

**COMPARATIVE AND INTERNATIONAL LAW  
JOURNAL OF SOUTHERN AFRICA**

**INDEX 2010**

## ARTICLES

	<i>Page</i>
Ally, Dane: The need for clarity on whether ‘suspects’ may rely on section 35 of the Constitution of the Republic of South Africa, 1996: a comparative law analysis . . . . .	239
Cole, Rowland JV: The African Court on Human and People’s Rights: will political stereotypes form an obstacle to the enforcement of its decisions? . . . . .	23
Ebobrah, Solomon T and Nkhata, Mwiza Jo: Is the SADC Tribunal under judicial siege in Zimbabwe? Reflections on <i>Etheredge v Minister of State for National Security Responsible for Lands, Land Reform and Resettlement and Another</i> . . . . .	81
Engelbrecht, Petra – see Smit, Marius H	
Evans, Roger G: A brief explanation of consumer bankruptcy and aspects of the bankruptcy estate in the United States of America . . . . .	337
Faris, JA: The historical context of summary judgment in South Africa: politics, policy and procedure . . . . .	352
Ferreira-Snyman, Anél: Intervention with specific reference to the relationship between the United Nations Security Council and the African Union . . . . .	139
Le Roux-Kemp, Andra: A legal perspective on African traditional medicine in South Africa . . . . .	273
Maghembe, Ngwaru and Roestoff, Melanie: Bankruptcy and alternative debt relief for consumers in Tanzania – a comparative investigation . . . . .	292
Mahao, Nqosa L: <i>O se re ho morwa ‘morwa towe!’</i> African jurisprudence exhumed . . . . .	317
Masuku, MB: Tying, bundling or packaging of pay television channels: who benefits – the consumer, service provider or programme content provider? . . . . .	260
Naudé, Bobby: The retention of DNA data and the private-life interests of suspects . . . . .	213
Nkhata, Mwiza Jo – see Ebobrah, Solomon T	
Olowu, Dejo: Civil liberties versus military necessity: lessons from the jurisprudence emanating from the classification and internment of Japanese-Americans during World War II . . . . .	190
Roestoff, Melanie – see Maghembe, Ngwaru	
Russo, Charles J – see Smit, Marius H	
Rutherford, BR: Trade marks and comparative advertising . . . . .	173

	<i>Page</i>
Schulze, Christian: Arbitration agreements and jurisdiction in terms of the Judgments Regulation .....	68
Scott, Susan: A comparison between Belgian, Dutch and South African law dealing with pledge and execution measures .....	93
Smit, Marius H; Russo, Charles J and Engelbrecht, Petra: Educator rights in special education – a comparative study between the United States and South Africa .....	118
Smit, P and Van Eck, BPS: International perspectives on South Africa’s unfair dismissal law .....	46
Surbun, Vishal: The developing jurisprudence to combat modern maritime piracy: a crime of the high seas? .....	1
Van Eck, BPS – see Smit, P	

### SUBJECT INDEX

	<i>Page</i>		<i>Page</i>
Africa		consumer bankruptcy .....	92, 337
renaissance .....	32	death penalty .....	232
African Court on Human and People’s Rights .....	23	debt relief, alternative .....	292
enforcement of decisions .....	23	democratic accountability	
African jurisprudence .....	317	doctrine .....	320
African Union		DNA data .....	213
intervention .....	154	education, special .....	118
UN Security Council, relationship		educator rights .....	118
with .....	139	European Community	
arbitration agreements .....	68	arbitration agreements .....	70
bankruptcy		European Court .....	
American bankruptcy regime ...	337	Judgments Regulation .....	68
consumer .....	337	fundamental rights of suspect .....	239
debt relief, as .....	92	international law standards .....	242
legislation .....	296	high seas, crime on .....	1
Belgium		indivisible human dignity,	
pledge, execution		doctrine of .....	326
measures in a .....	94	International Labour	
broadcasting industry,		Organisation .....	47
regulation of .....	260	internment of Japanese-	
Canada		Americans .....	190
suspects		intervention (and states’ exclusive	
private-life interests of .....	229	jurisdiction) .....	139
rights of .....	249	Judgments Regulation	
civil liberties and		(European Court) .....	68
military necessity .....	190	maritime piracy .....	1
classification of persons .....	190	military necessity and	
constitutionalism and .....	196	civil liberties .....	190
comparative advertising		Netherlands, The	
trade marks and .....	173	pledge, execution	
competition law and broadcasting		measures in a .....	106
regulation .....	261	unfair dismissal .....	51
		piracy, maritime .....	1

	<i>Page</i>		<i>Page</i>
pledge, execution measures in a . . . . .	93	regime . . . . .	337
private-life interests of suspect . . . . .	213	broadcasting industry	
restorative justice . . . . .	330	regulation . . . . .	266
social justice . . . . .	329	educator rights . . . . .	118
South Africa		suspects	
bankruptcy and		private-life interests of . . . . .	232
alternative debt relief . . . . .	304	rights of . . . . .	252
broadcasting industry,		unfair dismissal . . . . .	56
regulation of . . . . .	260	unlawful competition . . . . .	175
competition law . . . . .	261	Zimbabwe	
educator rights . . . . .	118	recognition of decisions of SADC	
pledge . . . . .	93	Tribunal . . . . .	81
summary judgment . . . . .	352		
suspects, rights of . . . . .	254		
traditional medicine,			
African . . . . .	273		
unfair dismissal . . . . .	46		
Southern African Development			
Community Tribunal			
decisions, recognition of . . . . .	81		
sovereignty of states . . . . .	139		
summary judgment, historical			
context of . . . . .	352		
summary proceedings			
under Romano-canonical			
proceedings . . . . .	355		
suspect			
Constitution s 35, and . . . . .	239		
fundamental rights of . . . . .	239		
private life-interest of . . . . .	213		
Tanzania			
bankruptcy			
debt relief . . . . .	292		
legislation . . . . .	296		
television channels, pay . . . . .	260		
trade marks			
comparative advertising . . . . .	173		
infringement			
dilution, by . . . . .	184		
extended . . . . .	184		
primary . . . . .	177		
traditional medicine, African . . . . .	273		
unfair dismissal . . . . .	46		
United Kingdom			
arbitration agreements . . . . .	71		
private-life interests of suspect . . . . .	219		
summary judgment . . . . .	352		
unfair dismissal . . . . .	54		
United Nations Security Council			
African Union,			
relationship with . . . . .	139		
intervention . . . . .	163		
United States of America			
bankruptcy			
Bankruptcy Code . . . . .	339		