

PUBLICATION LIST: Prof Nico Steytler

Research and publications

Books

- Nico Steytler and Yash Pal Ghai (eds) *Kenya-South Africa Dialogue on Devolution* (Cape Town: Juta, 2015) pp 500.
- Jaap de Visser, Nico Steytler, Derek Powell and Ebenezer Durojaye (eds) *Constitution-building in Africa* (Baden-Baden: Nomos, 2015) pp 250
- Editor, *The Impacts of Regionalisation and Globalisation on Federations*, vol 3 conference proceedings of 5th International Conference on Federalism, *Equality and Unity in Diversity for Development*, Addis Ababa, Ethiopia, 2010 (Addis Ababa: Sharma Books, Forum of Federations and Government of the Federal Democratic Republic of Ethiopia, 2013) pp 107.
- Editor, *The First Decade of the Municipal Demarcation Board: Some Reflections on Demarcating Local Government in South Africa* (Pretoria: Municipal Demarcation Board, 2010) pp 106
- Jaap de Visser, Nico Steytler and Naison Machingauta, *Local Government in Zimbabwe: A Policy Dialogue* (Bellville, Community Law Centre, 2010), pp 150
- Editor, *Local Government and Metropolitan Regions in Federal Systems* (Montreal and Kingston: McGill Queen's University Press, 2009), pp 464
- Nico Steytler and Jaap de Visser *Local Government Law of South Africa* (Durban: Butterworths LexisNexis, 2007), pp 1200, annual updates (2009, 2010, 2011, 2012, 2013)
- Editor, *The place and role of local government in federal systems* (Johannesburg, Konrad Adenauer-Stiftung, 2005) pp 220
- *Constitutional Criminal Procedure: A Commentary on the South African Constitution of 1996* (Durban: Butterworths, 1998) pp 497
- Editor *Human Rights, Democracy and Economic Development in Southern Africa* (Johannesburg: Lex Patria, 1997) pp 419
- Jacques de Ville and Nico Steytler (eds), *Voting in 1999: Choosing an Electoral System* (Durban: Butterworths, 1996) pp 125
- Nico Steytler, John Murphy, Pierre de Vos and Medard Rwelamira (eds) *Free and Fair Elections* (Cape Town: Juta, 1994) pp 294
- Editor, *The Freedom Charter and Beyond: Founding Principles for a Democratic South African Legal Order* (Cape Town: Wyvern, 1991) pp 314
- *The Undefended Accused on Trial* (Cape Town: Juta, 1988) pp 266
- MCJ Olmesdahl and NC Steytler (eds) *Criminal Justice in South Africa* (Cape Town: Juta, 1983) pp 303

Chapters in books – since 2000

- “The Constitutional Court: Reinforcing South Africa’s Hourglass System of Multilevel Government” in Nicholas Arony and John Kincaid (eds) *Courts in Federal Countries : Federalists or Unitarists* (Toronto: University of Toronto Press, 2016, in press)
- “The withering away of politically salient territorial cleavages in South Africa and the emergence of watermark ethnic federalism”, in Sujit Choudhry and George Anderson

(eds) *Dealing with Territorial Cleavages in Constitutional Transitions* (New York: Oxford University Press, 2016, forthcoming)

- * Nico Steytler and Lukas Muntingh “Meeting the public security crisis in South Africa: Centralising and decentralising forces at play”, in Raymond Koen (ed) *Festschrift for Professor Lovell Fernandez*, (Faculty of Law, UWC, 2016, in press)
- “National cohesion and intergovernmental relations in South Africa”, in Nico Steytler and Yash Pal Ghai (eds) *Kenya-South Africa Dialogue on Devolution* (Cape Town: Juta), 302-323
- Nico Steytler and Yash Pal Ghai, “Devolution: What can Kenya learn from South Africa?” in Nico Steytler and Yash Pal Ghai (eds) *Kenya-South Africa Dialogue on Devolution* (Cape Town: Juta), 442-482.
- “South Africa: The role of the Constitutional Court in defining subnational governments’ powers and functions” in Conrad M. Bosire and Wanjiru Gikonyo (eds) *Animating Devolution in Kenya: The Role of the Judiciary – Commentary and Analysis on Kenya’s Emerging Devolution Jurisprudence under the New Constitution* (Nairobi: IDLO, Judiciary Training Institute and Katiba Institute, 2015) 208-226.
- Nico Steytler and Jaap de Visser “‘Fragile Federations’: the dynamics of devolution”, in Francesco Palermo and Elisabeth Alber (eds) *Federalism as decisionmaking* (Brill/Nijhoff, 2015)
- “The politics of provinces and the provincialisation of politics” in Tiyanjana Maluwa (ed) *Law, Politics and Rights: Essays in Memory of Kader Asmal* (Brill/Nijhoff, 2014).
- Nico Steytler and Jaap de Visser "Constitutional law of local government" in Christina Murray (ed) *Constitutional Law - South Africa*, in *International Encyclopaedia of Laws* (Kluwer, 2014) 166-185
- Christina Murray, Coel Kirkby, Nico Steytler and Jaap de Visser, "Public Finance" in Christina Murray (ed) *Constitutional Law - South Africa*, in *International Encyclopaedia of Laws* (Kluwer, 2014) 284-296
- “South Africa - the reluctant hybrid federal state” in John Loughlin, Wilfried Swenden and John Kincaid (eds), *The Routledge Handbook of Regionalism and Federalism* (London and New York: Routledge, 2013) 442-454.
- “Governance and finance of two South African metropolitan areas” in Enid Slack and Rupak Chattopadhyay (eds) *Governance and Finance of Metropolitan Areas in Federal Systems* (Toronto: Oxford University Press Canada, 2013)
- Jaap de Visser, Nico Steytler and Yonatan Fesha “The role of ethnicity in the demarcation of internal boundaries in South African and Ethiopia”, in Stelio Mangiameli (ed) *Federalism, Regionalism and Territory* (Milan: Giuffrè Editore, 2013) 267-289
- Nico Steytler, Jaap de Visser and Robert Williams, “Unfunded Mandates: directing subnational governments”, in Gisela Färber (ed.) *Governing from the Center: the Influence of the Federal/Central Government on Subnational Governments* (Speyer: Deutsche Forschungsinstitut für Öffentlichen Verwaltung, 2012) 135-156
- “Cooperative and coercive models of intergovernmental relations: A South African case study” in Thomas J. Courchene, John R. Allen, Christian Leuprecht and Nadia Verrelli (eds) *The Federal Idea: Essays in Honour of Ronald L. Watts*, (Montreal & Kingston: McGill Queen’s University Press, 2011) pp 413-428

- “Demarcating district municipalities”, in Nico Steytler (ed) *The First Decade of the Municipal Demarcation Board: Some Reflections on Demarcating Local Government in South Africa* (Pretoria: Municipal Demarcation Board, 2010) pp 73-87
- “Introduction” in Nico Steytler (ed) *Local Government and Metropolitan Regions in Federal Systems* (Montreal, Kingston: McGill-Queen's University Press, 2009), pp. 3-6
- “Comparative conclusions” in Nico Steytler (ed) *Local Government and Metropolitan Regions in Federal Systems* (Montreal, Kingston: McGill-Queen's University Press, 2009), pp. 393-436
- “Judicial neutrality in the face of ineptitude: The Constitutional Court and multi-level government in South Africa “ in H-P Schneider, J Kramer and B Caravito (eds) *Judge Made Federalism* (Baden: Nomos Verlag, 2009), **27**
- “Cape Town Pretoria, South Africa” in Enid Slack and Rupak Chattopadhyay (eds) *Finance and Governance of Capital Cities in Federal Systems* (Montreal & Kingston: McGill-Queen’s University Press, 2009) pp 221-237
- Nico Steytler and Jaap de Visser “Local Government” in Stuart Woolman et al (eds) *Constitutional Law of South Africa* (Cape Town: Juta, 2008) ch 22: 1-138
- “Enhancement of democracy through empowerment of disadvantaged groups” in John Kincaid & Rupak Chattopadhyay (eds) *Local Government in Federal Systems* (New Delhi: Viva Books, 2008) pp 19-35
- “The role of the expert in the formulation of policy on federalism”, in Nadia Verrelli (ed) *Issues in the Role of the Policy Advisor: An insider’s look* (Kingston: Institute of Intergovernmental Relations, 2008) pp 45-48.
- "National, Provincial, and Local Relations: An Uncomfortable *Menage a trois*" in Harvey Lazar and Christian Leuprecht (eds) *Sphere of Government: Comparative Studies of Cities in Multilevel Governance Systems* (Montreal & Kingston: McGill-Queen's University Press, 2007) pp 229-256
- "Comparative reflections on local government and metropolitan regions" in Raoul Blindenbacher and Chandra Pasma (eds) *Dialogues on Local Government and Metropolitan Regions in Federal Countries* (Ottawa: Forum of Federations and International Association of Centers for Federal Studies, 2007), pp 3-8
- Nico Steytler and Yonatan Fesha, "Defining local government powers and functions: Towards the management of overlaps" in Roger Southall (ed) *Conflict and Governance in South Africa: Moving towards a more just and peaceful society* (Lyttleton: Conflict and Governance Facility, 2007), pp 88-107
- "Local government in South Africa: Entrenching decentralized government" in Nico Steytler (editor) *The place and role of local government in federal systems*, (Johannesburg, Konrad Adenauer-Stiftung, 2005), pp 183-212.
- "Republic of South Africa" in John Kincaid & Alan Tarr (eds) *Constitutional Origins, Structure, and Change in Federal Countries*, (Montreal & Kingston, McGill-Queen's University Press, 2005), pp 311 -346
- "A legal framework for investigations affecting intelligence", in Norman Levy (ed) *Balancing Secrecy and Transparency in a Democracy*, (Pretoria: South African National Academy of Intelligence, 2004), pp 15-44
- "One party dominance and the functioning of South Africa's decentralised system of government", in Rudolf Hrbek (ed) *Political Parties and Federalism*, (Baden-Baden: Nomos, 2004), pp 159-168

- "The role of organized local government in intergovernmental relations in South Africa", in L C Jain (ed) *Decentralisation and Local Governance: Essays for George Matthew*, (New Delhi: Orient Longman, 2005), pp 495-520
- "Homogeneity from the bottom up - the shaping of national by provinces: A South African case study" in Peter Bussjager & Anna Gamper (eds) *The Homogeneity of Democracy, Rights and the Rule of Law in Federal and Confederal Systems* (Vienna: Wilhelm Braumuller, 2003) 35-52
- "Concurrency and cooperative government - a South African case study" in Working Paper of Bertelsmann Commission Verfassungspolitik & Regierungsfähigkeit *Redistribution of Powers between the Federal Level and the State* (Gutersloh: Verlag Bertelsman Stiftung 2001) 47-60
- "The settlement of intergovernmental disputes" in Norman Levy and Chris Tapscott (editors) *Intergovernmental Relations in South Africa: The Challenges of Cooperative Government* (Bellville, CapeTown: School of Government, UWC & Political Information & Monitoring Service, IDASA. 2001) pp 175-206
- "Sudafrika - Eine federale Verfassungsordnung in Werden" in Europäische Zentrum für Federalismus-Forschung Tubingen Jahrbuch des Federalismus 2000 (Baden-Baden, Nomos, 2000) 387-400

Peer-reviewed articles – since 2000

- Nico Steytler, "Domesticating the Leviathan: constitutionalism and federalism in Africa" *African Journal of International and Comparative Law* (2016, in press)
- Jaap de Visser and Nico Steytler, "Confronting the State of Local Government: The 2013 Constitutional Court Decisions" 7 *Constitutional Court Review* (2016 in press)
- Robert Williams and Nico Steytler, "Squeezing out provinces' legislative competence in *Premier: Limpopo Province v Speaker: Limpopo Provincial Legislature I and II*" *South African Law Journal* (2012) 128 (4) *South Africa Law Journal* 541.
- "The legal instruments to raise property rates: Policy, by-laws and resolutions" *SA Public Law* 25(2) (2011) (published in 2012) 482-494
- With Xavier Phillipe "Afrique du Sud" *Annuaire International de Justice Constitutionnelle* 26 (2010) 81-93 (published in 2011) (on constitutional criminal justice)
- Nico Steytler and Derek Powell "The impact of the global financial crisis on decentralised government in South Africa" *L'Europe en Formation* (2010 winter) no 358, p 149-172
- "The decisions in *Wary Holdings (Pty) Ltd v Stalwo (Pty) Ltd and Another* 2009 (1) SA 337 (CC): Be wary of these holdings", *Constitutional Court Review* 2 (2009) 429-449
- "The strangulation of local government" *Journal of South African Law* 2008(3) 518-535
- Coel Kirkby, Nico Steytler and Janis Jordan "Towards a more cooperative local government: The challenge of district intergovernmental forums" *SA Public Law* 22 (2007) 142-165
- Nico Steytler and Yonatan Fessha, "Defining local government powers and functions" *South African Law Journal* 124 (2007) 320-338

- "The powers of local government in decentralized systems of government: managing the curse of common competencies" *Comparative and International Law Journal of Southern Africa* 38 (2005) 271-284
- "Socio-economic rights and the process of privatising basic municipal services" *Law Democracy and Development* 8 (2004) 67-87
- "The governance of metropolitan cities in federal systems" *Journal of Public Administration* 39(1) (2004) 212-221
- "District municipalities: Giving effect to shared authority in local government" *Law, Democracy and Development* 7 (2003) 227-242
- "Federal homogeneity from the bottom up: Provincial shaping of national HIV/AIDS policy in South Africa" *Publius: The Journal of Federalism* 33:1 (2003) 59
- "Concurrency and co-operative government: The law and practice in South Africa" *SA Public Law* 16 (2001) 241-254
- Nico Steytler and Johann Mettler "Federal arrangements as a peacemaking device during South Africa's transition to democracy" *Publius: The Journal of Federalism* 31(4) (2001) 93-106
- "The emerging role of metropolitan cities in federations" *Indian Journal of Federal Studies* 2(2) (2001) 53-64

Other publications (manuals and guides)

- Distribution of powers in the Federal Republic of Somalia: review of the Provisional Constitution (2012) and future options (Forum of Federations 2016), published in English and Somali
- Jaap de Visser and Nico Steytler, *Electing Councillors: A Guide to Municipal Elections* (FES, COGTA, 2016, in press)
- Nico Steytler and Laurence Boule, *Intergovernmental Dispute Prevention and Settlement: Practice Guide - Guidelines for Effective Conflict Management*, (Department of Provincial and Local Government, 2005)
- Nico Steytler, Jaap de Visser and Johann Mettler, *Co-author Making Law: A Guide to Municipal Councils* (Community Law Centre, UWC and Salga 2001) pp 50
- Jaap de Visser, Nico Steytler and Johann Mettler, *Electing Councillors: A Guide to Municipal Elections* (Community Law Centre and Independent Electoral Commission, 2000)
- Jaap de Visser, Nico Steytler and Johann Mettler, *Co-author Provincial Supervision [of Local Government]: Manual for the Application of Section 139 of the Constitution* (DPLG, 2000)

Membership of editorial boards and academic institutions

- Member, Advisory Editorial Board, *Africa Journal of Comparative Constitutional Law* (University of Nairobi, publisher, Juta, Cape Town) (2016-)
- Co-editor *Law, Democracy and Development* (1997-)
- Editor-in-chief *Local Government Bulletin* (2005-2009)
- Co-editor *Local Government Bulletin* (1999-2004; 2010-2012)

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