

Editorial:

- Former State President F W de Klerk, an alumnus of Potchefstroom, delivered the seventh lecture in a series bearing his name last year in October. Some of the other lectures in the series were published in PER (2004(2), 2005(1), 2009(2)). We are proud to publish Mr de Klerk's presentation in this issue as an oratio in which he stated that "the Constitution is the indispensable basis of our national unity and our best and abiding hope for continued freedom, prosperity and stability," but simultaneously felt constrained to identify seven threats to which the Constitution was exposed. Die Afrikaanse teks van die lesing verskyn ook in hierdie uitgawe.
- Bradley Smith of the University of the Free State and Robbie Robinson of the North-West University (Potchefstroom Campus) highlight some discrepancies in current South African family law legislation concerning the position of heterosexual and homosexual couples, and propose (with comparative reference to the position in the Netherlands) solutions that could produce a less complex and better streamlined dispensation.
- Magda Slabbert of UNISA confronts the contentious issues regarding the justification of the sale of human kidneys for transplantation purposes in a country with a human rights culture, showing that the debates on the matter are conducted between utilitarians, deontologists and virtue ethicists.
- Stefan van Eck of the University of Pretoria enters the heated debate on the problematic field of labour broking in South Africa with comparative reference to the labour dispensation in Namibia, which he commends to South African policy makers: he argues for a stricter regulation of labour broking, as opposed to an outright ban, making use of foreign and international examples
- Dawid de Villiers of the University of Pretoria Law Clinic analyses a judgment with significant implications for the practice of debt review, concluding that the set of orders made by the court adds value to the practice of debt counselling in South Africa, but that the industry, the National Credit Regulator, the legislators and scholars bear the responsibility to take matters further.
- Ntombizuko Dyani and Mtende Mhango of the University of the Witwatersrand outline some of the negative effects of a recent ruling by the Pension Funds Adjudicator on the pension funds industry. The ruling was given with the rights of women in mind, but the authors believe that the reasoning was wrong and they recommend that the ruling be overruled as soon as the opportunity arises.
- In another note in the same field, Mtende Mhango praises the Pension Funds Adjudicator's determination in Hlathi because it removes some uncertainties, but he simultaneously criticises it for its failure to incorporate the requirement that a relationship of mutual dependence involves an emotional and intimate or sexual bond.

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