

Sotho I

18/3/36

(382)

1. Occurrence of close e so in Sotho
2. Change of open e so to half close e so  
per Tucker
3. Classification of consonants —  
see M. Y. notes

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M. J. S. Tho

18/3/36.

## Classification of Consonants

- (1) Definition
- (2) Bases of Classification - Ward + Waterhouse
  - (a) Place of Articulation
    - (1) Lips - Labial
    - (2) Teeth-ridge - alveolar
    - (3) Hard Palate - palatal
    - (4) Soft Palate - Velar
    - (5) Uvula - uvular

## (6) Manner of Interruption

- (1) Plosive
- (2) Nasal
- (3) Fricative
- (4) Affricative
- (5) Lateral
- (6) Rolled

(3) For Tables - see Jones + Placette  
" Tucker  
& compare with Jacottet

1. Division of Persons <sup>(a)</sup> alieni juris
  - (1) slaves
  - (2) children
  - (b) sui juris
2. Forms of subordination to a Superior
  - (a) in potestate - patria potestas
  - (b) in manu
  - (c) in mancipio - dominica potestas
3. Position of slaves already dealt with
4. Patria potestas
  - (a) What place it had in Roman Law
  - (b) What it involved
5. How Patria Potestas is acquired
  - A. Marriage (Matrimonium)
    - (1) Essentials - Age  
Consent  
Degrees
    - (2) Consequences - Marital Power
      - (a) How acquired - Forms of Marriage
        - a) usus
        - b) confectio
        - c) coemptio.

18/3/56

Mu Tswana

1. Classification of Vowels

(1) bases of classification

- (a) Tongue position
- (b) Lip movements

(2) Tongue Position: High - front - close

mid -	half-close
low - back	" open

Lip movements - Rounded  
Unrounded

2. Tswana Vowels - see Jones & Platt - p.

u  
e  
e  
e

3. Consonants

(a) Bases of Classification

- (1) Place of articulation
- (2) Manner of Pronunciation - manner of modification of breath stream

4. Tswana Consonants - see Jones & Platt

# Native Law

20/3/26.

1. What is Native Law
    - (1) Native Law proper
    - (2) Laws affecting Natives
  2. Law & Custom
  3. General Customs & Particular Customs
  4. Which is to be applied in Native Cases?
-

M3 SDRho

28/3/36

## The Classification of Consonants

(a) Definition

(b) Basis of Classification

(i) Manner of Articulation

(ii) Place of articulation

(c) Results Consonants

# Roman Law II

20/3/36

1. Formulary Procedure
  2. Time within which actions must be brought (a) *litis contestatio* - p. 285 }  
(b) Judgment. p. 286. }
  3. Effect of Actions (c) *Eviction* - person + prop. whole property lost "
  4. Extraordinary Procedure
    - (a) General features - 270 + 271
    - (b) *Interdict* - Types of *Interdicts* p. 195 H.
    - (c) *In Integrum Restitutio* - *Memoria* }  
*Mayonna* }
-

Social Grouping

(a) Basis of social grouping.

(b) Kinship Basis —

(a) The units to which it gives rise

- (1) The Family — Types of Family
  - Lineage: Matrilineal & Patrilineal
  - Kinship Terminology
  - Behavioural Patterns

Essentials of the Development of Culture

(a) mode of subsistence — Environment + 96 No 1  
influence on culture — p. 3

(b) Procreation of species — Marriage, Family

(c) Care of offspring

(d) Satisfaction of fundamental human needs — <sup>Hungry</sup> see  
Primary —  
Secondary —

Consequences of development of culture

(1) Social Differentiation

(2) The accumulation of knowledge

Diffusion of Culture

— see No 1. p. 4-5

Characteristics of Primitive Culture

— see No 2  
p. 1.

- (1) Small groups
- (2) Lack of writing
- (3) Oral tradition & technique
- (4) Knowledge unsystematized



24/3/36.

## Jurisprudence

### 1. The sources of law

- (a) Custom
  - (b) Religion
  - (c) Equity.
  - (d) Scientific Discussion
  - (e) Legislation
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## Tswana I

1. Orthography — Write the Lord Prayer <sup>down</sup> in the new Orthography
  2. Classification of Contracts.
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## Native Law

Native Customs our courts will recognise

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## Criminal Law

Corporations & Criminal Responsibility

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# Social Anthropology II

## 1. Social Grouping

### (a) Bases of Social Grouping

- (1) Kinship
- (2) Locality
- (3) Sex
- (4) Age-grades
- (5) Function
- (6) Rank

### (b) Social Units corresponding to them

(c) Discussion of different units of Kinship with special reference to tribe for special study

- ## 2. Reading
- Rivers: Social Organization
  - Lowie: Primitive Society
  - Morgan: Ancient Society
  - Malinowski "Article on Kinship"  
Sney. Brit. 14th Ed.

24/3/36.

Roman Law I

Marriage

Definition

p. 39.

Essentials

- (a) Connubium
- (b) Puberty
- (c) Consent of paterfamilias
- (d) Prohibited degrees.

Marital Power — Position of Wife — p. 40

- It is acquired
- (1) Usus
  - (2) Inforreatio
  - (3) Coemptio.
  - (4) Forms of Coemptio

Legitimation

- p. 49
- (1) per oblatorem curiae
  - (2) " subsequens matrimonium
  - (3) per imperial rescript

Status of children of persons of unequal status

p. 42

The Family

1. Functions of the family
2. Kinship (a) Meaning  
(b) Extensions
3. Descent & Sib.

Read Lewis - Chapter 10 The Family

4. Behaviour Patterns - means of holding family together.
    - (1) between spouses
    - (2) " parents & children
    - (3) " children
-

25/3/36.

# Roman-Dutch Law

## 1. The Legal Consequences of Marriage

(a) Effect on personal status & capacity of wife

(1) rank & dignity of husband

(2) minority - no losses & gains

(3) no administration of property

(4) <sup>no</sup> right of compelling husband

to render account of management

(5) no contractual capacity

15/3/36

# Social Anthropology 11

## The Family & Kinship

- (a) Functions of family
  - (b) meaning of kinship
  - (c) Extensions of kinship
  - (d) Types of kinship terminology
  - (e) Behavioural patterns
  - (f) Descent: matrilineal & patrilineal
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26/3/35.

My Sotho

1. Table of Sotho Consonants

2. Voiced & unvoiced "

3. Aspiration

4. Stress

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Criminal Law

Infancy as a defence in Criminal Law

1. Head-note.

Def. { 1-7. *doli incapax* - conclusive presumption  
7-14 *doli incapax* - rebuttable "

2. Proof of Infancy (i) Direct Evidence  
(ii) Circumstances of conduct & facts

3. Infancy in Rape

4. Determination of AG - (1) appearance or  
(2) otherwise

26/3/35.

M4 Tswana

1. Completion of the Classification of Consonants — drawing up a table of Tswana Consonants
2. Voiced & Unvoiced Consonants.
3. Aspirated & Unaspirated "
4. length & stress.

Roman Law I

Adoption

also Willis & Oliver p. 39

Definition — p. 44  
 Object — Willis & Oliver  
 Forms — (1) Arrogatio — p. 45  
           (2) Adoptio

Ceremony

Differences & Resemblances between Arrogatio & Adoptio p. 46.

Miscellaneous

- (1) arrogation of children under liberty
- (2) adoption of slaves
- (3) Adoption under putantia



27/3/36.

## Roman Law II

### Procedura actia ordinem

- (a) Features
- (b) Contrast with *formulary* & *legis actio*
- (c) Advantages.

### M<sub>3</sub> Sotho

1. Palatalisation & Nasalisation
2. Labialisation & Velarisation \*—omit

27/3/36.

## Native Law

(a) The law to be applied

- (1) Repugnance to Natural justice or public policy
- (2) General or Particular
- (3) The law of the defendant
- (4) The Discretion of the N.C.

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## Social Anthropology I

1. Kinship

2. Descent — Patrilineal Matrilineal

1. Name
2. Status
3. Inheritance
4. Ancestors
5. Physical proof
6. Residence
7. Authority

3. Behaviour Patterns

3/4/36

Roman Law II

The Division of Actions

M3 Soho

Double Articulation

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Native Law

The Native Family System

Social Anthropology I

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Descent & Behavior Patterns

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31/3/36.

Jurisprudence

The Nature & Source of Law

Roman Law I

1. Finish off Adoption. p. 46

2. Liberation from patria potestas p. 48.

Social Anthropology I

- 1. Kinship Social Grouping
- 2. Behaviour Patterns.

General Insanity & Criminal Responsibility

Chwanc I

Double articulation

- (1) Labialization
- (2) Palatalization
- (3) Velarization
- (4) Nasalization
- (5) Consonantal Variation.

31/3/36

Natural Law

Natural Customs recognised by  
Our Law.

Accent

1. The penultimate syllable normally e.g. rata
2. The second last word or syllable if sentence ends in one syllabled word e.g. shwa
3. Adverb or preposition of one syllable if at end of sentence e.g. ha
4. Last syllable in word ending in ng e.g. rang

Intonation

Definition - the rise & fall of the voice in sentences

Why neglected - (1) considered possible to pick it up naturally without being taught  
(2) exact analysis considered impossible

Uses - (1) to indicate meaning - semantic tone? etymological?  
(2) to show grammatical relationships - grammatical syntactic?

Semantic e.g. words alike in all other respects but differing in tone differ in meaning, pitch indicating difference ∴ pitch significant  
e.g. mala (intestines) mala (cool)  
mala (colours)

## Grammatical

- (1) The genitive may have different tone from nominative of noun  
eg. mothe - ntlo ea mothe
- (2) difference between 3<sup>rd</sup> sing of verb & noun agent.  
mothe o mouthe mothe o mouthe
- (3) The subjunctive may be indicated by means of tone
- (4) The affirmative, interrogative & negative may be distinguished by means of tone  
rata ke rate a re rate

Types of tones - high-level  
mid-level  
low-level  
high-falling  
mid-falling  
mid-rising

1/4/36

# Native Law

1. The Native Family System

2. Social Anthropology II

Behaviour Patterns

3. Jurisprudence

(1) The object } of a right  
(2) Nature }

4. Roman-Dutch Law:

The Consequences of Marriage

(1) Proprietary - Community  
Ante-nuptial Contract

5. Roman Law II

The Classification of Actions.



# Roman Law I

2/4/36.

## 1. Emancipation from Patris Potestas

- (a) modes
- (b) Ceremony
- (c) *Jus postliminii*
- (d) *emancipatio per in manes*

## 2. Guardianship

- (a) Object
- (b) Forms
- (c) Appointment.

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## Criminal Law

### Introduction & Criminal Responsibility

#### My Atho

### Note on Double Articulation

#### Social Anthropology $\frac{1}{2}$

#### Behaviour Patterns

FH class notes  
(1936)

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Recommend filming (as  
evidence of ZKM's  
academic versatility?)  
(in lieu of filming lecture  
notes themselves) GC.