



General Certificate of Education  
Advanced Subsidiary Examination  
January 2013

## **Critical Thinking**

**CRIT1**

**Unit 1 Foundation Unit**

## **Source Material**

This source material is to be read in conjunction with the questions in Unit CRIT1.

A

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**Document A*****An 'eye for an eye' is proper justice – part 1***

1. Ms Bahrami has been waiting a long time for the justice she seeks. In 2004, while she was returning home from work, a man named Mr Movahedi threw a bucketful of acid into her face, leaving her blinded and also horribly disfigured. Ms Bahrami had repeatedly turned down Mr Movahedi's proposals of marriage, which included promises to kill her unless she consented; but instead of carrying out that threat, Mr Movahedi decided that if he couldn't have her, then he would make sure that no other man would desire her.
2. The Iranian courts decided on a fine and prison sentence for Mr Movahedi, but his victim insisted that she was entitled by law to retribution, which basically means 'punishing him by giving him a taste of his own medicine', because, in her words, "only this way will he understand my pain". In 2008 she won her case.
3. Thus it was decided that on 14 May 2011 Ms Bahrami's wish would be carried out. Mr Movahedi was to be taken to a hospital and there, under full anaesthetic, have a few drops of acid put into each of his eyes, making him blind. At this point, the issue suddenly became one of more than local concern. Amnesty International argued that such a sentence was not a proper punishment since it 'amounted to torture'.
4. After a number of such protests, the courts intervened to block the judicial blinding of Mr Movahedi. Yet I can't say that I am greatly relieved; my empathy remains wholly with Ms Bahrami, who not only lives with dreadful pain, but who is unable, because of her blindness, to work as the engineer she qualified to be.
5. The blinding of her tormentor would not have given Ms Bahrami back her eyesight or her job; but she had come to regard herself as one who was acting for the benefit of other women in a society where the law seemed to be loaded in favour of violent and abusive men. As she had told a newspaper: "My intention is to ask for the application of the law not just for revenge, but also so that no other woman will have to go through this. It will set an example."
6. She has a point. In many parts of the world, not just Iran, acid-throwing attacks on women are appallingly commonplace, usually as a form of revenge for the spurning of sexual advances or marriage proposals. Shahnaz Bukhari, who founded the Progressive Women's Association to help the victims of this form of violent assault, had, according to a *New York Times* article two-and-a-half years ago, 'documented 7800 cases of women who had been deliberately burned, scalded or subjected to acid attacks. In only 2 per cent of those cases was anyone convicted.'

Source: adapted from DOMINIC LAWSON, 'An eye for an eye is proper justice', *The Independent*, 17 May 2011

**This article continues as Document C on page 4.**

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**Document B**

*Tom and Bev are discussing the news articles in Documents A and C.*

- Tom** Did you see that crazy Lawson article? He actually thinks that legally blinding someone is ok! It's barbaric; that's what it is, and if you ask me, he needs his head examined. Gandhi himself said, "An eye for an eye makes the whole world blind", and what Gandhi says is good enough for me.
- Bev** Why should we care what Gandhi says? He's been dead over 50 years. And he's wrong anyway. Blinding one person won't make the whole world blind. Look, let's say each half of the world pokes out an eye of the other half. Then the first half pokes out the one remaining eye of the second half. It follows that the second half will now be blind; and that's why they won't be able to find the first half in order to do some eye-poking. So, at most, only half the world would be blind, with the remaining half being one-eyed. So there!
- Tom** And you think that's a satisfactory outcome, do you?
- Bev** I didn't say that. I'm just pointing out some of Gandhi's dodgy logic.
- Tom** It may be a bit dodgy, but he's on the right track. I mean, a world composed of the blind and one-eyed is still a catastrophe, and if 'an eye for an eye' leads to that then we must abandon 'an eye for an eye'.
- Bev** It won't lead to that. In fact, the opposite is true. The law of 'an eye for an eye' will deter other potential criminals and reduce crime. None of those 7800 cases of women being deliberately burned by men would have happened if those men knew the same would be done to them in return. I know I would think twice about blinding someone if I knew I would be blinded as a punishment.
- Tom** Okay. Forget about consequences. Let's look at the nature of the act itself. When Movahedi blinded Ms Bahrami what he did was wrong. But blinding him is an act of pure revenge, so blinding him is not right, because two wrongs don't make a right. And, by the way, blinding him won't bring her sight back.
- Bev** I thought we weren't going to talk about consequences. And, anyway, two wrongs *can* make a right.
- Tom** But that means that if a man abuses someone else's kids, it can be right, legally, to abuse his kids in return. That's not justice. That's outrageous!
- Bev** You're right of course. That *is* outrageous. But I'm not advocating that, and my argument doesn't imply it. Just because you think 'an eye for an eye' is never right, doesn't mean that if I disagree, then I must think it's always right. I just think it's sometimes right. The hard part is finding out where to draw the line between when it's right and when it's wrong.

**Turn over ►**

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**DOCUMENT C*****An 'eye for an eye' is proper justice – part 2***

1. Attacks like the one against Ms Bahrami, and a lack of strong deterrent sentencing are not unknown in the UK: a doctor friend of mine told me that a man who had twice thrown acid in the face of a woman patient of his received a sentence of two years (half of which was served). As this doctor observed: “What happened to my patient could not be described as justice, except in the technical sense that it was the sentence passed by a judge.”
2. He added that, “while, under legislation enacted by the last Labour government, people are entitled to have read out in court so-called ‘victim impact statements’, judges are obliged by the law to ignore such statements when considering sentence. So this is not justice but mere theatre, which dishonestly portrays the courts as concerned with the views of the victim.”
3. The idea of retributive justice\* (an eye for an eye) may be sneered at by our own legal establishment; but it has a continuing hold on the sentiments of the public.
4. The law of ‘an eye for an eye’, it is true, makes no attempt to deal with notions of forgiveness or rehabilitation, which are at the heart of more modern systems of justice. Yet the state has no right to forgive an attacker on behalf of the victim – for it is uniquely the right of the victim to decide whether to forgive or not; as for rehabilitation, that is a valuable social tool, but it has absolutely nothing to do with justice, as commonly understood.
5. Against the doctrine of ‘an eye for an eye’, Gandhi’s remark is often quoted: “An eye for an eye makes the whole world blind.” It is a powerful and compelling image; but what if ‘an eye for an eye’ acts as a discouragement to the sort of assault that Mr Movahedi inflicted on Ms Bahrami? What if it meant not that the whole world becomes blind, but that many fewer women suffered acid attacks at the hands of vengeful men?

Source: adapted from DOMINIC LAWSON, ‘An eye for an eye is proper justice’, *The Independent*, 17 May 2011

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\* ‘Retributive justice’ is a type of justice which involves paying a criminal back for his or her crime. The main thought is that if someone causes pain to others, then they deserve the same level of pain in return. Retributive justice is not about reforming or rehabilitating the criminals for when they emerge from prison, but is about punishing them for their earlier wrongdoing before they went into prison.

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