

ALSET

Australian Law Schools Entrance Test

Candidate Information Booklet
(includes sample questions)

2014-2015

Contents

Australian Law Schools Entrance Test	1
What is ALSET?	1
Skills tested by ALSET	2
Equity and fairness	2
ALSET research	2
Frequently asked questions	3
How do I register to sit ALSET?	3
Am I too old to sit ALSET?	3
How many times can I sit ALSET?	3
What format does ALSET take?	3
Why is my ALSET result reported as a score between 100 and 200, instead of as a percentage result?	3
What is a percentile?	3
How long is my ALSET result valid?	3
To whom are my ALSET results reported?	3
Whom should I contact if I have any queries?	3
Preparing for ALSET	4
General	4
Completing the ALSET Answer Sheet	4
Points to note	5
Test-taking strategy	5
Test centre procedures	6
Admission	6
Identification	6
Required items	6
Prohibited items	6
Unethical behaviour and penalties	6
ALSET results	7
ALSET scores	7
Percentile rankings	7
Appeals	7
Sample answer sheet	8
Sample questions	10
Answers	26

ALSET is produced by the Australian Council for Educational Research (ACER). Every effort has been made to ensure the accuracy of information provided in this booklet. However, ACER reserves the right to alter or amend test details and/or test administration details outlined in this book.

Candidates should read this entire booklet carefully.

Copyright © 2014 Australian Council for Educational Research

Australian Law Schools Entrance Test

What is ALSET?

The Australian Law Schools Entrance Test (ALSET) is used by Deakin University's Faculty of Business & Law as part of their admissions procedures for special categories of applicants to tertiary studies in law.

ALSET is developed by the Australian Council for Educational Research (ACER) to provide information about the scholastic aptitude of applicants who otherwise have no recent or appropriate academic record. It is designed to assess the kinds of scholastic abilities and skills considered important to the study of law.

ALSET is a two-hour multiple-choice test. ALSET questions are based on material drawn from a variety of common sources. This *Candidate Information Booklet* contains examples of ALSET questions.

Institutions use candidates' ALSET scores, together with other information available to them at the time of selection, to make decisions about offers of places in tertiary courses.

Information on registration procedures, testing dates and ALSET testing venues can be obtained directly from VTAC whose address is listed on the back page of this booklet .

Skills tested by ALSET

ALSET consists of 70 multiple-choice questions, presented in units.

ALSET is a test of generic skills and does not assume any particular academic background or experience. It does not test knowledge of the law or legal issues and candidates are not expected to have any particular understanding of the Australian legal system prior to taking the test.

Candidates are expected to demonstrate a range of comprehension and reasoning skills in the interpretation of socio-cultural ideas and issues. ALSET questions are based on material drawn from common sources in the humanities and social sciences. The test design seeks to provide a balanced representation of a wide range of materials and kinds of thinking.

Questions typically require candidates to understand and interpret a range of written and visual material. Stimulus material may be symbolic, verbal, spatial, graphical or tabular. Some questions may ask candidates to identify the main ideas in a passage, while others may focus on interpreting specific sections of a text. Some questions may ask candidates to make inferences and logical deductions, and demonstrate critical thinking or problem-solving skills. Other questions may ask candidates to interpret complex or subtle interpersonal interactions as described or implied in the stimulus material.

All the information required to answer questions is contained in the stimulus material of each unit.

Equity and fairness

ALSET is developed to rigorous professional and technical standards. Test questions are designed and developed by a team of ACER test writers who are expert in their subject areas. All test questions must pass detailed panelling, trial testing, analysis and final review. The content, style and duration of the test are developed to ensure the testing program is relevant, fair, valid and reliable.

ALSET test data are subjected to statistical analysis to check that each test question has performed as required. Test questions in development are carefully scrutinised in an ongoing attempt to minimise gender, ethnic or cultural bias.

ALSET research

Each year hundreds of prospective tertiary students sit for ALSET throughout Australia, for selection into various law courses. The ALSET team would like to follow up a sample of these students to see how they progressed in their higher education studies and may contact candidates through the university of enrolment.

Additional information, which we would find useful for both research and test construction, includes ATSI status and highest prior level of education. Space is provided on the ALSET Answer Sheet for your response to these questions. Provision of this information is voluntary, but candidates are given an assurance that any use of their test records will be treated with utmost confidentiality. Candidate names will be separated from data in all cases.

Information regarding the way in which personal information (that is, names and attached data) is stored at ACER can be located at www.acer.edu.au/about/acer-privacy-policy

Frequently asked questions

How do I register to sit ALSET?

Please visit the VTAC website for details: <http://www.vtac.edu.au/admissions-tests.html>

If you will be overseas when ALSET is held, you can register with ACER for an overseas sitting. Registrations for overseas sittings are on the website www.acer.edu.au/tests/alset. You do not need to register for ALSET with VTAC if you will be sitting overseas; however, you must still apply to the course of your choice VTAC. Candidates should note that the costs incurred by overseas testing are often quite high.

Am I too old to sit ALSET?

There are no upper or lower age limits on sitting ALSET. However, tertiary institutions may impose their own age limit on entry to courses. Check with the institution to which you will be applying. You do not need any formal qualifications to sit ALSET.

How many times can I sit ALSET?

You may sit ALSET as many times as you wish, but only once in any testing year (1 July–30 June).

What format does ALSET take?

ALSET is a 70-question, multiple-choice test which takes two hours to complete. The test is divided into units, each with its own piece of stimulus material and questions relating to that stimulus. This booklet contains a number of examples of ALSET units.

Why is my ALSET result reported as a scaled score between 100 and 200, instead of as a percentage result?

There is no pass or fail mark for ALSET. Reporting the score as a percentage might lead some individuals to assume that a result of 49% or less indicates a fail. This is not true. The ALSET score scale reflects the differing abilities of the candidates and the different degrees of difficulty of the test items.

What is a percentile?

A percentile indicates the percentage of candidates receiving scores below a particular ALSET score, referred to as a percentile ranking.

How long is my ALSET result valid?

Since ALSET results are comparable from year to year, there is no formal limit on the length of time for which they remain valid. However, please check with Deakin Law as they may impose their own limits on the validity of ALSET results..

To whom are my ALSET results reported?

ALSET results are reported to VTAC and they will upload your results to your VTAC account. Candidates do not receive notification of test results from ACER. Any queries should be directed to the ALSET Officer at VTAC.

Whom should I contact if I have any queries?

Direct all initial enquiries to the ALSET officer at VTAC.

Preparing for ALSET

General

A good starting point in preparing for ALSET is to familiarise yourself with the contents of this booklet. Read the preliminary information before attempting the sample questions.

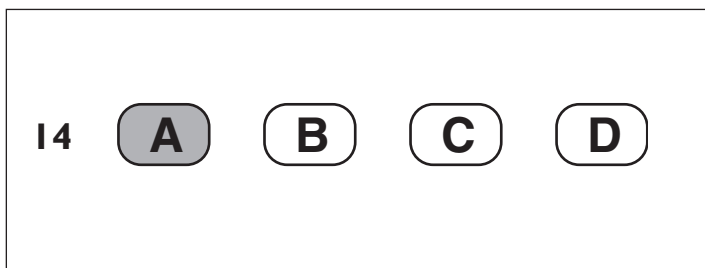
There is evidence that specific coaching for tests such as ALSET is not particularly effective in improving candidates' scores. This is partly because the tests are designed to assess reasoning and comprehension skills that develop over extended periods of time through a variety of experiences. Your best preparation may be to read widely and to think critically about what you read. However, there is also value in familiarising yourself with the kinds of questions you will encounter on ALSET, and with general test-taking strategies.

This booklet contains examples of the types of questions to be found on the ALSET test paper. This booklet, published by ACER, is the only official publication of practice ALSET questions. No other sample questions are available.

Several commercially available books provide general advice on critical reasoning tests and test-taking. If you have not taken a test before (or if it is some time since you last took a test) you may find some of the information contained in books of this kind helpful in preparing for ALSET.

Completing the ALSET Answer Sheet

Answers to multiple-choice questions are recorded on a special ALSET Answer Sheet (see page 8 of this booklet) which is later optically scanned and scored by machine. On the Answer Sheet provided with your test, you will find a list of question numbers (Questions 1 to 70) and alongside each question, the letters A B C D with a small oval around each letter. Mark your answer by completely filling in the oval containing your answer. If you choose option A as the answer to Question 14, for example, record your answer like this:



The diagram shows a rectangular box representing a response area. On the left side of the box, the number '14' is printed. To the right of the number are four ovals, each containing a letter: 'A', 'B', 'C', and 'D'. The 'A' oval is shaded grey, indicating it is the selected answer.

It is important that you record your answers carefully. If you decide to change an answer, erase your mark completely and fill in the oval containing your new answer.

When answering ALSET questions on the Answer Sheet:

- use only an HB, B or 2B pencil
- do not use ink or ball point pen
- use a good quality eraser
- mark your answer clearly
- be careful not to fold or tear your answer sheet
- do not make marks outside the designated areas

Points to note

- Answers should be marked directly onto the Answer Sheet, not on the test booklet.
- You may do rough work in the margins of your test booklet. Scrap paper is not allowed.
- All questions have the same value, therefore by attempting as many questions as possible you stand the best chance of maximising your score.
- No marks will be deducted for a wrong answer (that is, there is no negative scoring).
- If you mark more than one answer to a question it will be considered wrong.

Test-taking strategy

- It is not advisable to spend too much time on any one question.
- Read the stimulus material for a unit several times before starting the questions.
- Read through all the alternative answers to a question, even if you think the first one is correct, before marking your chosen response.
- See if there are any options you can discard immediately because they are obviously wrong.
- If you think you know the answer to a question, mark it, even if you are not certain. Go on to the next question and come back later if you have time. This will prevent you from getting your answers out of sequence with the actual questions, and will give you some chance if you run out of time.

Use the sample questions in this booklet to practise your test-taking technique.

- **Find some quiet time when you are unlikely to be distracted.**
- **Please note that the actual test has 70 questions and will be more challenging than the samples provided. In the real test, 35 multiple-choice questions should take about one hour.**
- **Work through the questions, recording your answers as you go. The machine-readable Answer Sheet on page 8 of this booklet should be used to record your answers to the sample questions. It is similar to the one you will encounter in the real test.**
- **Attempt all questions before checking your answers.**

Test centre procedures

Admission

You will receive notification of your ALSET testing session from VTAC. You must present that notification when you arrive at the test centre.

Identification

On the day of the test you will be required to show photobearing identification such as:

- Current passport
- Current Australian driver's licence
- Current Photographic proof of age card
- Current Keypass card

Your identification document MUST contain:

1. **your name**
2. **your date of birth**
3. **a recent photograph (embedded in the card i.e. not laminated)**
4. **your signature.**

A student or workplace identification card is only acceptable if it meets all four criteria listed above.

If you do not possess any of the above forms of photo-bearing identification, you must obtain a statutory declaration, accompanied by a photo which has been signed on the back by the witness to the statutory declaration.

Candidates who do not present an identification document as specified above will not be admitted. The identification must contain a photograph that is a recognizable likeness of the candidate at the time of sitting the test – a childhood or group photograph in a passport is not acceptable.

Required items

- two HB, B or 2B pencils
- eraser
- pencil sharpener

Prohibited items

The following items are prohibited and should not be brought into the examination room:

- bags, briefcases, crash helmets
- audio and recording devices, with or without earphones
- books, papers
- mobile phones
- pencil cases
- calculators
- dictionaries of any type
- pets

There is to be no eating or smoking during the test sessions, or in the test room.

Unethical behaviour and penalties

ALSET is a high-stakes test; that is, the results of the test have the potential to make a major impact on the future study plans of the candidate. For this reason, security procedures have been established and will be strictly enforced at all times.

It is the responsibility of candidates to ensure that they understand that the following are considered to be breaches of test rules:

- the giving of false or misleading information during the registration process
- attempting to gain access to test questions prior to the test
- attempting to take the test on behalf of another person
- allowing another person to attempt to take the test on your behalf
- attempting to remove a test booklet or part thereof, an answer sheet, or any notes, from the testing room
- failure to follow test supervisors' instructions at all times
- giving or receiving assistance during the test
- creating a disturbance inside or outside the test room
- using prohibited aids (notes, note paper, dictionary, calculator, mobile phone, tape recorder, etc.)

The penalty for any of the above breaches will be the cancellation of the candidate's test and a ban from sitting ALSET in the current ALSET year.

The test supervisor will report breaches of the test rules to VTAC's ALSET Coordinator. Candidates have the right of appeal against the imposed penalty within 10 calendar days of the despatch of the penalty notification.

ALSET results

Results will be provided to you by VTAC.

ALSET scores

ALSET results are reported as scaled scores between 100 and 200. The ALSET score scale reflects the differing abilities of the candidates and the different degrees of difficulty of the test items.

ALSET test forms are equated so that scores are directly comparable across forms and years. For example, a score of 160 in the 2014 ALSET paper represents the same level of performance as a score of 160 in the 2013 test paper.

Although ALSET scores are an objective measure of a candidate's academic capacity, other factors play a key role in the final determination of academic success. Such factors include the candidate's motivation, application, determination and perseverance.

Percentile rankings

Institutions often request information on the percentage of candidates receiving scores below a certain ALSET score (referred to as percentile ranking). For example, a candidate with an ALSET score of 155 had a percentile rank of 70.5 in 2013. Therefore, this candidate had achieved a higher score than 70.5% of the cumulative test-taking population over the last ten years and is thus in the top 30% of that population.

The percentile ranking is cumulative and has remained very stable since the introduction of ALSET, but changes in the candidate population may be expected to occur over time, shifting the percentile curves. For example, changes in government policy may encourage new or different sectors of the community to return to study. However, the ALSET score will remain comparable, as it is anchored between test forms and across years.

Appeals

ACER will not enter into appeals against ALSET results once they have been released. Candidates are advised that ALSET results are released only after careful calculation and extensive checking. Errors in scoring are highly unlikely.

Requests for re-marking will not be considered. Nor is it possible to give special consideration for impaired performance on the day of the test caused by illness or other unexpected personal situations.

Please note that candidates will not be provided with any additional information regarding scores or the scoring process. All information remains the property of ACER and the candidate has no right of inspection. Candidates sign their agreement to these conditions on the front cover of the test booklet and on the answer sheet.

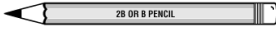
Sample Answer Sheet

ALSET

I understand that registration for the Australian Law Schools Entrance Test constitutes an acceptance of and agreement to abide by the conditions set forth in the ALSET Candidate Information Booklet concerning the test administration, the reporting of scores and the use of information for research.

Family Name: _____
 Given Name: _____
 Signature: _____

INSTRUCTIONS



- Use pencil only, preferably 2B or B
- Erase mistakes and stray marks fully
- Do not use any ink or ball-point pens

Please MARK LIKE THIS

NOT LIKE THESE:

Example:
 Please write in boxes provided, then mark oval corresponding to the number or letter in each column.

E	A	D	E
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Sex	
<input type="radio"/> (M)	<input type="radio"/> (F)
Test Form	
<input type="radio"/> (A)	<input type="radio"/> (B) <input type="radio"/> (C)

Today's Date					
Day		Month		Year	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
0	0	0	0	0	0
1	1	1	1	1	1
2	2	2	2	2	2
3	3	3	3	3	3
4	4	4	4	4	4
5	5	5	5	5	5
6	6	6	6	6	6
7	7	7	7	7	7
8	8	8	8	8	8
9	9	9	9	9	9

Test Booklet Number					
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
0	0	0	0	0	0
1	1	1	1	1	1
2	2	2	2	2	2
3	3	3	3	3	3
4	4	4	4	4	4
5	5	5	5	5	5
6	6	6	6	6	6
7	7	7	7	7	7
8	8	8	8	8	8
9	9	9	9	9	9

Candidate Identification Number									
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
0	0	0	0	0	0	0	0	0	A
1	1	1	1	1	1	1	1	1	B
2	2	2	2	2	2	2	2	2	C
3	3	3	3	3	3	3	3	3	D
4	4	4	4	4	4	4	4	4	E
5	5	5	5	5	5	5	5	5	F
6	6	6	6	6	6	6	6	6	G
7	7	7	7	7	7	7	7	7	H
8	8	8	8	8	8	8	8	8	I
9	9	9	9	9	9	9	9	9	J

Surname / Family Name										Initials	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
-	-	-	-	-	-	-	-	-	-	-	-
1	1	1	1	1	1	1	1	1	1	1	1
A	A	A	A	A	A	A	A	A	A	A	A
B	B	B	B	B	B	B	B	B	B	B	B
C	C	C	C	C	C	C	C	C	C	C	C
D	D	D	D	D	D	D	D	D	D	D	D
E	E	E	E	E	E	E	E	E	E	E	E
F	F	F	F	F	F	F	F	F	F	F	F
G	G	G	G	G	G	G	G	G	G	G	G
H	H	H	H	H	H	H	H	H	H	H	H
I	I	I	I	I	I	I	I	I	I	I	I
J	J	J	J	J	J	J	J	J	J	J	J
K	K	K	K	K	K	K	K	K	K	K	K
L	L	L	L	L	L	L	L	L	L	L	L
M	M	M	M	M	M	M	M	M	M	M	M
N	N	N	N	N	N	N	N	N	N	N	N
O	O	O	O	O	O	O	O	O	O	O	O
P	P	P	P	P	P	P	P	P	P	P	P
Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q
R	R	R	R	R	R	R	R	R	R	R	R
S	S	S	S	S	S	S	S	S	S	S	S
T	T	T	T	T	T	T	T	T	T	T	T
U	U	U	U	U	U	U	U	U	U	U	U
V	V	V	V	V	V	V	V	V	V	V	V
W	W	W	W	W	W	W	W	W	W	W	W
X	X	X	X	X	X	X	X	X	X	X	X
Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z

Residential Postcode			
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
0	0	0	0
1	1	1	1
2	2	2	2
3	3	3	3
4	4	4	4
5	5	5	5
6	6	6	6
7	7	7	7
8	8	8	8
9	9	9	9

Test Centre Number		
<input type="text"/>	<input type="text"/>	<input type="text"/>
0	0	0
1	1	1
2	2	2
3	3	3
4	4	4
5	5	5
6	6	6
7	7	7
8	8	8
9	9	9

Date of Birth					
Day		Month		Year	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
0	0	0	0	0	0
1	1	1	1	1	1
2	2	2	2	2	2
3	3	3	3	3	3
4	4	4	4	4	4
5	5	5	5	5	5
6	6	6	6	6	6
7	7	7	7	7	7
8	8	8	8	8	8
9	9	9	9	9	9

K
L
M
N
O
P
Q
R
S
T
U
V
W
X
Y
Z

Are you an Aborigine or Torres Strait Islander? Yes No

Highest level of education	
Postgraduate (completed or in progress)	<input type="radio"/>
Bachelor degree (completed or in progress)	<input type="radio"/>
Advanced Diploma/Diploma (completed or in progress)	<input type="radio"/>
TAFE award (completed or in progress)	<input type="radio"/>
Year 12 or equivalent (successfully completed)	<input type="radio"/>
Year 11 or equivalent (successfully completed)	<input type="radio"/>
Other	<input type="radio"/>

ALSET Answer Sheet



Copyright © ACER 2004
 Published by the
 Australian Council
 for Educational Research Ltd,
 19 Prospect Hill Road,
 Camberwell, 3124

TEST ANSWERS

1 (A B C D)	15 (A B C D)	29 (A B C D)	43 (A B C D)	57 (A B C D)
2 (A B C D)	16 (A B C D)	30 (A B C D)	44 (A B C D)	58 (A B C D)
3 (A B C D)	17 (A B C D)	31 (A B C D)	45 (A B C D)	59 (A B C D)
4 (A B C D)	18 (A B C D)	32 (A B C D)	46 (A B C D)	60 (A B C D)
5 (A B C D)	19 (A B C D)	33 (A B C D)	47 (A B C D)	61 (A B C D)
6 (A B C D)	20 (A B C D)	34 (A B C D)	48 (A B C D)	62 (A B C D)
7 (A B C D)	21 (A B C D)	35 (A B C D)	49 (A B C D)	63 (A B C D)
8 (A B C D)	22 (A B C D)	36 (A B C D)	50 (A B C D)	64 (A B C D)
9 (A B C D)	23 (A B C D)	37 (A B C D)	51 (A B C D)	65 (A B C D)
10 (A B C D)	24 (A B C D)	38 (A B C D)	52 (A B C D)	66 (A B C D)
11 (A B C D)	25 (A B C D)	39 (A B C D)	53 (A B C D)	67 (A B C D)
12 (A B C D)	26 (A B C D)	40 (A B C D)	54 (A B C D)	68 (A B C D)
13 (A B C D)	27 (A B C D)	41 (A B C D)	55 (A B C D)	69 (A B C D)
14 (A B C D)	28 (A B C D)	42 (A B C D)	56 (A B C D)	70 (A B C D)

*The following pages contain
sample questions for the*

Australian
Law Schools
Entrance Test
(ALSET)

UNIT 1

Questions 1–3

The following passage is from a novel.

There was a shelving beach of warm white sand, bleached soft as velvet. A sounding of gulls filled the dark recesses of the headland; a low chatter of shingle came from where the easy water was breaking; the confused, shell-like murmur of the sea between the folded cliffs. Siegmund and Helena lay side by side upon the dry sand, small as two resting birds, while thousands of gulls whirled in a white-flaked storm above them, and the great cliffs towered beyond, and high up over the cliffs the multitudinous clouds were travelling, a vast caravan en route. Amidst the journeying of oceans and clouds and the circling flight of heavy spheres, lost to sight in the sky, Siegmund and Helena, two grains of life in the vast movement, were travelling a moment side by side.

5

1 The description in the first sentence

- A** moves from the tactile to the visual.
- B** moves from the abstract to the sensory.
- C** draws equally on the abstract and the sensory.
- D** draws on a blend of visual and tactile perceptions.

2 In relation to their surroundings Siegmund and Helena are presented as

- A** a minute but integral part of the whole scene.
- B** a blemish on the serenity of the natural setting.
- C** a peaceful contrast to the frenzied activity of nature.
- D** an element of warmth and life in a hostile and indifferent world.

3 To achieve its effect this passage relies mainly on

- A** dramatic changes of perspective
- B** gradual change of tone and mood.
- C** emphasis on a single, fixed image.
- D** movement from the general to the particular.

UNIT 2

Questions 4–13

The three passages in this unit relate to a debate on the issue of whether the state should attempt to enforce morality by legislation. The two British figures whose views are quoted here were, respectively, Lord Devlin, an eminent English judge, and Professor H.L.A. Hart, Professor of Jurisprudence at the University of Oxford.

PASSAGE I

Devlin

I think that it is not possible to set *theoretical* limits to the power of the state to legislate against immorality. It is not possible to settle in advance exceptions to the general rule or to define inflexibly areas of morality into which the law is in no circumstances to be allowed to enter. *Society* is entitled by means of its laws to protect itself from dangers, whether from within or without ... I think that the political parallel is legitimate. The law of treason is directed against aiding the king's enemies and against sedition from within. The justification for this is that *established* government is necessary for the existence of society and therefore its safety against violent overthrow must be secured. But an *established* morality is as necessary as good government to the welfare of society. Societies disintegrate from within more frequently than they are broken up by external pressures. There is disintegration when no common morality is observed and history shows that the loosening of moral bonds is often the first stage of disintegration, so that society is justified in taking the same steps to preserve its moral code as it does to preserve its government and other essential institutions. The suppression of vice is as much the law's business as the suppression of subversive activities; it is no more possible to define a sphere of private morality than it is to define one of private subversive activity. It is wrong to talk of private morality or of the law not being concerned with *immorality* as such or to try to set rigid bounds to the part which the law may play in the suppression of vice. There are no *theoretical* limits to the power of the state to legislate against treason and sedition, and likewise I think there can be no theoretical limits to legislation against *immorality*. You may argue that if a man's sins affect only himself it cannot be the concern of *society*. If he chooses to get drunk every night in the privacy of his own home, is any one except himself the worse for it? But suppose a quarter or a half of the population got drunk every night, what sort of society would it be? You cannot set a theoretical limit to the number of people who can get drunk before society is entitled to legislate against drunkenness.

4 Implicit in the passage is the assumption that

- A an established morality has collapsed.
- B British society is in a state of disintegration.
- C morality and immorality can be readily distinguished.
- D the power of the state to legislate on morals has been taken away.

- 5** The legitimacy of the 'political parallel' (line 5) rests on an assumption that
- A** the 'state' is a political concept and its acts will always be political in some sense.
 - B** society is in a condition of disintegration and the state must act quickly to arrest this.
 - C** those who are elected to parliament are given the fullest range of political power by the electors.
 - D** immoral persons are to be considered as enemies of the state and destroyers of the society it represents.
- 6** Which of the following is a key idea to be found in the passage?
- A** Explanation of the parallel which the author claims to exist between the laws relating to morality and the law relating to treason.
 - B** Evidence for the assertions about a relationship between social disintegration and abandonment of a common moral code.
 - C** Definition of the areas of private activities which in some sense threaten the welfare of society or even its existence.
 - D** Estimation of the flexibility needed by lawyers in defining which individual acts are moral and which are not.
- 7** Which of the following views underlies the comments about drunkenness in lines 21–25?
- A** Drunkenness is in some sense a sin.
 - B** Morality is not a matter of numbers.
 - C** Consumption of liquor is a subversive activity.
 - D** Morality begins at home, but immorality does not.

PASSAGE II

Hart

Lord Devlin appears to defend the moderate thesis. I say ‘appears’ because, though he says that society has the right to enforce a morality as such on the ground that a shared morality is essential to society’s existence, it is not at all clear that for him the statement that immorality jeopardises or weakens society is a statement of empirical fact ... The most important indication that this is so is that, apart from one vague reference to ‘history’ showing that ‘the loosening of moral bonds is often the first stage of disintegration’, no evidence is produced to show that deviation from accepted sexual morality, even by adults in private, is something which, like treason, threatens the existence of society ... Lord Devlin’s belief in it, and his apparent indifference to the question of evidence, are at points traceable to an undiscussed assumption. This is that all morality – sexual morality together with the morality that forbids acts injurious to others such as killing, stealing, and dishonesty – forms a single seamless web, so that those who deviate from any part are likely or perhaps bound to deviate from the whole ... But there is again no evidence to support, and much to refute, the theory that those who deviate from conventional sexual morality are in other ways hostile to society. There seems, however, to be central to Lord Devlin’s thought something more interesting, though no more convincing, than the conception of social morality as a seamless web. For he appears to move from the acceptable proposition that some shared morality is essential to the existence of any society to the unacceptable proposition that *a society is identical with its morality as that is at any given moment of its history, so that a change in its morality is tantamount to the destruction of a society*. The former proposition might be even accepted as a necessary rather than an empirical truth depending on a quite plausible definition of society as a body of men who hold certain moral views in common. But the latter proposition is absurd. Taken strictly, it would prevent us saying that the morality of a given society had changed, and would compel us instead to say that one society had disappeared and another one taken its place. But it is only on this absurd criterion of what it is for the same society to continue to exist that it could be asserted without evidence that any deviation from a society’s shared morality threatens its existence.

- 8** Hart makes a number of criticisms of Devlin’s discussion. Of the following, Hart’s argument is itself most vulnerable in that it
- A** does not assume that immoral people are hostile to society in other ways.
 - B** offers no evidence for his counter-assertions about ‘disintegration’.
 - C** offers no clearly recognisable definition of what a ‘society’ might be.
 - D** uses an untenable analogy between sexual morality and killing.
- 9** According to Hart, the absurdity of the proposition in lines 18–20 lies in the
- A** lack of continuity between one society and another which the proposition implies.
 - B** regularity with which small and large social changes are assumed to occur.
 - C** implication that change is always regarded pessimistically by Devlin.
 - D** impact which quite small changes in societies would thereby have.
- 10** Hart’s intention is that the last word of Passage II should be taken to mean
- A** foundations: the traditions which underlie a society’s laws.
 - B** viability: the effectiveness of a society’s government.
 - C** harmony: the sense of sharing a common morality.
 - D** essence: the very nature of a ‘society’.

11 Hart focuses on the analogy between social morality and a web (lines 9–12) because it

- A reveals the fragility of social bonds.
- B implies that one offence may have serious consequences.
- C shows the ease with which immorality snares the unwary.
- D suggests that laws are intended to trap sexual and other offenders.

Passage III was written by Lord Devlin in reply to Professor Hart’s criticisms. In answering the questions which follow, reference may also need to be made to either or both of Passages I and II.

PASSAGE III

Devlin

It is somewhere about this point in the argument that Professor Hart in *Law, Liberty and Morality* discerns a proposition which he describes as central to my thought. He states the proposition and his objection to it and condemns the whole thesis in my lecture as based on ‘a confused definition of what a society is’.

I do not assert that any deviation from a society’s shared morality threatens its existence any more than I assert that any subversive activity threatens its existence. I assert that they are both activities which are capable in their nature of threatening the existence of society so that neither can be put beyond the law. 5

For the rest, the objection appears to me to be all a matter of words. I would venture to assert, for example, that you cannot have a game without rules and that if there were no rules there would be no game. If I am asked whether that means that the game is ‘identical’ with the rules, I would be willing for the question to be answered either way in the belief that the answer would lead to nowhere. If I am asked whether a change in the rules means that one game has disappeared and another has taken its place, I would reply probably not, but that it would depend on the extent of the change. Likewise I should venture to assert that there cannot be a contract without terms. Does this mean that an ‘amended’ contract is a ‘new’ contract in the eyes of the law? I once listened to an argument by an ingenious counsel that a contract, because of the substitution of one clause for another, had ‘ceased to have effect’ within the meaning of a statutory provision. The judge did not accept the argument; but if most of the fundamental terms had been changed, I daresay he would have done. 10 15 20

The proposition that I make in the text is that if (as I understand Professor Hart to agree, at any rate for the purposes of the argument) you cannot have a society without morality, the law can be used to enforce morality as something that is essential to a society. I cannot see why this proposition (whether it is right or wrong) should mean that morality can never be changed without the destruction of society. If morality is changed, the law can be changed. Professor Hart refers to the proposition as ‘the use of legal punishment to freeze into immobility the morality dominant at a particular time in a society’s existence’. One might as well say that the inclusion of a penal section into a statute prohibiting certain acts freezes the whole statute into immobility and prevents the prohibitions from ever being modified. 25

12 Which of the following examples from Passage III is **NOT** intended to illustrate what Devlin means by a ‘society’?

- A subversive activities and their effects (line 6)
- B games and their rules (lines 10–15)
- C contracts and their effects (lines 15–20)
- D penal clauses and their results (lines 27–29)

13 Which of the following **best** summarises the relationships between the three passages?

Passage II (Hart)

Passage III (Devlin)

- | | |
|---|--|
| <p>A puts counter propositions to Passage I;</p> <p>B raises objections to the terms used in Passage I;</p> <p>C points out the inaccuracy of the details in Passage I;</p> <p>D questions the logic used in Passage I;</p> | <p>puts counter propositions to Passage II.</p> <p>dismisses the objections in Passage II as irrelevant.</p> <p>introduces new material to prove his points in Passage I.</p> <p>defends the logic used in Passage I and objects to misinterpretation in Passage II.</p> |
|---|--|

UNIT 3

Questions 14–18

This extract from a play is set in neutral Switzerland in 1917, during the First World War. CARR has been invalided from the trenches and sent to work in the British Consulate in Zurich (Switzerland). He is having a conversation with TRISTAN TZARA, a leader of the Dadaist movement in Art.

CARR (*coldly*): My dear Tristan, to be an artist at all is like living in Switzerland during a world war. To be an artist *in Zurich, in 1917*, implies a degree of self-absorption that would have glazed over the eyes of Narcissus ... besides I couldn't be an artist *anywhere* – I can do none of the things by which is meant Art.

TZARA: Doing the things by which is meant Art is no longer considered the proper concern of the artist. In fact it is frowned upon. Nowadays, an artist is someone who makes art mean the things he does. A man may be an artist by exhibiting his hindquarters. He may be a poet by drawing words out of a hat. In fact some of my best poems have been drawn out of my hat which I afterwards exhibited to general acclaim at the Dada Gallery in Bahnhofstrasse.

CARR: But that is simply to change the meaning of the word Art.

TZARA: I see I have made myself clear.

CARR: Then you are not actually *an artist* at all?

TZARA: On the contrary, I have just told you I am.

CARR: But that does not make you an artist. An artist is someone who is gifted in some way that enables him to do something more or less well which can only be done badly or not at all by someone who is not thus gifted. If there is any point in using language at all it is that a word is taken to stand for a particular fact or idea and not for other facts or ideas. I might claim to be able to fly ... Lo, I say, I am flying. But you are not propelling yourself about while suspended in the air, someone may point out. Ah no, I reply, that is no longer considered the proper concern of people who can fly. In fact, it is frowned upon. Nowadays, a flyer never leaves the ground and wouldn't know how. I see, says my somewhat baffled interlocutor, so when you say you can *fly* you are using the word in a purely private sense. I see I have made myself clear, I say. Then, says this chap in some relief, you cannot actually *fly* after all? On the contrary, I say, I have just told you I can. Don't you see my dear Tristan you are simply asking me to accept that the word Art means whatever you wish it to mean; but I do not accept it.

TZARA: Why not? You do exactly the same thing with words like *patriotism, duty, love, freedom*, king and country, brave little Belgium, saucy little Serbia –

CARR (*coldly*): You are insulting my comrades-in-arms, many of whom died on the field of honour –

TZARA: – and honour – all the traditional sophistries of waging wars of expansion and self-interest, presented to the people in the guise of rational argument set to patriotic hymns ... Music is corrupted, language conscripted. Words are taken to stand for opposite facts, opposite ideas. That is why anti-art is the art of our time.

14 Carr regards Tzara personally as

- A flippant and irresponsible.
- B snobbish and intellectual.
- C malicious and dangerous.
- D talented and colourful.

- 15** According to Carr, art is
- A** what critics choose to promote.
 - B** something defined by the artist.
 - C** an innate and recognisable talent.
 - D** something defined by public taste.
- 16** According to Tzara, becoming an artist depends chiefly on
- A** luck.
 - B** talent.
 - C** choice.
 - D** training.
- 17** The tone of Tzara's earlier speeches (lines 5–14) is
- A** prudent and cautious.
 - B** insincere and affected.
 - C** naive and spontaneous.
 - D** confident and provocative.
- 18** Anti-art (line 35) emphasises
- A** linguistic rather than visual expression.
 - B** dynamic rather than static forms of expression.
 - C** the abilities rather than the attitudes of the artist.
 - D** the attitudes rather than the abilities of the artist.

UNIT 4

Questions 19–26

In 1996, a leading academic journal of cultural studies, *Social Text*, published an article by a physicist named Alan Sokal. The article attacked the sciences for their ‘authoritarianism and elitism’ and argued, amongst other things, that physical concepts (such as gravity) were essentially ‘social constructs’. Subsequently, Sokal revealed in a rival journal that the article had been a hoax. In the following two passages Sokal and the editors of *Social Text* justify their actions.

Passage 1: Alan Sokal

Why did I do it? While my method was satirical, my motivation is utterly serious. What concerns me is the proliferation, not just of nonsense and sloppy thinking per se, but of a particular kind of nonsense and sloppy thinking: one that denies the existence of objective realities, or (when challenged) admits their existence but downplays their practical relevance. At its best, a journal like *Social Text* raises important questions that no scientist should ignore – questions, for example, about how corporate and government funding influence scientific work. Unfortunately, epistemic relativism does little to further the discussion of these matters. *Social Text*’s acceptance of my article exemplifies the intellectual arrogance of Theory – meaning postmodernist literary theory – carried to its logical extreme. No wonder they didn’t bother to consult a physicist. If all is discourse and ‘text’, then knowledge of the real world is superfluous; even physics becomes just another branch of Cultural Studies. If, moreover, all is rhetoric and ‘language games’, then internal logical consistency is superfluous too: a patina of theoretical sophistication serves equally well. Incomprehensibility becomes a virtue; allusions, metaphors and puns substitute for evidence and logic. My own article is, if anything, an extremely modest example of this well-established genre.

Passage 2: The editors of *Social Text*

Obviously, we now regret having published Sokal’s article, and apologize to our readers, and to those in the science studies or cultural studies communities who might feel their work has been disparaged as a result of this affair. From the first, we considered Sokal’s unsolicited article to be a little hokey.¹ It is not every day we receive a dense philosophical tract from a professional physicist. Not knowing the author or his work, we engaged in some speculation about his intentions, and concluded that this article was the earnest attempt of a professional scientist to seek some kind of affirmation from postmodern philosophy for developments in his field. His adventures in Postmodern Land were not really our cup of tea. Sokal’s article would have been regarded as somewhat outdated if it had come from a humanist or social scientist. As the work of a natural scientist it was unusual, and, we thought, plausibly symptomatic of how someone like Sokal might approach the field of postmodern epistemology, i.e. awkwardly but assertively trying to capture the ‘feel’ of the professional language of this field, while relying upon an armada of footnotes to ease his sense of vulnerability. In other words, we read it more as an act of good faith of the sort that might be worth encouraging than as a set of arguments with which we agreed. On those grounds, the editors considered it of interest to readers as a ‘document’ of that time-honoured tradition in which modern physicists have discovered harmonic resonances with their own reasoning in the field of philosophy and metaphysics.

What is the likely result of Sokal’s behaviour for non-scientific journals? Less well-known authors who submit unsolicited articles to journals like ours may now come under needless suspicion, and the openness of intellectual inquiry that *Social Text* has played its role in fostering will be curtailed.

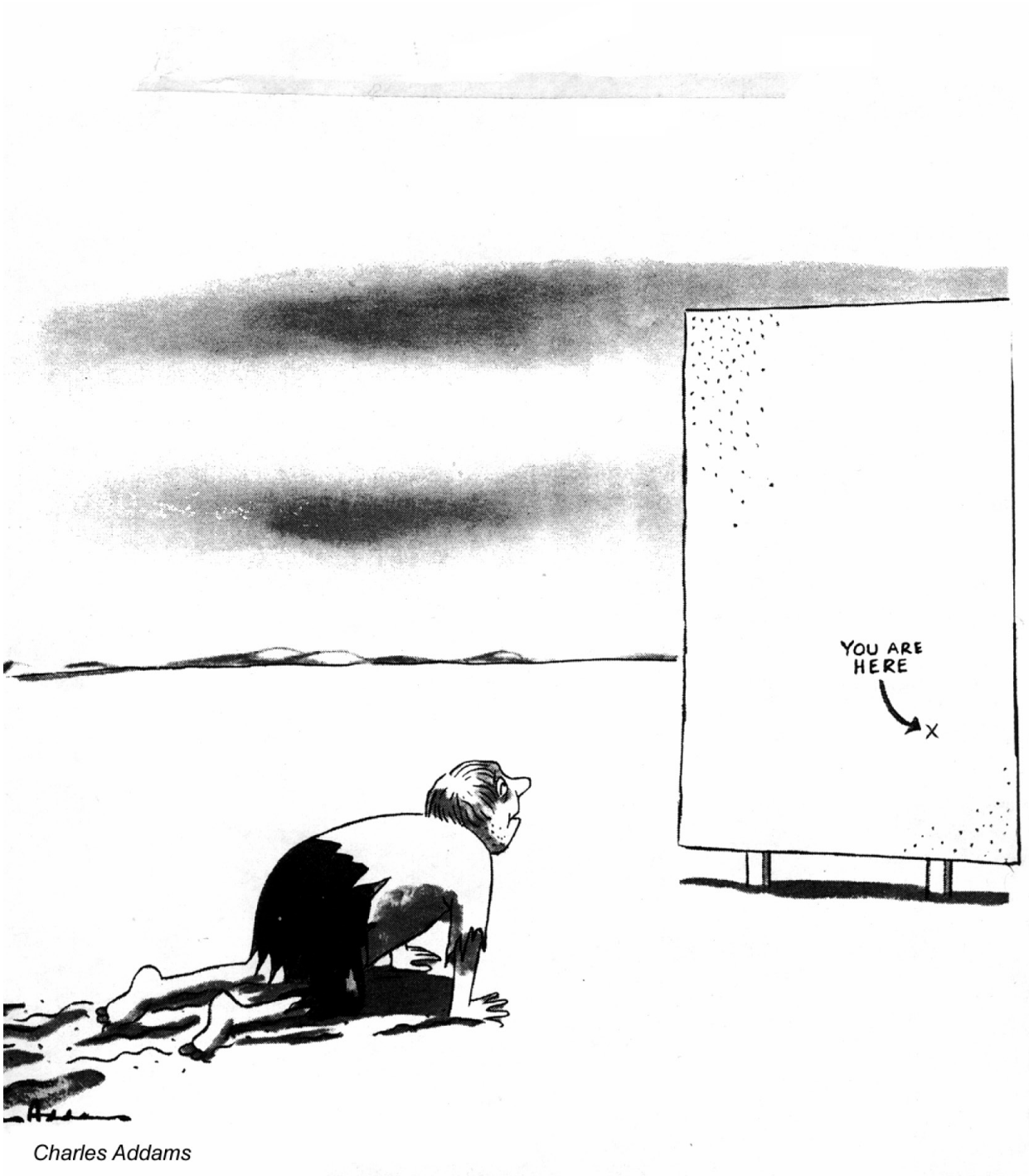
¹ *hokey*: colloquial term meaning contrived and/or inept.

- 19** Sokal's method may be described as satirical (line 1) because it involved
- A** insincere imitation.
 - B** humour and innuendo.
 - C** unfair and deceptive means.
 - D** unfavourable analysis and criticism.
- 20** The term 'epistemic' refers to our knowledge of things rather than to the nature of the things themselves. Accordingly, the phrase 'epistemic relativism', as used in Passage 1 (line 7), most likely refers to the idea that
- A** knowledge is objective and eternal.
 - B** all knowledge is subjective and equally valid.
 - C** all knowledge is approximate and provisional.
 - D** knowledge is determined and controlled by political interests.
- 21** For Sokal, the logical extreme of postmodernist literary theory (lines 9–10) involves the notion that
- A** reality defies language.
 - B** language distorts reality.
 - C** language has no meaning.
 - D** language constitutes reality.
- 22** The editors attribute their decision to publish Sokal's article to
- A** their intent to embarrass the author.
 - B** an inexplicable lapse in their judgement.
 - C** their professional openness and impartiality.
 - D** their desire to avoid criticism for not publishing it.
- 23** The editors' justification of their decision to publish Sokal's article reveals that they were unduly influenced by
- A** the author's reputation.
 - B** the presumed motivation of the author.
 - C** their elitist and guarded approach to their discipline.
 - D** their own tastes and preferences in scholarly writing.
- 24** The phrase 'needless suspicion' (line 38) may be judged unintentionally ironic because
- A** such a claim is easily made in hindsight.
 - B** the editors are unlikely to be sincere in making the claim.
 - C** the editors were, if anything, too suspicious of Sokal's article.
 - D** such suspicion would appear to be normally warranted and necessary.

- 25** The justification offered by the editors for publishing Sokal's article is best described as
- A** assured and persuasive.
 - B** condescending and contradictory.
 - C** arrogant but fundamentally sound.
 - D** unnecessarily humble and apologetic.
- 26** Which of the following is the most significant conclusion that can plausibly be drawn from the 'Sokal Affair' in the light of the two passages?
- A** It shows that scientists do not fully comprehend postmodern literary theory.
 - B** It suggests that the editors of *Social Text* did not really understand Sokal's article.
 - C** It shows that the editors of *Social Text* have little understanding of scientific principles.
 - D** It raises doubts about the quality of thought characteristic of postmodern literary theory.

UNIT 5

Question 27



Charles Addams

27 The cartoon is making fun of the

- A imprecision of the sign.
- B perilous situation of the lost man.
- C absurdity of the information given.
- D environmental inappropriateness of the sign.

UNIT 6

Questions 28–32

According to French sociologist Pierre Bourdieu, cultural reproduction is the social process through which cultures are reproduced across generations, especially through the socializing influence of major institutions. Bourdieu applied the concept in particular to the ways in which social institutions such as schools are used to pass along cultural ideas that underlie and support the privileged position of the dominant or ruling classes.

Cultural reproduction is part of a larger process of social reproduction through which entire societies and their cultural, structural, and ecological characteristics are reproduced through a process that invariably involves a certain amount of change. From a Marxist perspective, social reproduction is primarily economic in scope, including the relations of production, forces of production, and the labor power of the working class. In a broader sense, however, social reproduction includes much more than this, from the shape of religious institutions to language and varieties of music and other cultural products.

According to Bourdieu cultural capital consists of ideas and knowledge people draw upon as they participate in social life. Everything from rules of etiquette to being able to speak and write effectively can be considered cultural capital. Bourdieu was particularly interested in the unequal distribution of cultural capital in stratified societies and how such inequality disadvantages people. This is especially true in schools and occupations, where ignorance of what the dominant classes define as basic knowledge makes it very difficult for those in marginal or subordinate groups to compete successfully. Ethnic immigrants, for example, often do poorly in school because they lack important cultural capital required by their new society. Bourdieu referred to this lack as cultural deprivation.

- 28** By describing culture as capital, Bourdieu emphasises the
- A** nature and breadth of inequality.
 - B** significance of economic inequality.
 - C** importance of individual accomplishment.
 - D** economic over cultural sources of social power.
- 29** The theory of Bourdieu outlined in the passage is best described as
- A** Marxist in its emphasis on economic power.
 - B** neo-Marxist in its emphasis on culture as a form of power.
 - C** psychological in its emphasis on the importance of individual consciousness.
 - D** sociological in its emphasis on the importance of inter-personal relationships.
- 30** The view of culture as capital differs from more conventional views of socialisation and enculturation in that it
- A** metaphorically represents culture as a commodity.
 - B** emphasises the way culture controls and constrains individuals.
 - C** metaphorically represents economic relations as social relations.
 - D** emphasises the way cultural knowledge depends on economic structures.

- 31** From a Marxist perspective, Bourdieu's theory of cultural capital might be criticised for
- A** ignoring the creative power of individuals.
 - B** believing that social institutions reproduce patterns of deprivation.
 - C** emphasising social forms rather than fundamental economic relations.
 - D** ignoring the way economic deprivation results from cultural deprivation.
- 32** From a capitalist or free market perspective, Bourdieu's theory of cultural capital might be criticised for ignoring
- A** the importance of cultural knowledge.
 - B** the way cultural deprivation is a failure of social and political processes.
 - C** the importance of economic relations and exaggerating the independent nature of cultural life.
 - D** the degree of individual choice and the importance of individual action in social and economic relations.

UNIT 5

Questions 33 – 35

The *welfare state* is a society in which the government assumes some degree of responsibility for the welfare of its citizens.

Consider the following proposition:

The welfare state is a poor model of government.

Using one of the following alternatives **A–D**, indicate how each of the numbered statements that follow (**33–35**) best relates to the above proposition.

- A** The statement could best be used to support the proposition.
- B** The statement could best be used to counter the proposition.
- C** The statement could reasonably be used to either support or counter the proposition.
- D** The statement is not directly relevant to the proposition.

33 That government is best which governs least. (*Thomas Jefferson*)

34 Government assistance fosters dependency and reduces the incentive to work.

35 The well-being of citizens is a moral obligation for all governments.

Acknowledgments

ACER thanks rights holders who have kindly granted permission to reproduce the material cited below. Every effort has been made to trace and acknowledge copyright. However, should any infringement have occurred, ACER tenders its apology and invites copyright owners to contact ACER at permissions@acer.edu.au.

Oxford University Press, London, and the authors for the extracts from *Law, Liberty and Morality*, by H.L.A. Hart, and *The Enforcement of Morals*, by Lord Devlin; Cambridge University Press, London, and the author for material from *The Trespasser*, by D.H. Lawrence, 1981; J. Bailey (ed) and Crown Publishers, New York, for the Charles Addams cartoon in *Great Cartoons of the World*, series 8, 1974; Johnson, A.G. *The Blackwell Dictionary of Sociology*, Blackwells Publishers Limited, Oxford, 1995; and Faber, London, for material from *Travesties*, by Tom Stoppard, 1975; Alan Sokal for extracts from *Lingua Franca*, May/June 1996; Bruce Robbins and Andrew Ross for extracts from *Lingua Franca*, July/August 1996.

ANSWERS

- Q 1 **D** draws on a blend . . .
- 2 **A** a minute but integral . . .
- 3 **A** dramatic changes . . .
- 4 **C** morality and immorality . . .
- 5 **D** immoral persons are to be considered . . .
- 6 **A** Explanation of the parallel . . .
- 7 **A** Drunkenness is . . .
- 8 **B** offers no evidence . . .
- 9 **A** lack of continuity between . . .
- 10 **D** essence: . . .
- 11 **B** implies that one offence . . .
- 12 **A** subversive activities . . .
- 13 **D** questions the logic used . . .
- 14 **A** flippant . . .
- 15 **C** an innate and . . .
- 16 **C** choice.
- 17 **D** confident and . . .
- Q 18 **D** the attitudes rather than . . .
- 19 **A** insincere imitation.
- 20 **B** all knowledge is subjective . . .
- 21 **D** language constitutes reality.
- 22 **C** their professional openness . . .
- 23 **B** the presumed motivation . . .
- 24 **D** such suspicion would appear . . .
- 25 **B** condescending and . . .
- 26 **D** It raises doubts . . .
- 27 **C** absurdity of the . . .
- 28 **A** nature and breadth . . .
- 29 **B** neo-Marxist in its emphasis . . .
- 30 **A** metaphorically represents culture . . .
- 31 **C** emphasising social forms . . .
- 32 **D** the degree of individual choice . . .
- 33 **A** support
- 34 **A** support
- 35 **B** counter

Further information

Further information about ALSET may be obtained from www.acer.edu.au/tests/alset

ACER
Private Bag 55
CAMBERWELL VIC 3124

Tel (03) 9277 5357
Email stat@acer.edu.au

Victorian Tertiary Admissions Centre
40 Park St
SOUTH MELBOURNE VIC 3205

Tel 1300 364 133