TSAR Referencing

Recommendations

1. Be consistent
   - Even if guidelines are not perfect, you will receive a good mark if you are consistent.

2. Use correct style from the start
   - To correct style errors later will be time consuming.

3. Keep TSAR article close
   - Often easier to follow rules from examples than to search for the rule in the style guideline.

4. Add in footnotes from the outset
   - Statements/ideas are only as strong as your authority.
   - You may forget the source.

5. Do not transfer style
   - Other publications use different style guidelines.
   - Plagiarism?

6. Save yourself time
   - Keep your Bibliography updated from the start.
Abbreviations

1. **Abbreviations in text**
2. **Abbreviations in footnotes**
3. **Avoid**
4. **Use whenever possible**
5. **All generally recognised abbreviations are acceptable**
6. **Home-made abbreviations must be avoided**
7. **Avoid full stops in and after abbreviations**

- **s** section/sections, NOT ss for sections
- **par** paragraph/paragraphs, NOT para/paras/pars
- **p** page/pages, NOT pp for pages*
- **J** Judge
- **AJ** Acting Judge
- **JA** Judge of Appeal
- **CJ** Chief Judge
- **reg** regulation
- **regs** regulations
- **ch** chapter
- **chs** chapters
- **n** footnote / footnotes
TSAR Referencing
Rules

• Use capital letters sparingly
• Be consistent
• Search for examples from published articles
• Titles
  • Mr, Ms, Judge, Lord, Sir, Lady – but “his lordship, the judge”.
• References to judges
  • small letters for judge of appeal, chief judge, etc and no abbreviations in the text when these titles are used without a surname: “the judges of appeal concluded” but Mpati JA.
• TSAR style makes scant use of commas. One should use a comma only where its omission could cause confusion.
• A colon (:) or a semicolon (;) is followed by a small letter.
• When more than one sentence or a sentence in quotation marks follow a colon (:), the first letter after the colon is a capital letter.
TSAR Referencing

Rules

4.1 Footnotes

• Footnotes begin with a capital letter when the footnote comprises a full sentence.
• A footnote begins with a small letter when the footnote does not constitute a full sentence, unless the first word used always starts with a capital letter, for example, surnames.

1 S 77 provides an example of poor drafting.
2 This is an incorrect assumption.
3 See s 33.
6 eg in s 44.
7 s 55(a)(i).
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Rules

4.2 Footnotes

• All footnotes *end* with full stops.
• The abbreviation for “footnote/footnotes” is “n” and a space is left between the “n” and the footnote number

11 See n 33 below.
• A *previous* footnote is referred to as follows:

12 n 13 above.
• A *subsequent footnote* is referred to as follows:

13 n 99 below.
• We do not use *supra, infra, loc cit, op cit, id, idem* and *vide*. 
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Rules

4.3 Footnotes

• When more than one source is referred to in the same footnote, the references must be separated with a semicolon (;).
• Between the last two sources in a series of more than two sources, or when only two sources are referred to an “and” is used and not a semicolon.

2 Andrews v Botha 1933 AD 44 and Cohen v Dlamini 1955 3 SA 222 (C).
3 Andrews v Botha 1933 AD 44; Cohen v Dlamini 1955 3 SA 222 (C) and Ebrahim v Singh 2010 5 BCLR 88 (CC).
Footnotes

• References to sources usually appear in footnotes, but very often a part of a reference appears in the text and part of it in a footnote.

The constitutional court abolished the death penalty in *S v Makwanyane*.\(^1\) Parliament gave effect to the right to administrative action in the Promotion of Administrative Justice Act.\(^2\)

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\(^1\) 1995 6 BCLR 665 (CC).

\(^2\) 3 of 2000.
Headings

• Titles of essay: capital letters and text in bold.
• All headings start with a capital letter.
• No full stop after a heading.

1  Introduction
1.1  Monday
1.1.1  Mornings
TSAR Referencing
Rules

6 Hyphens

• Common law
• Common-law approach
Other languages

• Words and concepts in a language different form the language in which the text is written may either be italicised or may be shown in quotation marks. Sentences and strings of more than four words or concepts must be shown in quotation marks.

Rechtsstaat or “Rechtsstaat” … BUT NOT “Rechtsstaat”

toerekeningsvatbaarheid or “toerekeningsvatbaarheid”

She referred to the “Nebenfolge der Tat des Angeschuldigten”.

TSAR Referencing
Rules

7
Quotation marks

• Use double quotation marks.
The author remarked: “It is a good idea.”
• Use single quotation marks within a quote.
She said: “Let us sing ‘Auld Lang Syne’ in June.”
• When a full sentence appears or full sentences appear in quotations marks, the quotation marks are closed after the (last) full stop.
“It snows in Johannesburg.”
• When a quotation forms part of a full sentence, the quotation marks are closed before the full stop.
John loves “all things bright and beautiful”.

8.2 Quotation marks

• Do not change the style in quotations to *TSAR* style. *One does not edit the style in quotations.*

• When style or words are *inserted or changed* in quotations, the changes must appear between square brackets [*   *].

“It [the protest] can serve to anticipate or negate an inference of acquiescence. . . . [T]hey agree with the judge.”

• Three full stops are inserted where something is omitted ( . . .)
Quotation marks

• Quotations longer than three printed lines must be indented and printed in smaller type:
The authors state:

“In South Africa, the term of office of the President is the same as that of the parliament which elected the President. After every national election, the National Assembly elects a President at its first sitting. The term of the National Assembly is five years, but it can be dissolved before the expiry of its term.”

• Quotation marks are still used.
TSAR Referencing

References

1 Budlender “Access to courts” 2004 *SALJ* 339 342.

• Surname(s) of author(s)
• Title of article (sentence case; quotation marks)
• Year
• Title of journal (title case)
• Page number where article start
• Page number of quotation/idea
TSAR Referencing

References

2 Books

• Surname(s) of author(s)
• Title (title case)
• Year (in brackets)
• Page number of quotation/idea

1 Schwikkard and Van der Merwe *Principles of Evidence* (2002) 46
Chapters in books

- Surname(s) of author(s)
- Title of chapter (sentence case; quotation marks)
- Surname(s) of editor(s)/author(s)
- Title of book (title case)
- Year (in brackets)
- Page number where chapter starts
- Page number of quotation/idea

4 Case law

- Remove brackets around volume number:
  *President of the Republic of South Africa v Hugo* 1997 4 SA 1 (CC) par 102.
- Not:
  *President of the Republic of South Africa v Hugo* 1997 (4) SA 1 (CC) par 102.
- **Foreign Cases**
  - Use the accepted ways of reference, but without the unnecessary [ ] and avoid full stops whenever possible
- **Unreported Cases**
  *Pienaar v Beukes* case no 492/90 (C) (unreported)
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Internet sources

- Avoid!!!
- If you have to use:

Legislation

The Companies Act 61 of 1973

What is the difference between a dissertation and a thesis?