

NOTES ON CONTRIBUTORS

WILLIAM BEINART, formerly Rhodes Professor of Race Relations (1997–2015), is an Emeritus Professor at St Antony's College and the African Studies Centre, University of Oxford, UK. He served as Chair of the Board of the *Journal of Southern African Studies*, Dean of the College, Director of the African Studies Centre at Oxford and President of the African Studies Association of the United Kingdom (ASAUUK). In 2009 he was elected to the British Academy. His research has focused largely on the history of rural society in South Africa and on environmental history. Publications include *Twentieth-Century South Africa* (2001); *The Rise of Conservation in South Africa* (2003); *Environment and Empire* (2007, with Lotte Hughes); *Prickly Pear* (2011, with Luvuyo Wotshela); *African Local Knowledge* (2013, with Karen Brown); and *The Scientific Imagination in South Africa, 1700 to the Present* (2021, with Saul Dubow). Since the 1990s he has researched on land reform and land restitution cases in South Africa and is currently working on a project with Sonwabile Mnwana and Luvuyo Wotshela of the University of Fort Hare. Publications include: *Rights to Land* (2017, with Peter Delius and Michelle Hay); 'Smallholders and Land Reform: A Realistic Perspective' and 'Next Steps towards Land Reform' (2019, both with Peter Delius).

ZSA-ZSA BOGGENPOEL is a Professor of Law at Stellenbosch University (SU) in South Africa. She currently specialises in property law, constitutional property law and property theory. She has received numerous awards from SU and from universities abroad, including the Henry Arthur Holland Scholarship in Law from the University of Cambridge (2009), a visiting scholarship from the Molengraaff Institute for Private Law at Utrecht University, Netherlands (2009), the Mellon Academic Development Award from the Division for Research Development at Stellenbosch University (2014) and the Vice-Rector Award for one of the researchers who made the biggest contributions at SU in accredited publications, and/or persons who supervised three or more PhDs for

the December 2014/March 2015 graduations. She has published numerous journal articles, book chapters, chapters in leading property law textbooks and one single-authored book since commencing her academic career in 2011. She has also recently edited the publication *Transformation, Law and Justice* (2022) and co-edited *Property and Pandemics* (2021). Zsa-Zsa Boggenpoel presents her research nationally and internationally at conferences on property law. Since 2014, she has supervised to completion eight LLDs, six LLMs and five postdoctoral fellows. In 2016, Zsa-Zsa Boggenpoel was awarded the National Research Fund (NRF) rating in the category Y1 and in 2022 this rating was improved to C1. She was also awarded the South African Research Chair in Property Law (Tier 1) under the NRF: South African Research Chairs Initiative from March 2018 to December 2022.

DANIE BRAND is a Professor of Human Rights and Director at the Free State Centre for Human Rights of the University of the Free State, South Africa. His field is constitutional and administrative law and constitutional theory. His research and publications focus in particular on the relationship between law and poverty and the manner in which law regulates and so both enables and limits access to basic livelihood resources such as housing, food, water, land, medical care and education. This interest extends into legal practice, where he runs an impact litigation practice as advocate, focusing on housing and land issues.

ELMIEN W. J. DU PLESSIS is a Professor in the Faculty of Law at North-West University, South Africa. She holds BA (international relations), LLB and LLD degrees from the University of Stellenbosch and is an NRF Thuthuka grant-holder. Her doctoral research on compensation for expropriation under the Constitution, completed in 2009, demonstrates her expertise in property law issues, particularly in the land reform context. Her other research interests lie in the intersection between customary law and common law notions of property rights. The underlying theme of her approach to law is in the concepts of justice that underlie the Constitution and the role of legal interpretation in concretising the values of the Constitution to achieve this justice. She has published numerous peer-reviewed articles and chapters on these topics, showcasing her commitment to finding the human element in law and her dedication to building a just society in South Africa. Beyond academia, Elmien du Plessis is interested in how law can mediate common

ground in society. Her passion for justice is evident in her commitment to ensuring that her research has a positive, practical impact on the broader community. When not applying property theories at home to mediate conflicts regarding scarce resources between her three offspring, she enjoys relaxing under a tree and watching the blue skies through the branches.

JAMES FERGUSON is Susan S. and William H. Hindle Professor of Anthropology at Stanford University, USA. He has done research for many years in southern Africa, including Lesotho, Zambia and South Africa, and is the author of several books, including *Global Shadows: Africa in the Neoliberal World Order* (2006) and *Give a Man a Fish: Reflections on the New Politics of Distribution* (2015).

RUTH HALL holds the South African Research Chair in Poverty, Land and Agrarian Studies, which is funded by the National Research Foundation. The Chair is located at the Institute for Poverty, Land and Agrarian Studies (PLAAS) at the University of the Western Cape in Cape Town, South Africa. She has published several books, including *Global Land Grabbing and Political Reactions from Below* (2018, with Marc Edelman et al.); *Africa's Land Rush* (2015, with Ian Scoones and Dzodzi Tsikata); *Another Countryside?* (2009); and *The Land Question in South Africa* (2007, with Lungisile Ntsebeza). She is a co-founder of the Land Deal Politics Initiative, the BRICS Initiative in Critical Agrarian Studies and the Emancipatory Rural Politics Initiative. She is a founding member of the Network of Excellence in Land Governance in Africa (NELGA) and leads training courses for policymakers and professionals on the political economy of land governance in Africa. Ruth Hall served as a member of President Cyril Ramaphosa's Presidential Advisory Panel on Land Reform and Agriculture (PAPLRA) and is an editor of the *Journal of Peasant Studies*.

THOMAS ERNST KARBERG is an attorney in Werksmans Attorneys' Land Reform, Restitution and Tenure practice in Sandton, Johannesburg, South Africa. Working under the leadership of Bulelwa Mabasa, he advises on all aspects of land reform, including land claims under the Restitution of Land Rights Act 22 of 1994, labour tenant claims, Communal Property Associations and settlement agreements. He has also advised major stakeholders on mining community

resettlements, informal land rights, community-preferent mining rights and the interplay between the constitutional imperative for land reform and the development of residential, industrial and business infrastructure. He also has extensive experience in evictions, in terms of the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act 19 of 1998 as well as the Extension of Security of Tenure Act 62 of 1997. Thomas Ernst Karberg cultivates a personal passion for the role that the law can play in facilitating equitable redistribution of land in South Africa and is interested in reading towards a master's degree on this topic. He has previously published in nationally circulated newspapers on various topics including expropriation, climate change and rights to housing.

HEINZ KLUG is John and Rylla Bosshard Professor of Law at the University of Wisconsin Law School, USA, and Visiting Professor in the School of Law at the University of the Witwatersrand, Johannesburg, South Africa. Growing up in South Africa, he participated in the anti-apartheid struggle, spent eleven years in exile and returned to South Africa in 1990 as a member of the ANC Land Commission and researcher for the chairperson of the ANC Constitutional Committee. He served in the ANC political underground and Umkhonto we Sizwe and was a member of the Medu Art Ensemble in Botswana. He received his BA(Hons) from the University of Natal in 1978, a JD from the University of California, Hastings College of the Law in 1989 and SJD from the University of Wisconsin in 1997. In 2013 he was awarded a Doctor Honoris Causa from Hasselt University in Belgium. His books include *Constituting Democracy: Law, Globalism and South Africa's Political Reconstruction* (2000) and *The Constitution of South Africa: A Contextual Analysis* (2010). More recently he has co-edited two books on legal realism: *The New Legal Realism: Studying Law Globally* (2016, with Sally Engle Merry) and a *Research Handbook on Modern Legal Realism* (2021, with Shauhin Talesh and Elizabeth Mertz).

BULELWA MABASA is a mother of four based in Johannesburg, South Africa. She is an award-winning admitted attorney, author, writer, columnist and land reform activist who founded a Land Reform Practice Area at Werksmans Attorneys, which she currently heads. With over twenty-one years of experience as a lawyer, Bulelwa Mabasa's curiosity on land reform was planted in her childhood home in Meadowlands,

Soweto. In her postgraduate Constitutional Law studies in 2000, she elected to write a paper on comparing the Zimbabwe Lancaster Agreement with section 25 of the Constitution. Bulelwa Mabasa has represented various land claimant communities across the country in the context of land claims, land redistribution matters, evictions and land tenure-related disputes in various courts across South Africa. She also represents major mining companies on devising land reform strategies that are centred on community engagements, mining resettlements, mining and environmental litigation. Bulelwa Mabasa represents banks, corporates, property developers, renewable energy developers and land-owners with a focus on land reform, administrative and constitutional law. She is an author and editor of *Land in South Africa: Contested Meanings and Nation-Formation* and *My Land Obsession*. She was the only attorney appointed by President Cyril Ramaphosa in a ten-member Presidential Advisory Panel on Land Reform and Agriculture (PAPLRA) in 2018. Through her written work and public advocacy, she has seen a number of her recommendations make their way into various policies and legislation. Bulelwa Mabasa is a recipient of Best Land Rights Lawyer and Best Woman in Thought-Leadership in 2021 and 2022 from Women in Law Awards. She is a regular writer and columnist for various publications. She holds a BA (Law) and postgraduate LLB from the University of Witwatersrand and Certificates in Mining and Prospecting, Land and Water and Energy Law from the Nelson Mandela Institute.

SINDISO MNISI WEEKS is an Associate Professor in the Legal Studies Program in the Political Science Department at the University of Massachusetts Amherst, USA, and Adjunct Associate Professor in Public Law at the University of Cape Town (UCT), South Africa. She previously worked in the Rural Women's Action-Research Programme at UCT, combining research, advocacy and policy work on women, property, governance, dispute management, and participation under customary law and the South African Constitution. Dr Mnisi Weeks is author of *Access to Justice and Human Security: Cultural Contradictions in Rural South Africa* (2018), co-author of *African Customary Law in South Africa: Post-Apartheid and Living Law Perspectives* (2015; 2023), and a contributing author to *South African Constitutional Law in Context* (2021); *Family Law in South Africa* (2021) and the *Oxford Handbook on Law and Anthropology* (2021). Her current projects include authoring *Alter-Native Constitutionalism: Decolonising*

'Common' Law, *Transforming Property in South Africa* (forthcoming 2024), co-authoring *The Rule of Law in South Africa* with Heinz Klug and Sanele Sibanda (forthcoming 2024), and guest-editing a special issue of the *South African Journal on Human Rights* titled 'Lost in Translation: Justice and Rights in South Africa's Many Languages' (forthcoming 2024). She is a Co-Editor-in-Chief of the American Anthropological Association's *PoLAR: Political and Legal Anthropology Review*, on whose editorial board she previously served.

JUANITA M. PIENAAR is a Professor in Private Law and Vice-Dean: Research and Internationalisation at the Faculty of Law of Stellenbosch University and Extraordinary Professor in the Research Unit: Law, Justice and Sustainability at the Potchefstroom campus of the North West University, South Africa. She holds the following degrees: BLuris (cum laude), LLB, LLM and LLD – all from North West University. She has published widely in her specialist fields of property law, land reform and customary law, and has received various research-related awards, including the prestigious Stellenbosch University Chancellor's Award for Excellence in Research in 2016.

VISHWAS SATGAR is an Associate Professor of International Relations, editor of the *Democratic Marxism* series (Wits University Press) and principal investigator for Emancipatory Futures Studies in the Anthropocene at the University of the Witwatersrand, Johannesburg, South Africa. He is a veteran activist and co-founder of the South African Food Sovereignty Campaign and Climate Justice Charter Movement. He is the recipient of the 2023 mid-career award, from the Human Sciences Research Council and Universities of South Africa, for scholarship and activism that has contributed to social justice.

CHERRYL WALKER held a DSI/NRF South African Research Chair in the Sociology of Land, Environment and Sustainable Development at Stellenbosch University, South Africa, from 2016 until her retirement in March 2023. She has published extensively on land dispossession and land reform in South Africa, on gender and land rights in sub-Saharan Africa, on women's political mobilisation in twentieth-century South Africa and, most recently, on social-ecological change in South Africa's semi-arid Karoo region. She is a member of the Academy of Science of South Africa and has served on the editorial advisory boards of the *South*

African Journal of Science, Journal of Peasant Studies and *Journal of Southern African Studies*. Her career has straddled the academic, government and NGO sectors. Her pioneering research on the women's anti-pass campaign led to her first book, *Women and Resistance in South Africa* (1982, 1991) and an edited volume, *Women and Gender in Southern Africa to 1945* (1990). She was a founding member of the Association for Rural Advancement (AFRA), a land-rights NGO, core researcher in the Surplus People Project's investigation of forced removals under apartheid (1983) and co-author, with Laurine Platzky, of its single-volume synthesis, *The Surplus People* (1985). Between 1995 and 2000 she served on South Africa's Commission on Restitution of Land Rights as Regional Land Claims Commissioner for KwaZulu-Natal. From 2007 to 2009 she was a member of the Economic Commission for Africa's Expert Consultative Team which contributed to the African Union's 'Framework and Guidelines on Land Policy in Africa'. Other publications include *Landmarked: Land Claims and Land Restitution in South Africa* (2008); *Land Divided, Land Restored: Land Reform in South Africa for the 21st Century* (2015, co-edited with Ben Cousins), and a special issue of the *Journal of Southern African Studies*, 'Karoo Futures: Astronomy in Place and Space' (2019, co-edited with Davide Chinigò and Saul Dubow).

SIPHOSETHU ZAZELA is a candidate attorney at Werksmans Attorneys, Sandton, Johannesburg, South Africa, and a fellow of the Young African Leadership Institute – Southern Africa Regional Leadership Centre. He holds a Bachelor of Arts (Law) and a Bachelor of Laws from the Nelson Mandela University. Originating from the Wild Coast of the Eastern Cape in the former Transkei, where rural land is highly sought after for its tourism and mineral resource currency, land law, land justice and land reform are conversations that have consistently formed part of Siphosethu Zazela's lived experience, and about which he is passionate. Having worked under the leadership of Bulelwa Mabasa, he has engaged with various aspects of land reform including land claims and settlement agreements, labour tenant claims and communal property associations. Siphosethu Zazela has also been intimately involved in mining community engagement and advising major corporations in the renewable energy space and their applications for long-term leases on state land. He seeks to use the unique skill set obtained from work done on the ground as well as skills and knowledge obtained from constant

engagement with constitutional law and land law in practice to influence policy reform and to contribute to fanning the embers of the conversation around land reform in South Africa.

OLAF ZENKER is a Professor of Social and Cultural Anthropology at Martin Luther University Halle-Wittenberg, Germany. Apart from Visiting Fellowships at the University of the Witwatersrand (South Africa), the University of South Africa/UNISA (South Africa), the University of Cambridge (UK), Harvard University (USA), the Stellenbosch Institute for Advanced Study/STIAS (South Africa) and the Käte Hamburger Kolleg Münster 'Legal Unity & Pluralism' (Germany), he held professorships at the University of Cologne (Germany), the Freie Universität Berlin (Germany) and the University of Fribourg (Switzerland). Focusing on South Africa, Northern Ireland and Germany, his research has dealt with politico-legal issues such as justice, social inequality, land reform, plural normative orders, modern statehood and bureaucracy, the rule of law, conflict and identity formations as well as socio-linguistics and anthropological ethico-onto-epistemologies. His book publications include *The Oxford Handbook of Law and Anthropology* (2022, with Marie-Claire Foblets, Mark Goodale and Maria Sapignoli); *The State and the Paradox of Customary Law in Africa* (2018, with Markus Hoehne); *South African Homelands as Frontiers: Apartheid's Loose Ends in the Postcolonial Era* (2017, with Steffen Jensen); *Transition and Justice: Negotiating the Terms of New Beginnings in Africa* (2015, with Gerhard Anders); *Irish/ness Is All around Us: Language Revivalism and the Culture of Ethnic Identity in Northern Ireland* (2013); and *Beyond Writing Culture: Current Intersections of Epistemologies and Representational Practices* (2010, with Karsten Kumoll). He is the convenor of the annual ANTON WHILHEM AMO LECTURES at Martin Luther University Halle-Wittenberg and the editor of the eponymous open-access series (Universitätsverlag Halle-Wittenberg).