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**QUESTION 1**

Moralist: TV talk shows are contributing to the moral decline in our country. By constantly being shown the least moral people in our society, viewers begin to think that such people are the norm, and that there is something wrong with being morally upright. TV talk show host: Well, if there is such a decline, it's not because of TV talk shows: we simply show people what they want to see. What can be wrong with letting the viewers decide? Furthermore, if restrictions were put on my show, that would amount to censorship, which is wrong.

The moralist's and the TV talk show host's statements provide the most support for holding that they disagree about whether

- A. TV talk shows should be censored
- B. people's moral standards have changed
- C. TV talk shows influence people's conception of what is the norm
- D. TV talk shows, by presenting immoral guests, are causing a moral decline
- E. it is wrong not to let the viewers decide what they want to see

Correct Answer: D

First up is a Point-At-Issue question, so we need to read carefully to figure out what these two are arguing about. The moralist believes that TV talk shows are the cause of moral decline in our country -- they broadcast the least moral people, thus causing viewers to question the legitimacy of higher moral standards. The talk show host's first sentence gets right to the heart of the debate: If there is a moral decline, it's not caused by TV talk shows. Her support for this position is interesting (she argues that talk shows represent an effect, not a cause, of immorality), but is not as central to her opposition as her blunt first statement. Comparing the first sentence of each argument brings to light the issue captured in option [TV talk shows, by presenting...], namely: Does presenting immoral guests on talk shows cause a moral decline? The moralist says "yup"; the host says "no way."

QUESTION 2

While historians once propagated the myth that Africans who were brought to the New World as slaves contributed little of value but their labor, a recent study by Amelia Wallace Vernon helps to dispel this notion by showing that Africans introduced rice and the methods of cultivating it into what is now the United States in the early eighteenth century. She uncovered, for example, an 1876 document that details that in 1718 starving French settlers instructed the captain of a slave ship bound for Africa to trade for 400 Africans including some "who know how to cultivate rice." This discovery is especially compelling because the introduction of rice into what is now the United States had previously been attributed to French Acadians, who did not arrive until the 1760s.

Vernon interviewed elderly African Americans who helped her discover the locations where until about 1920 their forebears had cultivated rice. At the heart of Vernon's research is the question of why, in an economy dedicated to maximizing cotton production, African Americans grew rice. She proposes two intriguing answers, depending on whether the time is before or after the end of slavery. During the period of slavery, plantation owners also ate rice and therefore tolerated or demanded its "after-hours" cultivation on patches of land not suited to cotton. In addition, growing the rice gave the slaves some relief from a system of regimented labor under a field supervisor, in that they were left alone to work independently.

After the abolition of slavery, however, rice cultivation is more difficult to explain: African Americans had acquired a preference for eating corn, there was no market for the small amounts of rice they produced, and under the tenant system ?in which farmers surrendered a portion of their crops to the owners of the land they farmed ?owners wanted



only cotton as payment. The labor required to transform unused land to productive ground would thus seem completely out of proportion to the reward ?except that, according to Vernon, the transforming of the land itself was the point.

Vernon suggests that these African Americans did not transform the land as a means to an end, but rather as an end in itself. In other words, they did not transform the land in order to grow rice ?for the resulting rice was scarcely worth the effort required to clear the land ?but instead transformed the land because they viewed land as an extension of self and home and so wished to nurture it and make it their own. In addition to this cultural explanation, Vernon speculates that rice cultivation might also have been a political act, a next step after the emancipation of the slaves: the symbolic claiming of plantation land that the U.S. government had promised but failed to parcel off and deed to newly freed African Americans.

As described in the last paragraph of the passage, rice cultivation after slavery is most analogous to which one of the following?

- A. A group of neighbors plants flower gardens on common land adjoining their properties in order to beautify their neighborhood and to create more of a natural boundary between properties.
- B. A group of neighbors plants a vegetable garden for their common use and to compete with the local market's high-priced produce by selling vegetables to other citizens who live outside the neighborhood.
- C. A group of neighbors initiates an effort to neuter all the domestic animals in their neighborhood out of a sense of civic duty and to forestall the city taking action of its own to remedy the overpopulation.
- D. A group of neighbors regularly cleans up the litter on a vacant lot in their neighborhood out of a sense of ownership over the lot and to protest the city's neglect of their neighborhood.
- E. A group of neighbors renovates an abandoned building so they can start a program to watch each other's children out of a sense of communal responsibility and to offset the closing of a day care center in their neighborhood,

Correct Answer: D

This Application question narrows our focus to the final and the post-slavery explanation. Refresh your memory if you need to: Although not economically practical, these African Americans engaged in growing rice for cultural and political reasons. We're therefore looking for another situation in which people engage in an activity as an "end in itself" with more than just economic considerations in mind. The situation in option [A group of neighbors regularly cleans up...] relates perfectly to the African Americans' motivation cited; they viewed the land as "an extension of self and home" and desired to "make it their own." The neighborhood folks tend to the vacant lot out of a similar sense of ownership, and their protest of the city's neglect of the lot corresponds nicely to the political explanation given in the passage.

QUESTION 3

Supervisor: Our next budget proposal will probably be approved, because normally about half of all budget proposals that the vice president considers are approved, and our last five budget proposals have all been turned down.

The supervisor's reasoning is flawed because it presumes, without giving warrant, that

- A. the last five budget proposals' having been turned down guarantees that the next five budget proposals will be approved
- B. the vice president is required to approve at least half of all budget proposals submitted
- C. having the last five budget proposals turned down affects the likelihood that the next budget proposal will be turned down
- D. the majority of the last five budget proposals deserved to be turned down



E. the likelihood that a budget proposal will be approved is influenced by the amount of money that budget proposal requests

Correct Answer: C

The prediction that the next proposal will probably be approved is based on two facts: the last 5 got thumbs down, and "normally about half" get thumbs up. You needn't know the total number of proposals submitted to recognize that option [having the last five budget...] is the problem: The supervisor has no reason to believe that the last 5 turn downs are relevant, in any way, to the next budget decision. If the

V.P. considers each proposal on its own merits only, then the probability of the next one's success is unaffected, at least in the way the supervisor argues.

QUESTION 4

Goswami: I support the striking workers at Ergon Foods. They are underpaid. The majority of them make less than \$20,000 per year.

Nordecki: If pay is the issue, I must disagree. The average annual salary of the striking workers at Ergon Foods is over \$29,000.

Goswami and Nordecki disagree over the truth of which one of the following statements?

- A. The average annual salary at Ergon Foods is over \$29,000.
- B. Pay is the primary issue over which the workers are striking at Ergon Foods.
- C. It is reasonable to support striking workers who are underpaid.
- D. The striking workers at Ergon Foods are underpaid.
- E. It was unreasonable for the workers at Ergon Foods to go on strike.

Correct Answer: D

This is a Point-at-Issue question. Goswami concludes that the striking workers are underpaid. His evidence is that the majority of the workers make less than \$20,000 per year. Nordecki counters that if pay is the issue then he disagrees with Goswami. Disagrees about what? In order to answer that question, look at the evidence Nordecki uses to disagree with Goswami. The evidence that he offers relates directly to the pay of the workers: he says that the average salary is \$29,000. So Nordecki must be disagreeing with Goswami on the issue of whether the workers are underpaid.

QUESTION 5

Philosopher Denise Meyerson views the Critical Legal Studies (CLS) movement as seeking to debunk orthodox legal theory by exposing its contradictions. However, Meyerson argues that CLS proponents tend to see contradictions where none exist, and that CLS overrates the threat that conflict poses to orthodox legal theory.

According to Meyerson, CLS proponents hold that the existence of conflicting values in the law implies the absence of any uniquely right solution to legal cases. CLS argues that these conflicting values generate equally plausible but opposing answers to any given legal question, and, consequently, that the choice between the conflicting answers must necessarily be arbitrary or irrational. Meyerson denies that the existence of conflicting values makes a case irresolvable, and asserts that at least some such cases can be resolved by ranking the conflicting values. For example, a lawyer's obligation to preserve a client's confidences may entail harming other parties, thus violating moral principle. This



conflict can be resolved if it can be shown that in certain cases the professional obligation overrides ordinary moral obligations.

In addition, says Meyerson, even when the two solutions are equally compelling, it does not follow that the choice between them must be irrational. On the contrary, a solution that is not rationally required need not be unreasonable. Meyerson concurs with another critic that instead of concentrating on the choice between two compelling alternatives, we should rather reflect on the difference between both of these answers on the one hand, and some utterly unreasonable answer on the other ?such as deciding a property dispute on the basis of which claimant is louder. The acknowledgment that conflicting values can exist, then, does not have the far-reaching implications imputed by CLS; even if some answer to a problem is not the only answer, opting for it can still be reasonable.

Last, Meyerson takes issue with the CLS charge that legal formalism, the belief that there is a quasi-deductive method capable of giving solutions to problems of legal choice, requires objectivism, the belief that the legal process has moral authority. Meyerson claims that showing the law to be unambiguous does not demonstrate its legitimacy: consider a game in which participants compete to steal the item of highest value from a shop; while a person may easily identify the winner in terms of the rules, it does not follow that the person endorses the rules of the game. A CLS scholar might object that legal cases are unlike games, in that one cannot merely apply the rules without appealing to, and therefore endorsing, external considerations of purpose, policy, and value. But Meyerson replies that such considerations may be viewed as part of, not separate from, the rules of the game.

Which one of the following best expresses the main idea of the passage?

- A. The arguments of the Critical Legal Studies movement are under attack not only by legal theorists, but also by thinkers in related areas such as philosophy.
- B. In critiquing the Critical Legal Studies movement, Meyerson charges that the positions articulated by the movement's proponents overlook the complexity of actual legal dilemmas.
- C. Meyerson objects to the propositions of the Critical Legal Studies movement because she views them as being self-contradictory.
- D. Meyerson poses several objections to the tenets of the Critical Legal Studies movement, but her most important argument involves constructing a hierarchy of conflicting values.
- E. Meyerson seeks to counter the claims that are made by proponents of the Critical Legal Studies movement in their effort to challenge conventional legal theory.

Correct Answer: E

The passage relates Meyerson's critique of the CLS critique. Only option [Meyerson seeks to counter the claims...] captures this without dragging in distorted ideas. The passage doesn't mention "legal theorists" that criticize CLS, although 3rd paragraph mention that at least one other critic shares Meyerson's views. In any case, option [The arguments of ...] fails to give Meyerson the credit she deserves. It's her critique that's the subject here.

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