

DEONTOLOGICAL ETHICS PART 1 REVISION (PART A s)

Draw a mind map of everything we know that could come up in the deontological ethics topic of the exam:

(a) A) Explain John Finnis' development of Aquinas' Natural Law. (20)

Draft Mark scheme:

On a scale of 1-10, how do you feel about answering a question on this topic?

A) Explain John Finnis' development of Aquinas' Natural Law. (20)

Draft Mark scheme:

Intro: Natural Law is “a theory of moral action for our day” (Finnis)

“The rationale of natural law theory...is to establish ‘what is really good for human persons’” (Wacks on natural law; Finnis also subscribes to this view)

The Goods:

Aquinas' Natural Law was an ethic based on our God given reason, which is the basic of Natural Law, this in turn leads to the establishment of five primary precepts.

John Finnis' twentieth century development of Natural Law does not however pre-suppose a divine being. Instead he concentrated on reasoning a set of 'goods' from which a good life can be generated. The 'goods' cannot be derived from God's law or theoretical reasoning but if you deny them, you cannot get anywhere in the realm of practical reason.

The seven basic goods are self-evident. These goods cannot be broken down to a more basic level (irreducible) and therefore are referred to as basic goods.

Candidates should demonstrate an understanding of the seven basic goods: friendship and sociability, life, play (for its own sake), knowledge (for its own sake), aesthetics, religion and practical reasoning.

How to achieve the goods

Aquinas believed that one could achieve the five primary precepts through the use of human reason.

Finnis claimed that to achieve the basic goods, moral agents need to fulfil nine principles of Practical Reason. These requirements are self-evident in the same way that the basic goods are self-evident. For example, view your life as a whole, do not become obsessed, never commit an act that directly harms a basic good, etc. They create the optimum conditions to attain the basic goods.

Views on Community

Aquinas did believe that community was to some extent important as reflected in the precept of an orderly society.

However Finnis made this his 'First Moral Principle'. This is the idea that we act for the good of the community as a whole not just as an individual. Humans naturally need to live in groups. This is both required expressly by the basic good of Sociability, and implicitly by all the other goods, because humans are most productive when they are working together. One of the nine requirements of practical reason is 'Contribute to the common good.' The common good is the situation where each member of the community can effectively pursue the basic goods for themselves. "*The principles of natural law...(have) the purpose of prompting a common good in which such respect for rights is a component*" (Finnis)

Authority

Such whole community action needs co-ordination; however, this requires authority (but not necessarily coercive authority). One of the basic goods is practical reasonableness. It is necessary that every member of a society be able to make decisions for themselves. Authority figures therefore need to compromise between coordinating society effectively, and granting people the ability to pursue their own ends in the manner they choose.

CHALLENGE: You could also mention his view on law although this is not officially on the specification so only do this if you have done everything else.

A) Explain the concept of proportionality in Hoose's approach to ethics (20 marks)

Draft Mark scheme:

On a scale of 1-10, how do you feel about answering a question on this topic?

A) Explain the concept of proportionality in Hoose's approach to ethics (20 marks)

Draft Mark scheme:

Intro – How is Hoose a development of Aquinas?

'Proportionalism: The American debate and it's European roots'.

Based upon Aquinas' primary precepts but a deontological and teleological hybrid approach to Natural law.

Para 1- Explanation of the theory, stealing example, lying example

Thought that Aquinas gave three primary precepts: Protect and preserve human life, Reproduce and Educate your offspring know God and live in Society—guidelines not absolutist rules

There are certain moral laws but that it is right to go against these rules if there is '*a proportionate reason which would justify it.*' (Vardy and Grosch) '*the situation must be sufficiently unusual*' (Vardy and Grosch).

Aquinas example – stealing

Hoose example - lying "*It is lawful for a man to succor his own needs by means of another*"

'*What the proportionalists have done is point out the inconsistency of such thinking.*' (Hoose)

Para 2 – Intention, Value and Disvalue and Abortion Example

Hoose argued that 'pre-moral' is the status of an act before you take into account intention. You cannot actually judge whether the act is moral or not without intention so it is pre (before) moral.

There are right physical acts (such as getting an education) or wrong physical acts (such as having an abortion) but that in themselves are not necessarily moral and immoral acts—it is only the intention that gives them their morality

The value must outweigh the disvalue for an act to be considered moral.

Example: woman progressing career by having an abortion

Example: woman having an abortion to save her own life—ectopic pregnancy

When a woman has an ectopic pregnancy there is no hope that the child will be born. The developing embryo will cause the fallopian tube to rupture, probably killing the woman and at least making her infertile. Lasering the embryo will kill it but will save the mother and allow her to have children in the normal way in the future.

Para 3 – Ontic Goods, Agape Love and Euthanasia Example

An act may at first appear to be evil but once ontic goods have been applied; qualities such as dignity, integrity and justice, one can see how an act may have appeared evil but not be evil in itself.

Based on the concept of agape love—Jesus as example.

Example: euthanasia

APPLICATION TO ETHICAL ISSUES

Capital punishment:

What do you think John Finnis would say to capital punishment?

What do you think Bernard Hoose would say to capital punishment?

Immigration:

What do you think John Finnis would say to immigration?

What do you think Bernard Hoose would say to immigration?

A) Explain the application of Finnis and Hoose to the issue of immigration (20 marks)

Draft Mark scheme:

Intro: Background: Catholic theology has always been supportive of immigration. For example, in 2017 Pope Francis stated for Catholics: “**every stranger who knocks at our door is an opportunity for an encounter with Jesus Christ, who identifies with the welcomed and rejected strangers of every age.**”.

Hoose and Proportionalism

Aquinas' Natural Law can be seen to support immigration because it supports the primary precept of 'preservation of life'. Therefore, in terms of a proportionalism, the first duty would be to follow the deontological rule regarding immigration e.g. the pre-moral or ontic act of capital punishment is right.

However, for the morality of immigration to be decided, by the proportionalist, each unique case of immigration would have to be considered: including the intention of the immigration.

EXAMPLE: a man has to decide whether to help an immigrant. The man is relatively wealthy but the immigrant has arrived from Ethiopia, with the hope of escaping extreme poverty and famine

VALUE: The intention of helping the immigrant is to protect their life; thus, upholding the preservation of life. Moreover, it could be argued that by supporting the immigrant they have a greater chance of reproducing (rather than dying of poverty, disease or famine), therefore supporting the primary precept of reproduction. Furthermore, the immigrant has a greater chance of being educated and therefore fulfilling the primary precept of education. Plus, it is the most loving (agape) thing to do.

DISVALUE: Potential effects upon order in society, especially if lots of immigrants follow the original immigrate into that society. Thus, breaking the primary precept of ordered society

CONCLUSION: The value of carrying out the immigration outweighs the disvalue. Therefore, in this unique situation the helping of an immigrant is morally justified. Therefore, in this particular case of immigration, the act would be deemed moral by proportionalists, supporting the pre-moral/ontic act judgement.

A) Explain the application of Finnis and Hoose to the issue of capital punishment (20 marks)

Draft Mark scheme:

INTRO: BACKGROUND: Contemporary Catholic theology is against the use of capital punishment. For example, in 2015 Pope Francis stated: "**Today the death penalty is inadmissible, no matter how serious the crime committed.**" (although historically this has not always been the stance of the Catholic Church.)

Hoose and Proportionalism

Aquinas' Natural Law can also be seen as against the death penalty because it goes against the primary precept of 'preservation of life'.

Therefore in terms of a proportionalism, the first duty would be to follow the deontological rule regarding capital punishment e.g. the pre-moral or ontic act of capital punishment is wrong.

However, for the morality of capital punishment to be decided, by the proportionalist, each unique case of capital punishment would have to be considered: including the intention of the capital punishment.

Example: a woman has admitted murdering 30 people for no other reason than it gave her pleasure. Moreover, whilst in prison she had killed 3 more people including 2 innocent prison guards. (Example of Eileen Wuornos?)

Value: The intention of this capital punishment is to stop the prisoner committing more murders; thus, upholding the preservation of life. Moreover, it could be argued that by stopping the prisoner killing other innocent prisoner guards, they are opening up the potential of other prison guards reproducing (instead of been killed), therefore supporting the primary precept of reproduction.

Disvalue: Breaking the primary precept of 'preservation of life' by lawfully killing the prisoner

Conclusion: The value of carrying out the capital punishment outweighs the disvalue. Therefore, in this unique situation the capital punishment could be justified. Therefore, in this particular case of capital punishment, the act would be deemed moral by proportionalists despite the pre-moral/ontic act been wrong.