LEGAL AND PROFESSIONAL EXPERIENCE

Distinguished Visiting Professor of Law, New York Law School (2019-)

Sabbatical Scholar, Columbia Law School (2018-2019)

Acting Judge, High Court of South Africa, North Gauteng Division (2018 August/September term)

Dean and Professor of Law, University of Cape Town, Faculty of Law (2016 to 2018)

President and Dean, Albany Law School (2012 to 2015)

Associate Dean for Academic Affairs and Professor of Law, City University of New York School of Law (2010 to 2012)

Professor of Law & Director, International Studies, Valparaiso Law School (2007 to 2010) [Joint Appointment with La Trobe University, Melbourne, Australia] Courses: *Torts, International Human Rights Law; Gender and the Law; Introduction to American Law* (for LL.M. Students); *International Criminal Law*

Chair in International and Comparative Law, La Trobe University (2008 to 2010) [Joint Appointment with Valparaiso University] Courses: *Public Law; Aborigines and the Law in Australia*

Professor of Law, City University of New York School of Law (1993 to 2007) Courses: Torts, International Law and International Human Rights Law, Lawyering Seminar, Comparative Law, Gender and Law

Ariel F. Sallows Visiting Professor of Human Rights Law, University of Saskatchewan, Canada (January to December 2005) Courses: Law and Social Justice; International Human Rights Law

Parsons Visitor, Sydney University School of Law, Australia (Fall 2002). Lecture Series on Human Rights and Transitional Justice

Stoneman Endowed Visiting Professor in Law and Democracy, Albany Law School (Spring 2002). Courses: *The International Protection of Human Rights; Comparative Perspectives on Race and the Law*

Visiting Professor, University of Maryland School of Law, Baltimore (Spring 1994). Course: *Law and the End of Apartheid*

- Spring 1992; Course: Race and the Law: The South African Experience

- Spring 1991; Course: American and South African Perspectives on Race and the Law

Lecturer, Department of Legal Studies, La Trobe University, Melbourne, Australia (1986 to 1992). Courses: *Immigration Law and Policy; Women, Discrimination and the Law; Equal Opportunity Law and Policy; Aborigines and the Law in Australia; Law in Context - Introduction to Australian Law*

Legal Advisor, West Heidelberg Community Legal Center, Melbourne, Australia (Parttime February to May 1991)

Associate in Law, Legal Resources Centre, Johannesburg, South Africa (April 1989 to February 1990 - on leave from La Trobe University)

Adjunct Professor, City University of New York Centre for Worker Education, New York (Fall 1985). Course: Law, Politics and Economy in Southern Africa

Research Associate, NAACP Legal Defense and Educational Fund, Inc. New York (Fall 1984)

Research Assistant, Professor Frank Grad, Legislative Drafting Research Fund, Columbia Law School, New York (Summer 1984)

Associate in Law, Legal Resources Centre, Johannesburg, South Africa (November 1982 to July 1983)

Summer Teaching:

Visiting Professor, Touro Law School Summer Program, University of Potsdam, Germany (June 2010). Course: *Comparative Constitutional Law*

Visiting Professor, Touro Law School Summer Program, University of Potsdam, Germany (June 2004). Course: *Human Rights and Social Justice*

Visiting Professor, Columbia Law School Summer Program, University of Amsterdam School of Law (July 2003). Course: *American Tort Law in Comparative Perspective*

Visiting Professor, University of Maryland School of Law Summer Program, University of Aberdeen, Scotland (Summer 2001). Course: *Comparative Human Rights Law*

Visiting Professor, University of KwaZulu-Natal, Durban, South Africa (Summer 2000). Course: *Public International Law*

EDUCATION

Columbia University School of Law, New York, LL.M. (1984)

University of Natal, Durban, South Africa, LL.B. (1982)

University of Natal, Durban, South Africa, B.A. (Majors: Economic History; Comparative African Government and Administration) (1980)

FELLOWSHIPS

Columbia University, Institute of African Studies Seminar Associate (1995 to 2006)

Columbia Law School, Legislative Drafting Research Fund Chamberlain Fellowship in Legislation (January to December 1985)

PUBLICATIONS

http://ssrn.com/author=537527

BOOKS

FROM CAPE TOWN TO KABUL: RECONSIDERING WOMEN'S HUMAN RIGHTS (2012)

LAW AND RIGHTS: GLOBAL PERSPECTIVES ON CONSTITUTIONALISM AND GOVERNANCE (co-edited with Susan Bazilli 2008)

THE POST-APARTHEID CONSTITUTIONS: PERSPECTIVES ON SOUTH AFRICA'S BASIC LAWS (co-edited with Stephen Ellmann 2001)

GENDER, RACE AND COMPARATIVE ADVANTAGE: A CROSS-NATIONAL ASSESSMENT OF PROGRAMS OF COMPENSATORY DISCRIMINATION (Editor, 1999. Converted volume of *Law in Context*)

CHAPTERS IN BOOKS, LAW REVIEW AND JOURNAL ARTICLES

Race, Inclusiveness and Transformation of Legal Education in South Africa, in CONSTITUTIONAL TRIUMPHS, CONSTITUTIONAL DISAPPOINTMENTS (Rosalind Dixon and Theunis Roux eds. 2017) 223

Justice, Reconciliation and the Masculinist Way: What Role for Women in Truth Commissions? 60 NEW YORK LAW SCHOOL LAW REVIEW (2015-2016) 69

A Champion for African Freedom: Paul Robeson and the Struggle Against Apartheid 77 ALBANY LAW REVIEW (2014) 101

A Tribute to the Honorable Carmen Beauchamp Ciparick 76 ALBANY LAW REVIEW (2012-2013) 833

Law and Society in ENCYCLOPEDIA OF SOUTH AFRICA (Krista Johnson and Sean Jacobs eds. 2011) 173

Without Fear, Favor or Prejudice: Judicial Transformation and the Independence of the Judiciary in South Africa in LAW AND SOCIAL MOVEMENTS (Scott Cummings ed. 2010) 197

The Judiciary in South Africa: Independence or Illusion? in JUDICIAL INDEPENDENCE IN CONTEXT (Adam Dodek & Lorne Sossin eds. 2010) 466

Who's Afraid of Polygamy? Exploring the Boundaries of Family, Equality and Custom in South Africa 2009 UNIVERSITY OF UTAH LAW REVIEW, No. 2, 351

Imagine All the Women: Power, Gender, and the Transformative Possibilities of the South African Constitution, in POWER, GENDER, AND SOCIAL CHANGE IN AFRICA AND THE DIASPORA (Muna Ndulo ed. 2009) 213

South Africa, in ENCYCLOPEDIA OF HUMAN RIGHTS (David P. Forsyth ed. 2009) 2023

Incorporating International Human Rights Law in National Constitutions: The South African Experience, in PROGRESS IN INTERNATIONAL ORGANIZATIONS (Rebecca Bratspies and Russell Miller eds. 2008) 837

'Democracy Stops at My Front Door': Obstacles to Gender Equality in South Africa 5 LOYOLA CHICAGO JOURNAL OF INTERNTIONAL LAW (2007)15

Big Love: The Recognition of Customary Marriages in South Africa 64 WASHINGTON AND LEE LAW REVIEW (2007) 211

Learning to Love After Learning to Harm: Post-Conflict Reconstruction, Gender Equality and Cultural Values 15 MICHIGAN STATE JOURNAL OF INTERNATIONAL LAW (2007) 41

The South African Constitution as a Mechanism for Redressing Poverty in DEMOCRATIC REFORM IN AFRICA: ITS IMPACT ON GOVERNANCE AND POVERTY ALLEVIATION (Muna Ndulo ed. 2006) 57

The South African Judicial Appointments Process 44 OSGOODE HALL LAW JOURNAL (2006) 565

Some Middle-Aged Spread, A Few Mood Swings and Growing Exhaustion: The Human Rights Movement at Middle Age 41 UNIVERSITY OF TULSA LAW REVIEW (2006) 101

Perspectives on Brown: The South African Experience 49 NEW YORK LAW SCHOOL LAW REVIEW (2004-2005) 1155

Reparations for Apartheid's Victims: The Path to Reconciliation? 53 DE PAUL LAW REVIEW (2004) 1155

Transitional Perspectives on Women's Rights 14 INTERIGHTS BULLETIN (2004) 143

The South African Bill of Rights: Lessons for Australia in COMPARATIVE PERSPECTIVES ON BILLS OF RIGHTS (Christine Debono and Tania Colwell eds. 2004)

Two 'Colored' Women's Conversation About the Relevance of Feminist Law Journals in the 21st Century 11 COLUMBIA JOURNAL OF GENDER AND LAW (2003) (co-author Taunya Banks) 498

Critical Challenges: A Conversation on Complicity and Civility in Legal Education 1 SEATTLE JOURNAL FOR SOCIAL JUSTICE (2003) (co-authors Sharon Hom and Ruthann Robson) 601

Women's Human Rights and the Conversation Across Cultures 67 ALBANY LAW REVIEW (2003) 609

Evaluating the Progress of Women's Rights on the Fifth Anniversary of the South African Constitution 26 VERMONT LAW REVIEW (2002) 829

From Gender Apartheid to Non-Sexism: The Pursuit of Women's Rights in South Africa 26 NORTH CAROLINA JOURNAL OF INTERNATIONAL LAW AND COMMERCIAL REGULATION (2001) 694

Aboriginal Women in Australia and Human Rights in WOMEN AND INTERNATIONAL HUMAN RIGHTS LAW (VOL. 3) (Kelly D. Askin and Doreanne M. Koenig eds. 2001) 731

The Step-Child of National Liberation: Women and Rights in the New South Africa in THE POST-APARTHEID CONSTITUTIONS: REFLECTIONS ON SOUTH AFRICA'S BASIC LAW (Penelope E. Andrews and Stephen Ellmann eds. 2001) 326

Violence Against Aboriginal Women in Australia: Redress from the International Human Rights Framework in GLOBAL CRITICAL RACE FEMINISM: AN INTERNATIONAL READER (Adrien Wing ed. 2000) (reprint from Albany Law Review)

Personal Narrative in DEAR SISTERS, DEAR DAUGHTERS: WORDS OF WISDOM FROM MULTICULTURAL WOMEN ATTORNEYS WHO'VE BEEN THERE AND DONE THAT, Multicultural Women Attorneys Network, American Bar Association (Karen Clanton, Ed. 2000) 96

Making Room for Critical Race Theory in International Law: Some Practical Pointers 45 VILLANOVA LAW REVIEW (2000) 855

Globalization, Human Rights and Critical Race Feminism: Voices from the Margins 3 JOURNAL OF GENDER, RACE AND JUSTICE (2000) 373

Review Essay: David Dyzenhaus, JUDGING THE JUDGES: JUDGING OURSELVES, A Grand Exercise in Forgiveness or Justice Held Hostage to Truth: South Africa's Truth and Reconciliation Commission, 24 MELBOURNE UNIVERSITY LAW REVIEW (2000) 236

The Constitutional Court Provides Succor for Victims of Domestic Violence: S v Baloyi 16 SOUTH AFRICAN JOURNAL OF HUMAN RIGHTS (2000)

Violence Against Women in South Africa: The Role of Culture and the Limitations of the Law 8 TEMPLE CIVIL AND POLITICAL RIGHTS LAW REVIEW Vol. 2 (1999) 425

Affirmative Action in South Africa: Transformation or Tokenism 15 GENDER, RACE AND COMPARATIVE ADVANTAGE: A CROSS-NATIONAL ASSESSMENT OF PROGRAMS OF COMPENSATORY DISCRIMINATION (Penelope E. Andrews (ed. 1999)

Striking the Rock: Confronting Gender Equality in South Africa 3 MICHIGAN JOURNAL OF RACE AND LAW (1998) 307

Violence Against Aboriginal Women in Australia: Redress from the International Human Rights Framework 60 ALBANY LAW REVIEW (1997) 917

A Resource for Justice: South Africa's Legal Resources Centre 2 EAST AFRICA JOURNAL OF PEACE AND HUMAN RIGHTS No. 1 (1995)

Affirmative Action in South Africa: Some Theoretical and Practical Issues in THE CONSTITUTION OF SOUTH AFRICA FROM A GENDER PERSPECTIVE (Sandra Liebenberg ed. 1995)

Spectators at the Revolution: Gender Equality in a Post-Apartheid South Africa 7 LAW AND ANTHROPOLOGY: INTERNATIONAL YEARBOOK FOR LEGAL ANTHROPOLOGY (1994)

The Sense of Belonging in NO FEAR OF FLYING (Jocelynne A. Scutt ed. 1993)

Aborigines and the Law (with Geoff Eames QC) in CIVIL LIBERTIES IN AUSTRALIA, Victorian Council for Civil Liberties (July 1991)

Freedom from Discrimination in HUMAN RIGHTS FOR SOUTH AFRICANS (M. Robertson ed.1990)

Justice in a Post-Apartheid South Africa 15 LEGAL SERVICES BULLETIN No. 3 (June 1990)

Some Observations about Lawyering for the Poor in a Changing South Africa 12 AFRICAN STUDIES ASSOCIATION OF AUSTRALIA AND THE PACIFIC NEWSLETTER No. 1 (June 1990)

Legal Education in a Changing South Africa 1 AFRICAN LAW REVIEW No. 5 (March 1990)

A Small, Sweet Victory, 14 LEGAL SERVICES BULLETIN No. 5 (October 1989)

Autonomy and the Miskito Indian Community of Nicaragua 2 ABORIGINAL LAW BULLETIN No. 32 (June 1988)

Racial Discrimination and the Law in DISCRIMINATION: THE LAW, THE MEDIA AND EDUCATION, Seminar Proceedings, Victorians for Racial Equality (September 1987)

Inside South Africa - The Players and Their role in Social Change: The Labor Unions in SOUTH AFRICA: PROSPECTS FOR PEACE AND SECURITY, International Peace Academy (1987). (Proceedings of Conference on Peace and Security in Southern Africa, Arusha, Tanzania, March 1986)

Apartheid: The Legal Death of the Black Worker 14 HUMAN RIGHTS No. 2 (Spring 1987)

The Legal Underpinnings of Gender Oppression in Apartheid South Africa 3 AUSTRALIAN JOURNAL OF LAW AND SOCIETY (June 1986)

Corporate Codes of Conduct Under Apartheid: An Assessment 3 TRANS AFRICA FORUM No. 3 (Spring 1986)

EDITING

Editors' Introduction (with Dennis Davis and Tabeth Masengu). A Warrior for Justice: Essays in Honor of Justice Dikgang Moseneke, ACTA JURIDICA (2017)

Editor's Introduction: Special Issue: For Martin Chanock: Essays on Law and Society 28 LAW IN CONTEXT Vol. 2 (2010)

Editor's Introduction, *Feminist Advocacy, Constitutions and Law* 9 INTERNATIONAL REVIEW OF CONSTITUTIONALISM Vol. 2 (2009)

Editor's Introduction (with Frank Munger): Law, Poverty and Economic Inequality 9 INTERNATIONAL REVIEW OF CONSTITUTIONALISM Vol. 1 (2009)

Guest Editor's Introduction: Reconstruction and Reparations in International Law THIRD WORLD LEGAL STUDIES (2002-2003)

Guest Editor's Introduction: Women's Rights and Traditional Law: A Conflict? THIRD WORLD LEGAL STUDIES (1994-95)

2016-2018 EDITORIAL PIECES

WHY THE NPA MUST ACT NOW ON REVELATIONS TO ZONDO COMMISSION at: https://www.news24.com/Columnists/GuestColumn/why-the-npa-must-act-now-on-revelations-to-zondo-commission-20181115

SOUTH AFRICA'S HISTORIC SILICOSIS CLASS ACTION: WHY THE SETTLEMENT MATTERS at: https://theconversation.com/south-africas-historic-silicosis-class-action-why-the-settlement-matters-96234

JAIL TIME FOR SOUTH AFRICAN WOMAN USING RACIST SLUR SETS NEW PRECEDENT at: https://theconversation.com/jail-time-for-south-african-woman-using-racist-slur-sets-new-precedent-94179

THE DEATHS OF 144 MENTAL HEALTH PATIENTS AND SOUTH AFRICA'S CONSTITUTIONAL DEMOCRACY at: https://theconversation.com/the-deaths-of-144-mentally-ill-patients-and-south-africas-constitutional-democracy-91433

WHY IT'S TAKEN SO LONG TO PROSECUTE STATE CAPTURE CASES IN SOUTH AFRICA at: https://theconversation.com/why-its-taken-so-long-to-prosecute-state-capture-cases-in-south-africa-90394

CHE'S CHALLENGE AN OPPORTUNITY NOT A CRISIS FOR UCT LAW FACULTY at: http://politicsweb.co.za/opinion/ches-challenge-an-opportunity-not-a-crisis-for-uct

DESPAIR AND DEPRESSION AT LAW SCHOOL ARE REAL, AND NEED ATTENTION at:

https://theconversation.com/despair-and-depression-at-law-school-are-real-and-need-attention-81351

SOUTH AFRICA'S PROBLEMS LIE IN POLITICAL NEGLIGENCE NOT ITS CONSTITUTION at: http://theconversation.com/south-africas-problems-lie-in-political-negligence-not-its-constitution-80474

UCT INITIATES REPARATION AND HEALING at: https://mg.co.za/article/2017-05-05-00-uct-initiates-reparation-and-healing

LAW PROFESSOR'S LETTER TO STUDENTS: RESPECT YOURSELF FIRST at: https://projectrise.news24.com/law-professors-letter-students-respect-first/

SOUTH AFRICANS LEARN THAT LAW CAN BE A DOUBLE-EDGED SWORD at: https://theconversation.com/south-africans-learn-that-the-law-can-be-a-double-edged-sword-68078 WHAT STUDENT PROTESTS REVEAL ABOUT SOUTH AFRICA'S YOUNG FUTURE LEADERS at: https://theconversation.com/what-student-protests-reveal-about-south-africas-young-future-leaders-67314

SOUTH AFRICA'S PUBLIC PROTECTOR HAS SET A HIGH BAR FOR HER SUCCESSOR at: https://theconversation.com/how-south-africas-public-protector-has-set-a-high-bar-for-her-successor-63891

DECADE OLD RAPE CHARGE STICKS TO PRESIDENT ZUMA LIKE THE ORIGINAL SIN at: https://theconversation.com/decade-old-rape-charge-sticks-to-president-zuma-like-the-original-sin-63666

AN OPEN LETTER TO UNIVERSITY STUDENTS: YOUR VOTE MATTERS at: https://theconversation.com/an-open-letter-to-university-students-your-vote-matters-62740

SOUTH AFRICA'S VOTE AGAINST INTERNET FREEDOM TARNISHES ITS GLOBAL IMAGE at: https://theconversation.com/south-africas-vote-against-internet-freedom-tarnishes-its-global-image-62112

DISAGREEMENT CAN BECOME AN ACT OF LOVE AND RECONCLIATION at: https://theconversation.com/disagreement-can-become-an-act-of-love-and-reconciliation-61037

LAW FACULTIES MUST EMBRACE DIFFERENCE TO PRODUCE GREAT GRADUATES at: https://theconversation.com/law-faculties-must-embrace-difference-to-produce-great-graduates-59927

JUDGE'S DEATH PROVIDES MOMENT OF REFLECTION ON LEGAL REFORM at: https://www.businesslive.co.za/bd/opinion/2016-01-22-judges-death-provides-moment-of-reflection-on-legal-reform/

CONSULTANCIES AND GRANTS

University of Saskatchewan, Native Law Centre (2005) Research Project on Indigenous People. The Right to Health and Fetal Alcohol Syndrome.

United Nations Development Fund for Women (UNIFEM) (August 2001). Drafted briefing paper for World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance, on the effect of Racism on Women and Governance

Ford Foundation, Johannesburg, South Africa (October-November 1994). Evaluated labor law programs sponsored by the Foundation at three universities. Produced report to this effect. (See *Many Roads to Justice: The Law Related Work of Ford Foundation Grantees Around the World* 2000, 32-33)

Community Peace Foundation, University of the Western Cape (July-September 1994). Assisted in drafting model affirmative action statute; conducted workshops and gave lectures on affirmative action to business and community groups, and to the military.

Australian Commonwealth Department of Employment Education and Training's Youth Initiative Grant Program on crime prevention (1991/1992). In concert with a team of evaluators from the National Centre for Socio-Legal Studies, had responsibility for evaluating projects which specifically targeted Aboriginal communities and migrant communities from non-English speaking backgrounds.

Commissioner for Equal Opportunity, State Government of Victoria, Australia (Part time basis - July to November 1988). Assisted in preparation of draft submission for changes to Equal Opportunity Act (1984) with specific reference to issues of direct and indirect discrimination. Conducted a workshop for Commissioner's staff on major aspects of Australian anti-discrimination and equal opportunity legislation and affirmative action policies and procedures.

HONORS AND AWARDS

Ron Brown International Award, National Bar Association (2015)

From 2012–2014 included in a list of the 100 most influential black attorneys in the United States. See:

http://www.onbeingablacklawyer.com/wordpress/power-list-2014-nations-most-influential-minority-attorneys [2014]

http://www.onbeingablacklawyer.com/wordpress/the-power-100-the-most-influential-black-attorneys-the-non-black-advocates-advancing-diversity [2013]

The Power 100 Special Edition: The Pipeline Builders - See more at: http://www.onbeingablacklawyer.com/wordpress/the-power-100-special-edition-the-pipeline-builders#sthash.zUOEhJrF.dpuf [2012]

Excellence in Leadership Award, Flora E. Kippins Foundation (2014)

African-American History Month Celebration Honoree, Albany Common Council (2014)

Erika Hauser and Konika Johar, *Dean Penelope Andrews, Advocate, Leadership, Vision* 76 ALBANY LAW REVIEW (2013) 3

Women Who Mean Business Award, Business Review (2013)

Haywood Burns/Shanara Gilbert Award, Northeast People of Color Conference, Boston (2012)

Penelope E. Andrews Human Rights Award, University of KwaZulu-Natal, Faculty of Law (Inaugurated 2005)

Scholar in Residence – Rockefeller Conference and Study Center, Bellagio, Italy (2004)

Kate Stoneman Award – Albany Law School (2002)

Public Interest Award – Public Interest Law Association, CUNY Law School (1996)

International Women's Day Award – CUNY Law Women's Coalition (1995)

Women of South Africa Achievement Award – South African-American Association (1995)

Order of the Coif and Speaker at Graduation – University of Maryland, School of Law (1985)

CONFERENCE, SEMINAR PAPERS AND PRESENTATIONS

Endowed lectures presented include the Paul Robeson Lecture, Columbia Law School (2013) and the Valerie Gordon Human Rights Lecture, Northeastern University School of Law (2014). Numerous Conference and Seminar Presentations and Lectures in the U.S.A., Australia, South Africa, the Caribbean, and Europe. Topics include legal education, racial and gender discrimination in South Africa, the U.S.A. and Australia, public interest and civil rights lawyering, and international human rights law. Regular contributor to media, including print, radio and television.

PROFESSIONAL ASSOCIATIONS AND MEMBERSHIPS

Judicial Institute for Africa, Trainer

Board Member, Legal Resources Trust

Associate Member, American Bar Association

Editor, International Journal of Law in Context

Editor, African Law eJournal

Member, Editorial Board, Women, Law & Human Rights (SSRN Journal)

Member, Editorial Board, Journal of Law and Policy

Member, Editorial Board, Human Rights and the Global Economy (SSRN Journal)

Member, Advisory Board, South African Judicial Education Journal

Member, International Advisory Board, East Africa Journal of Peace and Human Rights Vice-President, South African Law Deans' Association

[Past Memberships]

Board Member, Albany-Colonie Chamber of Commerce

Board Member, South Africa Partners

Board Member, Center for Economic Growth

Board Member, Fund for Modern Courts

Board Member, Historic Society of Courts of New York

Board Member, Judicial Institute on Professionalism

Member, New York State Bar Association

Member, New York City Bar Association

Member, Test Development and Research Committee, LSAC

Member, Chief Justice's Committee on Non-Lawyers and the Justice Gap

Chair, University Heights Association

Chair, AALS Section on Minorities (2011)

Member, Editorial Board, Law in Context (Australia)

Co-Chair, 2015 Organizing Committee, Law and Society Association

Member, 2012 Organizing Committee, Law and Society Association

Member, Board of Trustees, Friends of the Constitutional Court of South Africa

Chair, AALS Section on Africa (2009-2010)

Editor, International Review of Constitutionalism (2007-2009)

Member, Board of Directors, Human Rights Watch Africa Section (2003-2006)

Member, Board of Trustees, Law and Society Association (2003-2006)

Member, Board of Directors, Columbia Law School Association (2003-2006)

Member, Board of Directors, Center for Law and Economic Justice (2002-2006)