

CURRICULUM VITAE

Francois Venter

Current position

Extraordinary Professor, Faculty of Law, Potchefstroom, North-West University, South Africa

Academic

Received the academic degrees BJur et Com (1968), LLB (1970) and LLD (1978) from the Potchefstroom University for Christian Higher Education (South Africa).

Founded *P E R* (Potchefstroom Electronic Law Journal) in 1998. Editor until 2012.

Head of the Department of Public Law and Legal Philosophy from 1986 to 2000.

Received research grants from the *Alexander-von-Humboldt-Stiftung* for research visits to Germany in 1979-80 (for 13 months), 1983 (for 6 months), 1989 (for 6 months), in 1996 (for 4 months), in 2004 (for 5 weeks), in 2005 (for a month), in 2009 (for three months), in 2013 (for three months) and for three months in 2016.

Alumnus of the *Max-Planck-Institut für ausländisches öffentliches Recht und Völkerrecht* (Heidelberg, Germany)

Visiting Mercator Professor, funded by the German Research Association (*Deutsche Forschungsgemeinschaft*), to the Justus Liebig University, Gießen, Germany (Dec 2006 – February 2007)

Promoter for thirteen completed doctoral theses.

Rated in 2011 by the National Research Foundation of South Africa as a researcher "who enjoys considerable international recognition by his peers for the high quality and impact of his recent research outputs."

Professional

Admitted as advocate of the Supreme Court of South Africa in 1972.

President of the Association of University Teachers of Law of South Africa for the term 1989-1990.

Seconded to the Constitutional Development Service as Chief Director: Planning (from September 1990 to June 1993). During this period of transformational constitutional negotiations, advised the South African cabinet directly on constitutional development. In this capacity several official missions of a technical and diplomatic nature were undertaken to states in Africa and Europe, as well as to the USA and the United Nations.

Convenor of the Technical Committee on Constitutional Affairs of the Multiparty Negotiation Process (MPNP) May-December 1993. In interaction with the MPNP, the Committee was responsible for the formulation of a large part of the first fully democratic constitution of South Africa.

Returned full-time to the Faculty of Law in Potchefstroom in 1994.

Dean of the Faculty of Law (Potchefstroom) 2001-2012.

President of the South African Law Deans' Association 2009-2010.

Selected publications

MONOGRAPHS

Constitutional Comparison – Japan, Germany, Canada and South Africa as Constitutional States (Juta / Kluwer Law International, Cape Town 2000)

Global Features of Constitutional Law (Wolf Legal Publishers, Nijmegen 2010)

Constitutionalism and Religion (Edward Elgar Publishers, Cheltenham, UK 2015)

TEXT BOOK

Fundamental Rights in South Africa – A Brief Introduction (Juta, Cape Town 2015)

RECENT CONTRIBUTIONS TO BOOKS

"The 'Rule of Law' as a global norm for constitutionalism" Chapter 7 in James R Silkenat, James E Hickey & Peter D Barenboim (eds) *The Legal Doctrines of the Rule of Law and the Legal State (Rechtsstaat)* (Springer 2014) (Russian version published by LOOM and Justitsinform, Moscow, 2013) 91-104

"Transfrontier protection of the natural environment, Globalization and State Sovereignty" Chapter 4 in LJ Kotzé and T Marauhn (eds) *Transboundary Governance of Biodiversity* (Brill 2014) 65-89

"Local Government: Between Subsidiarity and Shortfalls in Service Delivery" Chapter 4 in H Corder, V Federico and R Orrù (eds) *The Quest for Constitutionalism. South Africa since 1994* (Ashgate, 2014) 53-65

"Re-imagining the Role of the Sovereign State and Individual Rights in Mitigating the Effects of the Deterioration of the Environment" Chapter 8 in Anna Grear and Louis Kotze (eds) *Research Handbook on Human Rights and the Environment* (Edward Elgar, 2015)

"Godsdienstige oortuigings as persoonlikheidseienskap: kan die staat daarteenoor neutraal staan?" (Religious convictions as personal attribute: can the state remain neutral?) in J Potgieter, J Knobel & R-M Jansen (eds) *Huldigingsbundel vir Johann Neethling* (LexisNexis, Durban, 2015) 519-528

"Die ongeregtheid van neutraliteit: sekulêre beregting van religieuse kwessies" (The injustice of neutrality: secular adjudication of religious matters) in De Ville J (ed.) *Memory and Meaning: Lourens du Plessis and the Haunting of Justice* (LexisNexis, Durban 2015) 235-255

"Parliamentary sovereignty or presidential imperialism? The difficulties of identifying the source of constitutional power from the interaction between legislatures and executives in Anglophone Africa" in Charles Fombad (ed) *Separation of Powers in African Constitutionalism* (Oxford University Press, 2016 Chapter 3) 95-115

RECENT CONTRIBUTIONS TO ENCYCLOPAEDIAS

"Foreigners, Migration and Asylum – Preliminary Note" in *Forms and Precedents* (LexisNexis 2009)

"Citizenship – Preliminary Note" in *Forms and Precedents* (LexisNexis 2009)

"Citizenship and Nationality" in Joubert WA (founding ed.) *The Law of South Africa* Vol 3 3rd ed. (LexisNexis, 2012) paras 148-166

"Fundamental Rights and Liberties" and "Constitutional Problems of Minorities" in C Murray and C Kirkby (eds) *International Encyclopaedia of Law: Constitutional Law: South Africa* (Wolters Kluwer 2014) Part IV Chapter §2 and Chapter §3

"The Republic of South Africa - Introductory Note" (Update 2015) in *Constitutions of the Countries of the World* R Grote & R Wolfrum (eds) Oxford University Press
<http://oxcon.oup.com/view/10.1093/law:ocw/law-ocw-cm938.document.1/law-ocw-cm938?rskey=LZ1LU0&result=2&prd=OCW>

RECENT PAPERS IN PEER-REVIEWED JOURNALS

"Liberal democracy: The unintended consequence - South African constitution-writing propelled by the winds of globalisation" (2010) 26 *South African Journal on Human Rights* 43-63

"Religion in the classroom: Comparative observations" 2012 (27) *SA Public Law* 432-453

"South Africa: a Diceyan *Rechtsstaat*?" 2012 (57:4) *McGill Law Journal* 721

"Confusing Grace with Amnesia: Reviewing Acts of the Head of State" 2012 (4) *Constitutional Court Review* (Pretoria University Law Press) 167-188

"Why Should the South African Constitutional Court Consider German Sources? Comment on Du Plessis and Rautenbach" 2013 (14, 8) *German Law Journal* 1579-1589

"Filling Lacunae by Judicial Engagement with Constitutional Values and Comparative Methods" 2014 (29) *Tulane European & Civil Law Forum* 79-100

"Containing the Malady of Corruption in South Africa: Can the Courts Stem the Tide?" 2015 (4) *South African Law Journal* (2015,4) *South African Law Journal* 748-755

"Godsdienspluraliteit en die liberale staat – Die illusie van sekulêre neutraliteit" 2016 (50,1) *In die Skriflig / In Luce Verbi*

"Transformasie en die universiteitswese" 2016(56,4-1) *Tydskrif vir Geesteswetenskappe*, 946-960

"Rethinking the language of constitutional comparison" 2017 (33,1) *South African Journal on Human Rights* 72-96