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LSAT-reading-comprehension

Section Two Reading Comprehension



Question #220

The autobiographical narrative *Incidents in the Life of a Slave Girl, Written by Herself* (1851), by Harriet A. Jacobs, a slave of African descent, not only recounts an individual life but also provides, implicitly and explicitly, a perspective on the larger United States culture from the viewpoint of one denied access to it. Jacobs, as a woman and a slave, faced the stigmas to which those statuses were subject. Jacobs crafted her narrative, in accordance with the mainstream literary genre of the sentimental domestic novel, as an embodiment of cherished cultural values such as the desirability of marriage and the sanctity of personal identity, home, and family. She did so because she was writing to the free women of her day—the principal readers of domestic novels—in the hopes that they would sympathize with and come to understand her unique predicament as a female slave. By applying these conventions of the genre to her situation, Jacobs demonstrates to her readers that family and domesticity are no less prized by those forced into slavery, thus leading her free readers to perceive those values within a broader social context. Some critics have argued that, by conforming to convention, Jacobs shortchanged her own experiences; one critic, for example, claims that in Jacobs's work the purposes of the domestic novel overshadow those of the typical slave narrative. But the relationship between the two genres is more complex: Jacobs's attempt to frame her story as a domestic novel creates a tension between the usual portrayal of women in this genre and her actual experience, often calling into question the applicability of the hierarchy of values espoused by the domestic novel to those who are in her situation. Unlike the traditional romantic episodes in domestic novels in which a man and woman meet, fall in love, encounter various obstacles but eventually marry, Jacobs's protagonist must send her lover, a slave, away in order to protect him from the wrath of her jealous master. In addition, by the end of the narrative, Jacobs's protagonist achieves her freedom by escaping to the north, but she does not achieve the domestic novel's ideal of a stable home complete with family, as the price she has had to pay for her freedom is separation from most of her family, including one of her own children. Jacobs points out that, slave women view certain events and actions from a perspective different from that of free women, and that they must make difficult choices that free women need not. Her narrative thus becomes an antidomestic novel, for Jacobs accepts readily the goals of the genre, but demonstrates that its hierarchy of values does not apply when examined from the perspective of a female slave, suggesting thereby that her experience, and that of any female slave, cannot be fully understood without shedding conventional perspectives.

With which one of the following statements would the author of the passage be most likely to agree?

- A. Some authors of slave narratives allowed the purposes of the genre to overshadow their own experiences.
- B. The slave narrative, no less than the domestic novel, constitutes a literary genre.
- C. Authors who write in a particular genre must obey the conventions of that genre.
- D. An autobiography, no less than a novel, should tell a powerful story.
- E. Autobiographies should be evaluated not on their literary merit but on their historical accuracy.

Answer: B

No way to predict an answer here. The author may or may not agree with A., but certainly Jacobs's book is emphatically not an example of the phenomenon. B., on the other hand, is justified, where the author explicitly refers to "the domestic novel" and "the typical slave narrative" as "the two genres." Since Jacobs does just the opposite of C. when she has her protagonist fail to achieve the ideals of the domestic novel, and does so to the authors' approbation, C. is the opposite of what we want. D. is a plausible sentiment who goes out of his or her way

to cherish a limp story?but the author never gets into a detailed comparison of autobiographies and novels, so theres no support for D. As for E., the author is throughout far more concerned with the books literary (and social) merit than any historical accuracy.

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Which one of the following principles most likely governs the author's evaluation of Jacobs's narrative?

- A. Those autobiographical narratives that capture the mood of a particular period are thereby more valuable.
- B. Those autobiographical narratives that focus on accurately depicting the events in the individual's life are thereby more valuable.
- C. Those autobiographical narratives that force readers to view certain familiar cultural values in a wider context are thereby more valuable.
- D. Those autobiographical narratives that are written from a perspective familiar to the majority of their readers are thereby more valuable,
- E. Those autobiographical narratives that employ the conventions of another literary genre are thereby more valuable.

Answer: C

We could probably deem this a "Logic/Principle" question, but for the fact that "the author's valuation of Jacobs's narrative" is the overall Topic and Scope, and that no other Globals are present. It is more useful to expect an answer that will sum up the authors overall point of view, and C. does just that, picking up on the successes of the book. The mood A. of Jacobss period never enters the authors priorities, nor does historical accuracy B. , as we saw in E. of the previous question. The "perspective familiar to the majority" in this case would be the domestic novel, but we cannot infer from this passage that the author favors its use by Jacobs because of its familiarity, as D. would have it. E. distorts the terms of the argument; the author is fond of Jacobs mixing of the domestic and slave- narrative genres, not its mixing of autobiography with some other genre E.

By the time Bentham turned his interest to the subject, late in the eighteenth century, most components of modern evidence law had been assembled. Among common-law doctrines regarding evidence there were, however, principles that today are regarded as bizarre; thus, a well-established (but now abandoned) rule forbade the parties to a case from testifying. Well into the nineteenth century, even defendants in criminal cases were denied the right to testify to facts that would prove their innocence.

Although extreme in its irrationality, this proscription was in other respects quite typical of the law of evidence. Much of that law consisted of rules excluding relevant evidence, usually on some rational grounds. Hearsay evidence was generally excluded because absent persons could not be cross-examined. Yet such evidence was mechanically excluded even where out-of-court statements were both relevant and reliable, but the absent persons could not appear in court (for example, because they were dead).

The morass of evidentiary technicalities often made it unlikely that the truth would emerge in a judicial contest, no matter how expensive and protracted. Reform was frustrated both by the vested interests of lawyers and by the profession's reverence for tradition and precedent. Bentham's prescription was revolutionary: virtually all evidence tending to prove or disprove the issue in dispute should be admissible. Narrow exceptions were envisioned: instances in which the trouble or expense of presenting or considering proof outweighed its value, confessions to a Catholic priest, and a few other instances.

One difficulty with Bentham's nonexclusion principle is that some kinds of evidence are inherently unreliable or misleading. Such was the argument underlying the exclusions of interested-party testimony and hearsay evidence. Bentham argued that the character of evidence should be weighed by the jury: the alternative was to prefer ignorance to knowledge. Yet some evidence, although relevant, is actually more likely to produce a false jury verdict than a true one. To use a modern example, evidence of a defendant's past bank robberies is excluded, since the prejudicial character of the evidence substantially outweighs its value in helping the jury decide correctly. Further, in granting exclusions such as sacramental confessions, Bentham conceded that competing social interests or values might override the desire for relevant evidence. But then, why not protect conversations between social workers and their clients, or parents and children?

Despite concerns such as these, the approach underlying modern evidence law began to prevail soon after Bentham's death: relevant evidence should be admitted unless there are clear grounds of policy for excluding it. This clear-grounds proviso allows more exclusions than Bentham would have liked, but the main thrust of the current outlook is Bentham's own nonexclusion principle, demoted from a rule to a presumption.

The author's attitude toward eighteenth-century lawyers can best be described as

- A. Sympathetic
- B. Critical
- C. Respectful
- D. Scornful
- E. Ambivalent

Answer: B

18th century law is discussed at length in first three paragraphs 18th century lawyers only come up once, in 3rd paragraph. The reform of the policy that the author has previously called "extreme in its irrationality" was "frustrated" by lawyers's self-interest and excessive reverence for the past. That's all critical B., but the words chosen aren't nasty enough to justify D. "scornful." One wonders how the passage could possibly be written in order to make "sympathetic" A. right and "respectful" C. wrong or vice versa—two choices that are functionally identical must always be incorrect—but nevertheless each is too positive in tone.

"Ambivalent" E. might be tempting if you misread the question as dealing with 18th century legal practice in general, because the author does concede some sanity, or at least modernity, in it. But the question is squarely pointed at lines 3rd paragraph, which couldn't be less ambivalent.

Question #232

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The author mentions "conversations between social workers and their clients" most probably in order to

- A. suggest a situation in which application of the nonexclusion principle may be questionable
- B. cite an example of objections that were raised to Bentham's proposed reform
- C. illustrate the conflict between competing social interests
- D. demonstrate the difference between social interests and social values
- E. emphasize that Bentham's exceptions to the nonexclusion principle covered a wide range of situations

Answer: A

The line reference appears in the context of the previous sentence which begins with "Further," indicating that its continuing the previous thought which was the idea of the entire fourth, that there were difficulties with Bentham's nonexclusionary principle.

That's all you need to see to choose A.

Question #233

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Which one of the following statements concerning the history of the law of evidence is supported by information in the passage?

- A. Common-law rules of evidence have been replaced by modern principles.
- B. Modern evidence law is less rigid than was eighteenth-century evidence law.
- C. Some current laws regarding evidence do not derive from common-law doctrines.
- D. The late eighteenth century marked the beginning of evidence law.
- E. Prior to the eighteenth century, rules of evidence were not based on common law.

Answer: B

The question stem is so broad as to cover the entire text of the passage, so there's no telling where the right answer will emerge. Best to go through them in some order and look for that which must be true. The passage's first sentence makes it clear that contrary to A., many long-established common-law rules remain. B. emerges as the right answer in that it picks up on the thrust of the passage: Thanks in part to Bentham, modern law has been moved to accept more relevant evidence—hence appear "less rigid"—than did law in the 1700s. C. is tricky. There are some aspects of common-law rules that are not in place today, notably the bizarre rule described in 1st paragraph. But we cannot infer that any of the current rules in place do not date back to the common law.

Remember, nonexclusion of evidence had been "demoted from a rule to a presumption".

In other respects, as far as we can tell from the text, "most components of modern evidence law had been assembled" by the late 1800s—a fact that serves to knock out D. and E. as well, each of which misunderstands what was going on in that era. The 1800s are important in the passage because they saw the work of Bentham, nothing more.

Question #234

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- A. suggesting the advantages and limitations of a legal reform
- B. summarizing certain deficiencies of an outmoded legal system
- C. justifying the apparent inadequacies of current evidence law
- D. detailing objections to the nonexclusion principle
- E. advocating reexamination of a proposal that has been dismissed by the legal profession

Answer: A

Correct choice A. has its priorities straight; this passage exists because the author wants to show the usefulness as well as the limitations of Bentham's principle of nonexclusion of relevant evidence.

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