

Chapter 1: An Introduction to Law and Society

Test Bank

Multiple Choice

1. These are the core beliefs about what is moral and immoral, good and bad, and acceptable and unacceptable.

- A. norms
- B. values
- C. folkways
- D. mores

Ans: B

Cognitive Domain: Comprehension

Answer Location: Norms, Mores, and Folkways

Difficulty Level: Medium

2. These are the “action aspect” and tell us how to act in a situation.

- A. norms
- B. values
- C. folkways
- D. mores

Ans: A

Cognitive Domain: Comprehension

Answer Location: Norms, Mores, and Folkways

Difficulty Level: Medium

3. These are the customs that guide our daily interactions and behavior.

- A. norms
- B. values
- C. folkways
- D. mores

Ans: C

Cognitive Domain: Comprehension

Answer Location: Norms, Mores, and Folkways

Difficulty Level: Medium

4. _____ are deeply and intensely held norms about what is right and wrong. The violation of these are met with strong condemnation.

- A. Norms
- B. Values
- C. Folkways
- D. Mores

Ans: D

Cognitive Domain: Comprehension
Answer Location: Norms, Moeres, and Folkways
Difficulty Level: Medium

5. These provide the foundation for many of our laws.

- A. norms
- B. values
- C. folkways
- D. mores

Ans: A

Cognitive Domain: Comprehension
Answer Location: Norms, Moeres, and Folkways
Difficulty Level: Medium

6. Moeres and folkways are informal _____.

- A. norms
- B. values
- C. folkways
- D. mores

Ans: A

Cognitive Domain: Knowledge
Answer Location: Norms, Moeres, and Folkways
Difficulty Level: Easy

7. This person is known as the father of the common law.

- A. Ranulf de Glanville
- B. Henry II
- C. Henry VIII
- D. Henry de Bracton

Ans: B

Cognitive Domain: Knowledge
Answer Location: The Common Law
Difficulty Level: Easy

8. This is an example of the social control function of the law.

- A. the U.S. Congress declaring MLK day as a holiday in 1983
- B. NYC imposing fines for people not picking up after their dogs
- C. land ownership laws
- D. *Brown v. Board of Education* ensuring that schools in America are desegregated

Ans: B

Cognitive Domain: Comprehension
Answer Location: Norms, Moeres, and Folkways
Difficulty Level: Medium

9. Identify from the choices below, an example of the dispute resolution function of law.

- A. Illinois giving out tax breaks for charitable donations

- B. Congress passing a law that would allow for wounded veterans to receive medical care for PTSD
- C. Chicago's ban on handheld cell phone usage while operating a motor vehicle
- D. state laws regarding divorce and property distribution

Ans: D

Cognitive Domain: Comprehension

Answer Location: Dispute Resolution

Difficulty Level: Medium

10. Identify the fundamental principle that constitutes the foundation of Socialist law from the choices below.

- A. security, education, administration
- B. security, education, property
- C. security, administration, crime
- D. property, education, crime

Ans: B

Cognitive Domain: Knowledge

Answer Location: The Socialist Legal Tradition

Difficulty Level: Easy

11. The following definition of law follows what approach of defining the law? "Law is a body of binding obligations . . . kept in force by the specific mechanisms of reciprocity and publicity inherent in the structure of society."

- A. law and social integration
- B. law and physical force
- C. law and justice
- D. law in action

Ans: A

Cognitive Domain: Analysis

Answer Location: Law and Social Integration

Difficulty Level: Hard

12. Legal anthropologist Paul Bohannan views law as based on _____.

- A. tradition
- B. morals
- C. custom
- D. divine edict

Ans: C

Cognitive Domain: Knowledge

Answer Location: Law and Custom

Difficulty Level: Easy

13. Identify which of the following is an example of the social control function of the law.

- A. speeding laws
- B. inheritance laws
- C. voting rights for women

D. divorce laws

Ans: A

Cognitive Domain: Knowledge

Answer Location: Social Control

Difficulty Level: Easy

14. Identify which of the following is an example of the dispute resolution function of the law.

A. public intoxication laws

B. alcohol and drug use laws

C. inheritance laws

D. voting rights for African Americans

Ans: C

Cognitive Domain: Knowledge

Answer Location: Dispute Resolution

Difficulty Level: Easy

15. Identify which of the following is an example of the social change function of the law.

A. public loitering laws

B. speeding laws

C. divorce laws

D. voting rights for women

Ans: D

Cognitive Domain: Knowledge

Answer Location: Social Change

Difficulty Level: Easy

16. Identify which of the following is NOT a dysfunctional role of the law.

A. harassment

B. prosecution

C. bias

D. repression

Ans: B

Cognitive Domain: Analysis

Answer Location: The Dysfunctions of Law

Difficulty Level: Hard

17. Identify the dysfunctional role of the law described by how the law may limit the ability of individuals to use the law to vindicate their right and liberties.

A. bias

B. unequal access to justice

C. impeding social change

D. repression

Ans: C

Cognitive Domain: Comprehension

Answer Location: The Dysfunctions of Law

Difficulty Level: Medium

18. Identify the theorist who presented the following: "An order, shall be called law where it is externally guaranteed by the probability that coercion (physical or psychological), to bring about conformity or avenge violation will be applied by a staff of people especially ready for that purpose."

- A. Weber
- B. Engels
- C. Marx
- D. Hoebel

Ans: A

Cognitive Domain: Knowledge

Answer Location: Law, Coercion, and Specialization

Difficulty Level: Easy

19. Identify from the following definition of law, which two theorists are best represented, "Law is a mechanism to support the political and economic domination of the powerful ruling class and to exploit the working class."

- A. Marx, Bohannan
- B. Marx, Engles
- C. Bohannan, Engles
- D. Marx, Stalin

Ans: B

Cognitive Domain: Analysis

Answer Location: The Socialist Legal Tradition

Difficulty Level: Medium

20. From the following quote identify which theorist is represented, "Law is a body of binding obligations . . . kept in force by the specific mechanisms of reciprocity and publicity inherent in the structure of society."

- A. Bohannan
- B. Engles
- C. Malinowski
- D. Marx

Ans: C

Cognitive Domain: Comprehension

Answer Location: Law and Social Integration

Difficulty Level: Medium

21. Which definition of law is represented by, "The prophecies of what the courts will do in fact and nothing more pretentious, are what I mean by law"?

- A. law in action
- B. law and official authority
- C. law and justice
- D. law, coercion, and specialization

Ans: A

Cognitive Domain: Knowledge
Answer Location: Law in Action
Difficulty Level: Easy

22. Which definition of law is represented by, "A social norm is legal if its neglect or infraction is regularly met, in threat or in fact by the application of physical force by an individual or group possessing the socially recognized privilege of so acting"?

- A. law and official authority
- B. law and justice
- C. law and physical force
- D. law in action

Ans: C

Cognitive Domain: Knowledge
Answer Location: Law and Physical Force
Difficulty Level: Easy

23. Identify the countries in which Communism is still present.

- A. Yugoslavia, China, North Korea, Cuba
- B. North Korea, Bulgaria, Vietnam, Hungary
- C. China, North Korea, Cuba, Laos
- D. Cuba, North Korea, Russia, Japan

Ans: C

Cognitive Domain: Knowledge
Answer Location: The Socialist Legal Tradition
Difficulty Level: Easy

24. Identify one of the things the United Nations can do when a country violates international law.

- A. violate national sovereignty
- B. organize a coalition of member states to act militarily
- C. use its own army to punish the country
- D. none of these

Ans: B

Cognitive Domain: Comprehension
Answer Location: International Law
Difficulty Level: Medium

25. Public law is comprised of _____.

- A. constitutional law, administrative law, and criminal law
- B. constitutional law, torts, and property
- C. constitutional law, contract, and property
- D. constitutional law, administrative, and tort

Ans: A

Cognitive Domain: Knowledge
Answer Location: Public Law
Difficulty Level: Easy

26. Private law is comprised of _____.
A. contract, criminal law, and administrative
B. contract, torts, and property
C. contract, administrative, and torts
D. contract, torts, and criminal

Ans: B

Cognitive Domain: Knowledge

Answer Location: Private Law

Difficulty Level: Easy

27. A law that punishes murder best fits with what Law and Society perspective?
A. conflict
B. criminal law
C. private law
D. consensus

Ans: D

Cognitive Domain: Comprehension

Answer Location: A Consensus Perspective

Difficulty Level: Medium

28. A law that allows for large corporations to be tax exempt best fits with what Law and Society perspective?
A. consensus
B. conflict
C. property
D. public law

Ans: B

Cognitive Domain: Knowledge

Answer Location: A Conflict Perspective

Difficulty Level: Easy

29. This type of norm includes habits guiding our interactions with teachers and family _____.
A. norms
B. folkway
C. mores
D. sanctions

Ans: B

Cognitive Domain: Knowledge

Answer Location: Norms, Mores, and Folkways

Difficulty Level: Easy

30. In Islamic Law, this happens if the plaintiff is unable to produce the required number of qualified witnesses.
A. the case is automatically dismissed

- B. the defendant is asked to take a religious oath attesting his or her innocence
- C. the defendant is asked to take a religious oath attesting his or her innocence and if so done, the case is dismissed
- D. the defendant is asked to take a religious oath attesting his or her innocence and if so done the case is dismissed; otherwise, if the defendant refuses three times, a judgment is entered.

Ans: D

Cognitive Domain: Comprehension

Answer Location: Families of Law

Difficulty Level: Medium

31. In Islamic Law, what happens if the plaintiff is unable to produce the required number of qualified witnesses?

- A. The case is automatically dismissed.
- B. The defendant is asked to take a religious oath attesting his or her innocence.
- C. The defendant is asked to take a religious oath attesting his or her innocence and if so done, the case is dismissed.
- D. The defendant is asked to take a religious oath attesting his or her innocence and if so done the case is dismissed; otherwise, if the defendant refuses three times, a judgment is entered.

Ans: D

Cognitive Domain: Knowledge

Answer Location: The Islamic Legal Tradition

Difficulty Level: Easy

32. In Islamic law, the prosecution can present eyewitnesses. Which of the following is true about eyewitness requirements?

- A. Adultery and fornication require four eyewitnesses.
- B. Nonadultery offenses require five eyewitnesses.
- C. Only Muslim males can be eyewitnesses.
- D. none of these

Ans: A

Cognitive Domain: Comprehension

Answer Location: The Islamic Legal Tradition

Difficulty Level: Medium

33. "Law is custom recreated by agents of society in institutions specifically meant to deal with legal questions." This definition of law follows what approach of defining the law?

- A. law and justice
- B. law and social integration
- C. law and custom
- D. law in action

Ans: C

Cognitive Domain: Comprehension

Answer Location: Law and Custom

Difficulty Level: Medium

34. Those with more money are allowed better chances at winning or getting charges acquitted. This statement emphasizes what dysfunction of law?

- A. bias
- B. unequal access to justice
- C. harassment
- D. repression

Ans: B

Cognitive Domain: Comprehension

Answer Location: Dysfunctions of Law

Difficulty Level: Medium

35. As you evaluate the following definition of law, identify what approach this is of defining the law, "An order, shall be called law where it is externally guaranteed by the probability that coercion (physical or psychological), to bring about conformity or avenge violation will be applied by a staff of people especially ready for that purpose."

- A. law, coercion, and specialization
- B. law and physical force
- C. law in action
- D. law and justice

Ans: A

Cognitive Domain: Analysis

Answer Location: Law, Coercion, and Specialization

Difficulty Level: Hard

True/False

1. The United Nations can use their own military in order to sanction those states that violate international law.

Ans: F

Cognitive Domain: Knowledge

Answer Location: International Law

Difficulty Level: Easy

2. "Black letter law" is referred to the study of law that looks at all the outside factors that influence how legal cases play out.

Ans: F

Cognitive Domain: Comprehension

Answer Location: The Study of Legal Doctrine

Difficulty Level: Medium

3. Roscoe Pound is the theorist most closely identified with the consensus perspective.

Ans: T

Cognitive Domain: Knowledge

Answer Location: A Consensus Perspective

Difficulty Level: Easy

4. In Islamic criminal procedure, you are allowed an appeal.

Ans: F

Cognitive Domain: Comprehension

Answer Location: The Islamic Legal Tradition

Difficulty Level: Medium

5. Law and Society takes on internal approaches to law and focuses on court cases, statutes, and constitutional provision and aims to provide an answer to a legal problem.

Ans: F

Cognitive Domain: Comprehension

Answer Location: The Study of Law and Society

Difficulty Level: Medium

6. Workers compensation is an example of the conflict model where the employers imposed rules to protect themselves at the cost of others.

Ans: F

Cognitive Domain: Comprehension

Answer Location: A Consensus Perspective

Difficulty Level: Medium

7. In Islamic Law, two women witnesses are equal to one male witness.

Ans: T

Cognitive Domain: Knowledge

Answer Location: The Islamic Legal Tradition

Difficulty Level: Easy

8. Private law includes the areas of contract, torts, and property.

Ans: T

Cognitive Domain: Comprehension

Answer Location: The Common Law

Difficulty Level: Medium

9. Jurisprudence looks at the underlying philosophical questions of law.

Ans: T

Cognitive Domain: Knowledge

Answer Location: The Study of Jurisprudence

Difficulty Level: Easy

10. Courts are particularly concerned with protecting national security during wartime.

Ans: T

Cognitive Domain: Comprehension

Answer Location: The Study of Law and Society

Difficulty Level: Medium

11. The conflict perspective views society as based on shared values.

Ans: F

Cognitive Domain: Comprehension

Answer Location: A Consensus Perspective

Difficulty Level: Medium

12. Pound identified six “conflict perspectives” that are promoted by law and which are essential to the maintenance of a secure and stable society.

Ans: F

Cognitive Domain: Comprehension

Answer Location: A Consensus Perspective

Difficulty Level: Medium

13. William Chambliss’s essay on the Irish law of social deviance is a classic study of the role of the law in serving the interests of dominant economic groups.

Ans: F

Cognitive Domain: Comprehension

Answer Location: A Conflict Perspective

Difficulty Level: Medium

14. Dominant groups use the police and other social control agencies to enforce the laws that promote their self-interest and values and is one of the propositions that underlie the conflict theory.

Ans: T

Cognitive Domain: Knowledge

Answer Location: A Conflict Perspective

Difficulty Level: Easy

15. In Discriminatory Justice, individuals in similar situations should be treated in a similar fashion.

Ans: F

Cognitive Domain: Comprehension

Answer Location: Definitions of Justice

Difficulty Level: Medium

Essay

1. Summarize the main points of the Conflict Perspective.

Ans: The conflict perspective is based on the view that society is characterized by competition over money, power, and values. Society is shaped like a pyramid, with the wealthy and the powerful at the top and the mass of people near or at the bottom. The law is one tool used by the powerful to maintain their dominance and to attain their goals.

Cognitive Domain: Analysis

Answer Location: A Conflict Perspective

Difficulty Level: Hard

2. Identify, define, and summarize the principles of Public law.

Ans: Public law is comprised of three areas. Criminal law and criminal procedure focus on the definition of criminal conduct and the punishment of crimes and on the procedures for the investigation and detection of crime. Constitutional law focuses on (a) the structure and functioning of the branches of government, (b) the interrelationship between the branches of government, and (c) the limits of governmental power and the rights of individuals. Administrative law governs the authority of government to regulate various activities. Agencies regulate virtually every aspect of society, ranging from consumer protection and broadcasting to the conduct of elections and the environment and taxation.

Cognitive Domain: Analysis

Answer Location: Public Law

Difficulty Level: Hard

3. Identify, define, and summarize the principles of Private law.

Ans: Private law includes the areas of contract, torts, and property. Contract involves the formation and enforcement of agreements between individuals and between organizations. Torts address rights and remedies for injuries to the person, property, privacy, reputation, and mental harm to individuals. The law of property defines what is property (e.g., whether an idea is property), who owns property, and what the rules are for resolving ownership disputes.

Cognitive Domain: Comprehension | Analysis

Answer Location: Private Law

Difficulty Level: Hard

4. Explain how “black letter law” and jurisprudence consider law.

Ans: Both “black letter law” and jurisprudence consider law to be a self-contained system that is isolated from economics, politics, psychology, and history. Law and society takes the opposite approach and studies the influence of external events on the law.

Cognitive Domain: Comprehension

Answer Location: The Study of Law and Society

Difficulty Level: Medium

5. Identify and then compare and contrast the two perspectives on law and society.

Ans: Law and society scholars tend to view the relationship between law and society through the lens of two opposing theoretical perspectives. The consensus perspective views society as sharing common values and as relatively stable. Law is a mechanism for resolving the occasional disputes that may arise and serves to keep society stable and balanced. A central function of law is to help to ensure that people will cooperate with one another and that society will operate in a smooth and integrated fashion. At the other end of continuum is the conflict perspective. Conflict is viewed as a central aspect of society. This is the mirror opposite of the consensus model. Society is viewed as

composed of competing groups, and the law is an instrument of coercion that is employed by dominant and powerful groups to maintain their power and control.

Cognitive Domain: Analysis

Answer Location: Two Perspectives on Law and Society

Difficulty Level: Hard