



PROGRAM : LLB
MODULE : JURISPRUDENCE
SPECIAL EXAMINATION
CODE : ARL0011
DATE : 22 February 2016
DURATION : 10h00 to 12h00
WEIGHT : 50
TOTAL MARKS : 100

EXAMINER : Mr MJ van Staden
PAGES : 2 (including this one)

INSTRUCTIONS:

1. Answer all questions.
 2. Write legibly.
 3. You must hand in only your answer paper.
 4. All questions must be answered in your answer paper.
 5. All rules and regulations of the University of Johannesburg regarding examinations must be complied with.
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QUESTION 1

- 1.1 Differentiate between **consequentialist** theories of justice and **deontological** theories of justice. Refer in your answer to the *German Airline Case*.

(6)

- 1.2 Explain the key principles of **Kant's theory of justice** (according to Hill's interpretation thereof).

(4)

- 1.3 Explain the key principles of **act utilitarianism**.

(4)

- 1.4 List and explain three points of criticism against **act utilitarianism**.

(3)

- 1.5 Explain the key principles of **rule utilitarianism**.

(4)

- 1.6 Explain the key principles of **ubuntu or botho (African moral theory)**.

(4)

[25]

QUESTION 2

Critically consider if there is any justification for focusing a theory of justice only on human beings. In your answer you must refer to Singer, Nussbaum, and Bilchitz amongst others.

[10]

QUESTION 3

It is trite that South African society is characterised by severe forms of inequality. Nevertheless, some have indicated that equality is not what is important in society but rather that people should be sufficiently well off or that some forms of inequalities should be tolerated if it is to the benefit of all. Explain these theses and critically respond thereto.

[15]

Total

50