

## **Book Review**

### **EXPERT EVIDENCE Property Law Under Scrutiny**

Editors: Susan Scott  
and Jeannie van Wyk

(183 pages)

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*"They love their land because it is their own,  
And scorn to give aught other reason why"*

- Fitz-Greene Halleck (1790 – 1867)

The central importance of land in South Africa cannot be over-emphasised. Its acquisition, ownership, occupation, exploitation and protection has far-reaching economic, environmental, social and cultural significance.

For more than 25 years South Africa's leading property law teachers have been convening to exchange ideas and cast a critical but collegial eye over research in this vital area of our law. This led to extensive interaction with property law experts and academics internationally which has proved invaluable in providing fresh insights into issues around property in our constitutional state.

This latest book in the Contemporary Studies In Law And Applied Research Series published by Juta brings together in a cohesive manner some of the best contributions by property law experts and gives an outstanding overview of the principles of property law and the policies that drive legal development in the field.

Among the subjects comprehensively dealt with by the contributors are fresh approaches to the acquisition of property when building on land takes place, the position where land remains unused or neglected, real security rights in land, expropriation and regulation of ownership, rights to groundwater and access to drinking water.

Certain recurring themes emerge which together with the international contributions facilitate a vision into the future of property law in this country. This is supported by the wealth of comparative material offered for example by the European Draft Common Frame of Reference.

The co-editors Professors Susan Scott and Jeannie van Wyk of the University of South Africa have ensured that all the contributions have been fully revised and subject to peer review scrutiny.

The contributors include President of the Supreme Court of Appeal Judge Lex Mpati, Professor Hanri Mostert of the University of Cape Town, Professor Arthur Salomons of the University of Amsterdam, Andrew Steven of the University of Edinburgh, Professor Vincent Sagaert of the University of Antwerp and Professor Hanneke Spath of the University of Nijmegen.

In capturing the interaction between South African and international scholarship, this compendium serves to introduce a new era in the development of this field of law. Not only legal practitioners, property law teachers and students locally and internationally, but also policymakers, legislators, administrators, land use planners and land owners will find this to be an insightful and invaluable resource. The co-authors are to be congratulated on assembling and marshalling these important contributions. They rightly pay tribute:

*"Juta Law Publishers has always been very kind to South African Law scholars, especially to us, the teachers of Property Law. It is Marlinee Chetty, as their representative, and our key contact, whom we must thank for her sterling work on the publication and her ongoing support of the group."*

This work supplements Juta's Property Law Library which includes *Sectional Title and other Fragmented Property Schemes* by Prof G J Pienaar, *Constitutional Property Law* by Prof A J van der Walt, and *Planning Law* by one of the co-authors above Prof Jeannie van Wyk.

*Review by Louis Rood BA LLB (UCT) of Fairbridges Wertheim Becker.*