

Judges grapple with use of “ma se p...”

By [Tania Broughton](#)

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Court considers nuances of grammar in decision to acquit man.



Two Cape High Court judges had to carefully consider parts of speech to decide whether a popular Western Cape phrase violated a court order.
Archive photo: Liezl Human / GroundUp

- Western Cape High Court judges have been grappling with the “p-word”.
- Their review of a domestic violence order breach found that the man used the p-word as an adjective not as a noun or a verb.
- They said the word, while offensive, must be seen in its context.
- “The original taboo meaning and use of the p-word has been diluted over time” and “it is not uncommon in contemporary culture to hear reference to the p-word to describe cold temperature, for example,” they said.

Two Western Cape High Court judges recently found themselves grappling with, what they coyly referred to as the “p-word”, and whether it had been uttered offensively as a verb or a noun or just used as a descriptive adjective.

The matter before judges Gayaat Salie and Nathan Erasmus was an automatic review of a conviction and sentence imposed by a Caledon magistrate on a man accused of contravening a domestic violence protection order.

He was sentenced to 12 months in jail, wholly suspended for five years.

[Read the judgment](#)

The protection order had been obtained by the man's sister and niece, with whom he shared a house.

In June 2023, a row broke out when the man came into the main house to prepare food. He turned up his music loudly. His niece, who was studying, asked him to turn it down.

The expletives, including the p-word, were uttered during a verbal tussle.

At the trial in the magistrates court, he testified that he had angrily stated, "*Los my ma se p... se ding*" when his niece switched off his music.



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Judge Salie, who penned the review judgment, said the magistrate had ruled that the p-word was a swear word, and he had thus breached the protection order, which had as one of its conditions that he was not to swear at his relatives.

Judge Salie said she found this problematic and the word had to be considered in its grammatical context.

"Whilst the word is indeed used as an offensive one in the Afrikaans language, it has also evolved over a number of years and come to be colloquially used across our society and within various community circles," she said.

"The culture of using it as a verb, noun or adjective has become prevalent ... It of course remains a term not used in polite company, however the question is whether the state had proven beyond reasonable doubt that the accused had in fact sworn at (his niece) and in doing so had verbally abused her."

The judge said the use of the word – "leave this p-thing alone" – was constructed as an [expletive attributive adjective](#) that did not contribute to the meaning of a sentence but was used to intensify its emotional force.

"Whilst the p-word remains offensive it has, however, as in the case of various other offensive words, undergone a process referred to by linguists as [delexicalization](#). This represents a process where a word loses its original lexical value and often acquires other meanings and functions.

"The original taboo meaning and use of the p-word has been diluted over time depending on the context and grammatical use. It is not uncommon in contemporary culture to hear reference to the p-word to describe cold temperature, for example."



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Judge Salie said it had become a common-place feature in society, more so in the so-called “working class Coloured” demographic of Cape Town.

It had also been famously captured by cartoonist Zapiro after the announcement that South Africa’s bid to host the 2004 Olympics had failed. The cartoon captured the deflated spirit of a caricature in a deserted Grand Parade with the caption “Athens se ma se @*#&!!”.

“This cartoon still reflects decades later on the sale of T-shirts and other paraphernalia,” Judge Salie said.

On the facts of this case, the judge said she was not persuaded that the use of the p-word amounted to hurling abuse at his niece and thus a contravention of the protection order.

The word was not used as a noun or a verb. Had it been, then the position would have been different and would have been considered a violation of the interdict.

The judge, however, said the use of the word was to claim ownership to the music he was playing.

The conviction and sentence were set aside and replaced with an order acquitting the man.

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