Francois du Bois

PUBLICATIONS

(a) Books authored


Cited and applied in more than 50 decisions of the High Courts, Supreme Court of Appeal and Constitutional Court of South Africa (including most recently in Gallo Africa Ltd and Others v Sting Music (Pty) Ltd and Others 2010 (6) SA 329 (SCA); National Stadium South Africa (Pty) Ltd an Others v Firstrand Bank Ltd 2011 (2) SA 157 (SCA); Oriental Products (Pty) Ltd v Pegma 178 Investments Trading CC and Others 2011 (2) SA 508 (SCA); Le Roux and Others v Dey 2011 (3) SA 274 (CC); Maphango (Mgidlana) and Others v Aengus Lifestyle Properties (Pty) Ltd [2011] 3 All SA 535 (SCA); Falk and Another v National Director of Public Prosecutions 2011 (11) BCLR 1134 (CC); Premier of the Western Cape Provincial Government NO v Lakay [2011] ZASCA 224, as well as further references below) and in other countries applying Roman-Dutch Law (e.g. in Kamanja v Smith t/a W.A.S Smith Drilling [2009] NAHC 91 (High Court of Namibia) and Jassoda Ramkishun v Conrad Ashford Fung-kee and Others [2010] CCJ 2 (AJ) (Caribbean Court of Justice on appeal from the Court of Appeal of Guyana)).

‘Chapter 1: Law’ (sole author) pp 1–32.

‘Chapter 2: Sources of law: Overview and Constitution’ (sole author) pp 33–45.

‘Chapter 3: Sources of law: Legislation’ (sole author) pp 46–63.

‘Chapter 4: Sources of law: Common law and precedent’ (sole author) pp 64–99.


‘Chapter 5: Sources of law: Customary law and other sources’ (sole author) pp 100–113.

‘Chapter 6: The legal system’ (sole author) pp 114–141.

‘Chapter 14: Life partnerships’ (with Chuma Himonga; own contribution 50%) pp 363–369.

‘Chapter 26: Contracts in general’ (with Dale Hutchison; own contribution 50%) pp 736–887.

`Chapter 30: Letting and hiring of work` (sole author) pp 941–947.


**Books edited**

Jaco Barnard, Drucilla Cornell and François du Bois (eds) *Dignity, Freedom and the Post-Apartheid Legal Order* (Cape Town: Juta, 2009) 312 pp [ISBN 978072181375] [also published as 2008 *Acta Juridica*] (editing contribution 33.3%; author of one chapter listed in (d) below).


**Chapters in edited collections**


(d) **Articles in scholarly journals**


‘Contractual Obligation and the Journey from Natural Law to Constitutional Law’ 2015 *Acta Juridica* 281-312


Quoted as ‘an illuminating article’ in: Minister of Safety and Security v F 2011 (3) SA 487 (SCA); Endorsed and applied in: F v Minister of Safety and Security and Another [2011] ZACC 37.


(with Daniel Visser) ‘The Influence of Foreign Law in South Africa’ (Fall 2003) 13 *Transnational Law and Contemporary Problems* 593–658 (own contribution 60%).


Cited and applied in: Faircape Property Developers (Pty) v Premier, Western Cape 2002 (6) SA 180 (C); Geldenhuys v Minister of Safety and Security and Another [2002] 3 All SA 82 (C); Telematrix (Pty) Ltd v Advertising Standards Authority SA [2006] 1 All SA 6 (SCA); Brooks v Minister of Safety and Security 2008 (2) SA 397 (C); F v Minister of Safety and Security and Another [2011] ZACC 37.

(e) Book reviews and short articles


