LJU413J
PROFESSIONAL ETHICS

Duration 2 Hours 100 Marks

EXAMINERS
FIRST PROF M SLABBERT
SECOND MR FD MNYONGANI

This paper consists of 2 pages

1 ANSWER ALL THE QUESTIONS
2 READ THE QUESTIONS CAREFULLY BEFORE ANSWERING THEM

QUESTION 1

Shakespeare said "Life is but a stage where everyone should play a part."

Discuss the role-based approach of legal practitioners as justification for unethical behaviour [10]

QUESTION 2

Write an essay in which you discuss the following cases and compare how the court understood the duty of a legal practitioner to obey the law: Incorporated Law Society, Transvaal v Mandela 1954 (3) SA 102 (T) and Natal Law Society v Maqubela 1986 (3) SA 51 (N) [20]

QUESTION 3

Discuss the role of rules, consequences and virtue as approaches to assessing ethical conduct [15]

[TURN OVER]
QUESTION 4

Write an essay in which you discuss the following

(i) the traditional approach to legal ethics as it is put forward by writers such as Lewis, (10)
(ii) the critique against the traditional approach as it is put forward by writers as Wasserstrom, and . (10)
(iii) the philosophical approach to legal ethics which, according to you, holds the most promise to address the current crisis in the legal profession (10) [30]

QUESTION 5

Write notes on the following

(a) Characteristics of post modern ethics (5)
(b) What is the meaning of "legal ethics"? (5)
(c) When and how may judges be removed from office? (5)
(d) The duty of confidentiality owed by an attorney to his or her client (5)
(e) The circumstances when an advocate can refuse to accept a mandate (5) [25]

TOTAL 100