *ILJ* 1677.

Grogan, J 'Holy water – morals versus the law (Gender discrimination)' (2015) 31.3 *EL* 14.

Grogan, J 'Invalid dismissals are no more: The LAC invalidates two of its own judgments' (2015) 31.3 *EL* 3.

Landman, AA 'Mediating in the shadow of the law' (2015) 36 *ILJ* 1766.

Rycroft, A 'Employer and employee obligations with regard to alternatives to retrenchment' (2015) 36 *ILJ* 1775.

Viviers, D and Smit, D 'The phenomenon of weight-based discrimination in South African employment' (2014) 39.2 *JJS* 92.

Wiese, T 'Retrenchments in order to increase profits: The legal and ethical duties of directors' (2015) *ILJ* 1748.

Legal education

Du Plessis, MA 'Clinical legal education: The assessment of student collaboration and group work' (2014) 39.2 *JJS* 67.

Roos, R 'Critical cross-field outcomes: A Rortian view on why and how to teach jurisprudence in South Africa in the 2010s' (2014) 39.2 *JJS* 1.

Van der Merwe, S 'Cautioning the careless writer: The importance of accurate and ethical legal writing' (2014) 39.2 *JJS* 23.

Local government

Fuo, ON 'Public participation in decentralised governments in Africa: Making ambitious constitutional guarantees more responsive' (2015) 15(1) *AJHRLJ* 167.

Marriage law

Neethling, J 'Vonnisbespreking: Owerspel as gedingsvatbare aksiegrond' (2015) 12(2) *LitNet Akademies (Regte)*.

Mediation

Feehily, R 'Confidentiality in commercial mediation: A fine balance (part 1)' (2015) 3 *TSAR* 516.

Prescription

Sonnekus, JC 'n Notariële verband op roerende goed en uitwissende verjaring' (2015) 3 *TSAR* 611.

Property law

Botha, M 'Can an agreement for the sale of land be cancelled or amended via e-mail?' (2015) June *PLD* 2.

Botha, M 'Permission to alter a window in a sectional title scheme – who has the say?' (2015) June *PLD* 6.

Samuels, A 'Note on the use of the public nuisance doctrine in 21st century South African law' (2015) 48(1) *DJ* 181.

Sonnekus, JC 'Diensbaarhede val nie uit die hemel nie' (2015) 3 *TSAR* 653.

Van der Walt, AJ and Kriek, CA 'The right to a view reconsidered' (2015) 3 *TSAR* 482.

Security law

Sonnekus, JC and Schlemmer, EC 'Sameloop van 'n *pactum de non cedendo*, sessie in *securitatem debiti* en retensieregte (deel 2)' (2015) 3 *TSAR* 537.

Sexual orientation

Mwambene, L and Wheal, M 'Realisation or oversight of a constitutional mandate? Corrective rape of black African lesbians in South Africa' (2015) 15(1) *AJHRLJ* 58.

Oloka-Onyango, J 'Debating love, human rights and identity politics In East Africa: The case of Uganda and Kenya' (2015) 15(1) *AJHRLJ* 28.

Rudman, A 'The protection against discrimination based on sexual orientation under the African human rights system' (2015) 15(1) *AJHRLJ* 1.

Trade mark law

Alberts, RW 'The timeous enforcement of trade mark rights' (2015) 48(1) *DJ* 172.

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