



**NATIONAL OPEN UNIVERSITY OF NIGERIA, UNIVERSITY VILLAGE, PLOT 91,
CADASTRAL ZONE, NNAMDI AZIKIWE EXPRESS WAY, JABI, ABUJA**

COURSE TITLE: JURISPRUDENCE AND LEGAL THEORY 11

COURSE CODE: JIL 516

TIME ALLOWED: 3 hrs

**INSTRUCTION: ANSWER QUESTION ONE AND ANY OTHER THREE QUESTIONS.
QUESTION ONE CARRIES 25MARKS WHILE OTHERS 15MARKS EACH**

1. Described the category of Natural law as categories by Thomas Aquinas of natural law school jurists and its characteristics.

Total = 25 Marks

2. What is possession in law, the two categories, elements of possession and list eight types of possession in jurisprudence?

Total = 15 Marks

3. To what extent does Marxist account the relationship between the substructure coincide with the social legal reality in Nigeria . Discuss base and superstructure, law and capitalism, law and state.

Total = 15 Marks

4.a. Standing in stiff opposition to natural law school of jurisprudence is legal positivism. Legal positivism stand against for almost everything that natural law

school advocates. Legal positivism is a theory of law that emphasizes 'is' as against the 'ought. What are the five possible meanings of legal positivism as postulated by jurists of the positive school?

b. Critical examine the statement that the three types of concept of authority are identification in a contemporary system of government today.

Total = 15 Marks

5. Enumerate and discuss the three developmental stages that a society is destined to experience in legal development stages according to Henry Maine and explain critics' against Maine legal development stages.

Total = 15 Marks

6. Jeremy Bentham, a jurist, economist and social reformer headed a group of 'Philosophical Radicals.' The group canvassed the principle of utility. Utility has to do with the usefulness or value of a thing, a product, a policy, etc. The greatest happiness or principle of utility build on the cornerstone of all. That nature placed mankind under the governance of two sovereign masters' pains and pleasure. However, other jurists of the same school criticized Bentham. Discuss the criticisms. **Total = 15 Marks**