

CURRICULUM VITAE

DR. ZIYAD MOTALA

2900 Van Ness St. N.W.
Washington D.C. 20008

CURRENT EMPLOYMENT

Professor of Law and Director Howard Comparative and International Law Program in South Africa, Howard University School of Law 2900 Van Ness St. N.W., Washington D.C. 20008. Tel: (202) 806-8044. Fax: (202) 806-8428. E-Mail: zmotala@law.howard.edu

Distinguished Professor of Law, University of Western Cape, and Cape Town, South Africa from January 2003.

Primary interests: Constitutional Law, International Law, Comparative Law, Comparative Constitutional Law, International Human Rights, International Business Transactions, Comparative African Government and Administration

EDUCATION

NORTHWESTERN UNIVERSITY SCHOOL OF LAW Chicago, Illinois
Doctorate Degree in Law (S.J.D.) (1991)

Honors:-Recipient of scholarship from Northwestern University

Masters Degree in Law (LL.M.) - August, 1987

Honors:

- Recipient of full tuition scholarship from Northwestern University
- Recipient of scholarship from Institute of International Education (full monthly stipend and air fare from South Africa)
- Placed on the Dean's List

UNIVERSITY OF NATAL SCHOOL OF LAW Durban, South Africa
Bachelor of Laws (LL.B.)-November, 1985

Honors:

-Winner of 1985 University of Natal **Moot Court Finals**
-Recipient of **Butterworths Award for**
outstanding performance in Moot Court Finals

Bachelor of Arts (B.A.) with majors in Economics and Industrial Psychology -
November, 1983

WORK EXPERIENCE

August 1996 Professor of Law, And Director Graduate Studies
July 2002 Program and Director Comparative and International Law
 Program in South Africa, Howard University School of Law

August 1994 Associate Professor of Law, Howard University School
1996 of Law, Washington D.C. Director Howard South Africa Program

August 1993 Visiting Associate Professor of Law, Howard
July 1994 University School of Law Washington D.C.

July 1992 Visiting Assistant Professor of Law, Howard
July 1993 University School of Law Washington D.C.

July 1990- Visiting Asst. Professor of Law, Chicago Kent
June 1992 College of Law, 565 W. Adams Street Chicago,
 Il. 60661

July 1989- Adjunct Professor of Law, Northwestern
June 1990 University School of Law, 357 E. Chicago Ave. Chicago, Il. 60611

January 1987- Northwestern University Law School, Chicago
Dec.1988 IL. Research/Assistant - Comparative Law to
 Professor L. I. Rubinowitz

January 1986- Worked for law firm, **De Villiers, Evans & Petit**
July 1986 (doing articles of clerkship) -Durban, South Africa

Feb. 1985- Worked as part of student training at the **Legal**

PUBLICATIONS:

Published Books

CONSTITUTIONAL OPTIONS FOR A DEMOCRATIC SOUTH AFRICA: A COMPARATIVE PERSPECTIVE (Howard University Press 1994).

THE PROTECTION OF HUMAN RIGHTS IN AFRICAN CRIMINAL PROCEEDINGS (1995 Z. Motala with M.C. Bassiouni eds., Martinus Nijhoff and Kluwer Publishers).

CONSTITUTIONAL LAW ANALYSIS AND CASES (with M. Cyril Ramaphosa) Oxford University Press, 2002)

Published Articles:

Human Rights in Africa: A Cultural, Ideological and Legal Examination. (12) Hastings Int'l & Comp L. Rev. 373 (1989)

An Evaluation of the Constitutions and Influence of Soviet Constitutional Law on Afro-Marxist Countries: Has it Provided a Viable Model of Government for African Countries. (19) Cap. U.L. Rev. 187 (1990).

South Africa's Constitutional Options: A Critical Examination of the Plural Paradigm in KNOWLEDGE AND POWER IN SOUTH AFRICA: CRITICAL PERSPECTIVES ACROSS THE DISCIPLINES (J. Jansen editor, 1992).

The Jurisprudence of Constitutional Law, The Philosophical Origins and Differences Between The Western Liberal And Soviet Communist State Law. (8) Dickinson Journal of International Law 225 (1990).

The Record of Federal Constitutions in Africa: Some Lessons For A Post-Apartheid South Africa. (7) ARIZ. J. INT'L & COMP. L 225 (1990).

Independence of the Judiciary, Prospects and Limitations of Judicial Review in Terms of The United States Model in a New South African Order: Towards an Alternative Judicial Structure Based on the Continental Models. 55 Albany Law Review 367 (1991).

Above article reprinted in 24 Comparative and International Law Journal of Southern Africa (1991).

South Africa's Constitutional Options in Comparative Perspective: Towards a Responsive and Democratic Constitution 2 Journal of International Law and Practice 253 (1993)

Socio-Economic Rights, Federalism And The Courts: Comparative Lessons For South Africa 112(1) South African Law Journal 61 (1995).

Self-Defense in International Law, The United Nations, And The Bosnian Conflict 57 Pittsburgh Law Review 1 (1995)

Towards an Appropriate Understanding of Separation of Powers, And Accountability of The Executive And Public Service Under The New South African Order 112(3) South African Law Journal 503 (1995)

The Promotion of National Unity and Reconciliation Act, The Constitution And International Law XXVIII Comparative and International Law Journal of Southern Africa 338 (1995)

Legal Education in South Africa, Moving Beyond the Couch Potato Model Towards a Lawyering Skills Approach 113 South African Law Journal, 695 (1996)

The Constitutional Court's Approach to International Law and its Method of Interpretation in the "Amnesty Decision": Intellectual Honesty or Political Expediency 21 South African Year Book of International Law, (1996).

The Right to Fair in South Africa Under the Interim Constitution (in The Right To A Fair Trial (Springer-Verlag Berlin. D. Weissbrodt and R. Wolfrum eds. 1997)

Under International Law, Does The New Order in South Africa Assume The Obligations And Responsibilities of The Apartheid Order: An Argument For Realism Over Formalism 30 Comparative and International Law Journal of Southern Africa 288 (1997)

The Constitution is Not Anything The Court Wants it to be: The Mhlungu Decision And The Need For Disciplining Rules 115 South African Law Journal, 141 (1998)

Africa Isolation or Marginalization, Proceedings of the American Society of International Law Annual Meeting, 2000

Judicial Accountability and Court Performance Standards: Managing Court Delay XXXIV Comparative and International Law Journal of Southern Africa 172 July 2001

The First Amendment and Hate Speech: An Illustration of Why the United States Supreme Court's Approach Represents an Anomaly, 46(3) Howard Law Journal 507 (2003)

The Draft Bill on the Recognition of Muslim Marriages: An Unwise, Improvident and Questionable Constitutional Exercise Comparative and International Law Journal of Southern Africa 37 327 (2004).

The Use of the Truth Commission in South Africa as an Alternative Dispute Resolution Mechanism Versus the International Law Obligations (45) Santa Clara Law Review 913 (2005)

Constitution Making in Divided Societies and Legitimacy (15) Temple Political and Civil Rights Law Review 2005

Constitution Making in Divided Societies and Equality: Reflections on the Israeli-Palestinian and South African Experiences Howard Law Journal 50(3) 471 2007.

SELECTIVE PUBLIC ADDRESSES AND PROJECTS

I have spoken at many meetings and symposiums on various topics pertaining to human rights, comparative law, international law and South Africa. Following is a sample of a some meetings, appearances and projects I have worked on or am currently working on.

Delivered a paper at the AALS Convention in San Antonio in January

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1992 on Forum on "Ending Apartheid in South Africa: Shaping a New Constitution".

Delivered a paper at the World Jurist Association Biennial Conference on the Law of the World held in Barcelona Spain in October 1991 on "Constitution Making In Africa".

Served as the coordinator of a one week seminar on the Protection of Human Rights in Africa conducted by the International Institute of Higher Studies in Criminal Sciences Conference in Conjunction with the United Nations Crime Prevention and Criminal Justice Bureau and the United Nations Centre for Human Rights held in Siracusa, Italy in July of 1992. I was responsible for bringing together leading jurists, ministers of justice, attorney generals and academics from the European Community, Inter American Commission and participating African countries.

Delivered a paper on Human Rights at the Siracusa seminar.

Keynote speaker at the Washington Bar Association Founders Lecture Series, October 1992

Appeared on various radio and television programs to provide expertise on comparative and constitutional law

Delivered a paper at the Max Planck Institute in Germany in January 1996 on the "Right to A Fair Trial Under the New South African Constitution. The meeting in Germany brought together 35 of the eminent jurists from around the world to deal with the issue of the right to a fair trial with a view to drafting a new international treaty for the protection of the right to a fair trial.

Panelist at symposium at University of Michigan on "Constitution Making in South Africa" (March 1997).

Delivered a paper entitled "Political Instability and the Struggle for Constitutionalism in South Africa "at the meeting of the International Law Students Society at the University of Iowa in October 1998.

Worked with the American Bar Association Head Consultant on Legal Education, on a reform of legal education project in South Africa

Chaired a panel at the American Society of International Law Meeting

in April 2000 entitled "Africa Isolation or Marginalization".

Delivered a paper on Foreign Legal Education at a meeting of the Association of International Educators in Chicago in April 2001.

Delivered Frank E.A. Sander Lecture at the plenary of the American Bar Association Section of Dispute Resolution Conference in New York in April 2004.

Delivered paper on The Pressure on Civil Liberties in the United States Since September 11, 2001 at the Istanbul Conference on Democracy and Global Security in June 2005

OTHER PAST ACTIVITIES

Secretary of Isipingo and Natal Surf Life-Saving Union

Chairman of Black Students Society at University of Natal

PROFESSIONAL AFFILIATIONS

American Bar Association

American Association of International Law

Various interest groups of American Association of Law Schools

National Bar Association.