

CAMBRIDGE INTERNATIONAL EXAMINATIONS
General Certificate of Education Advanced Subsidiary Level

THINKING SKILLS

8436/02

Paper 2 Critical Thinking

November 2003

2 hours

Additional Materials: Answer Sheet

READ THESE INSTRUCTIONS FIRST

Write your Centre number, candidate number and name on all the work you hand in.

There are **3** questions on this paper. Answer **all** the questions.

Write your answers on the separate answer paper provided.

Start each question on a new answer sheet.

If you use more than one sheet of paper, fasten the sheets together.

INFORMATION FOR CANDIDATES

The number of marks is given in brackets [] at the end of each question.

This document consists of **6** printed pages and **2** blank pages.

1 Study the following scenario and answer the question that follows:

Three young tourists – Dieter, Hanne and Gunther – have been accused of criminal damage to *Emilio's* – a café-bar in a holiday resort. The incident occurred during a sudden thunderstorm. Emilio alleged by the owner, Emilio, that the youths smashed the glass door of the café because of an argument with one of the waiters. The youths were arrested in another nearby bar, and questioned. They all claim that it was an accident, for which the café owner was at least partly to blame.

In warm weather the glass doors of *Emilio's*, and all the other sea-front bars, are kept open, with a bead curtain hanging in the doorway. The day of the incident had been very hot, and the three tourists had decided to eat outside on the terrace. As they were drinking coffee, there were rumbles of thunder and the waiter brought them the bill (check). Hanne said that it was more than they had expected and that they tried to query it; but they didn't speak the language and in the end they just paid up.

According to Dieter, when the storm broke they decided to run for shelter in the café. "You could hardly see anything because the rain was so heavy," he said. "I thought the door was open because the bead curtain was still hanging there. I just crashed into it and the door shattered. Anyway, by law, a door like that should have safety-glass in, that doesn't break."

The other two said they had followed Dieter, a few seconds behind. Gunther said that as he was crossing the road there was a loud crash. He didn't see what had happened, but he found Dieter in the doorway, with his leg and forehead bleeding, and glass everywhere. Hanne added that everyone inside the café was standing up and staring at them. He said he heard someone mention 'police', and added: "We were scared there was going to be trouble, so we left and went along the road to another bar which we knew. The police found us there and arrested us."

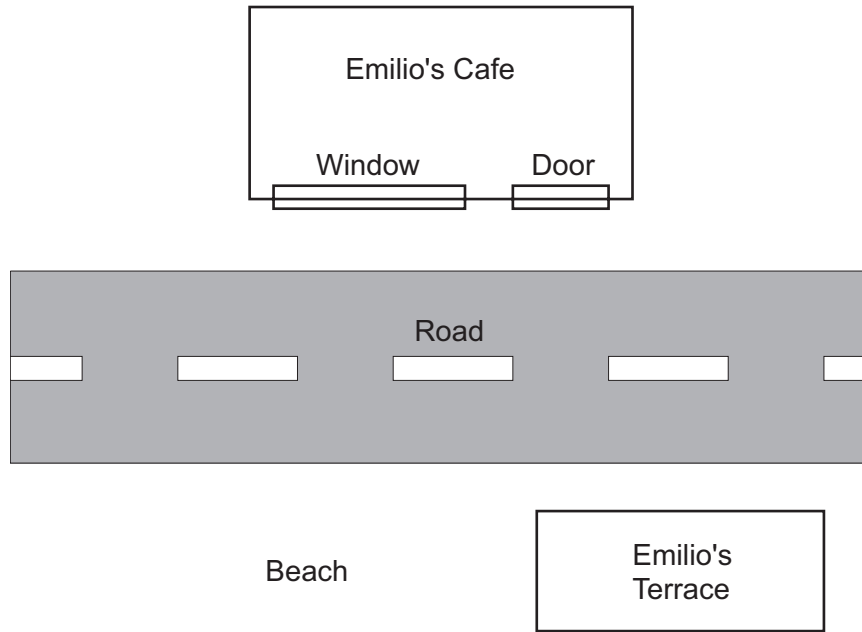
Emilio, in his statement, said that he had been upstairs at the time and had run down when he heard the noise. He stated that his waiter had told him there had been 'a big argument' over the bill. Emilio said: "They appeared at the door, kicking it and punching it until it smashed." Asked if the door was shut, Emilio said: "Yes, there was a storm." Asked if the bead curtain had been taken down, he replied: "Of course." The waiter was not available for questioning.

The police arrived about twenty minutes later. They confirmed that there was damage to the hinges and frame that could only have been caused by one or more heavy blows. They found no bead curtain in the doorway. They interviewed two local customers who were still there. One said: "The three of them charged across the road in the rain. I saw them through the window. You could see they meant trouble." The other said: "They hit the door so hard it just exploded. I think one of them got hit by flying glass. I hope it teaches him a lesson."

Crista, the owner of the bar where the youths were arrested, confirmed that they had been there several times before. "They were friendly and never caused any trouble," she said. Then she added: "But they had no reason to cause trouble in here. We don't overcharge our customers – like some places."

The police photographed all three of the tourists. The photographs show several cuts on Dieter's left leg, and on his forehead. Neither of the other two had any injuries. The photographs show that all three were dressed in shorts and T-shirts, with flip-flops (soft plastic sandals) on their feet.

3



Assess the evidence for and against Emilio's accusation. Consider the credibility of each of the witnesses and their statements, in the light of other information available. On the basis of your assessment decide how strong the case is for charging the three tourists with causing criminal damage.

[15]

2 Read the passage and answer the questions that follow.

When people apply for a sought-after job they generally expect to be judged entirely on their ability – their qualifications and their employment record. If, at the end of an interview, you are told that you were the best candidate, but that someone else had been appointed, you would naturally feel puzzled and resentful. You might even say that the outcome was unfair, and that the employer was prejudiced; and this too would be natural, because there is a widespread misunderstanding about the way jobs are, or rather should be, allocated to people. The misunderstanding comes from the belief that a job, or a promotion, is some kind of personal reward to be given to the most deserving individual.

That is a very self-centred view, and one that puts personal ambition above the needs of the community. Employers and employees must look at the broader picture and recognise that the fairest policy, for all concerned, is to ensure that different social groups are proportionally represented at all levels of employment. This approach, which is called 'positive discrimination', may often mean appointing someone who is not the best candidate, but is the one most likely to create harmony and stability in the community.

Suppose, for example, there are very few women holding senior positions in a city's police force. In most police forces around the world this is the case. In such circumstances the next officer to be promoted should automatically be a woman, even if there are male officers who are better qualified in every other respect. This might be hard on those particular men, but that is not what matters. What matters is equality of opportunity for men *and* women, so that both feel they have the same chances of getting to the top. This should remain the top priority until a balance between men and women in senior positions is established, after which a fairer system of open competition can be restored.

Another point to bear in mind is that 'ability' does not necessarily mean 'suitability', and suitability is what counts. Many factors make an applicant suitable or unsuitable for a job, that have nothing to do with personal credentials. Consider the situation where the principal's job becomes vacant in a college where the majority of students and staff are from a particular ethnic minority. It obviously makes sense to appoint someone from the same ethnic origin, and not some high-flying outsider with an impressive record and clever-sounding ideas. The vital question to ask is whether the new principal understands the needs of the community. The welfare of the college is more important than the damaged egos of some of the rejected applicants.

All things considered, it is time to abandon competitive and divisive selection procedures in employment, and introduce socially sensitive policies instead.

- (a) Identify the main *conclusion* of the argument. Then briefly summarise **two** *reasons* – not the examples – that the author presents in support of the conclusion.
- (b) ‘The argument is unsound because some of the claims the author makes, especially in paragraphs 2 and 3, contradict each other.’ How far would you agree with this criticism?
- [3]
- (c) There is an *unstated* assumption which lies behind the reasoning in paragraph 4. Say what this assumption is, and give your assessment of whether it is a justifiable assumption to make.
- [3]
- (d) Explain the author’s claim that ‘ability’ does not necessarily mean ‘*suitability*’ (paragraph 4). Do either, or both, of the two examples in the passage successfully support the claim?
- [3]
- (e) Comment on the author’s use of language in paragraph 4, especially in the sentences which begin: ‘It obviously makes sense to appoint...’ and, ‘The welfare of the college...’ What do you think is the author’s purpose behind the choice of some of the words and phrases?
- [3]
- (f) Most people say that if they are offered a good job, they want to know that it was purely on merit, not just because they happen to belong to one social group rather than another. Is this an effective challenge to the argument?
- [3]

- 3 Write a critical evaluation of the argument which is presented below. Your answer should show that you are clear about the structure of the argument, by identifying the main conclusion and the reasons given to support it, including any intermediate conclusions. You should point out strengths, weaknesses and/or flaws in the reasoning; and identify and evaluate any unstated assumptions that the argument rests on. Finally include two further arguments for or against the conclusion.

(No credit will be given for merely paraphrasing the passage).

It is an established legal principle, in almost all parts of the world, that convicted criminals should not profit from their crimes, even after serving their sentences. Obviously offenders such as drug dealers and armed robbers cannot be allowed to retire comfortably on the money they made selling drugs or robbing banks. But the law does not go far enough: the same principle should also apply to the growing number of notorious criminals who achieve celebrity status after their release from jail.

Ex-convicts who become television presenters, film-stars, or best-selling authors often make big money from their glitzy new careers. But they would never have had such careers if it weren't for their crooked past. The producers, agents and publishers who sign the deals, protest that the money does not come *directly* from a convict's previous crimes, but is a legitimate reward for their redirected talent, and for the audiences they attract. But this is an unacceptable argument. Firstly, the producers and others take a big cut of the profit. Secondly, a notorious gangster needs no talent to attract an audience: their reputation is enough. Therefore, whether the income is direct or indirect, it is still profit from crime.

It is often objected that once a person has served a sentence, they should be entitled to start again with a clean sheet; that barring them from celebrity careers is unjust and infringes their rights. This is typical of the views expressed by woolly-minded liberals, who are endlessly ready to defend the rights of thugs and murderers without a thought for their victims.

They forget that the victims of crime also have rights. One of those must surely be the right *not* to see the very person who has robbed or assaulted them, or murdered someone in their family, strutting about enjoying celebrity status and a mega-dollar income. Moreover, victims of crime do not get the chance to become chat-show hosts, or star in crime movies, because being a victim of crime is not seen as glamorous.

If the principle of not benefiting from crime means anything, *all* income, direct or otherwise, should be confiscated from anyone whose criminal past has helped them to get rich.

