OBITER

INDEX / INDEKS
VOLUME 43
(2022)

TITLES OF ARTICLES - TITELS VAN ARTIKELS

[References are to number of volume, followed by page number/ Verwysings is na nommer van volume, gevolg deur bladsynommer]

| A Short Critique of Minimum Sentences by Alphonso Goliath | 43.779 |
|--|--------|
| Abandonment of Rights to Minerals Granted in Terms of the Mineral and Petroleum Resources Development Act by Richard Cramer | 43.729 |
| Achieving Decent Work for Digital Platform Workers in South Africa by William Manga Mokofe | 43.349 |
| Achieving Gender Neutrality in Contracts by Michele van Eck | 43.104 |
| An Analysis of the Application of s 4A of the Wills Act 7 of 1953 With Regard to Muslims Married Within the South African Context by Muneer Abduroaf | 43.366 |
| An Analysis of the Common Purpose Doctrine and Rape in South Africa with Special Focus on Tshabalala v The State (2019) ZACC 48 by Franaaz Khan and K Hagglund | 43.404 |
| An Evaluation of Lesotho's Right to "Expropriate" the Water in the Treaty on the Lesotho Highlands Water Project in a "Conflict of Uses" by Clive Vinti | 43.79 |
| Burnout in the Workplace by Karin Calitz | 43.320 |
| Certainty Established: Majoritarianism Trumps Minority, Passes Constitutional Muster, and Accords with International Standards – Association of Mineworkers and Construction v Royal Bafokeng Platinum Limited [2020] ZAAC 1 by William Manga Mokofe | 43.900 |
| Constitutionalism and Public Health Emergencies: Covid-19 Regulations in South Africa and the Constitutional and Human Rights Slippery Slope by Annette Singh and Simbarashe Tembo | 43.152 |
| Deindividuation and Criminal Responsibility by Shannon Hoctor | 43.834 |
| Determining "Permanent Establishment" in the Digital Economy Epoch: A Case for South Africa by Mzwandile Ngidi | 43.509 |
| Does the Prescription Act Apply to Claims Under the Labour Relations Act? by Chuks Okpaluba and M Budeli-Nemakonde | 43.436 |
| Fettering of Presidential Discretion: Did the Public Protector Overreach? by Molefhi S Phorego and Hendrik J van As | 43.649 |
| Fighting Food Insecurity, Hunger, and Poverty: The Content and Context of the Socio-Economic Right of Access to Sufficient Food in South Africa by Duduzile G Mbajiorgu and Kola O Odeku | 43.467 |
| Holding the Executive to Account? Public Protector v President of the RSA 2021 (9) BCLR 929 (CC) by Paul Swanepoel | 43.853 |
| Judicial Review in South Africa and India: Advancing Constitutionalism or Undue Activism? by Radley Henrico | 43.797 |
| "Legal Standing" and "The Demand" in Section 165 of the Companies Act 71 of 2008: A Comparative Discussion by Darren Subramanien | 43.234 |
| Living With Albinism in South Africa: Uncovering the Health Challenges from a Legal Perspective by MM Mswela | 43.25 |
| Medical Negligence and the Res Ipsa Loquitur Doctrine in the Administration of Cancer Treatment in South Africa by Charles A Maimela | 43.1 |
| Motivating Law Students to Write Like Lawyers: Contextualising Learning in the "Write it like a Lawyer" Case Study by A Crocker | 43.588 |
| Notes on the Legal Liability of Mining Companies for the Pumping of Extraneous Water from Defunct Underground Workings: Legal Uncertainties Illustrated by Ezulwini Mining Company Pty Ltd v | |

| Minister of Mineral Resources and Energy [2021] ZAGPPHC 4 by Germaine Viljoen, John Rantlo and Willemien du Plessis | 43.872 |
|---|---------|
| Online Learning: Shaping the Future of Law Schools by Desan lyer | 43.142 |
| Protest Action Within the Ambit of the Labour Relations Act 66 of 1995 – COSATU v Business Unity of South Africa (2021) 42 ILJ 490 (LAC) by ME Manamela | 43.605 |
| Re-Thinking Forfeiture of Patrimonial Benefits When a Marriage Dissolves Through Death by Siyabonga Sibisi | 43.260 |
| SAPS Electronic Register for Perpetrators of Abuse Against Women by Mahlubandile Ntontela | 43.672 |
| SCA Clarifies the Term "Motor Vehicle" in Road Accident Fund Act 56 of 1996: <i>The Road Accident Fund v Mbele</i> (555/19) [2020] ZASCA 72 (22 June 2020) <i>by Darren Subramanien</i> | 43.180 |
| Should Magistrates Take Down Confessions? by Llewelyn Curlewis and Willem Gravett | 43.394 |
| Should We Abolish the Delict of Seduction in Customary Law: Quo Vadis South Africa? by Nqobizwe Mvelo Ngema and WJ Ndaba | 43.167 |
| Social Insurance Coverage for SADC Migrant Workers in South Africa: A Regional and International Framework Compliance Analysis by Bongani Khumalo | 43.570 |
| "Something Old, Something New" – Aspects of Personality Rights in the United States and South Africa by Karabo Mangope and Wim Alberts | 43.416 |
| The Administration of Social Security in the Midst of Covid-19: A need for a Specialised and Independent Social Security Adjudication System in South Africa by Ntando Ncamane | 43.812 |
| The Agency Problem in Trade Unions: A Case for Enforcing Trade Union Leadership Accountability in Namibia's Labour Laws by Eugene Lizazi Libebe and Tapiwa Victor Warikandwa | 43.375 |
| The Cabo Delgado Insurgency and Mozambique's Obligation to Provide Foreign Investors with Full Protection and Security by Louis Koen | 43.189 |
| The Convergence of Legislation on Cybercrime and Data Protection in South Africa: A Practical Approach to the Cybercrimes Act 19 of 2020 and the Protection of Personal Information Act 4 of 2013 by Sizwe Snail ka Mtuze | 43.536 |
| The Ethos of Tolerance of Diversity in Post-Apartheid Jurisprudence by Felix Dube | 43.124 |
| The Fundamental Principles of Recusal of a Judge at Common Law: Recent Developments by Matthew Chuks Okpaluba and Tumo Charles Maloka | 43.276 |
| The Impact of the Komape Judgment on the South African Common Law of Delict: An Analytical Review Komape v Minister of Basic Education [2020] 1 All SA 651 (SCA); 2020 (2) SA 347 (SCA) by Michael C Buthelezi | 43.630 |
| The Legal Issues Regarding the Use of Artificial Intelligence to Screen Social Media Profiles for The Hiring of Prospective Employees by Sershiv Reddy | 43.301 |
| The Legalities of Mandatory Covid-19 Vaccination at Universities: Lessons to be Learnt from Klaasen v Trustees of Indiana University (No. 1:21-CV-238 DRL, N.D. Ind.) by Desan lyer | 43.641 |
| The Mantle of the Shop Steward is Not an Easy One to Wear – NUMSA obo Motloba v Johnson Control Automotive SA (Pty) Ltd (2017) 38 ILJ 1626 (LAC) Revisited by TC Maloka and R Matsheta | 43.885 |
| The Role of the Courts in the Public Policy Domain in South Africa by | /I3 713 |

| Meaning of "Fair Trial" and "Competent Court" in a Requesting State by Jamil Ddamulira Mujuzi | 43.489 |
|---|--------|
| The Search Warrant Provisions of the Cybercrimes Act and their Relationship with the Criminal Procedure Act by Pieter Gerhardus du Toit | 43.764 |
| The Vanishing of Refugee Rights in South Africa by Callixte Kavuro | 43.49 |
| Training For Legal Practice – Towards Effective Teaching Methodologies for Procedural Law Modules by M A (Riette) du Plessis and Marc Welgemoed | 43.205 |
| Vaccine Mandates, Denialism and Freedom of Conscience and Thought: Examples from Belgium and Botswana by Mutsi Phethedi Mleya and Charles Maimela | 43.746 |
| When are Personal Rights Too Personal to be Ceded? – University of Johannesburg v Auckland Park Theological Seminary 2021 JDR 1151 (CC) by Sfiso Benard Nxumalo | 43.617 |
| Whether to Proceed with a Civil Process Remotely: Universal Lessons from Australia During the Covid-19 Pandemic by Nicci Whitear-Nel | 43.689 |

CONTRIBUTORS – MEDEWERKERS

| ABDUROAF, MUNEER An Analysis of the Application of s 4A of the Wills Act 7 of 1953 With Regard to Muslims Married Within the South African Context | 43.3 |
|--|------------|
| ALBERTS, WIM "Something Old, Something New" – Aspects of Personality Rights in the United States and South Africa | 43.4 |
| BUDELI-NEMAKONDE, M Does the Prescription Act Apply to Claims Under the Labour Relations Act? | 43.4 |
| BUTHELEZI, MICHAEL C The Impact of the Komape Judgment on the South African Common Law of Delict: An Analytical Review Komape v Minister of Basic Education [2020] 1 All SA 651 (SCA); 2020 (2) SA 347 (SCA) | 43.6 |
| CALITZ, KARIN Burnout in the Workplace | 43.3 |
| CRAMER, RICHARD Abandonment of Rights to Minerals Granted in Terms of the Mineral and Petroleum Resources Development Act | 43. |
| CROCKER, A Motivating Law Students to Write Like Lawyers: Contextualising Learning in the "Write it like a Lawyer" Case Study | 43. |
| CURLEWIS, LLEWELYN Should Magistrates Take Down Confessions? | 43. |
| DU PLESSIS, M A (RIETTE) Training for Legal Practice – Towards Effective Teaching Methodologies for Procedural Law Modules | 43.2 |
| DU PLESSIS, WILLEMIEN Notes on the Legal Liability of Mining Companies for the Pumping of Extraneous Water from Defunct Underground Workings: Legal Uncertainties Illustrated by Ezulwini Mining Company Pty Ltd v Minister of Mineral Resources and Energy [2021] ZAGPPHC 4 | 43. |
| DU TOIT, PIETER GERHARDUS The Search Warrant Provisions of the Cybercrimes Act and their Relationship with the Criminal Procedure Act | 43. |
| DUBE, FELIX The Ethos of Tolerance of Diversity in Post-Apartheid Jurisprudence | 43. |
| GOLIATH, ALPHONSO A Short Critique of Minimum Sentences | 43. |
| GRAVETT, WILLEM Should Magistrates Take Down Confessions? | 43. |
| HAGGLUND, K An Analysis of the Common Purpose Doctrine and Rape in South Africa with Special Focus on Tshabalala v The State (2019) ZACC 48 | 43. |
| HENRICO, RADLEY Judicial Review in South Africa and India: Advancing Constitutionalism or Undue Activism? | |
| HOCTOR, SHANNON Deindividuation and Criminal Responsibility | 43. 43. |
| IYER, DESAN Online Learning: Shaping the Future of Law Schools | 43. |
| IYER, DESAN The Legalities of Mandatory Covid-19 Vaccination at Universities: Lessons to be Learnt from Klaasen v Trustees of Indiana | |
| University (No. 1:21-CV-238 DRL, N.D. Ind.) | 43. |
| KAVURO, CALLIXTE The Vanishing of Refugee Rights in South Africa KHAN, FRANAAZ An Analysis of the Common Purpose Doctrine and | 43 |
| Rape in South Africa with Special Focus on <i>Tshabalala v The State</i> (2019) ZACC 48 | 43. |
| KHUMALO, BONGANI Social Insurance Coverage for SADC Migrant Workers in South Africa: A Regional and International Framework Compliance Analysis | 43. |
| KOEN, LOUIS The Cabo Delgado Insurgency and Mozambique's Obligation to Provide Foreign Investors with Full Protection and Security | 43 |

| LIBEBE, EUGENE LIZAZI The Agency Problem in Trade Unions: A Case for Enforcing Trade Union Leadership Accountability in Namibia's Labour Laws | 43.375 |
|--|--------|
| MAIMELA, CHARLES A Medical Negligence and the Res Ipsa Loquitur | 43.373 |
| Doctrine in the Administration of Cancer Treatment in South Africa | 43.1 |
| MAIMELA, CHARLES Vaccine Mandates, Denialism and Freedom of Conscience and Thought: Examples from Belgium and Botswana | 43.746 |
| MALAPANE, MOGALE The Role of the Courts in the Public Policy Domain in South Africa | 43.713 |
| MALOKA, TUMO CHARLES The Fundamental Principles of Recusal of a Judge at Common Law: Recent Developments | 43.276 |
| MALOKA, TC The Mantle of the Shop Steward is Not an Easy One to Wear – NUMSA obo Motloba v Johnson Control Automotive SA (Pty) Ltd (2017) 38 ILJ 1626 (LAC) Revisited | 43.885 |
| MANAMELA, ME Protest Action Within the Ambit of the Labour Relations Act 66 of 1995 – COSATU v Business Unity of South Africa (2021) 42 ILJ 490 (LAC) | 43.605 |
| MANGOPE, KARABO "Something Old, Something New" – Aspects of Personality Rights in the United States and South Africa | 43.416 |
| MATSHETA, R The Mantle of the Shop Steward is Not an Easy One to Wear – NUMSA obo Motloba v Johnson Control Automotive SA (Pty) Ltd (2017) 38 ILJ 1626 (LAC) Revisited | 43.885 |
| MBAJIORGU, DUDUZILE G Fighting Food Insecurity, Hunger, and Poverty: The Content and Context of the Socio-Economic Right of Access to Sufficient Food in South Africa | 43.467 |
| MLEYA, MUTSI PHETHEDI Vaccine Mandates, Denialism and Freedom of Conscience and Thought: Examples from Belgium and Botswana | 43.746 |
| MOKOFE, WILLIAM MANGA Achieving Decent Work for Digital Platform Workers in South Africa | 43.349 |
| MOKOFE, WILLIAM MANGA Certainty Established: Majoritarianism Trumps Minority, Passes Constitutional Muster, and Accords with International Standards – Association of Mineworkers and Construction v Royal Bafokeng Platinum Limited [2020] ZAAC 1 | 43.900 |
| MSWELA, MM Living with Albinism in South Africa: Uncovering the Health Challenges from a Legal Perspective | 43.25 |
| MUJUZI, JAMIL DDAMULIRA The Role of the Magistrate in Extradition Proceedings in South Africa: Meaning of "Fair Trial" and "Competent Court" in a Requesting State | 43.489 |
| NCAMANE, NTANDO The Administration of Social Security in the Midst of Covid-19: A need for a Specialised and Independent Social Security Adjudication System in South Africa | 43.812 |
| NDABA, WJ Should We Abolish the Delict of Seduction in Customary Law: Quo Vadis South Africa? | 43.167 |
| NGEMA, NQOBIZWE MVELO Should We Abolish the Delict of Seduction in Customary Law: Quo Vadis South Africa? | 43.167 |
| NGIDI, MZWANDILE Determining "Permanent Establishment" in the Digital Economy Epoch: A Case for South Africa | 43.509 |
| NTONTELA, MAHLUBANDILE SAPS Electronic Register for Perpetrators of Abuse Against Women | 43.672 |
| NXUMALO, SFISO BENARD When are Personal Rights Too Personal to be Ceded? – University of Johannesburg v Auckland Park Theological Seminary 2021 JDR 1151 (CC) | 43.617 |
| NYANE, HOOLO The Role of the Courts in the Public Policy Domain in South Africa | 43.713 |

| ODEKU, KOLA O Fighting Food Insecurity, Hunger, and Poverty: The Content and Context of the Socio-Economic Right of Access to Sufficient Food in South Africa | 43.467 |
|--|--------|
| OKPALUBA, CHUKS Does the Prescription Act Apply to Claims Under | |
| the Labour Relations Act? | 43.436 |
| OKPALUBA, MATTHEW CHUKS The Fundamental Principles of Recusal of a Judge at Common Law: Recent Developments | 43.276 |
| PHOREGO, MOLEFHI S Fettering of Presidential Discretion: Did the Public Protector Overreach? | 43.649 |
| RANTLO, JOHN Notes on the Legal Liability of Mining Companies for the Pumping of Extraneous Water from Defunct Underground Workings: Legal Uncertainties Illustrated by Ezulwini Mining Company Pty Ltd v Minister of Mineral Resources and Energy [2021] ZAGPPHC 4 | 43.872 |
| REDDY, SERSHIV The Legal Issues Regarding the Use of Artificial Intelligence to Screen Social Media Profiles for The Hiring of Prospective Employees | 43.301 |
| SIBISI, SIYABONGA Re-Thinking Forfeiture of Patrimonial Benefits When a Marriage Dissolves Through Death | 43.260 |
| SINGH, ANNETTE Constitutionalism and Public Health Emergencies: Covid-19 Regulations in South Africa and the Constitutional and Human Rights Slippery Slope | 43.152 |
| SNAIL KA MTUZE, SIZWE The Convergence of Legislation on Cybercrime and Data Protection in South Africa: A Practical Approach to the Cybercrimes Act 19 of 2020 and the Protection of Personal Information Act 4 of 2013 | 43.536 |
| SUBRAMANIEN, DARREN "Legal Standing" and "The Demand" in Section 165 of the Companies Act 71 of 2008: A Comparative Discussion | 43.234 |
| SUBRAMANIEN, DARREN SCA Clarifies the Term "Motor Vehicle" in Road Accident Fund Act 56 of 1996: The Road Accident Fund v Mbele (555/19) [2020] ZASCA 72 (22 June 2020) | 43.180 |
| SWANEPOEL, PAUL Holding the Executive to Account? Public Protector v President of the RSA 2021 (9) BCLR 929 (CC) | 43.853 |
| TEMBO, SIMBARASHE Constitutionalism and Public Health Emergencies: Covid-19 Regulations in South Africa and the Constitutional and Human Rights Slippery Slope | 43.152 |
| VAN AS, HENDRIK J Fettering of Presidential Discretion: Did the Public Protector Overreach? | 43.649 |
| VAN ECK, MICHELE Achieving Gender Neutrality in Contracts | 43.104 |
| VILJOEN, GERMAINE Notes on the Legal Liability of Mining Companies for the Pumping of Extraneous Water from Defunct Underground Workings: Legal Uncertainties Illustrated by Ezulwini Mining Company Pty Ltd v Minister of Mineral Resources and Energy [2021] ZAGPPHC 4 | 43.872 |
| VINTI, CLIVE An Evaluation of Lesotho's Right to "Expropriate" the Water in the Treaty on the Lesotho Highlands Water Project in a "Conflict of Uses" | 43.79 |
| WARIKANDWA, TAPIWA VICTOR The Agency Problem in Trade Unions: A Case for Enforcing Trade Union Leadership Accountability in Namibia's Labour Laws | 43.375 |
| WELGEMOED, MARC Training for Legal Practice – Towards Effective Teaching Methodologies for Procedural Law Modules | 43.205 |
| WHITEAR-NEL, NICCI Whether to Proceed with a Civil Process Remotely: Universal Lessons from Australia During the Covid-19 Pandemic | 43.689 |

SUBJECT INDEX - ONDERWERPREGISTER

| ADMINISTRATIVE LAW | |
|--|--------|
| Holding the Executive to Account? Public Protector v President of the RSA 2021 (9) BCLR 929 (CC) by Paul Swanepoel | 43.853 |
| Judicial Review in South Africa and India: Advancing Constitutionalism or Undue Activism? by Radley Henrico | 43.797 |
| The Administration of Social Security in the Midst of Covid-19: A need for a Specialised and Independent Social Security Adjudication System in South Africa by Ntando Ncamane | 43.812 |
| The Role of the Courts in the Public Policy Domain in South Africa by Mogale Malapane and Hoolo Nyane | 43.713 |
| Vaccine Mandates, Denialism and Freedom of Conscience and Thought: Examples from Belgium and Botswana by Mutsi Phethedi Mleya and Charles Maimela | 43.746 |
| ALTERNATIVE DISPUTE RESOLUTION | |
| The Cabo Delgado Insurgency and Mozambique's Obligation to Provide Foreign Investors with Full Protection and Security by Louis Koen | 43.189 |
| BANKING AND FINANCIAL LAW | |
| The Cabo Delgado Insurgency and Mozambique's Obligation to Provide Foreign Investors with Full Protection and Security by Louis Koen | 43.189 |
| CIVIL PROCEDURE | |
| Medical Negligence and the Res Ipsa Loquitur Doctrine in the Administration of Cancer Treatment in South Africa by Charles A Maimela | 43.1 |
| Training For Legal Practice – Towards Effective Teaching Methodologies for Procedural Law Modules by M A (Riette) du Plessis and Marc Welgemoed | 43.205 |
| Does the Prescription Act Apply to Claims Under the Labour Relations Act? by Chuks Okpaluba and M Budeli-Nemakonde | 43.436 |
| Whether to Proceed with a Civil Process Remotely: Universal Lessons from Australia During the Covid-19 Pandemic by Nicci Whitear-Nel | 43.689 |
| COMMON LAW | |
| Re-Thinking Forfeiture of Patrimonial Benefits When a Marriage Dissolves Through Death by Siyabonga Sibisi | 43.260 |
| The Fundamental Principles of Recusal of a Judge at Common Law: Recent Developments by Matthew Chuks Okpaluba and Tumo Charles Maloka | 43.276 |
| The Legal Issues Regarding the Use of Artificial Intelligence to Screen Social Media Profiles for The Hiring of Prospective Employees by Sershiv Reddy | 43.301 |
| Burnout in the Workplace by Karin Calitz | 43.320 |
| Achieving Decent Work for Digital Platform Workers in South Africa by William Manga Mokofe | 43.349 |
| Should Magistrates Take Down Confessions? by Llewelyn Curlewis and Willem Gravett | 43 394 |

| An Analysis of the Common Purpose Doctrine and Rape in South Africa with Special Focus on <i>Tshabalala v The State</i> (2019) ZACC 48 by Franaaz Khan and K Hagglund | 43.404 |
|---|--------|
| "Something Old, Something New" – Aspects of Personality Rights in the United States and South Africa by Karabo Mangope and Wim Alberts | 43.416 |
| The Convergence of Legislation on Cybercrime and Data Protection in South Africa: A Practical Approach to the Cybercrimes Act 19 of 2020 and the Protection of Personal Information Act 4 of 2013 by Sizwe Snail ka Mtuze | 43.536 |
| The Impact of the Komape Judgment on the South African Common Law of Delict: An Analytical Review Komape v Minister of Basic Education [2020] 1 All SA 651 (SCA); 2020 (2) SA 347 (SCA) by Michael C Buthelezi | 43.630 |
| The Role of the Courts in the Public Policy Domain in South Africa by Mogale Malapane and Hoolo Nyane | 43.713 |
| Deindividuation and Criminal Responsibility by Shannon Hoctor | 43.834 |
| Holding the Executive to Account? Public Protector v President of the RSA 2021 (9) BCLR 929 (CC) by Paul Swanepoel | 43.853 |
| COMPANY LAW | |
| "Legal Standing" and "The Demand" in Section 165 of the Companies Act 71 of 2008: A Comparative Discussion by Darren Subramanien | 43.234 |
| COMPARATIVE LAW | |
| An Evaluation of Lesotho's Right to "Expropriate" the Water in the Treaty on the Lesotho Highlands Water Project in a "Conflict of Uses" by Clive Vinti | 43.79 |
| "Legal Standing" and "The Demand" in Section 165 of the Companies Act 71 of 2008: A Comparative Discussion by Darren Subramanien | 43.234 |
| The Fundamental Principles of Recusal of a Judge at Common Law: Recent Developments by Matthew Chuks Okpaluba and Tumo Charles Maloka | 43.276 |
| Burnout in the Workplace by Karin Calitz | 43.320 |
| "Something Old, Something New" – Aspects of Personality Rights in the United States and South Africa by Karabo Mangope and Wim Alberts | 43.416 |
| SAPS Electronic Register for Perpetrators of Abuse Against Women by Mahlubandile Ntontela | 43.672 |
| Judicial Review in South Africa and India: Advancing Constitutionalism or Undue Activism? by Radley Henrico | 43.797 |
| The Mantle of the Shop Steward is Not an Easy One to Wear – <i>NUMSA</i> obo Motloba v Johnson Control Automotive SA (Pty) Ltd (2017) 38 ILJ 1626 (LAC) Revisited by TC Maloka and R Matsheta | 43.885 |
| COMPETITION LAW | |
| Determining "Permanent Establishment" in the Digital Economy Epoch: A Case for South Africa by Mzwandile Ngidi | 43.509 |
| CONSTITUTIONAL LAW | |
| Constitutionalism and Public Health Emergencies: Covid-19 Regulations in South Africa and the Constitutional and Human Rights Slippery Slope by Annette Singh and Simbarashe Tembo | 43.152 |

| Recent Developments by Matthew Chuks Okpaluba and Tumo Charles Maloka |
|---|
| Should Magistrates Take Down Confessions? by Llewelyn Curlewis and Willem Gravett |
| The Role of the Magistrate in Extradition Proceedings in South Africa: Meaning of "Fair Trial" and "Competent Court" in a Requesting State by Jamil Ddamulira Mujuzi |
| Fettering of Presidential Discretion: Did the Public Protector Overreach? by Molefhi S Phorego and Hendrik J van As |
| The Role of the Courts in the Public Policy Domain in South Africa by Mogale Malapane and Hoolo Nyane |
| Judicial Review in South Africa and India: Advancing Constitutionalism or Undue Activism? by Radley Henrico |
| The Administration of Social Security in the Midst of Covid-19: A need for a Specialised and Independent Social Security Adjudication System in South Africa by Ntando Ncamane |
| Holding the Executive to Account? <i>Public Protector v President of the RSA</i> 2021 (9) BCLR 929 (CC) <i>by Paul Swanepoel</i> |
| CONTRACT |
| Achieving Gender Neutrality in Contracts by Michele van Eck |
| Does the Prescription Act Apply to Claims Under the Labour Relations Act? by Chuks Okpaluba and M Budeli-Nemakonde |
| When are Personal Rights Too Personal to be Ceded? – University of Johannesburg v Auckland Park Theological Seminary 2021 JDR 1151 (CC) by Sfiso Benard Nxumalo |
| CRIMINAL LAW |
| An Analysis of the Common Purpose Doctrine and Rape in South Africa with Special Focus on <i>Tshabalala v The State</i> (2019) ZACC 48 by Franaaz Khan and K Hagglund |
| The Convergence of Legislation on Cybercrime and Data Protection in South Africa: A Practical Approach to the Cybercrimes Act 19 of 2020 and the Protection of Personal Information Act 4 of 2013 by Sizwe Snail ka Mtuze |
| Deindividuation and Criminal Responsibility by Shannon Hoctor |
| CRIMINAL PROCEDURE |
| Training For Legal Practice – Towards Effective Teaching Methodologies for Procedural Law Modules by M A (Riette) du Plessis and Marc Welgemoed |
| Should Magistrates Take Down Confessions? by Llewelyn Curlewis and Willem Gravett |
| The Role of the Magistrate in Extradition Proceedings in South Africa: Meaning of "Fair Trial" and "Competent Court" in a Requesting State by Jamil Ddamulira Mujuzi |
| The Search Warrant Provisions of the Cybercrimes Act and their Relationship with the Criminal Procedure Act by Pieter Gerhardus du Toit |
| A Short Critique of Minimum Sentences by Alphonso Goliath |

| CUSTOMARY LAW | |
|--|--------|
| Should We Abolish the Delict of Seduction in Customary Law: Quo Vadis South Africa? by Nqobizwe Mvelo Ngema and WJ Ndaba | 43.167 |
| EDUCATION LAW | |
| | 43.142 |
| Online Learning: Shaping the Future of Law Schools by Desan lyer | 43.142 |
| FAMILY LAW | |
| Should We Abolish the Delict of Seduction in Customary Law: Quo Vadis South Africa? by Nqobizwe Mvelo Ngema and WJ Ndaba | 43.167 |
| Re-Thinking Forfeiture of Patrimonial Benefits When a Marriage Dissolves Through Death by Siyabonga Sibisi | 43.260 |
| An Analysis of the Application of s 4A of the Wills Act 7 of 1953 With Regard to Muslims Married Within the South African Context by Muneer Abduroaf | 43.366 |
| | |
| FINANCIAL MARKETS | |
| The Cabo Delgado Insurgency and Mozambique's Obligation to Provide Foreign Investors with Full Protection and Security by Louis Koen | 43.189 |
| FOREIGN LAW | |
| The Agency Problem in Trade Unions: A Case for Enforcing Trade Union Leadership Accountability in Namibia's Labour Laws by Eugene Lizazi Libebe and Tapiwa Victor Warikandwa | 43.375 |
| "Something Old, Something New" – Aspects of Personality Rights in the United States and South Africa by Karabo Mangope and Wim Alberts | 43.416 |
| Determining "Permanent Establishment" in the Digital Economy Epoch: A Case for South Africa by Mzwandile Ngidi | 43.509 |
| The Legalities of Mandatory Covid-19 Vaccination at Universities: Lessons to be Learnt from <i>Klaasen v Trustees of Indiana University</i> (No. 1:21-CV-238 DRL, N.D. Ind.) by Desan Iyer | 43.641 |
| SAPS Electronic Register for Perpetrators of Abuse Against Women by Mahlubandile Ntontela | 43.672 |
| Whether to Proceed with a Civil Process Remotely: Universal Lessons from Australia During the Covid-19 Pandemic by Nicci Whitear-Nel | 43.689 |
| Vaccine Mandates, Denialism and Freedom of Conscience and Thought: Examples from Belgium and Botswana by Mutsi Phethedi Mleya and Charles Maimela | 43.746 |
| Judicial Review in South Africa and India: Advancing Constitutionalism or Undue Activism? by Radley Henrico | 43.797 |
| The Mantle of the Shop Steward is Not an Easy One to Wear – NUMSA obo Motloba v Johnson Control Automotive SA (Pty) Ltd (2017) 38 ILJ 1626 (LAC) Revisited by TC Maloka and R Matsheta | 43.885 |
| HEALTH CARE | |
| HEALTH CARE Medical Negligence and the Res Ipsa Loquitur Doctrine in the | |
| Administration of Cancer Treatment in South Africa by Charles A Maimela | 43.1 |
| Living With Albinism in South Africa: Uncovering the Health Challenges from a Legal Perspective by MM Mswela | 43.25 |

| Burnout in the Workplace by Karin Calitz | 43.320 |
|---|--------|
| The Legalities of Mandatory Covid-19 Vaccination at Universities: Lessons to be Learnt from <i>Klaasen v Trustees of Indiana University</i> (No. 1:21-CV-238 DRL, N.D. Ind.) by Desan Iyer | 43.641 |
| Vaccine Mandates, Denialism and Freedom of Conscience and Thought: Examples from Belgium and Botswana by Mutsi Phethedi Mleya and Charles Maimela | 43.746 |
| HUMAN RIGHTS | |
| Medical Negligence and the Res Ipsa Loquitur Doctrine in the Administration of Cancer Treatment in South Africa by Charles A Maimela | 43.1 |
| Living With Albinism in South Africa: Uncovering the Health Challenges from a Legal Perspective by MM Mswela | 43.25 |
| The Vanishing of Refugee Rights in South Africa by Callixte Kavuro | 43.49 |
| Achieving Gender Neutrality in Contracts by Michele van Eck | 43.104 |
| The Ethos of Tolerance of Diversity in Post-Apartheid Jurisprudence by Felix Dube | 43.124 |
| Constitutionalism and Public Health Emergencies: Covid-19 Regulations in South Africa and the Constitutional and Human Rights Slippery Slope by Annette Singh and Simbarashe Tembo | 43.152 |
| Should We Abolish the Delict of Seduction in Customary Law: Quo Vadis South Africa? by Nqobizwe Mvelo Ngema and WJ Ndaba | 43.167 |
| The Cabo Delgado Insurgency and Mozambique's Obligation to Provide Foreign Investors with Full Protection and Security by Louis Koen | 43.189 |
| Burnout in the Workplace by Karin Calitz | 43.320 |
| An Analysis of the Application of s 4A of the Wills Act 7 of 1953 With Regard to Muslims Married Within the South African Context by Muneer Abduroaf | 43.366 |
| The Agency Problem in Trade Unions: A Case for Enforcing Trade Union Leadership Accountability in Namibia's Labour Laws by Eugene Lizazi Libebe and Tapiwa Victor Warikandwa | 43.375 |
| An Analysis of the Common Purpose Doctrine and Rape in South Africa with Special Focus on <i>Tshabalala v The State</i> (2019) ZACC 48 by Franaaz Khan and K Hagglund | 43.404 |
| "Something Old, Something New" – Aspects of Personality Rights in the United States and South Africa by Karabo Mangope and Wim Alberts | 43.416 |
| Fighting Food Insecurity, Hunger, and Poverty: The Content and Context of the Socio-Economic Right of Access to Sufficient Food in South Africa by Duduzile G Mbajiorgu and Kola O Odeku | 43.467 |
| The Convergence of Legislation on Cybercrime and Data Protection in South Africa: A Practical Approach to the Cybercrimes Act 19 of 2020 and the Protection of Personal Information Act 4 of 2013 by Sizwe Snail ka Mtuze | 43.536 |
| Social Insurance Coverage for SADC Migrant Workers in South Africa: A Regional and International Framework Compliance Analysis by Bongani Khumalo | 43.570 |
| Protest Action Within the Ambit of the Labour Relations Act 66 of 1995 – COSATU v Business Unity of South Africa (2021) 42 ILJ 490 (LAC) by ME Manamela | 43.605 |
| The Legalities of Mandatory Covid-19 Vaccination at Universities: Lessons to be Learnt from Klaasen v Trustees of Indiana University (No. 1:21-CV-238 DRI N.D. Ind.) by Desan Iver | 13 6/1 |

| Vaccine Mandates, Denialism and Freedom of Conscience and Thought: Examples from Belgium and Botswana by Mutsi Phethedi Mleya and Charles Maimela | 43.746 |
|--|--------|
| The Search Warrant Provisions of the Cybercrimes Act and their Relationship with the Criminal Procedure Act by Pieter Gerhardus du Toit | 43.764 |
| A Short Critique of Minimum Sentences by Alphonso Goliath | 43.779 |
| Judicial Review in South Africa and India: Advancing Constitutionalism or Undue Activism? by Radley Henrico | 43.797 |
| The Administration of Social Security in the Midst of Covid-19: A need for a Specialised and Independent Social Security Adjudication System in South Africa by Ntando Ncamane | 43.812 |
| Certainty Established: Majoritarianism Trumps Minority, Passes Constitutional Muster, and Accords with International Standards – Association of Mineworkers and Construction v Royal Bafokeng Platinum Limited [2020] ZAAC 1 by William Manga Mokofe | 43.900 |
| INFORMATION TECHNOLOGY LAW | |
| The Legal Issues Regarding the Use of Artificial Intelligence to Screen Social Media Profiles for The Hiring of Prospective Employees by Sershiv Reddy | 43.301 |
| Achieving Decent Work for Digital Platform Workers in South Africa by William Manga Mokofe | 43.349 |
| INTELLECTUAL PROPERTY LAW | |
| "Something Old, Something New" – Aspects of Personality Rights in the United States and South Africa by Karabo Mangope and Wim Alberts | 43.416 |
| INTERNATIONAL LAW | |
| An Evaluation of Lesotho's Right to "Expropriate" the Water in the Treaty on the Lesotho Highlands Water Project in a "Conflict of Uses" by Clive Vinti | 43.79 |
| Constitutionalism and Public Health Emergencies: Covid-19 Regulations in South Africa and the Constitutional and Human Rights Slippery Slope by Annette Singh and Simbarashe Tembo | 43.152 |
| The Cabo Delgado Insurgency and Mozambique's Obligation to Provide Foreign Investors with Full Protection and Security by Louis Koen | 43.189 |
| Achieving Decent Work for Digital Platform Workers in South Africa by William Manga Mokofe | 43.349 |
| Fighting Food Insecurity, Hunger, and Poverty: The Content and Context of the Socio-Economic Right of Access to Sufficient Food in South Africa by Duduzile G Mbajiorgu and Kola O Odeku | 43.467 |
| The Role of the Magistrate in Extradition Proceedings in South Africa: Meaning of "Fair Trial" and "Competent Court" in a Requesting State by Jamil Ddamulira Mujuzi | 43.489 |
| Determining "Permanent Establishment" in the Digital Economy Epoch: A Case for South Africa by Mzwandile Ngidi | 43.509 |
| Social Insurance Coverage for SADC Migrant Workers in South Africa: A Regional and International Framework Compliance Analysis by Bongani Khumalo | 43.570 |
| SAPS Electronic Register for Perpetrators of Abuse Against Women by Mahlubandile Ntontela | 43.672 |

| Vaccine Mandates, Denialism and Freedom of Conscience and Thought: Examples from Belgium and Botswana by Mutsi Phethedi Mleya and Charles Maimela | 43.746 |
|--|--------|
| The Administration of Social Security in the Midst of Covid-19: A need for a Specialised and Independent Social Security Adjudication System in South Africa by Ntando Ncamane | 43.812 |
| Certainty Established: Majoritarianism Trumps Minority, Passes Constitutional Muster, and Accords with International Standards – Association of Mineworkers and Construction v Royal Bafokeng Platinum Limited [2020] ZAAC 1 by William Manga Mokofe | 43.900 |
| ISLAMIC LAW | |
| An Analysis of the Application of s 4A of the Wills Act 7 of 1953 With Regard to Muslims Married Within the South African Context by Muneer Abduroaf | 43.366 |
| JURISPRUDENCE | |
| The Ethos of Tolerance of Diversity in Post-Apartheid Jurisprudence by Felix Dube | 43.124 |
| LABOUR LAW | |
| The Legal Issues Regarding the Use of Artificial Intelligence to Screen Social Media Profiles for The Hiring of Prospective Employees by Sershiv Reddy | 43.301 |
| Burnout in the Workplace by Karin Calitz | 43.320 |
| Achieving Decent Work for Digital Platform Workers in South Africa by William Manga Mokofe | 43.349 |
| The Agency Problem in Trade Unions: A Case for Enforcing Trade Union Leadership Accountability in Namibia's Labour Laws by Eugene Lizazi Libebe and Tapiwa Victor Warikandwa | 43.375 |
| Protest Action Within the Ambit of the Labour Relations Act 66 of 1995 – COSATU v Business Unity of South Africa (2021) 42 ILJ 490 (LAC) by ME Manamela | 43.605 |
| The Mantle of the Shop Steward is Not an Easy One to Wear – NUMSA obo Motloba v Johnson Control Automotive SA (Pty) Ltd (2017) 38 ILJ 1626 (LAC) Revisited by TC Maloka and R Matsheta | 43.885 |
| Certainty Established: Majoritarianism Trumps Minority, Passes Constitutional Muster, and Accords with International Standards – Association of Mineworkers and Construction v Royal Bafokeng Platinum Limited [2020] ZAAC 1 by William Manga Mokofe | 43.900 |
| LAW OF DELICT | |
| Medical Negligence and the Res Ipsa Loquitur Doctrine in the Administration of Cancer Treatment in South Africa by Charles A Maimela | 43.1 |
| Should We Abolish the Delict of Seduction in Customary Law: Quo Vadis South Africa? by Ngobizwe Mvelo Ngema and WJ Ndaba | 43.167 |
| SCA Clarifies the Term "Motor Vehicle" in Road Accident Fund Act 56 of 1996: <i>The Road Accident Fund v Mbele</i> (555/19) [2020] ZASCA 72 (22 June 2020) <i>by Darren Subramanien</i> | 43.180 |
| When are Personal Rights Too Personal to be Ceded? – <i>University of Johannesburg v Auckland Park Theological Seminary</i> 2021 JDR 1151 (CC) <i>by Sfiso Benard Nxumalo</i> | 43.617 |

| The Impact of the Komape Judgment on the South African Common Law of Delict: An Analytical Review <i>Komape v Minister of Basic Education</i> [2020] 1 All SA 651 (SCA); 2020 (2) SA 347 (SCA) <i>by Michael C Buthelezi</i> | 43.630 |
|--|--------|
| LAW OF EVIDENCE | |
| Medical Negligence and the Res Ipsa Loquitur Doctrine in the Administration of Cancer Treatment in South Africa by Charles A Maimela | 43.1 |
| Training For Legal Practice – Towards Effective Teaching Methodologies for Procedural Law Modules by M A (Riette) du Plessis and Marc Welgemoed | 43.205 |
| Should Magistrates Take Down Confessions? by Llewelyn Curlewis and Willem Gravett | 43.394 |
| LAW OF SUCCESSION | |
| Re-Thinking Forfeiture of Patrimonial Benefits When a Marriage Dissolves Through Death by Siyabonga Sibisi | 43.260 |
| LEGAL INTERPRETATION | |
| The Vanishing of Refugee Rights in South Africa by Callixte Kavuro | 43.49 |
| An Evaluation of Lesotho's Right to "Expropriate" the Water in the Treaty on the Lesotho Highlands Water Project in a "Conflict of Uses" by Clive Vinti | 43.79 |
| Achieving Gender Neutrality in Contracts by Michele van Eck | 43.104 |
| The Ethos of Tolerance of Diversity in Post-Apartheid Jurisprudence by Felix Dube | 43.124 |
| SCA Clarifies the Term "Motor Vehicle" in Road Accident Fund Act 56 of 1996: The Road Accident Fund v Mbele (555/19) [2020] ZASCA 72 (22 June 2020) by Darren Subramanien | 43.180 |
| The Cabo Delgado Insurgency and Mozambique's Obligation to Provide Foreign Investors with Full Protection and Security by Louis Koen | 43.189 |
| "Legal Standing" and "The Demand" in Section 165 of the Companies Act 71 of 2008: A Comparative Discussion by Darren Subramanien | 43.234 |
| Re-Thinking Forfeiture of Patrimonial Benefits When a Marriage Dissolves Through Death by Siyabonga Sibisi | 43.260 |
| The Legal Issues Regarding the Use of Artificial Intelligence to Screen Social Media Profiles for The Hiring of Prospective Employees by Sershiv Reddy | 43.301 |
| Achieving Decent Work for Digital Platform Workers in South Africa by William Manga Mokofe | 43.349 |
| An Analysis of the Application of s 4A of the Wills Act 7 of 1953 With Regard to Muslims Married Within the South African Context by Muneer Abduroaf | 43.366 |
| The Agency Problem in Trade Unions: A Case for Enforcing Trade Union Leadership Accountability in Namibia's Labour Laws by Eugene Lizazi Libebe and Tapiwa Victor Warikandwa | 43.375 |
| Should Magistrates Take Down Confessions? by Llewelyn Curlewis and Willem Gravett | 43.394 |
| An Analysis of the Common Purpose Doctrine and Rape in South Africa with Special Focus on <i>Tshabalala v The State</i> (2019) ZACC 48 by | 43 404 |

| "Something Old, Something New" – Aspects of Personality Rights in the United States and South Africa by Karabo Mangope and Wim Alberts | 43.416 |
|--|--------|
| Does the Prescription Act Apply to Claims Under the Labour Relations Act? by Chuks Okpaluba and M Budeli-Nemakonde | 43.436 |
| Determining "Permanent Establishment" in the Digital Economy Epoch: A Case for South Africa by Mzwandile Ngidi | 43.509 |
| The Convergence of Legislation on Cybercrime and Data Protection in South Africa: A Practical Approach to the Cybercrimes Act 19 of 2020 and the Protection of Personal Information Act 4 of 2013 by Sizwe Snail ka Mtuze | 43.536 |
| Protest Action Within the Ambit of the Labour Relations Act 66 of 1995 – COSATU v Business Unity of South Africa (2021) 42 ILJ 490 (LAC) by ME Manamela | 43.605 |
| When are Personal Rights Too Personal to be Ceded? – University of Johannesburg v Auckland Park Theological Seminary 2021 JDR 1151 (CC) by Sfiso Benard Nxumalo | 43.617 |
| Fettering of Presidential Discretion: Did the Public Protector Overreach? by Molefhi S Phorego and Hendrik J van As | 43.649 |
| A Short Critique of Minimum Sentences by Alphonso Goliath | 43.779 |
| Judicial Review in South Africa and India: Advancing Constitutionalism or Undue Activism? by Radley Henrico | 43.797 |
| Notes on the Legal Liability of Mining Companies for the Pumping of Extraneous Water from Defunct Underground Workings: Legal Uncertainties Illustrated by Ezulwini Mining Company Pty Ltd v Minister of Mineral Resources and Energy [2021] ZAGPPHC 4 by Germaine Viljoen, John Rantlo and Willemien du Plessis | 43.872 |
| The Mantle of the Shop Steward is Not an Easy One to Wear – NUMSA obo Motloba v Johnson Control Automotive SA (Pty) Ltd (2017) 38 ILJ 1626 (LAC) Revisited by TC Maloka and R Matsheta | 43.885 |
| LLB REFORM | |
| Online Learning: Shaping the Future of Law Schools by Desan Iyer | 43.142 |
| Training For Legal Practice – Towards Effective Teaching Methodologies for Procedural Law Modules by M A (Riette) du Plessis and Marc Welgemoed | 43.205 |
| Motivating Law Students to Write Like Lawyers: Contextualising Learning in the "Write it like a Lawyer" Case Study by A Crocker | 43.588 |
| MEDICAL LAW | |
| Medical Negligence and the Res Ipsa Loquitur Doctrine in the Administration of Cancer Treatment in South Africa by Charles A Maimela | 43.1 |
| Living With Albinism in South Africa: Uncovering the Health Challenges from a Legal Perspective by MM Mswela | 43.25 |
| PROPERTY LAW | |
| An Evaluation of Lesotho's Right to "Expropriate" the Water in the Treaty on the Lesotho Highlands Water Project in a "Conflict of Uses" by Clive Vinti | 43.79 |
| Abandonment of Rights to Minerals Granted in Terms of the Mineral and Petroleum Resources Development Act by Richard Cramer | 43.729 |

| Notes on the Legal Liability of Mining Companies for the Pumping of Extraneous Water from Defunct Underground Workings: Legal Uncertainties Illustrated by Ezulwini Mining Company Pty Ltd v Minister of Mineral Resources and Energy [2021] ZAGPPHC 4 by Germaine Viljoen, John Rantlo and Willemien du Plessis | 43.872 |
|--|--------|
| PUBLIC JUDICIAL COMMISSIONS | |
| Fettering of Presidential Discretion: Did the Public Protector Overreach? by Molefhi S Phorego and Hendrik J van As | 43.649 |
| REFUGEE LAW | |
| The Vanishing of Refugee Rights in South Africa by Callixte Kavuro | 43.49 |
| Social Insurance Coverage for SADC Migrant Workers in South Africa: A Regional and International Framework Compliance Analysis by Bongani Khumalo | 43.570 |
| REGIONAL LAW | |
| An Evaluation of Lesotho's Right to "Expropriate" the Water in the Treaty on the Lesotho Highlands Water Project in a "Conflict of Uses" by Clive Vinti | 43.79 |
| The Cabo Delgado Insurgency and Mozambique's Obligation to Provide Foreign Investors with Full Protection and Security by Louis Koen | 43.189 |
| The Role of the Magistrate in Extradition Proceedings in South Africa: Meaning of "Fair Trial" and "Competent Court" in a Requesting State by Jamil Ddamulira Mujuzi | 43.489 |
| Social Insurance Coverage for SADC Migrant Workers in South Africa: A Regional and International Framework Compliance Analysis by Bongani Khumalo | 43.570 |
| SOCIAL SECURITY LAW | |
| Fighting Food Insecurity, Hunger, and Poverty: The Content and Context of the Socio-Economic Right of Access to Sufficient Food in South Africa by Duduzile G Mbajiorgu and Kola O Odeku | 43.467 |
| Social Insurance Coverage for SADC Migrant Workers in South Africa: A Regional and International Framework Compliance Analysis by Bongani Khumalo | 43.570 |
| The Administration of Social Security in the Midst of Covid-19: A need for a Specialised and Independent Social Security Adjudication System in South Africa by Ntando Ncamane | 43.812 |
| TAX LAW | |
| Determining "Permanent Establishment" in the Digital Economy Epoch: A Case for South Africa by Mzwandile Ngidi | 43.509 |
| WILLS | |
| An Analysis of the Application of s 4A of the Wills Act 7 of 1953 With Regard to Muslims Married Within the South African Context by Muneer Abduroaf | 43.366 |