

General Certificate of Education
June 2004
Advanced Level Examination



**ENGLISH LANGUAGE AND LITERATURE
(SPECIFICATION B)**

NTB6/PM

Pre-release material for Unit 6: Critical Approaches

**To be issued to candidates on or after Friday 18 June 2004 for
examination on Tuesday 22 June 2004 1.30 pm to 4.00 pm**

Instructions

- On receipt of this material, you are advised to check carefully that the booklet is complete and that no pages are missing or illegible. There should be 16 pages. If you experience any problems you should consult your teacher.
- You should use the time between receiving this material and the examination to familiarise yourself with its contents.
- You are permitted to make **brief** annotations on the preliminary material. Such annotations should amount to no more than cross references and/or the glossing of individual words or phrases. Highlighting and underlining is permitted. Annotations going beyond individual words or phrases, or amounting to *aides-memoire* or notes towards the planning of essays are not permitted. Insertion of pages, loose sheets, 'Post-its' or any other form of notes or additional material is **not** permitted. You are not permitted to bring any additional written material with you into the examination.
- Your teacher is **not** permitted to discuss the pre-release material with you before the examination.
- **Bring the material with you to the examination on Tuesday 22 June. You will be required to answer all questions in the examination.**

Anthology of Texts: June 2004

Extracts from:

Text 1:	The Judgement of Solomon	1611 (Bible – King James)
Text 2:	The Salem Witch Trials	1692 (Transcripts)
Text 3:	The Crucible	1952 (Drama – Miller)
Text 4:	To Kill a Mockingbird	1960 (Prose fiction – Lee)
Text 5:	Lord Denning	1999 (Remembrance – O’Grady)
Text 6:	Bleak House	1853 (Prose fiction – Dickens)
Text 7:	The Law the Lawyers Know About	Twentieth Century (Poetry – Pepler)

TEXT 1**The Judgement of Solomon**

Taken from the First Book of Kings. Chapter 3 verses 16 to 28.

- 16** Then came there two women, that were harlots, unto the king, and stood before him.
- 17** And the one woman said, O my lord, I and this woman dwell in one house; and I was delivered of a child with her in the house.
- 18** And it came to pass the third day after that I was delivered, that this woman was delivered also, and we were together; there was no stranger with us in the house, save we two in the house.
- 19** And this woman's child died in the night; because she overlaid it.
- 20** And she arose at midnight, and took my son from beside me, while thine handmaid slept, and laid it in her bosom, and laid her dead child in my bosom.
- 21** And when I rose in the morning to give my child suck, behold, it was dead: but when I had considered it in the morning, behold, it was not my son, which I did bear.
- 22** And the other woman said, Nay; but the living is my son, and the dead is thy son. And this said, No; but the dead is thy son, and the living is my son. Thus they spake before the king.
- 23** Then said the king, The one saith, This is my son that liveth, and thy son is the dead: and the other saith, Nay; but thy son is the dead, and my son is the living.
- 24** And the king said, Bring me a sword. And they brought a sword before the king.
- 25** And the king said, Divide the living child in two, and give half to the one, and half to the other.
- 26** Then spake the woman whose the living child was unto the king, for her bowels yearned upon her son, and she said, O my lord, give her the living child, and in no wise slay it. But the other said, Let it be neither mine nor thine, but divide it.
- 27** Then the king answered and said, Give her the living child, and in no wise slay it: she is the mother thereof.
- 28** And all Israel heard of the judgement which the king had judged; and they feared the king: for they saw that the wisdom of God was in him, to do judgement.

TEXT 2
A Transcript from the Salem Witch Trials
(Examination of Sarah Cloyse and Elizabeth Proctor)

At a court held at Salem 11th April 1692, by the honoured Thomas Danforth, Deputy Governor.

- Q. Mary Walcot! who hurts you?
 A. Goody Cloyse.
 Q. What did she do to you?
 A. She hurt me.
 Q. Did she bring the book?
 A. Yes.
 Q. What was you to do with it?
 A. To touch it, and be well.
 – Then she fell into a fit.
 Q. Doth she come alone?
 A. Sometimes alone, and sometimes in company with Goody Nurse and Goody Corey, and a great many I do not know.
 – Then she fell into a fit again. –
 Q. Abigail Williams! did you see a company at Mr. Parris's house eat and drink?
 A. Yes Sir, that was their sacrament.
 Q. How many were there?
 A. About forty, and Goody Cloyse and Goody Good were their deacons.
 Q. What was it?
 A. They said it was our blood, and they had it twice that day.
 Q. Mary Walcot! have you seen a white man?
 A. Yes, Sir, a great many times.
 Q. What sort of man was he?
 A. A fine grave man, and when he came, he made all the witches to tremble.
 – Abigail Williams confirmed the same, and that they had such a sight at Deacon Ingersoll's.
 Q. Who was at Deacon Ingersoll's then?
 A. Goody Cloyse, Goody Nurse, Goody Corey, and Goody Good.
 – Then Sarah Cloyse asked for water, and sat down as one seized with a dying fainting fit; and several of the afflicted fell into fits, and some of them cried out, Oh! her spirit is gone to prison to her sister Nurse. –
 Q. Elizabeth Proctor! you understand whereof you are charged, viz. to be guilty of sundry acts of witchcraft; what say you to it? Speak the truth, and so you that are afflicted, you must speak the truth, as you will answer it before God another day. Mary Walcot! doth this woman hurt you?
 A. I never saw her so as to be hurt by her.
 Q. Mary Lewis! does she hurt you?
 – Her mouth was stopped. –
 Q. Ann Putman, does she hurt you?
 – She could not speak. –
 Q. Abigail Williams! does she hurt you?
 – Her hand was thrust in her own mouth. –
 Q. John! does she hurt you?
 A. This is the woman that came in her shift and choaked me.
 Q. Did she ever bring the book?
 A. Yes, Sir.
 Q. What to do?
 A. To write.
 Q. What, this woman?
 A. Yes, Sir.
 Q. Are you sure of it?

A. Yes, Sir.

– Again, Abigail Williams and Ann Putman were spoke to by the court, but neither of them could make any answer, by reason of dumbness or other fits.

Q. What do you say Goody Proctor to these things?

A. I take God in heaven to be my witness, that I know nothing of it, no more than the child unborn.

Q. Ann Putman! doth this woman hurt you.

A. Yes Sir, a great many times.

– Then the accused looked upon them and they fell into fits.

Q. She does not bring the book to you, does she?

A. Yes, Sir, often, and saith she hath made her maid set her hand to it.

Q. Abigail Williams! does this woman hurt you?

A. Yes, Sir, often.

Q. Does she bring the book to you?

A. Yes.

Q. What would she have you do with it?

A. To write in it and I shall be well.

– Did not you, said Abigail, tell me, that your maid had written?

(Proctor) Dear Child, it is not so. There is another judgement, dear child.

– Then Abigail and Ann had fits. – By and by they cried out, look you there is Goody Proctor upon the beam. – By and by, both of them cried out of Goodman Proctor himself, and said he was a wizard. – Immediately, many, if not all of the bewitched, had grievous fits. –

Q. Ann Putman! who hurt you?

A. Goodman Proctor and his wife too.

– Afterwards some of the afflicted cried, there is Proctor going to take up Mrs. Pope's feet. – And her feet were immediately taken up. –

Q. What do you say Goodman Proctor to these things?

A. I know not, I am innocent.

– Abigail Williams cried out, there is Goodman Proctor going to Mrs. Pope, and immediately, said Pope fell into a fit. – You see the devil will deceive you; the children could see what you was going to do before the woman was hurt. I would advise you to repentance, for the devil is bringing you out. – Abigail Williams cried out again, there is Goodman Proctor going to hurt Goody Bibber; and immediately Goody Bibber fell into a fit. There was the like of Mary Walcot, and divers others. – Benjamin Gould gave in his testimony, that he had seen Goodman Corey and his wife, Proctor and his wife, Goody Cloyse, Goody Nurse, and Goody Griggs in his chamber last Thursday night. – Elizabeth Hubbard was in a trance during the whole examination. – During the examination of Elizabeth Proctor, Abigail Williams and Ann Putman, both made offer to strike at said Proctor; but when Abigail's hand came near, it opened, whereas it was made up into a fist before, and came down exceeding lightly, as it drew near to said Proctor, and at length with open and extended fingers, touched Proctor's hood very lightly. Immediately Abigail cried out, her fingers, her fingers, burned, and Ann Putman took on most grievously, of her head, and sunk down.

TEXT 3

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TEXT 4

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TEXT 5
LORD DENNING: AN AFFECTIONATE REMEMBRANCE

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The man who has been labelled “perhaps the best-known English judge of the 20th Century”, and certainly its “most colourful”, died on Friday, March 5, 1999.

He had celebrated his 100th birthday six weeks earlier, on January 23. On that occasion, the Chairman of the Bar Council, Dan Brennan, Q.C., said that Lord Denning’s unique gift to English law had been his ability to see the law as “a means to an end”. He added that Lord Denning had “never unnecessarily allowed precedent or legal technicality to obscure what he believed to be the “interests of justice””. He concluded that the profession had “lost a giant of British law making”, and that “his like will not be seen again”.

This brief remembrance is given to commemorate Lord Denning’s lengthy and prolific contributions to the English and Commonwealth legal systems, from which we as Canadian lawyers draw so much of our intellectual nourishment. In addition, the organizers of this conference, recalling Lord Denning’s keen and very British wit, have asked me to collect a number of well-known Denningisms, and to reproduce them in my paper and in this talk as a means of remembering the man himself, and his impact upon the language and reasoning of the law in our times.

First, a biographical note.

He was born Alfred Thompson Denning at Whitchurch, Hampshire, on January 23, 1899, the fourth of five sons of Charles Denning and his wife Clara. His father was a draper. His mother had been a school teacher. Through the Poyntz family, he was descended from Sir Sydenham Poyntz, who commanded the parliamentary forces at the Battle of Rowton Heath in the Civil War and who later became Governor of Antigua. About 1720, Sir Sydenham’s granddaughter eloped with a Richard Denning, and in 1806 the Poyntz-Dennings had their coat of arms registered at the College of Arms. “But next year” (according to Lord Denning’s obituary in the Daily Telegraph for March 6, 1999) “the family estates disappeared into the Court of Chancery, never to re-emerge”.

I was intrigued by this reference to the 17th century Court of Chancery in Denning’s family background. It brought to mind the gloomy portrait of that court, presumably as it existed in the 18th century, painted by Charles Dickens (another master of the colourful opening paragraph) in his novel *Bleak House*:

“London. Michaelmas Term over, and the Lord Chancellor sitting in Lincoln’s Inn Hall. Implacable November weather. As much mud in the streets, as if the waters had been newly retired from the face of the earth . . . Smoke lowering down from chimney-pots, making a soft black drizzle . . . Fog everywhere . . . and hard by temple bar, in Lincoln’s Inn Hall, at the very heart of the fog, sits the Lord High Chancellor in his High Court of Chancery . . . with the foggy glory around his head, softly fenced in with crimson cloth and curtains, addressed by a large advocate with great whiskers, a little voice, and an interminable brief, and outwardly directing his contemplation to the lantern in the roof, where he can see nothing but fog . . . mistily engaged in one of the 10,000 stages of an endless cause, tripping one another up on slippery precedents, groping knee deep in technicalities, running their goat hair and horsehair warded heads against walls of words, and making a pretence of equity with serious faces, as players might . . . This is the Court of Chancery; which has its decaying houses and its blighted lands in every shire; which has its worn-out lunatic in every madhouse, and its dead in every churchyard; which has its ruined suitor, with his slipshod heels and threadbare dress, borrowing and begging through the round of every man’s acquaintance; which gives to monied might the means abundantly of wearying out the right; which so exhaust finances, patience, courage, hope; so overthrows the brain and breaks the heart; that there is not an honourable man among its practitioners who would not give – who does not often give – the warning, ‘suffer any wrong that can be done you rather than come here!’

As will become clear, Lord Denning's approach to the law was the very antithesis of Dickens' High Court of Chancery, as though his life and work had been intended by a higher power to redress the judicial wrongs done his ancestors.

[....]

THE DENNING STYLE

Commentators on Denning's career on the bench always draw attention to his unusual style of writing. It was characterized by short and succinct sentences, a staccato cadence, lively and entertaining content, and a directness of thought which resulted in "crystal clarity" (Professor Smith's phrase). Lord Irvine said his judgments were "models of simple English which ordinary people understood". They were influenced by his instinctive championing of "the little man", and of course by his innate patriotism and his fondness and respect for the traditional English way of doing things. His biographer Edmund Heward (Lord Denning, a Biography (1990)) said of Denning that "although he had a powerful intellect he was not an intellectual . . . Denning understood the limits of reason and was not afraid to contravene them . . . he gave his judgments in the pungent style he had made his own".

That style has also been described as taut, concrete, vigorous, and clear. "There is a pleasing sound to his words. Clichés are avoided. He has a horror of an unbroken page of print. The central principle of his style is that, when you write or speak, you should always be thinking of the reader or the hearer", says Denning's biographer. He reports that Professor Cameron Harvey read through all Denning's reported judgments to discover the best writing. Harvey concluded: "He is an inveterate storyteller. It was his distinctive style to recount the facts in the form of a story." And, as Mr. Heward points out, a storyteller always tries to capture the attention of his hearers immediately.

To illustrate the point, here are some opening lines, or opening paragraphs, from five of Denning's judgments:

1. Try this for use of alliteration: "This is a case of a barmaid who was badly bitten by a big dog": *Cummings v. Granger* (1977) 1 All E.R. 104, 106;
2. "It happened on April 19, 1964. It was bluebell time in Kent": *Hinz v. Berry* (1970) 2 Q.B. 40, 42;
3. "Old Peter Beswick was a coal merchant in Eccles, Lancashire. He had no business premises. All he had was a lorry, scales, and weights. He used to take the lorry to the yard of the National Coal Board, where he bagged coal and took it round to his customers in the neighbourhood. His nephew, John Joseph Beswick, helped him in his business. In March 1962, old Peter Beswick and his wife were both over 70. He had had his leg amputated and was not in good health. The nephew was anxious to get hold of the business before the old man died. So they went to a solicitor, Mr. Ashcroft, who drew up an agreement for them": *Beswick v. Beswick* (1966) Ch. 538;
4. "To some this may appear to be a small matter, but to Mr. Harry Hook, it is very important. He is a street trader in the Barnsley Market. He has been trading there for some six years without any complaint being made against him; but, nevertheless, he has now been banned from trading in the market for life. All because of a trifling incident. On Wednesday, October 16, 1974, the market was closed at 5:30. So were all the lavatories, or 'toilets' as they are now called. They were locked up. Three quarters of an hour later, at 6:20, Harry Hook had an urgent call of nature. He wanted to relieve himself. He went into a side street near the market and there made water, or 'urinated' as it is now said. No one was about except one or two employees of the council, who were cleaning up. They rebuked him. He said: "I can do it here if I like." They reported him to a security officer who came up. The security officer reprimanded Harry Hook. We are not told the words used by the security officer. I expect they were in language which street traders understand. Harry Hook made an appropriate reply. Again, we are not told the actual words, but it is not difficult to guess. I expect it was an emphatic version of 'You be off'. At any rate, the security officer described them as words of abuse. Touchstone would say that the security officer gave the 'reproof valiant' and Harry Hook gave the 'counter-check quarrelsome'; *As You Like It*, Act V, Scene IV. On Thursday morning the security officer reported the incident. The market manager thought it was a serious matter. So he saw Mr. Hook the next day, Friday, October 18. Mr. Hook admitted it and said he was sorry for what

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had happened. The market manager was not satisfied to leave it there. He reported the incident to the chairman of the amenity services committee of the Council. He says that the chairman agreed that 'staff should be protected from such abuse'. That very day the market manager wrote a letter to Mr. Hook, banning him from trading in the market": Ex Parte Hook (1976) 1 W.L.R. 1052, 1055;

5. "In summertime village cricket is a delight to everyone. Nearly every village has its own cricket field where the young men play and the old men watch. In the village of Lintz in the County of Durham they have their own ground, where they have played these last 70 years. They tend it well. The wicket area is well rolled and mown. The outfield is kept short. It has a good clubhouse for the players and seats for the onlookers. The village team plays there on Saturdays and Sundays. They belong to a league, competing with the neighbouring villages. On other evenings they practise while the light lasts. Yet now after these 70 years a judge of the High Court has ordered that they must not play anymore. He has issued an injunction to stop them. He has done it at the instance of a newcomer who is no lover of cricket. This newcomer has built, or has had built for him, a house on the edge of the cricket ground which four years ago was a field where cattle grazed. The animals did not mind the cricket, but now this adjoining field has been turned into a housing estate. The newcomer bought one of the houses on the edge of the cricket field. No doubt the open space was a selling point. Now he complains that when a batsman hits a six the ball has been known to land in his garden or on or near his house. His wife has got so upset about it that they always go out at weekends. They do not go into the garden when cricket is being played. They say that this is intolerable. So they asked the judge to stop the cricket being played. And the judge, much against his will, has felt that he must order the cricket to be stopped: with the consequence, I suppose, that the Lintz Cricket Club will disappear. The cricket ground will be turned to some other use. I expect for houses or a factory. The young men will turn to other things instead of cricket. The whole village will be much poorer. And all this because of a newcomer who has just bought a house there next to the cricket ground": Miller v. Jackson (1977) Q.B. 966, 976.

TEXT 6

from BLEAK HOUSE, by Charles Dickens

“Well, gentlemen – ” the Coroner begins.

“Silence there, will you!” says the beadle. Not to the Coroner, though it might appear so.

“Well, gentlemen,” resumes the Coroner. “You are impanelled here, to inquire into the death of a certain man. Evidence will be given before you, as to the circumstances attending that death, and you will give your verdict according to the – skittles; they must be stopped, you know, beadle! – evidence, and not according to anything else. The first thing to be done is to view the body.”

“Make way there!” cries the beadle.

So they go out in a loose procession, something after the manner of a straggling funeral, and make their inspection in Mr Krook’s back second floor, from which a few of the Jurymen retire pale and precipitately. The beadle is very careful that two gentlemen not very neat about the cuffs and buttons (for whose accommodation he has provided a special little table near the Coroner, in the Harmonic Meeting Room) should see all that is to be seen. For they are the public chroniclers of such inquiries, by the line; and he is not superior to the universal human infirmity, but hopes to read in print what “Mooney, the active and intelligent beadle of the district,” said and did; and even aspires to see the name of Mooney as familiarly and patronisingly mentioned as the name of the Hangman is, according to the latest examples.

Little Swills is waiting for the Coroner and Jury on their return. Mr Tulkinghorn, also. Mr Tulkinghorn is received with distinction, and seated near the Coroner; between that high judicial officer, a bagatelle-board, and the coal-box. The inquiry proceeds. The Jury learn how the subject of their inquiry died, and learn no more about him. “A very eminent solicitor is in attendance, gentlemen,” says the Coroner, “who, I am informed, was accidentally present, when discovery of the death was made; but he could only repeat the evidence you have already heard from the surgeon, the landlord, the lodger, and the law-stationer; and it is not necessary to trouble him. Is anybody in attendance who knows anything more?”

Mrs Piper pushed forward by Mrs Perkins. Mrs Piper sworn.

Anastasia Piper, gentlemen. Married woman. Now, Mrs Piper – what have you got to say about this?

Why, Mrs Piper has a good deal to say, chiefly in parentheses and without punctuation, but not much to tell. Mrs Piper lives in the court (which her husband is a cabinet-maker), and it has long been well beknown among the neighbours (counting from the day next but one before the half-baptizing of Alexander James Piper aged eighteen months and four days old on accounts of not being expected to live such was the sufferings gentlemen of that child in his gums) as the Plaintive – so Mrs Piper insists on calling the deceased – was reported to have sold himself. Thinks it was the Plaintive’s air in which that report originatinin. See the Plaintive often, and considered as his air was feariocious, and not to be allowed to go about some children being timid (and if doubted hoping Mrs Perkins may be brought forard for she is here and will do credit to her husband and herself and family). Has seen the Plaintive wexed and worried by the children (for children they will ever be and you cannot expect them specially if of playful dispositions to be Methoozellers which you was not yourself). On accounts of this and his dark looks has often dreamed as she see him take a pick-axe from his pocket and split Johnny’s head (which the child knows not fear and has repeatually called after him close at his eels). Never however see the Plaintive take a pick-axe or any other wepping far from it. Has seen him hurry away when run and called after as if not partial to children and never see him speak to neither child nor grown person at any time (excepting the boy that sweeps the crossing down the lane over the way round the corner which if he was here would tell you that he has been seen a-speaking to him frequent).

Says the Coroner, is that boy here? Says the beadle, no, sir, he is not here. Says the Coroner, go and fetch him then. In the absence of the active and intelligent, the Coroner converses with Mr Tulkinghorn.

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O! Here's the boy, gentlemen!

Here he is, very muddy, very hoarse, very ragged. Now, boy! – But stop a minute. Caution. This boy must be put through a few preliminary paces.

Name, Jo. Nothing else that he knows on. Don't know that everybody has two names. Never heard of sich a think. Don't know that Jo is short for a longer name. Thinks it long enough for *him*. *He* don't find no fault with it. Spell it? No. *He* can't spell it. No father, no mother, no friends. Never been to school. What's home? Knows a broom's a broom, and knows it's wicked to tell a lie. Don't recollect who told him about the broom, or about the lie, but knows both. Can't exactly say what'll be done to him arter he's dead if he tells a lie to the gentlemen here, but believes it'll be something wery bad to punish him, and serve him right – and so he'll tell the truth.

“This won't do, gentlemen!” says the Coroner, with a melancholy shake of the head.

“Don't you think you can receive his evidence, sir?” asks an attentive Juryman.

“Out of the question,” says the Coroner. “You have heard the boy. ‘Can't exactly say’ won't do, you know. We can't take *that*, in a Court of Justice, gentlemen. It's terrible depravity. Put the boy aside.”

Boy put aside; to the great edification of the audience; – especially of Little Swills, the Comic Vocalist.

Now. Is there any other witness? No other witness.

Very well, gentlemen! Here's a man unknown, proved to have been in the habit of taking opium in large quantities for a year and a half, found dead of too much opium. If you think you have any evidence to lead you to the conclusion that he committed suicide, you will come to that conclusion. If you think it is a case of accidental death, you will find a verdict accordingly.

Verdict accordingly. Accidental death. No doubt. Gentlemen, you are discharged. Good afternoon.

TEXT 7

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