

7. St. Augustine's *lex aeterna* is \_\_\_\_\_ covering every aspect of human existence.
- A. *A divinely ordained orderliness*
  - B. Man's interpretation of human laws thus
  - C. Seeking of happiness and virtue through human interpretation
  - D. Attempt to construct law from intuition
8. Isidore's work is the recognition of how authority, legal or otherwise, descends from \_\_\_\_\_.
- A. Man
  - B. *God*
  - C. Philosophers
  - D. Legal tradition from man's interpretation God's will
9. According to Alexander of Hales, a (an) \_\_\_\_\_ law cannot be derived from the eternal law.
- A. Just
  - B. *Unjust*
  - C. Political
  - D. Universal
10. Which of the following was not included in Thomas Aquinas' Hierarchy of Laws?
- A. Eternal Law
  - B. Natural Law
  - C. *Operational Law*
  - D. Divine Law
  - E. Human Law
11. Thomas Aquinas wrote his primary concepts of the law in which of the following documents?
- A. Human Law and Nature
  - B. First Principles of Law
  - C. *Treatise on Law*
  - D. Natural Law: the Thomistic View
12. Thomas Aquinas called \_\_\_\_\_ Law truth itself.
- A. Eternal
  - B. Natural
  - C. Human
  - D. *Divine*

13. Divine Law, in the most elementary framework, consists of which of the following?
- A. The Summa Theologica
  - B. *The Old and New Testament of the Bible*
  - C. The Treatise on Law
  - D. The Ten Commandments
14. According to Thomas Aquinas, an unjust law is a
- A. *Law inconsistent with natural law.*
  - B. Law inconsistent with nature and human reason.
  - C. Law inconsistent with a merging of theology and philosophy.
  - D. Law inconsistent with the Decalogue
15. What did Thomas Hobbes believe was the sole purpose of law?
- A. To maintain power in the elite class
  - B. *To keep human beings from engaging in warfare*
  - C. To have people to good rather than evil
  - D. To maintain God's law
16. Thomas Hobbes wrote which of the following?
- A. Summa Theological
  - B. Descartes
  - C. On Law and Order
  - D. *Leviathan*
17. According to Thomas Hobbes' model of law is \_\_\_\_\_ and thus can justify revolution to overcome an oppressive sovereignty.
- A. Protectionist
  - B. Oppressive
  - C. *Fluid rather than fixed*
  - D. Stable and fixed in natural law
18. How did John Locke view the nature of man (and woman)?
- A. *People have a rational character to live correctly*
  - B. People have an evil nature
  - C. People are generally good but are incapable of rationality of thought on the law
  - D. People are generally war-like and chaotic in nature
19. What were John Locke's beliefs regarding overthrowing an oppressive government?
- A. Revolution was contrary to the nature of law and order
  - B. People should reason with government rather than overthrow it
  - C. Law is naturally unjust and nothing can be done
  - D. *If government does not meet the obligations it has to the people, then it should be overthrown and dissolved*

20. John Locke's view of the nature of law included a belief in which of the following?
- A. Individual rights were earned and not guaranteed
  - B. *People had inalienable rights, such as life liberty and property.*
  - C. Rights and privileges are derived from government
  - D. The ideology of law is irrational
21. Jeremy Bentham's view of law is based on which philosophical school of thought.
- A. Teleology
  - B. *Utilitarianism*
  - C. Natural Law Theory
  - D. Deontology
22. What was Jeremy Bentham's view on criminal laws and punishment?
- A. Punishment should be minimal because to punish excessively is useless
  - B. *Punishment should be sufficiently painful to provide deterrence*
  - C. Punish is not up to government but is a divine expectation
  - D. Punishment should be minimal so as to provide expectations of conduct
23. What is the proper source of law according to John Stuart Mill?
- A. Moral values
  - B. Religious values
  - C. Natural Law
  - D. *Utilitarian view of laws as useful for the greater good not moral coercion*
24. Which two men were advocates of Utilitarianism?
- A. Jeremy Bentham and Thomas Hobbes
  - B. John Locke and John Stuart Mill
  - C. Thomas Hobbes and John Locke
  - D. *John Stuart Mill and Jeremy Bentham*
25. The legal basis of Roe vs. Wade has been characterized as:
- A. Consistent with Natural Law Tradition
  - B. *Inconsistent with Natural Law Tradition*
  - C. Inconsistent with Positivism
  - D. Likely Supported by Ciceronian Thought
26. Aquinas's Hierarchy of Law does not include?
- A. Divine Law
  - B. Eternal Law
  - C. Natural Law
  - D. *The Law of Utility*
27. The term natural law encompasses what?
- A. Communal Living and propagation of the species.
  - B. The inherent desire for truth and God
  - C. The nature of being itself and law as an operation of that nature.

*D. All the above.*

28. Which legal philosopher emerged during the colonial period?
- A. St. Thomas Aquinas
  - B. Cicero
  - C. *Thomas Hobbes*
  - D. Isidore of Seville

### **True False Questions**

1. Common law is based on written “old English” law.  
F
2. Nature plays a pivotal role in Plato’s perspective on law.  
T
3. Aristotle perceived reason to be consistent with good and virtuous existence and a lawful life.  
T
4. Cicero believed goodness, as a source of lawful conduct is a matter of human opinion.  
F
5. St Augustine believed when a human law is inconsistent with and contrary to the tenets of the eternal law, it does not lose its force and identity as law.  
F
6. In Isidore’s view, natural law is a law common to all peoples and a common natural instinct, not something established by man himself.  
T
7. The “eternal law impressed and imprinted in the souls of rational creatures” refers to the eternal law of God.  
T
8. According to Thomas Aquinas, saw lower forms of the law as derived from the higher forms of the law.  
T