

## Editorial

The third issue of PER contains ten articles and one case note on a variety of themes. [Shaun de Freitas](#) shares his views on improper irreligious proselytism in religious rights and freedoms jurisprudence within a public school context and introduces an equitable and accommodative understanding of proselytism, which places the potentially harmful effects of both religious and irreligious beliefs on an equal footing with each other. [Yvette Joubert and Juanitta Calitz](#) analyse the role of the so-called private examinations in South African insolvency law and deal with the question of whether or not section 417 of the *Insolvency Act* 24 of 1936 is adequately and effectively framed in order to fulfil its intended purpose in South African law. [Howard Chitimira](#) gives a historical overview of the regulation of market abuse in South Africa. He concludes his contribution with a discussion by isolating certain flaws in the previous market abuse laws that were re-incorporated into the current South African market abuse legislation and makes recommendations in that regard. [Juanita Jamneck](#) discusses the contemporary meaning of the word "spouse" and the recognition of the family as an important social institution in the light of the provisions of the *Intestate Succession Act* 81 of 1987. [Shannon Bosch](#) reviews the scope and nature of "direct participation in hostilities" in international humanitarian law in the light of the *Interpretive Guide on the Notion of Direct Participation in Hostilities* issued by the International Committee for the Red Cross. The primary objective of the article by [Vinesh Basdeo](#) is to determine if the asset forfeiture measures employed in the South African criminal justice system are in need of any reform and/or augmentation in accordance with the "spirit, purport and object" of the South African Constitution. [Eddie Hurter and Tana Pistorius](#) examine the new .Africa Top Level Domain - an Africa initiative to ensure that Africa gets its rightful place in the global network. [Geo Quinot](#) tracks the development of the role of functionality in public tender adjudication as prescribed by public procurement regulation since the enactment of the *Preferential Procurement Policy Framework Act* 5 of 2000, which spearheaded the development of contemporary public procurement regulation in South Africa. [Thino Bekker](#) discusses the scope and application of the integration rule in the South African law of contract and deals with the question if rectification can be utilised to avoid the strict application of the integration rule and consequently serve as an instrument for the (indirect) abolition or modification of the rule in the South-African law of contract. [Yeukai Mupangavanhu](#) discusses the case of *Naidoo v Birchwood Hotel* 2012 6 SA 170 (GSJ) in the light of the exemption clauses in the *Consumer Protection Act* 68 of 2008 (CPA). The case note, which is also the final contribution, by [Martha Radebe](#) evaluates the unconstitutional practices of the Judicial Service Commission under the guise of judicial transformation as they came to the fore in the case of the *Cape Bar Council v Judicial Service Commission* [2012] 2 ALL 143 (WCC).

Editor:  
Prof Christa Rautenbach