

ACKNOWLEDGEMENTS

This volume is the outcome of a research project that Olaf Zenker proposed to the Stellenbosch Institute for Advanced Study (STIAS), based in Stellenbosch, South Africa, in 2018. At the time, the official process to review the ‘property clause’ of the South African Constitution had just started and was rapidly gathering pace. Aimed at potentially amending the Constitution to allow for ‘expropriation without compensation’, this process fanned heated public debates and led to a prolonged legislative process with what were, in many ways, uncertain results.

From the start, the research project planned to interrogate these developments in South African land reform and transformative constitutionalism critically, within a broader framework encompassing redistributive justice more generally. Zenker proposed facilitating a constructive exchange amongst specialists in the fields of property law, land reform and redistributive justice (initially Cherryl Walker, Zsa-Zsa Boggenpoel and James Ferguson), leading to an international STIAS conference, followed by an accessible publication of the results of this exchange. This was envisioned as offering both critical commentary on and policy input for the redistributive transformation that South Africa so urgently needs.

While carrying the project through from beginning to end, Zenker was joined by Cherryl Walker, followed by Zsa-Zsa Boggenpoel, as co-organisers of the conference. Our collaboration was facilitated by a STIAS group residency that was scheduled around the conference, which was finally able to take place, post-COVID, in February 2022. The three of us then constituted the editorial team that jointly took forward the book project thereafter.

The fact that this volume now exists, bringing this project to a fruitful conclusion, would not have been possible without the unwavering support of STIAS – notably its former and current directors, Hendrik Geyer and Edward Kirumira, as well as other STIAS personnel, especially Programme Manager Christoff Pauw, as well as Nel-Mari Loock,

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In addition, Martin Luther University Halle-Wittenberg, Germany, provided a sabbatical semester 2021/2022, allowing Olaf Zenker to focus on the organisation and realisation of the conference in the context of the STIAS group residency as well as the substantial reviewing in preparation for this book. In the context of the conference 'After Law: Mobilization, Injustice, and Confrontation in the Post-Juristocratic Transition', co-organised with Mark Goodale at the University of Lausanne, Switzerland, in June 2022, Olaf Zenker profited from spirited discussions with Penelope Anthias, Matthew Canfield, Lynette Chua, Kamari Clarke, Andrea Freeman, Mark Goodale, Arzoo Osanloo, Nitzan Shoshan and Rachel Sieder on the conundrums of South African transformative constitutionalism, as exemplified in the recent debate on expropriation without compensation. More recently, a fellowship at Käte Hamburger Kolleg Münster 'Legal Unity & Diversity' facilitated the co-authored Introduction to this volume as well as the overall book manuscript. Over the years, Olaf Zenker also benefited greatly from many engaging exchanges with his Halle students in the context of seminars on colonial dispossession and post-colonial redress, conflicting property regimes under conditions of legal pluralism, and land justice in southern Africa.

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*Olaf Zenker, Cherryl Walker & Zsa-Zsa Boggenpoel
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