

SEVENOAKS SCHOOL



YEAR 9 (13+) SCHOLARSHIP

May 2024
for entry in September 2024

GENERAL PAPER

Your Name: _____

Your School: _____

Time allowed: 1 hour

Equipment needed: Pen, pencil, lined paper, eraser.

Information for candidates:

1. Write your name and school on this page.
2. Write your answers on the **separate paper** provided. Please put your name on all the sheets of paper you use.
3. There are two sections, section A and section B. Answer **all** the questions in section A and choose **one** question from section B.
4. The paper will be marked out of 30. Section A and Section B are worth 15 marks each.

SECTION A [15 marks]

Can an animal own a photograph?

In July 2011, British photographer David Slater travelled to a national park in North Sulawesi, Indonesia, to take pictures of the local wildlife. Once there, Slater decided to focus on photographing a group of monkeys who had piqued his interest. He specifically wanted to get a close-up of the monkeys using a wide-angle lens.

Whilst Slater managed to take a few pictures, he didn't get the shot he was looking for. The monkeys were obviously shy, and they wouldn't allow Slater to get close to them. However, the monkeys did seem to be curious about his camera equipment. Slater placed his camera on a tripod so the monkeys could play with it without having to engage with him. One monkey, named Naruto, was particularly interested in looking at his reflection in the camera lens. To Slater's surprise Naruto leant forward and started to take a few photographs, including a very clear selfie.

Slater was amazed by the clarity and story behind these photographs, so he sent Naruto's selfie and a few of the other monkey photographs to his agent. Eventually, these photographs were published by the *Daily Mail* as a feature story, before the selfie went viral on the internet. As Slater claimed to own **copyright** of the selfie, it meant that he had the legal right to say how, why and for what price the photograph could be used by others.

However, the popularity of the selfie, did not come without its controversies. In 2014, Slater and Wikipedia had a legal dispute after Wikipedia published Naruto's selfie on their website without asking Slater for his consent to do so. Wikipedia's reasoning was that the photograph was taken by Naruto and not Slater. Therefore, Wikipedia did not think that Slater could claim copyright over the image. Wikipedia argued that, as monkeys cannot claim copyright, they did not need to ask for Naruto's consent to use the photo and they could publish it as they wished. Slater disagreed, arguing that the photograph was his and if Wikipedia wanted to use it, they would have to have his permission and pay him for its use.

Disagreements about the selfie continued in 2015, when the animal rights group People for the Ethical Treatment of Animals (PETA) sued Slater on behalf of Naruto. PETA argued that Naruto should have copyright over the selfie as he was the one who took it. PETA argued that this meant that the selfie was owned by Naruto and that Naruto, not Slater, should benefit from the sale of it.

After a long trial, the judge dismissed PETA's arguments. The judge argued that the lawsuit could not continue as animals did not have standing in a court of law, and therefore they could not sue people.

After further appeals from PETA, Slater and PETA finally reached a settlement out of court. As part of the settlement deal, Slater was allowed to claim copyright of the image (as you see in the image on the following page). However, he had to pay 25% of all future profits from the sale of the photograph to the monkey sanctuary where Naruto lived.



Even though they lost the Lawsuit, PETA saw it as a historic moment which they hoped would change the way that people viewed humans and animals. Firstly, the selfie provided a new way of viewing animals as creatures with the capacity to think and feel. Secondly, the lawsuit sparked an international discussion about whether animals can actually own property, something that could challenge the idea that animals are just property themselves. Thus, PETA hoped that the popularity of the lawsuit, and the powerful nature of the selfie could be fundamental in encouraging people to rethink their views about animal rights.

(photo: © David Slater / Wildlife Personalities Ltd).

Questions:

1. In your own words, explain what is controversial about Naruto's selfie. [2 marks]
2. What arguments could be made in favour of the following being awarded copyright for the image:
 - A. David Slater
 - B. Naruto
 - C. No one

[6 marks]

3. Who do you think should have been given copyright of Naruto's selfie? [3 marks]
4. Do you think that PETA was correct in believing that the popularity of the monkey selfie and the lawsuit around it would change people's perspectives about animals and animal rights? Why/why not? [4 marks]

Continued...

SECTION B [15 Marks]

Respond to **one** of the following questions. You should refer to real life or hypothetical examples in your response to demonstrate why your points are both true and important.

1. Is it true that absolute power corrupts absolutely?
2. Is practical knowledge more valuable than theoretical knowledge?
3. Is it possible to know what it means to live a good life?
4. Is there a difference between justice and revenge?