

CAMBRIDGE INTERNATIONAL EXAMINATIONS

GCE Advanced Subsidiary Level

MARK SCHEME for the November 2003 question papers**8436 THINKING SKILLS**

8436/01	Paper 1 (Multiple Choice), maximum raw mark 50
8436/02	Paper 2 (Critical Thinking), maximum raw mark 50

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November 2003

GCE AS LEVEL

MARK SCHEME

MAXIMUM MARK: 50

SYLLABUS/COMPONENT: 8436/01

THINKING SKILLS
Paper 1 (Multiple Choice)

<i>Question Number</i>	<i>Key</i>	<i>Question Number</i>	<i>Key</i>
1	B	26	C
2	E	27	A
3	D	28	D
4	D	29	C
5	D	30	D
6	D	31	C
7	C	32	E
8	D	33	B
9	A	34	B
10	D	35	E
11	C	36	B
12	D	37	D
13	B	38	C
14	D	39	E
15	B	40	C
16	C	41	D
17	E	42	C
18	D	43	C
19	B	44	D
20	D	45	D
21	C	46	C
22	D	47	D
23	D	48	E
24	A	49	A
25	C	50	C

TOTAL 50

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GCE AS LEVEL

MARK SCHEME

MAXIMUM MARK: 50

SYLLABUS/COMPONENT: 8436/02

THINKING SKILLS
Paper 2 (Critical Thinking)

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Question 1

Marks are awarded under 3 headings:

- breadth of coverage /3
- depth / level of evaluation /9
- judgement or conclusion /3

Coverage (of points 1-12 below)	Points covered:	Mark
Level 3	9+	3
Level 2	5-8	2
Level 1	1-4	1

Evaluation	Descriptor	Marks
Level 3	<i>Thorough, critical and sound</i> evaluation of 3 or more points, referring to both <i>circumstances</i> and <i>witness statements</i> .	7-9
Level 2	3 or more points of evaluation with some <i>development</i> – explanation, inference, etc.	4-6
Level 1	1 or more points of evaluation offered, not necessarily correct or consistent	1-3

Conclusion	Descriptor	Mark
Level 3	Acceptable, appropriately weighted conclusion that is also consistent with the evaluation, plus a summary or short supporting argument	3
Level 2	Acceptable, consistent conclusion without (or with very limited) supporting argument	2
Level 1	Acceptable conclusion	1

NB The conclusion need not be a separate section of the answer.

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Points to consider

1 Dieter

Dieter's story is believable, especially if the bead curtain was still in the doorway. It is consistent with the weather etc. But it would also be a good story to tell as a defence against the accusation.

2 Corroboration by friends

Hanne's and Gunter's statements are consistent with Dieter's, though neither of them claims to have seen him go through the door. (In a way this makes them more not less convincing. If they were lying they may have been more explicit.) However, they could have agreed on their stories, and had time to do so; and Dieter might have got his injuries as a result of kicking the door and from flying glass. Obviously, as friends, they would both support Dieter and therefore cannot be counted as two independent witnesses. The claim that they were scared and went somewhere else is believable. If everyone was standing up and staring, as claimed by Hanne, they would have felt intimidated. Also, if they had been 'running away' they would have been unlikely to go somewhere close by, as they did.

3 Emilio and/or Emilio + waiter

Emilio's statement is mostly second hand. This makes him less reliable than an eye-witness would be. He was upstairs, he says, and came down when he heard the noise, but he did not see the incident. The fact that the waiter was not available is suspicious, and suggests that Emilio did not want him to give any conflicting details. He states that the curtain was not hanging in the doorway; but he has a reason for saying this as the café would be at fault if it had been. He had time to take it down before the police arrived. Emilio may have exaggerated the 'big argument'. The waiter gives no statement: his evidence is 'hearsay' and as such cannot be trusted.

4 Locals

The local customers gave first hand or eye-witness accounts, but in neither case does their evidence give conclusive support to one story rather than the other. Also what they could have seen (e.g. expressions on faces) in heavy rain through a window may have been limited. 'You could see they meant trouble' is judgemental and unreliable. It is an easy assumption to make after the event. As locals they may well have been partial towards to Emilio, or have been prejudiced against foreigners / tourists. 'I hope it teaches him a lesson.' is a remark consistent with prejudice.

5 Crista

She gives the youths a good character reference, but also lets slip a possible dislike for Emilio and/or his way of doing business. She could be motivated by this, or by rivalry.

6 Damage to door

Police confirm that the frame and hinges were damaged as though they had been struck hard *one or more* times. This supports both stories (or neither); i.e. that the door was kicked and punched, *or* that it was broken by Dieter running into it hard. It is inconclusive evidence.

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7 Weather

The hot weather followed by the storm supports Dieter's claim about the curtain, etc. The storm and heavy rain would have made visibility poor and supported Dieter as well as casting doubt on statements by locals.

8 Bead curtain

The police confirm that the curtain was down from the doorway, but this was 20 minutes after the event during which time it could have been removed. It would have looked bad for Emilio if the bead curtain was covering the closed door, as he would be liable for injury etc.

9 Injuries

The police photographs are concrete evidence of Dieter's injuries. But cuts to his leg could have been caused by running through the glass or by kicking it, and the cut to the head could have been caused by flying glass. However, the lack of injuries to hands do not support punching; and the sandals they were wearing cast some doubt on the claim that they could have kicked the door hard enough to break it. This is affirmed by the lack of injuries to Gunther and Hanne.

10 Argument

This does not seem like a serious dispute and there is no strong motive for criminal damage. The waiter is not available to give a statement. However, Crista's comment does suggest that Emilio's over-charged, so there may have been some resentment after paying bill, and frustration because of the language barrier.

11 Clothing

The police photographs show tourists in flips flops. This is strong evidence that kicking the door was unlikely.

12 Legal issue

The very fact that the glass broke suggests that the door was not safety glass. This would give Emilio a motive to accuse the tourists of violence rather than accidental damage, as it would lessen his culpability.

Conclusion: On balance, the tourists seem to have a more believable case, but the evidence either way is inconclusive. With this degree of doubt, a conviction for criminal damage would be very unsafe. Emilio has a far more obvious motive to lie than the tourists. The acceptable conclusion is: (probably) not guilty.

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Question 2

- a. Identify the main *conclusion* of the argument. Then briefly summarise two of the main *reasons* – not the examples – that the author presents in support of the conclusion [3]

Conclusion: It is time to abandon competitive and divisive selection procedures in employment, and introduce socially sensitive policies instead. [1].

Reasons [1 each, max 2] : .

- The belief that a job, or a promotion, is some kind of personal reward to be given to the most deserving individual is self-centred.
- It puts personal ambition above the needs of the community.
- Real fairness means ensuring that different social groups are proportionally represented.
- Suitability for a job does not necessarily mean the same as ability to do the job.

- 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]

There are at least two apparent contradictions: 1. the author is claiming that it is fairest for everyone to use positive discrimination, but then says that once the balance is established the fairer competitive system can be restored. The criticism could be met by saying that two different kinds of fairness are being compared and that once the more important (social) one has been achieved, then the less important (personal) one can be restored. 2. The author also says that ‘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 is (arguably) not possible if one or other is prevented by discrimination, positive or otherwise. A possible defence would be that women are not getting an equal opportunity under the present system, and positive discrimination would help to put this right.

[1 mark each for identifying up to two contradictions; plus an additional 1 or 2 marks for explanation, development or critical response.]

- 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]

There is a general assumption in the paragraph that an insider (someone with the appropriate background) will be more suitable / understand the needs / serve the school better, etc. than an outsider; or, conversely, that some outsider will *not* be suitable in these respects. This is a reasonable assumption up to a point, since obviously there are certain cultural issues which are better understood by someone from that culture; but it is not reasonable to assume that *any* insider will be better than *any* outsider [1 for identifying assumption, 1 or 2 marks for explanation, development or critical response.]

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- 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]**

Suitability is to do with social background etc., whereas ability by itself is independent of these factors [1]. The first example could be interpreted as implying that a suitable candidate is one who comes from the less represented group, and that it therefore supports the claim. [+1] However, it could be pointed out that suitability has nothing to do with being more or less represented. It could be that a man is more suitable as well as being more able, but would still be rejected under positive discrimination. [+1]. The second example more obviously supports the claim, by giving good reasons for choosing an 'insider' over a (possibly) more able outsider. [+1] It could be argued that this assumes that able outsiders are less suitable than less able insiders (as above Q.2b). [+1] [With these or similar arguments, answers of 'either', 'neither', or 'both' could be credited up to 3 marks.]

- 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]**

The author uses words sarcastically or in a way that is intended to belittle the qualities of a well-qualified outsider, for example 'high-flying', 'clever ideas'. The author is also dismissive about the injustice felt by rejected applicants, by describing this as 'damaged ego'. [Bare answer or example only: 1 mark; bare answer supported by one example: 2 marks; bare answer supported by two examples: 3 marks; developed answer supported by one or more examples: 3 marks].

- 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]**

Yes or no, with various lines of argument possible, for example:

It challenges the general assumption that personal feelings are not important. It also points out that it is not only the unsuccessful candidate that may not like the idea of positive discrimination etc., but also the successful one. It could even be said that a candidate who knew s/he did not get promoted on merit may not be very effective in the job / have self-respect / respect of colleagues. Alternatively it could be argued that the feelings of the successful candidate are no more important than those of the rejected ones: the appointee should accept the job, and the reasons for being chosen, and do it as well as possible for the good of the community, etc. [1 for each relevant point up to a maximum of 3, either for yes, no, or a balanced evaluation.]

Question 3

Mark grid

Evaluation ⇒	Level 3: thorough critical evaluation of the argument, in terms of e.g . soundness, strengths, weaknesses, status of claims, assumptions, flaws. <i>At least 3 of these must be included.</i>	Level 2: critical evaluation of some key points in the argument	Level 1: some evaluation or relevant discussion of the argument	Level 0: some relevant discussion of the passage
Component A:				
Analysis ↓				
Level 3: L2 + evident understanding of form / structure / techniques	12-13	10-11	8-9	6-7
Level 2: identifying the main conclusion , and ALL or MOST of the key reasons	10-11	8-9	6-7	4-5
Level 1: recognising the general direction of the argument, and some of the reasons	8-9	6-7	4-5	2-3
Level 0: summary of the text / parts of text	N/A	4-5	2-3	1
Component B: Further argument (max 4)	relevant and well developed	relevant		
for each point up to 2, (or for 2 best points):	add 2	add 1		

A mark for both components should appear on the script .

**The A mark is a pairing of the level of analysis and of the level of evaluation.
The B mark is then added. E.g.**

(L1 analysis, L2 evaluation): **7 + (F/A) 3 = 10**

Marks should be justifiable entirely in terms of these descriptors to ensure consistency.

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Question 3

Notes

Analysis

The general conclusion of the argument is that the principle of not profiting from crime should apply to all whose criminal past has helped them to get rich.

This conclusion is expressed at the end of the first paragraph and again in the last paragraph, i.e.

- The Law does not go far enough: it should apply to criminals who achieve celebrity status.
- If the principle... means anything, all income should be confiscated from anyone whose criminal past has helped them to get rich.
-

(Either or both should be credited, or any reasonable paraphrase.)

The main reasons are:

- R1 Ex convicts wouldn't have had such careers except for their criminal pasts
- R2 A notorious gangster needs no talent
- R3 (IC from 1 and 2) Direct or indirect, it is still profit from crime.
- R4 Victims also have rights; (woolly liberals forget this)
- R5 One right is not to see criminals as celebrities
- R6 Victims don't get the same chance to become rich and famous

The first 2 sentences of paragraph 1 are strictly speaking introductory. However, credit could be given for citing this as part of the reasoning:

- R7 It is a ...principle that convicts should not benefit from their crimes.

Part of the argument consists of anticipating and responding to two objections; and some recognition of this is needed for a full analysis (Level 3) The first is that celebrity money is indirect income and a legitimate reward for talent. The reply is that, indirect or not, it is still derived from crime because talent is not needed; and that the producers 'take a cut', (implying they have vested interest).

The second objection is that criminals should have a fresh start. This is countered by claiming that the objection comes from woolly-minded liberals; that it ignores the rights of victims; and that it is unjust because victims don't get the same opportunities.

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Levels of analysis:

There is evidence that the candidate has:

Level 1:

recognised the **general direction** of the argument and some (two or more) of the supporting reasons

Level 2:

identified the **main conclusion**, AND noted all or most of the **important reasons**

Level 3:

achieved L2 and showed some understanding of the **form / structure / techniques** of the reasoning: [e.g. noted the presence of intermediate conclusions; one or both of the objections / counter-arguments.]

Evaluation

Strengths:

The main strength of the argument is that it takes a principle and applies it to a range of cases that are, arguably, subject to it. If the principle does hold, then clearly there is a case for saying that indirect as well as direct profit from crime should be forfeit. The objection that the reward is for talent is also quite strongly rebutted: if, as seems likely, reputation is the real attraction for audiences, then it does seem fair to say that crime is paying in this instance.

Weakness, flaws, assumptions

There are, however, many dubious claims and steps in the argument. For example:

(1) The conclusion is very sweeping. It is not really established that if the principle means *anything* then *all* income should be confiscated from *anyone* The IC claims only that the law should be extended to ex-convict celebrities, and this is what the argument seeks to support. So C is really too strong / generalised (and/or the reasoning is too particular to support it).

(2) There is an assumption in paragraph 2 that ex-convicts who become celebrities. don't have any talent. The explicit claim is that they don't *need* talent, but this is insufficient to imply that none *have* relevant talents. In fact it is perfectly plausible that certain criminal skills (e.g. deception) are very adaptable / could be 'redirected' to the entertainment business. The assumption is therefore a questionable one, which could be seen as a flaw in the argument. Some ex-convicts *could* be earning their money legitimately.

(3) The way in which the first objection is met could be criticised for being an *ad hominem* argument – i.e. an attack on the source of the objection which is not a valid refutation of the objection itself. (**However**, the other way we could see this is that the rejection is making a relevant point about the unreliability of the producers' claim. The claim is that the money 'is a legitimate reward for talent, and attracting audiences', and depends upon two assumptions - that the gangsters are talented, and that they attract audiences. The latter assumption is not in dispute - the argument objects to the idea that this legitimises the rewards. The point of referring to the producers' profits may be intended to cast doubt on the truth of the assumption that gangsters are talented, and on the truth of the claim that that is why they are being rewarded. So the rejection of the counter argument may not be so illegitimate or so *ad hominem* after all.)

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(4) The response to the second objection clearly is *ad hominem*: the fact that it is typical of woolly-minded liberals does not imply that it is wrong.

(5) Paragraph 4 could also be criticised for raising a 'straw man'. The fresh start argument does not mean ignoring / 'forgetting' victims' rights, as suggested; and it is a cheap argument to imply that its proponents do.

(6) There is an assumption in paragraph 4 that victims should have the same chance to be celebrities as criminals do, since it is allegedly unjust that they do not. This is obviously a questionable assumption; and possibly contradictory, since having such a chance would give victims a benefit not shared by non-victims. Where would be the justice in that!

(7) There is a certain amount of rhetorical language used in the argument: 'glitzy new careers', 'crooked past', 'woolly minded', 'mega-dollar income', 'strutting about enjoying...' These make a direct appeal to the feelings of the reader, over and above the reasoning. For example, 'glitzy' creates an impression of cheapness, emptiness, worthlessness, which may or may not be accurate, for example in the case of an ex-convict who writes a serious book about prison life.

Typical further argument

In support:

It sets a bad example to young people / encourages people to become criminals if they think that it is glamorous or can lead to fame, wealth etc.

Extn of Obj (2): It is all very well for criminals to start again with a clean sheet, and be considered equal to everyone else, but if criminals are often singled out for celebrity jobs, that puts them on an unequal footing, by giving them a head start on others who have not broken the law, and not harmed anyone else.

Against

Once a sentence is served a criminal has repaid debt to society and should therefore be treated like any other citizen, and that includes making the most of their experience, talents, skills etc. It is no more unfair for a criminal to exploit their past than for a well educated person to exploit theirs.