

LSAT^{3RD} ED.

LAW SCHOOL ADMISSION TEST PREPARATION GUIDE

The
New LSAT
with Free
Update
Service

RANDOLPH Z. VOLKELL, J.D.



LSAT

Law School Admission Test

A Test Preparation Guide

Third Edition

RANDOLPH Z. VOLKELL

Wiley Self-Teaching Guide

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For Richard

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Randy Volkell

INTRODUCTION

What You Need to Know

The grade you get on the Law School Admission Test (LSAT) may not have very much to do with how good a lawyer you will be, or even how good a law student you will be. However, it can have a great deal to do with how good a law school you can attend. The purpose of this book is to help you do as well as possible on the LSAT.

The LSAT is not an achievement test, a test of how much you know. On the contrary—you are cautioned *not* to rely on your outside knowledge in answering the questions. Nor is it really an aptitude test. In fact, the most important contributor toward your score will probably be your mental attitude when you take the test. Once you have finished working through all the materials in this book, you should feel comfortable with the types of questions you will see on the LSAT. You should be able to finish the book in a couple of weeks at an easy pace, or in a few days of intensive study. This Self-Teaching Guide is entirely self-contained—you need no other aids or courses to prepare you for the LSAT. It is streamlined to cover only what you *need* to know and is designed to be readable rather than highly technical. If you work the exercises and sample test sections carefully, you should have the confidence you need to do well on the test.

The LSAT questions themselves are usually not too hard—the real problem you will face is timing. Each section is designed so that an average student has about a 50% chance of finishing all the questions. Each section is timed separately—if you finish early on one you cannot use the time on another. As you go through the practice materials in the book, you will learn how to pace yourself and to work at your optimum speed. Any time you are unable to finish a section or answer a particular question, be sure to fill in a guess—there is no penalty for wrong answers, and guessing can only help you.

The LSAT itself is about four hours long, and consists of six multiple choice sections followed by a writing sample. Of the six sections, two are usually experimental and, consequently, are not counted in your score. Your scores on the four counted sections are combined into one score which ranges from 10–50. The writing sample is not scored at all, but copies of it are sent to law schools with your LSAT score.

You are given 35 minutes for each of the six sections, and there is usually a ten-minute break after section III. Be particularly careful with sections you believe to be experimental because you can never be certain that they really are (even if they seem unfamiliar!) Remember that the LSAT format is always subject to change. Although any section that is totally unfamiliar to you is *likely* to be experimental, you must take every section seriously. Answer each question as if you were sure that it counts.

Tests given on different dates, or even the same date, can include different combinations of sections. The sections most likely to contribute to your score, though (usually four in all) will probably be one of each of the following:

Reading Comprehension. You are given several (usually four) passages to read, each followed by questions—usually 28 in all.

Logical Reasoning. This section usually consists of a series of short passages followed by one or more questions—26 in all. The questions are varied and often focus on the reasoning contained in the passages.

Analytical Reasoning. This section usually consists of 24 questions based on four, or possibly five, sets of conditions. The questions focus on the relationships defined by the conditions.

Facts and Rules. This section usually contains 35 questions based on 7 sets of material, each containing facts, a dispute and rules. You will be asked to classify (rather than answer) each question according to its relevance and relationship to the facts and rules provided.

The two experimental sections (if there are indeed two) may repeat some of the four types above, be variations of them, or totally new question types. There is no way to predict which sections are experimental.

The writing sample is always at the end of the test. You will be given 20–30 minutes to write an essay on a specific topic. This essay will not be graded, but will instead be forwarded directly to law schools along with your LSAT score.

We must emphasize that the Educational Testing Service (ETS) is under no obligation to follow any particular format or order. You must be prepared for anything that appears on your test.

In this book we will spend time on each of the four expected section types. Answer sheets are provided in the back of the book for all of the tests, in case you want to practice under actual conditions. There is also a special appendix—the list of all law schools approved by the American Bar Association.

The book contains three full-scale self-tests with answers and explanations. To make best use of these tests, you should go through all of the chapters and chapter self-tests first, to become thoroughly familiar with the question types. Then, when you are ready to try the full-scale test, try to simulate actual test conditions. Block off a period of about 4 hours in an undisturbed place and time yourself carefully for each section. That experience will let you learn how to pace yourself. Use the answer sheets at the back of the book. Then, as soon as possible while the questions are fresh in your mind, carefully go over the answers and explanations given in the book. If possible, then wait a day or so before you take the second sample test.

Use all of the material in this book to help you prepare, but do not try to predict your LSAT score based on how you do on these tests. You will find out soon enough, and you can accomplish nothing useful by trying to predict your score in advance. Just take each test as a learning experience, and when it is time for the actual LSAT you will know that you have prepared as well as you can.

In addition to this book, you should read the Law School Admission Bulletin, published by the Educational Testing Service (ETS) and available from them or any College Placement Office, and the description of the LSAT, which the ETS will mail to you free of charge as soon as you apply for the test. It contains a sample LSAT with answers, as well as a description of the various sections. For further information about the LSAT, write to: **Law School Admission Services, Box 2000, Newton, PA 18940.**

In general, remember that time is of the essence. With this Self-Teaching Guide, you will learn to underline and highlight. Whenever a question looks as if it will take too much time, skip it and come back to it at the end if time allows. Each question has exactly the same value. If you guess, try first to eliminate any answers you can be sure are wrong. Every ten questions or so, check to make sure you are answering the correct question number.

Before you take the actual LSAT, review the page called *Tips for Taking the LSAT* for some last-minute reminders. Now turn to page 1 and start your preparation for the LSAT. Good luck!

Tips for Taking the LSAT

1. Be sure to bring your admission ticket with you.
2. Bring at least two soft lead pencils or a mechanical pencil with refills. Also, bring a pencil eraser so that you can change an answer you think is incorrect.
3. Bring a watch that keeps correct time and check it when you start so that you can pace yourself.
4. Read the instructions and each question very, very carefully—don't start until you're sure you understand what you are expected to do. Some questions will call for you to select one, or a combination of correct or incorrect alternatives. Be careful with all questions, but especially those which read "All of the following are correct *except*—."
5. As you go through the test, stop at every tenth question and make sure that you are entering the answer to that question in the right place on the answer sheet. That is, when you answer question 10, make sure you're putting the answer in the tenth answer place, and so on for the twentieth, thirtieth, etc. Otherwise it is too easy to slip by just one number and then to go on through the rest of the section, answering each question correctly, but in the wrong place.
6. In each section, start with the first question and continue right through to the end, answering those you're sure of, but skipping those you're not sure of the first time. Mark in the question booklet each one you skip. When you've finished the entire section, go back to those you skipped. This time you'll find you can answer many of them. You'll be less nervous and more confident. Watch your time carefully, to make sure you have enough time to go back to those you haven't answered. If you still don't know the answers, eliminate any choices you are sure are wrong, and guess. There's no penalty for wrong answers, so be sure to answer every question.
7. If you still have time, you might want to recheck your answers. But be very careful, and don't change an answer unless you're absolutely sure you were wrong the first time. Usually, your first impression is better than a later one.
8. You might wish to bring some hard candy to the test with you.
9. Do not panic.
10. Good luck!

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CHAPTER ONE

Reading Comprehension

READING COMPREHENSION

The reading comprehension section will generally be made up of approximately 28 reading comprehension questions based on a series of four or possibly five passages. The passages will usually be drawn from three basic areas: sciences, social sciences, and the humanities. The science passage may be quite technical, with an emphasis on facts and figures. In each case, you should pay attention to the central theme of the passage, as well as to specific details. Watch also for inferences that can be drawn from the text, unfamiliar words in the text and clues to their meaning, and the author's attitude or point of view (from the "tone" of the passage), where noticeable.

If you understand the passage at all, you should be able to identify the author's central theme, which is most likely to be emphasized in the introduction or conclusion of the passage. On many passages, you will be given a "main idea" question.

Let's try a short sample reading comprehension passage. On the actual exam, the passages will all be longer, but this example will give you an idea of what to expect. Time yourself for 3½ minutes.

Directions: This section consists of reading passages each followed by questions based on its content. After reading a passage, select the best answer to each question. For each passage, answer the questions on the basis of what is stated or implied in that passage.

- The golden age of the Capetian monarchy occurred in the reign of Philip Augustus' grandson, Louis IX (1226–1270), later made a saint. Louis was a strong, pious king who ruled France wisely and firmly, winning invaluable prestige for the crown through his crusades and charities while his devoted royal officials worked unremit-
- (5) tingly to extend the king's power. Capetian officials, unlike their English counterparts, were drawn largely from among ambitious townsmen and university graduates—men lacking strong local roots, utterly devoted to the royal interest. The fusion of local and royal interest, evident in the English administration in general, and the English Parliament in particular, failed to develop in France. Rebellion became
- (10) the chief instrument of the French nobility for curbing royal power. Thus the potentialities for both royal absolutism and anarchy were present in thirteenth-century France, although neither threat materialized until after the close of the High Middle Ages.

Medieval culture reached its climax in St. Louis' France. Town life flourished,
(15) and in the towns superb Gothic cathedrals were being erected. This was the great
age of the medieval universities, and the most distinguished university of the age,
the University of Paris, enjoyed the favor and protection of the French crown. The
universities produced brilliant and subtle theologians; they also produced learned,
(20) ambitious lawyers—men of a more secular cast who devoted their talents to the
king and took over the royal bureaucracy. The Capetian government became steadily
more complex, more efficient, and from the aristocracy's standpoint, more
oppressive.

1. According to the passage, the most important difference between French and English politics in the thirteenth century was:

- (A) the makeup of the aristocracy.
- (B) the attitude of the king.
- (C) the number of rebellions in France.
- (D) the French method of selecting officials.
- (E) the attitude toward universities.

2. The passage supports all of the following statements except:

- (A) Medieval culture did not reach a climax in thirteenth-century England.
- (B) Louis IX was well liked by his subjects.
- (C) The Capetian government gained strength during the thirteenth century.
- (D) The French universities produced well-trained officials for the government.
- (E) None of the above.

-
1. (D) See line 5. The Capetian (French) officials are contrasted with their English counterparts. The key difference between them is the French officials' lack of local roots.
2. (A) The passage notes that medieval culture did reach a climax in France during the thirteenth century. This statement does not mean that the same thing occurred in England; the passage simply does not say. The other statements are all set forth or strongly implied.

Learning to recognize which details are important is indeed a very valuable skill, and we shall try to help you master it with a special exercise on page 4. As we shall see, one favorite type of detail question asks you to identify the exception to a general rule.

Some ideas may not be spelled out in the passage but can be inferred, or deduced. Questions seeking this type of information will usually start with the words "the author implies" or "you can infer." Other questions may ask you to analyze the author's reasoning.

If the passage contains a key word that you don't recognize, that word is likely to

be the basis for a question. The passage should contain enough information to help you figure out the meaning of the word from the context in which it was used.

Finally, the “tone” of the passage should leave you with some feeling about the author’s point of view toward the subject and his or her likely attitude toward related ideas. Your own reactions to the author should help you answer questions such as “How would the author feel about . . . ?” This chapter will give you practice and pointers for all types of questions.

It is crucial to use your time to read and comprehend in the reading sections of the test. You can’t afford to spend 4 minutes reading a passage and then realize that you haven’t seen anything since the first paragraph. You must build up your attention span and train yourself to concentrate on what you are reading. Practice reading as fast as you can; if you read too slowly, you will tend to be bored, and your comprehension will be worse than if you pace yourself faster.

There are a few things which, if you make yourself aware of them, may improve your reading speed. The first is called subvocalization. If you were taught to read by “sounding out” the syllables, you may have developed the habit of saying words silently to yourself as you read them. Although you are making no audible sounds your vocal cords may actually be moving. If this is the case, you are only able to read as rapidly as you talk. In order to find out if you are guilty of subvocalizing, hold your fingers on your throat while you are reading and see if you feel movement. Once you are aware of the problem, you should be able to eliminate it with a conscious effort.

The most basic limitation on your reading speed is the fact that your eye is capable of focusing only four or five times each second. This means that if you focus once on each word, the fastest you can be reading is 240 to 300 words per minute. Of course, that is more than fast enough for the LSAT, but there are other things that might be slowing you down. The most serious problem is regressing, or rereading parts of the passage. You may be regressing without realizing it, for whole sentences or as little as one or two words at a time. Try to force yourself to keep looking ahead as you read. You may catch yourself wanting to look back, and then you will know that you were in the habit of regressing.

A final technique that you can use to increase your reading speed is to make use of your peripheral vision. On one focusing of your eye you are able to perceive about $2\frac{1}{4}$ inches of printed material. In other words, you are not limited to one word each time your eye focuses—you can actually see and comprehend several words at a time. A good place to practice this is on newspaper columns which are about two inches wide. Remember, you do not have to be a thousand-word-a-minute speed reader to do well on the LSAT. Learn to pace yourself, and if you feel your reading is too slow, try some of the techniques outlined above.

Many people find it helpful to preview a passage before reading it in order to increase their reading speed and comprehension. In previewing, you should assess the type of passage you are about to read. What are the topic, the conclusion, and the major subdivisions within the passage.

As you preview and read, you should be making a mental note of how the passage is organized. If you can remember where information is, it will help you to remember what it is. You are allowed to write in your test book, and you should not be at all timid about marking up the reading passages. Underline what you consider to be the important points, topic sentences, conclusions, and key words. Don’t underline too much, though, or you defeat the whole purpose. For moderately important material that doesn’t rate an

underline, you can use a bracket. Develop your own code, but by all means mark the passage. Occasionally you may even find it helpful to make a list in the margin. One of the best ways to remember something is to write it down.

Remember, you must get what you can out of the passage while you are reading it; you will not have time to do extensive searching and rereading if you plan to answer all of the questions.

Read each question carefully and answer it based on the information in the passage. The person who made up the questions is an expert on testing, not on the subject of the questions. A nuclear physics expert might get all of the questions in a nuclear physics passage wrong if he tried to answer them based on his own knowledge. The passage itself may be years old. The reading sections test your ability to read, not your ability to keep up with the latest technological advances.

The more complicated the passage is, the simpler the questions are likely to be. The most technical passage will probably have only one question which tests your actual understanding of the technical material. The rest will test your understanding of other aspects of the passage. You should be able to answer these questions simply by reading carefully.

One of the best ways to study for any test is to try making up a test yourself, and the LSAT is no exception. The best way to learn to spot potential questions in a reading passage is to practice making up your own questions. Study the following passage carefully, and then make up 10 questions. What would you ask about it if you were making up the test? To make up wrong answers might also be good practice—be as tricky as possible. Making up wrong answers is an art, and the best way to understand it is to do it. Some change just one word, and others are merely distortions of what the author said. Learning to apply these tricks yourself will help you to recognize them when someone else tries to play them on you. Remember, one key to doing well is to anticipate the questions.

Now, try the passage:

During most of the classical and middle ages, mortality remained very high by modern standards. About one-half of all children died before growing old enough to reproduce. Moreover, the death rate for the entire population was usually between 30–40/thousand/year. Combined with the annual birth rate of between 35–50/

(5) thousand this would have led to a steady growth rate of between 0.5 percent and 1.0 percent/year. This gradual increase did not occur, however. The usual excess of births above the number of deaths was counterbalanced by recurring, severe peaks in the death rate. Usually due to disease, war, or famine, there were occasional periods when mortality stood as high as 150–500/thousand/year.

(10) During most of man's recent history, there can be little doubt that disease was the chief cause of death. Of course, such things as famine and warfare have been important periodic contributors to high death rates, but even their action is not so much one of direct effect but one that indirectly favors the transmission and onset of disease. (For example, more people died during World War I of typhus and in-

(15) fluenza than from gunshot wounds.)

It is quite likely that Stone-Age man was no more affected by disease than were the other animal populations with which he shared the natural Paleolithic environ-

ment. It was not until men became “civilized” and developed complex cultures in villages, towns, and cities that disease asserted its dominant role in controlling human populations.

Cities developed as men found that they could clear more, grow more, and build more if they pooled their manpower resources. In addition to bringing large numbers of people in contact with one another, villages and towns brought the human inhabitants in contact with other species capable of transmitting disease. Rivers were used for sewers and, as time passed, large cities developed. With the sewers and cities came the black rat, whose flea harbors the bacteria responsible for bubonic plague. The Black Death, as it was called, along with typhus, smallpox, malaria, sleeping sickness, and yellow fever, has been among the greatest killers of mankind throughout history. Some have gone so far as to propose that the fall of Rome was caused by recurring epidemics throughout the Empire culminating with the Plague of Justinian in A.D. 530. These plagues, it is argued, sapped the intellectual and physical strength of the cities of the ancient world, leaving them empty shells that fell before barbarian hordes. During the Middle Ages, an estimated 25 to 33 percent of the European population was lost to bubonic plague between 1348 and 1350. Many cities lost one-half of the inhabitants; indeed, England’s population was reduced by almost 50 percent (from 3.8 million to 2.1 million)!

By A.D. 1400, however, the population had begun to increase again. The rate of growth became more marked by 1650. Explanations of this increase are largely speculative. It began too early for medical advances in public health to have made any inroads on the death rate. So far as is known, there had been no technological changes great enough to make a significant difference in the amount or dependability of food and energy available to man. Too little is known about cultural attitudes of the period, especially outside of Europe, to ascribe the increase to some factor such as average age of marriage or desired number of children.

One possibility that has been advanced is a change in the ecology of these death-dealing diseases. Many disease-causing organisms have very elaborate life-histories. Each step in the life cycle requires a very specific coupling with another organism or its physical environment. The rat-flea-bacteria association accompanying human settlement and causing the plague reflects this interdependency of disease-causing organisms. A major change in any link could drastically alter the possibility of the successful transmission of the disease. During the late Middle Ages many personal habits that were not normally regarded as being related to disease at all became widespread. For example, such things as eating from tables instead of from dirt floors, or using footwear, may have limited disease transmission. The decrease in plague that seems to have occurred during this period might have been a result of just such a change. The final disappearance of the plague in Europe in the late 17th century has been attributed to distinct changes in the ecology of rats. The black rat, which established itself in wooden houses, was displaced by the sewer-loving brown rat. This lessened the rat-to-man contact and its subsequent incidence of the plague. To be sure, the rebuilding of London after the great fire of 1666 with brick and stone in place of wood virtually brought an end to the black rat and contributed to a new and sustained period of population growth.

In any event, the gradual increase in the number of people continued, and by 1825 the population reached the 1 billion mark. Along with those unconscious changes that helped to contain outbreaks of disease were several more direct medi-

- cal developments. With the realization that diseases were caused by specific organisms, not devils and demons, came the first direct attempts at introducing public health measures. The control and monitoring of the community water supply and other public health measures in cities greatly reduced infectious diseases. The beginnings of widespread inoculation and continually improving nutrition enhanced individual health and also substantially cut death rates. These advances, along with the more modern examples of personal health care, have virtually eliminated the misery of infectious diseases and accounted for the most recent period of rapid population growth.

Now try to make up ten questions on the passage you just read (use a separate piece of paper). Then compare your questions with ours, given below the dashed line. For the purpose of this exercise try to limit yourself to factual questions.

Ten possible questions based on the passage might be:

1. During the Middle Ages, the death rate was typically about _____ percent.
2. The main reason that the population did not grow during this period was that _____.
3. Which of the following does not contribute to high death rates?
4. The actual cause of bubonic plague was _____.
5. In 1348–1350, what percent of the English population was lost to bubonic plague?
6. When did the great fire of London occur?
7. In what year did the population of the world reach 1 billion?
8. Which of the following did not contribute to the control of disease?
9. The “Black Death” is another name for _____.
10. What were the reasons for the population increase around A.D. 1400?

Note: The answer to question 10 would be that the author does not tell us the reasons.

How did your questions compare with our examples? We surely didn’t agree on every question, but you should have focused on the same kind of information. As you read a passage, try to anticipate possible questions. If you anticipate a question, there is no reason why you should not be able to answer it correctly.

Now, set aside 35 minutes and do the reading comprehension section that follows, which presents four passages with 26 questions to answer. Use the answer sheet provided at the back of the book.

Reading Comprehension Self-Test

Time: 35 minutes
26 questions

Directions: This section consists of reading passages each followed by questions based on its content. After reading a passage, select the best answer to each question. For each passage, answer the questions on the basis of what is stated or implied in that passage.

For Muslims themselves Islam has always been a civilization and an orientation to the world. It is not merely a religion in the usual, limited, modern sense (whatever religion may mean). In the Muslim view, ideally, there are few or no aspects of individual and social life that may not be considered as immediate expressions of Islam or the working out of its implications. Since the Muslim vision of the world—at least for most people and until fairly recent times—has always been integral and whole, with the religious commitment seen as the central point from which all else flows, it is all but impossible to draw the line between those facets of Islamic experience that are religious and those that are not. Indeed, many Muslim thinkers would insist that it is illegitimate even to try to do so. The closer such people stand to the traditional culture of the Islamic world, the more likely they are to be firm in this insistence. A great deal of covert secularism and also some over espousal of a secularist view has been evident in the Muslim mentality in recent times, to be sure, but the majority of Muslims are uneasy with them. Muslim thinkers adopt a number of devices to escape secularism's more radical implications. There is a deeply ingrained impulse among Muslims to think and to try to live in terms of an Islamic world view. Such an impulse persists along with conscious efforts to change aspects of social life, even when these amount to a veritable transformation of traditional Islamic society. Means are sought, though not always as a conscious process, to bring the changes desired under the perspective of a traditional Islamic outlook. Historically, when one generation of Muslims has departed from modes of behavior or ways of thinking already established in the community (and therefore, because of the Islamic view of history, correct and righteous ways), succeeding generations have usually found the means to extend the cloak of legitimacy over the acceptable parts of these innovations. Among Sunni Muslims what was innovative, and perhaps therefore questionable, for one generation has become authoritative for those who follow by being considered part of the ongoing tradition of the righteously guided community. For Shi'i Muslims the agent of this accommodation to change has been the authority of the living Imam as exercised by the *mujtahid* of the community. Whatever the mechanism at work, Muslims have been enabled through the ages to sustain a lively faith in the integrity of their world view and the rightness of their social forms by the continued expansion of a religiously based understanding of life to include the emergent aspects of Islamic experience.

In more recent times when the Islamic world has faced the painful dilemma posed by its relations with the dominant force of modernity and its own failure of dynamic means have been pursued to enable the borrowing that is essential to survival, means that would at the same time not compromise the Muslim sense of identity, of special destiny, and of living under the law of God. Characteristically the device chosen, in von Grunebaum's words, is to consider the heterogenetic to be orthogenetic (von Grunebaum, 1962). The possibly disruptive effects of the pro-

found impulse to change have in large part been blunted by giving an Islamic coloring to the processes at work. Thus one witnesses the phenomenon among our Muslim contemporaries of radical changes in social life being pursued on the ground that such changes truly represent Islamic values.

1. According to the passage, which of the following statements is most accurate?
 - (A) Islam is a religion.
 - (B) Islam is an integrated way of life.
 - (C) Islam is a set of secular principles.
 - (D) Islam is easily adapted to changes in society.
 - (E) None of the above.
2. The author's attitude toward Muslims is best characterized as:
 - (A) approval.
 - (B) highly critical.
 - (C) extreme distaste.
 - (D) tolerant.
 - (E) The author expresses no attitude at all toward Muslims.
3. When their society changes as a result of secular influences, Muslims are most likely to:
 - (A) reject the changes.
 - (B) incorporate the change into their religion.
 - (C) define the change in terms of a secular counterculture.
 - (D) attempt to hide the change.
 - (E) convert to a new religion.
4. An Imam (line 29) is probably:
 - (A) a deity.
 - (B) a book.
 - (C) a school of Islamic thought.
 - (D) a priest.
 - (E) a tradition.
5. The author's views seem to be closest to those of:
 - (A) von Grunebaum.
 - (B) the *mujtahid*in.
 - (C) the Sunni Muslims.
 - (D) the Koran.
 - (E) None of the above.
6. The best title for this passage would be:
 - (A) "Islamic Religious Tradition."
 - (B) "The Modernization of Islam."