

Religion, Ethics and Philosophy

Summer Independent Learning

2025

Philosophy of Religion 3 a and b

Religious Experience

**Read the booklet and then
complete all the tasks.**

**Bring in on the first day back after the
holidays**

Assume you have REP on that day



Task – Tick when completed each task and again when you have revised the content

You will be tested on your knowledge of these topics when you return to college.

Task	Completed	Revised
Task 1 Learn the key terms on pages 3 and 4. For example, you could make flash cards You will be tested these terms in September		
Task 2 Introduction to the study of religious experience questions		
Task 3 Summary questions on visions		
Task 4 Example of a vision – notes on Bernadette and Lourdes		
Task 5 Questions on conversions experiences and examples (first Pentecost and St Paul)		
Task 6 Explanations and examples of mysticism – Miller (UNITE) (Rumi and St Teresa of Avila)		
Task 7 Activities on St Teresa of Avila's types and stages of prayer		
Task 8 Explanation and essay task on William James' definition of mystical experiences - PINT		
Task 9 Explanation and summary task on Rudolf Otto's definition of numinous mystical experiences		

Philosophy

Theme 3 A and B: Religious experience (Booklet 1)

A.	<p>The nature of religious experience with particular reference to:</p> <p>Visions – sensory; intellectual; dreams. Conversion – individual/communal; sudden/gradual. Mysticism – transcendent; ecstatic and unitive. Prayer – types and stages of prayer according to Teresa of Avila.</p> 
B.	<p>Mystical experience:</p> <p>William James' four characteristics of mystical experience: ineffable, noetic, transient and passive.</p> <p>Rudolf Otto – the concept of the numinous; <i>mysterium tremendum</i>; the human predisposition for religious experience.</p> 
<p>Issues for analysis and evaluation will be drawn from any aspect of the content above, such as:</p> <ul style="list-style-type: none"> · The impact of religious experiences upon religious belief and practice. · Whether different types of religious experience can be accepted as equally valid in communicating religious teachings and beliefs. · The adequacy of James' four characteristics in defining mystical experience. · The adequacy of Otto's definition of 'numinous'. 	

THEME 3 : RELIGIOUS EXPERIENCE	
TERM	DEFINITION
asceticism	Deliberate self-denial of bodily pleasures for the attainment of spiritual fulfilment.
charismatic	Christians of various groups who seek an ecstatic religious experience, often including speaking in tongues.
conversion	To change direction or to turn around.
description-related	Relating to descriptions of mystical experiences as a basis for challenging their authenticity.
foundational belief	A belief that needs no further proof to support it.
Franks Davis, Caroline	Caroline Franks Davis - scholar who demonstrated how the authenticity of religious experiences could be challenged.
Holland, R.F.	R.F. Holland (1923-2013), an English philosopher who advocated that miracles could be explained as a set of coincidences. They do not break natural laws, but are seen as having religious significance.
Hume, David	David Hume, (1711-1776) 18th Century philosopher, whose work relating to empiricism was hugely influential on the twentieth century logical positivists. His <i>Dialogues Concerning Natural Religion</i> (published after his death) are particularly influential on the development of the philosophy of religion.
Immanent	Existing or remaining; in theology it refers to God's involvement in creation.
ineffable	Defies expression, unutterable, indescribable, indefinable.
James, William	William James (1842-1910) 19th/20th Century American psychologist renowned for investigations into religious experience and mysticism.
miracle	Act of wonder; variously defined including a violation of the laws of nature (Hume) and an unusual and striking event that evokes and mediates a vivid awareness of God (Hick).
monism	The view that there is only one basic and fundamental reality.
mystical	Experiences or systematic meditation, which causes a heightened awareness of the divine or an ultimate reality.
noetic	Gaining special knowledge or insights that are unobtainable by the intellect alone; usually as a result of a mystical experience.
numinous	An experience of the holy; something wholly other than the natural world and beyond comprehension.
object-related	Relating to the object (that that was experienced) of mystical experiences as a basis for challenging their authenticity.
Otto, Rudolf	Rudolf Otto (1869-1937) in his book <i>The Idea of the Holy</i> defined the concept of the holy as that which is numinous.
passive	Where the recipient(s) of the mystical experience do not bring it about themselves – the actual moment is governed by a being or force external to

	the will of the recipient.
subject-related	Relating to the subject (recipient) of mystical experiences as a basis for challenging their authenticity.
subjective	Having its source within the mind.
Sufism	The mystical tradition within Islam.
Swinburne, Richard	Richard Swinburne (1934-) British philosopher and Christian apologist writing on numerous issues in philosophy of religion. On the topic of miracles, he argued that miracles not only broke the laws of nature but also had religious significance.
transcendent	Having existence outside the material universe.
transient	The experience may be short-lived, but the effects tend to last much longer than the experience itself.
veridical	When the object of the experience actually exists as a reality and not just in the imagination.
vision	Something seen other than by ordinary sight.

Task 1

Create flash cards for these key terms

These can be either online or on card.

You will be tested these terms in September

Religious Experience

A religious experience is an encounter with the divine.

It is a non-empirical occurrence that brings with it an awareness of something beyond us.

However, the variety of religious experiences is such that it is difficult to find a common theme.

Nevertheless, we may note that some of the main features of religious experiences can be set out as follows:

- God is experienced as opposed to everyday physical objects. There is a spiritual change that clearly has a religious dimension.
- Religious experiences are often subjective as opposed to objective.
- Religious experience is not verifiable
- Religious experiences are not universal i.e. not everybody experiences them as opposed to ordinary experiences e.g. a tree, the weather etc.
- Human beings often use the same conceptual scheme when they describe an ordinary experience. Thus, regardless of culture we all describe a tree in the same way. However, with religious experiences, though the feelings may be similar (e.g. awe and wonder, joy, peace etc.) the object is different e.g. Jesus, Allah, Krishna etc.
- Religious experiences can be understood as pragmatic in that they bring about life changing behaviour.

There is a wide variety of religious experiences, including:

- **Visions** – used to describe experience of God or another religious figure appearing with a message.
- **Conversion Experiences** – used to describe an experience that leads to an adoption of a new religious belief that differs from a previously held belief.
- **Mystical Experiences** – used to describe experience of direct contact or oneness with God or ultimate reality.
- **Prayer** – used to describe the experience of communicating with God or a higher power through the medium of prayer.

David Hay's book *Religious Experience Today* presents some of the findings of The Religious Experience Research Unit. These findings, which are based on a random sampling of the public include:

- 31% of British people and 35% of Americans have had an experience that they might consider religious.
- These experiences often last for a few seconds but can last much longer.
- They generally give awareness that there is more to reality than this physical world.
- They can produce a change in both behaviour and attitudes – including a sense of altruism, increased self-esteem and a feeling of purpose.

For many people throughout history the strongest demonstration of the existence of God comes from personal experience. Figures like Paul and Muhammad (pbuh) are famous examples of religious experience. However, it is not just famous people or figures from history who have religious experiences; ordinary people have experiences which have a dramatic and lasting effect on them.

Generally, we divide religious experiences into two groups: *direct* and *indirect* experiences.

Direct religious experiences refer to cases where a person encounters God in a direct way. The passage below is the account of Paul on the road to Damascus where he meets the risen Jesus, who then communicates with him. This is an example of a direct religious experience because it is an event where God reveals her/himself directly to the person having the experience, in this case Paul. This experience is not willed or chosen by the person; the person experiences or observes God in some way.

Meanwhile, Saul was still breathing out murderous threats against the Lord's disciples. He went to the high priest **2** and asked him for letters to the synagogues in Damascus, so that if he found any there who belonged to the Way, whether men or women, he might take them as prisoners to Jerusalem. **3** As he neared Damascus on his journey, suddenly a light from heaven flashed around him. **4** He fell to the ground and heard a voice say to him, "Saul, Saul, why do you persecute me?"

5 "Who are you, Lord?" Saul asked.

"I am Jesus, whom you are persecuting," he replied. **6** "Now get up and go into the city, and you will be told what you must do."

7 The men traveling with Saul stood there speechless; they heard the sound but did not see anyone. **8** Saul got up from the ground, but when he opened his eyes he could see nothing. So they led him by the hand into Damascus. **9** For three days he was blind, and did not eat or drink anything. Acts 9

Indirect religious experiences refer to experiences, thoughts or feelings about God that are prompted by events in daily life. For example, observing a sunrise and having thoughts about the greatness of God the Creator. Acts of prayer are seen as indirect religious experiences as God is not directly revealed to a person, nor is knowledge of God revealed; instead the person learns something about God through what is observed.

Task 2 Introduction to the study of religious experience questions

1. Write a definition of a religious experience using the information above.

2. How would you challenge the reality of a religious experience like receiving a vision from God?

3. How might a religious person respond to your challenge?

3 A The nature of religious experience with particular reference to:

Vision Experiences

A vision involves 'seeing something' beyond normal experience.

Religious experiences of visions and voices are unusual in that they are usually described in terms of ordinary perceptions. People who experience visions and voices describe them using phrases like 'I saw' or 'I heard'. However, these sights and sounds aren't usually heard or seen by other people. Both visions and voices occur in a variety of forms and in various faiths.

Visions have been described by Caroline Franks Davis as quasi-sensory – this means they resemble a sensory experience, but don't have all the usual features of one

Vision experiences can happen when a person is awake or in a dream. In the vision, information may be revealed to the recipient. Visions are usually divided into three types:

1. Sensory/Corporeal: A vision has a sensory characteristic if it is to do with sense experience. In other words, it is where external objects, sounds or figures appear before the recipient. Sensory visions can be summarised in three ways.

Groups or communal – Angel of Mons, during the First World War a vision of St George and a phantom bowman halted the Kaiser's troops.

Individual – seen by only one person, for example St Bernadette of Lourdes had several visions of the Virgin Mary. In one of these visions, she was told to dig in the ground at the feet of Mary. When she did, she discovered a mountain spring. People still visit the spring at Lourdes to pray and bathe, and many report being healed in some way.

Corporeal – an object that is external and appear to be physical in nature, but only visible to certain people, for example, St Bernadette saw Mary as a form or image like a physical person.

2. Intellectual: A vision can have an intellectual quality if the vision brings the recipient a message of inspiration, insight or instruction that cannot be gained in any other way. It can also contain warnings!

Peter's Vision - For example, Peter being told that all foods are 'clean' – Acts 10.

⁹ About noon the following day as they were on their journey and approaching the city, Peter went up on the roof to pray. ¹⁰ He became hungry and wanted something to eat, and while the meal was being prepared, he fell into a trance. ¹¹ He saw heaven opened and something like a large sheet being let down to earth by its four corners. ¹² It contained all kinds of four-footed animals, as well as reptiles and birds. ¹³ Then a voice told him, "Get up, Peter. Kill and eat."

¹⁴ "Surely not, Lord!" Peter replied. "I have never eaten anything impure or unclean."

¹⁵ The voice spoke to him a second time, "Do not call anything impure that God has made clean."

¹⁶ This happened three times, and immediately the sheet was taken back to heaven.

3. Dreams/ Imaginative: Some dreams can involve visions wherein the unconscious state experiences a series of images or dream narrative, which would not normally be available to the individual in conscious state e.g. the wise men received a warning in a dream.

Matthew 2. *On coming to the house, they saw the child with his mother Mary, and they bowed down and worshiped him. Then they opened their treasures and presented him with gifts of gold, frankincense and myrrh. ¹² And having been warned in a dream not to go back to Herod, they returned to their country by another route.*

Also, in the Bible (Matthew 1) Joseph, while engaged to Mary, has a dream telling him not to be afraid of marrying Mary – even though she is pregnant and he is not the father. This is imaginative as it refers to a vision that occurs in dream, in which a message is received from God.

Content of visions

- An image or event in which there is a message – St Peter – vision of heaven
- Religious figures – St Teresa of Avila saw Jesus, Joan of Arc saw St Michael
- Places (heaven or hell) – Guru Nanak had a vision of God's court
- Fantastic creatures/figures – Ezekial – living creatures with form of a man and four wings
- Future – children of Fatima

Task 3 Summary questions on visions

1. What are 'visions'?

2. Write a 10 word summary and an example of each type of vision – sensory/corporeal, intellectual and dreams/imaginative. Use the Eduqas Knowledge Organiser to help you.

Eduqas Knowledge Organiser

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Sensory example - St Bernadette (1844–79)

Bernadette Soubirous was born in Lourdes, France in 1844. On a February day in 1858, Bernadette went to the river and heard, a sudden rush of wind, and saw a golden cloud float out from the grotto. In the cloud stood a beautiful young woman, who seemed to float to a space in the rock. The woman wore a white robe, blue girdle and white veil, and golden roses adorned her bare feet. Her eyes were blue and gentle, and when she smiled and beckoned to Bernadette, the girl's fear vanished.

Bernadette drew closer, fell to her knees and began to say the **rosary**. The woman in the vision also had a rosary. Bernadette later said, *'The Lady let me pray alone; she passed the beads of the rosary between her fingers, but said nothing; only at the end of each decade did she say the Gloria with me.'* When they had finished saying the rosary, the Lady vanished. This experience affected Bernadette so powerfully that she told others what had happened, and the news began to spread through the village.

When Bernadette told her priest of the vision, he made light of it, thinking the girl had suffered from a **hallucination**. On the following Sunday, Bernadette returned to the **grotto** accompanied by friends. She knelt before the grotto and the vision reappeared. Although the others saw nothing they began to tell what they had 'seen', and more and more local people began hearing reports of what had happened.

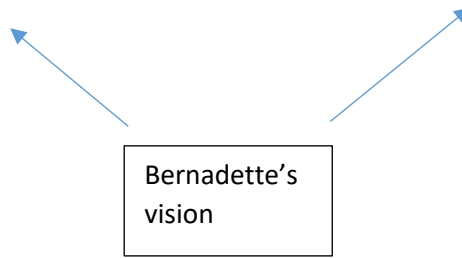
Bernadette had a third vision. The same figure appeared, smiled and asked Bernadette to come every day for 15 days. The next day her mother and aunt went with her, and on each subsequent visit crowds of people gathered nearby, hoping to see or hear something miraculous. Others were sceptical, and the police questioned Bernadette, trying to make her admit that it was all a **hoax**, but she remained firm in her insistence that her visions were genuine.

On Sunday 21 February, Bernadette was accompanied by many doubters, and on this occasion, Bernadette reported later, the apparition said to her: *'You will pray to God for sinners.'* On 26 February, while still in the trance-like state brought on by her vision, Bernadette crawled into the grotto and, at the Lady's direction, uncovered with her bare hands a trickle of **water** from which she drank and with which she washed her face. The water continued to well up and by the next day was flowing steadily down to the river. It continues to do so to this day; its discovery is regarded as a **miracle**. On 2 March, the apparition told Bernadette to tell the priests that 'a chapel should be built and a procession formed'. The priests, still doubtful, told Bernadette to ask the Lady her name. On 25 March, when the vision next appeared to her, Bernadette asked, 'Would you kindly tell me who you are?' The Lady replied: 'I am the **Immaculate Conception**. I want a chapel here.' This answer identified the Lady as the **Virgin Mary**; only four years before, the **dogma** of the Immaculate Conception had been introduced into the Catholic Church. The term Immaculate Conception was a term for the Virgin Mary that Bernadette would not have known.

Lourdes became place of pilgrimage. Any claims of a cure as a result of visiting Lourdes must be immediate and permanent to be regarded as a miracle. A patient's medical records prior to the trip and their subsequent medical history are studied before a cure is accepted as a miracle. Only about 70 such cures have been recognised as miracles, thousands visit Lourdes each year to be washed in the waters of the spring, to share in the processions, the singing, the prayers and the rites. Many who visit Lourdes are simply searching for a renewal of faith.

Task 4 Example of a vision

Write a summary of Bernadette's experiences from the first vision to the final vision on the 25th of March. Include the words in bold and ensure that you explain what they are.



What evidence supports Bernadette's visions as a genuine religious experience?

If they were not genuine religious experiences, what other explanations could be given for Bernadette's visions?

Conversion Experiences

Conversion – 'change direction' or 'to turn around'. It usually refers to a change in beliefs or orientation.

Conversion experiences raise interesting issues; although the inner experience cannot be empirically observed, the resulting changes in behaviour are something that can be empirically seen. Often these changes occur dramatically over days and weeks, which for many believers is a powerful piece of evidence for the existence of God.

5. a. Write a definition of conversion religious experiences

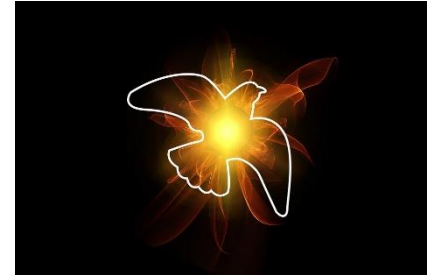
Conversion is also not limited to individual experience.

Communal conversion experiences can occur, in which a group of people simultaneously experience the divine and this leads to a change in behaviour or beliefs at the same time.

For example, the communal conversion in **Acts of the Apostles** chapter 2 or the Toronto Blessing in 1994..

The disciples were gathered in a room and received the Holy Spirit.

*'When the day of **Pentecost** came, they were all together in one place. Suddenly a sound like the blowing of a violent wind came from Heaven and filled the whole house where they were sitting. They saw what seemed to be tongues of fire that separated and came to rest on each of them. All of them were filled with the Holy Spirit and began to speak in other tongues as the Spirit enabled them.'* Acts 2



[Acts 2 video](#) Click on the link, find the video and watch it.

5. b. Write a definition of communal conversions experiences and an explanation of religious experience that led to communal conversions in Acts 2.

Individual conversions

Conversion may be from one major religion to another — Christianity to Buddhism, or from within one religious tradition — for example, Anglicanism to Catholicism. One example is Paul's conversion, when he saw blinding light and heard the voice of Jesus calling him to ministry. His life was changed forever or

From no religious tradition to a religious tradition e.g. Alister McGrath, Anthony Flew, Nicky Cruz or **Augustine** who is an example of a **moral conversion**, in that his wayward life was challenged when he read the words from St Paul's letter to the Romans, which encourages the reader to abandon the works of the flesh and be clothed with Christ.

From faith (believing) to faith (trusting) e.g. John **Wesley** had a vivid experience that enlivened his faith. He wrote: 'I felt my heart strangely warmed, I felt I did trust Christ, Christ alone, for salvation; and an assurance was given me, that he had taken away my sins...'

Furthermore, **C.S.Lewis'** conversion is an example of an **intellectual conversion**. He recounts how in 1931 he walked and talked for hours with the author J.R.R. Tolkien about myth and Christianity and became convinced that Jesus was the Son of God.

Two types of mental occurrence lead to a difference in conversion processes:

Active The conversion is deliberately sought, perhaps by going to an evangelistic meeting with the intention of responding to the preacher. This is a conscious and voluntary experience, called 'volitional type'

Passive The conversion is not deliberately sought but comes upon them unexpectedly. This is an involuntary and unconscious experience also called 'self-surrender type' (sudden conversion)

Gradual means the conversion takes place over a length of time, possibly even years, it is usually voluntary and takes conscious effort.

Sudden means the conversion takes place suddenly, when a clear decision is made and a particular date can be given for the event. It is a moment of self surrender, it is often involuntary and unconscious.

William James identified three stages of the conversion experience

1. The individual loses any sense of pleasure – there is a difference between what they want to be and what they are.
2. The individual searches for relief – they know something must change
3. There is a moment of breakthrough or clarity, they feel contentment – they are what they want to be.

5. c. - Write a summary and example of:

Individual conversion experiences including one religion to another,

No faith to faith (add moral)

And believing to trusting (add intellectual)

Gradual

Sudden

Passive

Active

Individual Conversion – Paul's Road to Damascus Conversion Story Summary by Jack Zavada

The story of Paul's conversion on the road to Damascus is told in **Acts 9:1-19** and retold by Paul in **Acts 22:6-21** and **Acts 26:12-18**.

Saul of Tarsus, a Pharisee in Jerusalem after the crucifixion and resurrection of Jesus Christ, swore to wipe out the new Christian church, called The Way. Acts 9:1 says that Paul was "breathing out murderous threats against the Lord's disciples." Saul obtained letters from the high priest, authorizing him to arrest any followers of Jesus in the city of Damascus. On the Road to Damascus, Saul and his companions were struck down by a blinding light. Saul heard a voice say, "Saul, Saul, why do you persecute me?" (Acts 9:4, NIV) When Saul asked who was speaking, the voice replied: "I am Jesus, whom you are persecuting. Now get up and go into the city, and you will be told what you must do." (Acts 9:5-6, NIV). Saul was blinded. His companions led him into Damascus to a man named Judas, on Straight Street. For three days Saul was blind and didn't eat or drink.

Meanwhile, Jesus appeared in a vision to a disciple in Damascus named Ananias and told him to go to Saul. Ananias was afraid because he knew Saul's reputation as a merciless persecutor of the church. Jesus repeated his command, explaining that Saul was his chosen instrument to deliver the gospel to the Gentiles, their kings, and the people of Israel. So, Ananias found Saul praying for help. Ananias laid his hands on Saul, telling him Jesus had sent him to restore his sight and that Saul might be filled with the Holy Spirit. Something like scales fell from Saul's eyes, and he could see again. He arose and was baptized into the Christian faith. Saul ate, regained his strength, and stayed with the Damascus disciples three days. After his conversion, Saul changed his name to Paul.

Historical Context

Saul of Tarsus possessed perfect qualifications to be an evangelist: He knew Jewish culture and language, Greek language and culture and Jewish theology which helped him connect the Old Testament.

Paul's life-changing experience on the Damascus Road led to his baptism and instruction in the Christian faith. He became the most determined of the apostles, suffering brutal physical pain, persecution, and finally, martyrdom. He revealed his secret of enduring a lifetime of hardship for the gospel:

"I can do all things through Christ who strengthens me." (Philippians 4:13, NKJV)

Points of Interest for Christians

- Paul's conversion showed that Jesus himself wanted the gospel message to go to the Gentiles.
- The men with Saul did not see the risen Jesus, but Saul did. This miraculous message was meant for Saul.
- The scales falling from Paul's eyes symbolized a spiritual transformation that allowed him to see the truth. Once he knew the truth about Jesus, there was no going back.
- Saul witnessed the risen Christ, which fulfilled the qualification of an apostle (Acts 1:21-22). Only those who had seen the risen Christ could testify to his resurrection.

5. c. Write a summary of Paul's experience and the consequences for him and Christianity, use the information and click on the video link below to help you.

[St Paul's conversion experience](#)

[illegible]

Mystical Experiences

Mysticism: a religious experience where union with God or the absolute reality is sought or experienced.

Mystical experiences refer to a variety of religious experience in which the subject is transformed and reports the loss of individuality, the oneness of all reality, union with the deity and the unity of the subject of the experience with the object of the experience. Mystical experiences involve special mental states or events that allow an understanding of ultimate truths. Mystical experiences involve a temporary removal of the sense of self or ego so that the person feels that nothing separates them from the divine.

William James identified four features of mystical experiences which we will study in more detail in theme 3 B, they are passivity, ineffability, a noetic quality and transiency (PINT).

Ed Miller (revise as UNITE – unitive, noetic, ineffable, transcendent and Ecstatic)

Miller regards mystical experiences as ‘the pursuit of a transcendent, unitive experience with the absolute reality’ and created the following summary:

1. **Transcendent:** not localisable in space and time, lies beyond the everyday realm of physical senses.
2. **Ineffable:** not explicable in ordinary language, can’t be described
3. **Noetic:** conveying illumination, truth. Knowledge is gained through the mystical experience that would otherwise not be available to the recipient through ordinary means.
4. **Ecstatic:** filling the soul with bliss, peace, overwhelming
5. **Unitive:** uniting the soul with reality. The feeling of complete oneness with the divine

Mystical experiences have several common features that have been identified by scholars such as **Walter Stace**:

- A sense of union with the divine.
- A sense of dependence on God.
- A sense of separateness from God.
- Time is transcended – this means ‘rising above’
- ‘Noetic’ experiences (William James) or a ‘showing’ (Mother Julian of Norwich) – something is clearly revealed to the person receiving the experience.
- A sense of joy and well-being.

Paul Tillich described two stages in a mystical experience: The first is an event or encounter. The second is a special understanding of that event as the result of ecstasy, a special way of looking at the event which reveals its religious significance.

There are mystic traditions in all major world religions; Sufism in Islam, Kabbalah in Judaism and the writing of Ramakrishna in Hinduism. Often, people will invoke mystical experiences through various methods; meditation, pilgrimage, fasting, hypnotic movement and sensory restriction or over-stimulation.

Task 6

- a. Write an explanation of mystical experiences with reference to Ed Miller (UNITE) – can be notes or a mind map

[illegible]

Example Rumi, Sufism and transcendent mystical experiences

The word transcendent comes from the Latin prefix *trans-*, meaning "beyond," and the word *scandare*, meaning "to climb." When mystics achieve *transcendence*, they have gone beyond ordinary limitations, moving beyond physical needs and realities. This includes experiencing other worldly, different dimensions, the realm of the other, feelings of ecstasy and disengaging from the temporal world

Sufism is a Muslim movement whose followers seek to find divine truth and love through direct encounters with God. Sufism arose from within Islam in the 8th-9th centuries C.E. as an aesthetic movement. Sufis could be described as devout Muslims but, they are distinctive in nurturing theirs and others' spiritual dimension. The practice of Sufism is the intention to go towards the Truth, by means of love and devotion. This is called the *tarikat*, the spiritual path or way towards God. Ihsan is to worship Allah as though one sees him.

Sufis engage in a variety of ritual practices intended to help them realize union with God this includes distinct forms of ritual prayer (*dhikr*, literally "remembrance"), including the recitation of God's names, bodily rituals such as those practices by the so-called "**Whirling Dervishes**," a Turkish Sufi order that practices meditation and contemplation of God through spinning.



Rumi was born in 1207, he was a Persian Sunni Muslim poet, jurist, Islamic scholar, theologian, and Sufi mystic. He was the founder of the Mevlevi order / Whirling Dervishes of Sufi tradition. In 1244 he met a wandering mystic known as Shams they had a very close friendship for three years.

Shams disappeared, possibly murdered by a jealous son of Rumi.

Rumi's poetry Song of the Reed Flute

*Listen to the reed and the tale it tells,
how it sings of separation:
Ever since they cut me from the reed bed,
my wail has caused men and women to weep.
I want a heart torn open with longing
the share the pain of this love.
Whoever has been parted from his source
longs to return to the state of his union.*

[Song of the Reed Flute](#)

Interpretation

We have a yearning to be reunited with Allah
It is the nature of our existence to have a relationship with the divine.
All love and relationships are mystical gateways will allow you a closer connection to God.
Poetry, music and dance are direct doorways to the divine

b. What does transcendent mean?

c. What is Sufism?

d. Who was Rumi? Outline his beliefs.

e. What is the message of his *Song of the Reed Flute*?

f. Who are the Whirling Dervishes?

Example of mystical experience - St Teresa of Avila (1515–82)

There is no evidence that she was a pious teenager, and her interests were flirting with boys, clothes and rebelling. By 16, her father decided that she was out of control and sent her to a convent. Because of the belief that she was a sinner, Teresa decided to become a nun, because she was bound to go to hell. Her father was opposed. Teresa reported that he said, 'When I am dead you might do as you please.' One night she ran away to the Carmelite Convent of the Incarnation in Avila.

Life in the Carmelite convent was not harsh, and the nuns could travel when and wherever they wished. The wealthier nuns kept servants and lapdogs, wore jewellery, colourful sashes and perfume, and lived in private suites, while their poorer sisters slept in a dormitory. There was a parlour where they could meet friends and relatives, and the nuns could have *devotos*, men who would visit them regularly (in theory) for spiritual guidance.

After a year in the convent, Teresa's health began to fail; she suffered fevers and fainting spells and was believed to have tuberculosis. She left the convent and stayed briefly with an uncle who introduced her to mental prayer through Francisco de Osuna's *Third Spiritual Alphabet*. The prayer of quiet was just what Teresa needed as she suffered what she described as 'noise in the head'. As she grew worse, her father brought her home to die. She fell into a deep coma and soon it was thought that she was dead. Her grave was dug, and she would have been buried if her father had not insisted she was not yet dead. Several days later she awoke from her coma, although she was unable to open her eyes because they had been sealed shut with wax in preparation for her burial.

She went back to the convent and when she was almost 40 she began to have a series of remarkable visions, which she said were 'seen not with the eyes of the body, but the eyes of the soul':

*One day, when I was at prayer, the Lord was pleased to reveal to me nothing but His hands, the beauty of which was so great as to be **indescribable** ... A few days later I also saw that Divine face, which seemed to **leave me completely absorbed**. And finally, there stood before me the most sacred humanity in the full beauty and majesty of His resurrected body ... The visions were lit by an unearthly light: It is a light so different from what we know here below that the sun's brightness seems dim by comparison ... It is like looking upon very clear water running over a bed of crystal and reflecting the sun, compared with a very muddy stream running over the earth beneath a cloudy sky. It seems rather to be natural light, whereas the other is artificial.*

In the passage below, Teresa describes her most famous vision:

*I would see beside me, on my left hand, an angel in bodily form ... He was not tall, but short, and very beautiful, his face so aflame that he appeared to be one of the highest types of angel who seemed to be all afire ... In his hands I saw a long golden spear and at the end of the iron tip (I seemed to see) a point of fire. With this he seemed to pierce my heart several times so that it penetrated to my entrails. When he drew it out, I thought he was drawing them out with it and **he left me completely afire with a great love for God**. The pain was so sharp, that it made me utter several moans; and so excessive was the sweetness caused by the intense pain that one can never wish to lose it, **nor will one's soul be content with anything less than God**.*

Lavin, *Bernini and the Unity of the Visual Arts* (p107), 1981

Although her visions are the most famous part of her religious experiences, she considered them inferior to the **quiet sense of union with God** that she achieved later in life. She tried to hide her visions from the other sisters as she found them disorienting and embarrassing. Also, at this time visions were dangerous, and it was not unusual for visionaries to be burnt at the stake as heretics. Teresa felt drawn to a more strict life of poverty and self-denial, including fasting.

In 1562, she began a reform of the Carmelite order at a small convent in Avila. Here, she wrote a treatise, *The Way of Perfection*, as a guide to convent life. In spite of her desire for poverty, silence and solitude, Teresa spent the last years of her life travelling all over Spain, becoming a celebrity and wielding power

Teresa died in 1582 and was canonised by Gregory XV in 1622. In 1969 she was proclaimed a Doctor of the Church for her writings.

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Prayer Experiences

Prayer is the experience of communicating with God; in some ways, all religious experiences can be seen as a form of prayer. This 'communication' can be an independent request from the devotee, a form of praise or, alternatively take on a more mystical and collaborative encounter with the divine object.

Teresa's types and stages of prayer

St. Teresa of Avila (1515-1582) was a Spanish mystic and Roman Catholic saint. She had several religious experiences during her life, and wrote about the importance of mystic prayer to religious life. Teresa believed that the purpose of life was union with God, which is also the purpose of prayer. Therefore, the purpose of life is union with God through prayer. She wrote of the seven types of prayer in her work, *The Interior Castle*, and the stages of prayer in the analogy of the garden.

The Four Stages of Prayer - The Garden Analogy The analogy is presented in the Autobiography of Teresa of Avila, and gives the metaphor of a garden; with the earth representing the soul and water being the understanding of grace. Teresa stated that *"a beginner must look on himself as one setting out to make a garden for His Lord's pleasure, on most unfruitful soil which abounds in weeds. His Majesty roots up the weeds and will put in good plants instead."*

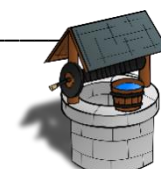
Task 7 a - Read through the following explanation of the **four stages of prayer**. Make notes on the stages under the following headings:

1. First Water (mental prayer)

2. Drawing Water (prayer of quiet)



3. Irrigated Garden (imperfect union)



4. Rain (perfect union)



The **first stage** consists of **drawing, or attempting to draw, water** from a well by one's own effort. She calls this "the First Water" or "mental prayer". In it, we withdraw our minds from the outside world, and focus our minds upon seeking penitence and meditating upon Jesus' sacrifice on the cross. This is a slow and painful stage, in which we are filled 'drop by drop'. But through these efforts we can draw up some of our inward understanding of Grace. She says, "We shall do alright if we walk in righteousness and cling to virtue, but we shall advance at a snail's pace. Freedom of spirit is not to be had in that way." God has placed the water in the well of our garden. At other times, the well is dry and we must await more water. It is not helpful or healthy to grasp at the water that isn't there. We must wait for the well to again fill up before we can again draw water. God sometimes suspends our understanding. We must accept this. We must wait and prepare our garden for the life sustaining water. This stage, or beginning method is useful at first, and all men will have to fall back on it in their prayer life, but it is the lowest stage and least effective.

Still maintaining the metaphor of a garden, she describes the **second stage** as drawing water by means of a "**windlass**" (which evidently is a kind of pulley). In this way we are aided, by God, in our drawing of understanding. This is the "prayer of quiet". Much less labour is now required, "the soul becomes recollected", and one begins "to come in contact with the supernatural. One still strains but the burden is much less. We are starting to be won over by the divine and we have a greater and more frequent understanding of things. "On arriving at this state, the soul begins to lose desire for earthly things." We begin to become detached. There are fewer and fewer distractions. We are given over to a state of quietude. After our justification, we begin our process of sanctification. We are given over to Christ and are transformed, through Him, into more perfect people. In this stage, we are interiorly made aware of our transformation.

The **third stage** is described as a garden which has been **irrigated, like a river**. We no longer must continually strain but leave our soul open to understanding. The Lord takes over our work and becomes a gardener Himself. We are essentially enraptured and in a state of perfect joy. The garden is beginning to flower. "The soul's humility is now greater and more profound than it was before. It clearly sees that it has done nothing except consent to the Lord's granting it graces, and embraces it with its will." St. Teresa admits that a perfect union with God is possible in this lifetime, at least temporarily. This stage is almost a complete union, except that one is conscious of this rapture.

The **fourth stage** is this union.

She likens it to **rain** falling upon the garden. We make no effort, no strain. We are completely enraptured. This rapture is a result of a perfect, though, temporary union with God. It is a special grace. She compares the union with God to a blazing fire and the state of one's soul to slug of iron. In this fire the iron slug will change its nature and glow. This is the soul enraptured. In this state we can no longer consciously analyse our experience. In this way it differs from the third stage, though it is contingent on that earlier stage. Such a stage is brief. St. Teresa herself says he has only experienced it for periods of less than half an hour. In this stage, time, memory and imagination melt away, leaving one only in the presence of God. It is as if one has been lifted into heaven.

The seven types of prayer - The Interior Castle

This work describes the 'seven mansions' or 'seven dwelling places' that each represent a step towards unity with God. It is a guide for spiritual development through service and prayer. Initially, we are introduced to those outside the castle who are described as paralyzed and crippled by sin. This level represents those who are spiritually and morally bound by evil.

Mansion 1	A long way from the centre of the castle. The souls are surrounded by sin and are only just starting to seek God's grace through humility, in order to achieve perfect. The souls are still distracted by their earthly life. Learn humility
Mansion 2	The mansion of the practice of prayer. The souls seek to advance through the mansion by daily thoughts of God, humble recognition of God's work in the soul and ultimately, daily prayer.
Mansion 3	The mansion of exemplary (good) life. In this mansion the souls have a love for God that is so great that they reject sin, and they have a desire to do works of charity for the ultimate glory of God. Can still fall back and give up.
Mansion 4	The prayer of quiet. During this time Jesus comes to the person in their imagination where a relationship of personal love grows towards great depths of intimacy. The person becomes inwardly quiet and peaceful, absorbed in love, love within and without. Nothing else is important. It is an early stage of mysticism.
Mansion 5	In this mansion, the soul begins to prepare itself to receive gifts from God, and becomes aware of the unity with God, like the river in the Garden Analogy. It is a period of darkness, but yet the soul is certain beyond doubt that it is with and in the Lord. God is in the interior of the soul
Mansion 6	The mansion of spiritual betrothal. The person also receives special teachings and revelations. The results of these events create within the person intimate knowledge of each person of the Trinity, a deep self-awareness that is rooted in humility, a rejection of all earthly things that are not necessary to the continuance of this great love relationship, and finally a sense of joy so overwhelming they must shout it from the rooftops.
Mansion 7	The mansion of mystical marriage. When the person is ready for mystical marriage, the Lord removes the scales from their eyes and they see and understand how beautiful they have been made by the Lord. Thus, fortified, they are united in marital love deep within the Self. Complete union with God.

7 b Write a summary of the types of prayer

Mansions one to three are the stages before union with God

This is where people begin to pray, persevere with pray and do good works.

In Mansion four and five the soul is captivated by God ...

In Mansion six and seven

2018 AS marking scheme

(a) Examine the nature of mysticism, with reference to transcendent, ecstatic and unitive experiences. [AO1]
Candidates could include some of the following, but other relevant responses should be credited.

- In mystical experiences, God is encountered beyond ordinary empirical evidence. This is usually individual and subjective, though may be corporate. Mystical experiences can be the experience of having apprehended an ultimate reality.
- Looks at people who claim to have had direct and intimate experiences of God.
- Such experiences draw upon common range of emotions, including happiness, fear and wonder.
- All are directed at the divine and give the experient an overwhelming feeling of desire to belong to God.
- A transcendent experience is one which is 'other-worldly'. This experience goes beyond the normal range of physical human experience.
- An ecstatic experience is one which involves a feeling of overwhelming happiness or joyful excitement. It can be accompanied by a sudden and intense over-powering emotion, almost a 'frenzy'.
- Unitive experiences lead to a feeling of being at one with the divine or a higher reality.
- The aspects of the nature of a mystical experience may be exemplified with reference to specific mystics, e.g. Teresa of Avila. or particular cases of claimed mystical experiences.
- It could be that these three aspects may not be dealt with separately as a mystical experience may compromise a number of these aspects. This is not a checklist, please remember to credit any valid alternatives.

2017 Examine the nature of religious experience with reference to visions and mysticism. [AO1]

Candidates could include some of the following, but other relevant responses should be credited.

- It can be claimed that God is experienced beyond ordinary empirical evidence, through what may be known as a religious experience. It is usually individual and subjective, though may be corporate.
- Visions may be sensory, involving external objects, sounds or figures, often containing a message or warning.
- They can be dream or intellectually-based, for instance as inspiration, insight or instruction. Occasionally, they can come as a revelation of inner truth.
- A vision is a message from God and supported by Biblical reference (e.g. Moses in Exodus 3). This possibility is supported by wide personal testimony - Lourdes, Fatima, Walsingham and by Tillich's feeling of 'ultimate concern'.
- Visions often require prayer, interpretation and response from the experient – for example, a change of life-style. Noted mystics and visionaries include St Teresa and Julian of Norwich.
- Visions may be sensory if they are encountered by a group, for example the Angel of Mons or Lourdes.
- Most occur when the experient is conscious and able to differentiate between the experience and a dream. Experiences testify to feelings of great joy, exultation and intellectual illumination which is impossible to describe, sense of reality and truth – the 'otherness' of God. Alternatively, they may be ineffable and beyond human expression.
- Mysticism is an experience of having apprehended an ultimate reality - an awareness of the presence of God and the unity of all things in one substance and one life. It may be a sense of union with God, a sense of dependence, separateness or a sense of great joy and well-being. It can be classified as either extrovertive (outward-looking) or introvertive (inward-looking).
- Sometimes, the experience may be ecstatic - a filling of the soul with bliss and peace, as, for example, experienced by Teresa of Avila.
- Unitive experiences suggest a uniting of the soul with reality, sometimes involving a feeling of separation from God or a sense of loss.
- Other possibilities include feelings of transcendence – that is, not localisable in space and time. This is not a checklist, please remember to credit any valid alternatives.

3 B Mystical experience:

Eduqas Knowledge Organiser Mysticism and Mysticism In Our Time

William James' four characteristics of mystical experience

William James was a philosopher and psychologist, and the author of *The Varieties of Religious Experience: a study in the human nature*. In his book, James aims to survey the types of religious experience as a psychologist and to present the findings of this survey and its implications for philosophy.

James felt that religious experience was at the very heart of religion. He said that religion was *'the feelings, acts, and experiences of individual men in their solitude, so far as they apprehend themselves to stand in relation to whatever they may consider the divine...'* (*Varieties: Lecture 2*).

James noted that religious experiences have great authority for the person who has them and can often have a marked effect in a person's life. He observed that conversion experiences are characterized by religious beliefs becoming central to a person's life (see Saul's Conversion). As religious experiences can so noticeably change people's behaviour, James suggested that religious experiences were the inspiration and source of religious institutions.

Much of his book concentrates on descriptions and first-hand accounts of experiences. Sceptics viewed some of these as examples of psychological disorder, but James disagreed and placed such accounts as central to any understanding of religion.

Four characteristics were found to be particularly prominent in mystical religious experiences of God:

1. **Ineffable:** The experience is beyond proper description. The direct experience of God goes beyond human powers of description. James states, '... it defies expression, that no adequate report of its contents can be given in words... its quality must be directly experienced; it cannot be imparted or transferred to others.' It can be compared to trying to describe love.
2. **Noetic:** Mystics receive knowledge of God that is not otherwise available. In this sense religious experiences are direct revelations from God. James states 'They are states of insight into depths of truth unplumbed by the discursive intellect... and as a rule they carry with them a curious sense of authority for after-time.'
3. **Transient:** The experience is a temporary one that cannot be sustained, although it may have long-lasting effects. James states, 'Mystical states cannot be sustained for long. Except in rare instances, half an hour, or at most an hour or two, seems to be the limit beyond which they fade into the light of common day.'
4. **Passive:** The experience is not initiated by the mystic but rather they feel that something is acting upon them. Even if the mystic attempts to induce the experience the recipient has a feeling of relinquishing power to the divine/ God. (*James saw this as evidence against arguments claiming that a religious experience can be explained by saying a person willed it*)

James suggested that religious experiences were 'psychological phenomena'; a part of a person's psychological make-up. However, he did not see this as a criticism of his argument, but explained that religious experience is natural to a person, just like other psychological experience like thinking and self-awareness. James' conclusions rest on three key principles: **empiricism**, **pluralism** and **pragmatism**.

Empiricism: The many case studies produced are empirical evidence of the effects of religious experience. This evidence provides us with clues as to the reality beyond what we see and hear. In response to those who might object that he is interpreting the data, James argues that we interpret all our experiences.

Pluralism: James’ research into experiences in different faiths led him to conclude that they were similar. Those having experiences may be experiencing the same ultimate reality, but interpreting it as their religious belief structure. Therefore a Christian might interpret an experience as the Holy Spirit, whereas a Sikh may interpret it differently.

Pragmatism: James believed that truth was not fixed and that what is true is whatever has great value to us. As a religious experience has great value to those it effects, we have to conclude that there is truth to be found in religion.

William James believed that all religious experiences indicated the probability of God (although as a pluralist he referred to ‘the spiritual’ and ‘higher aspects’ of the world and the self). He was more interested in the effects of religious experiences. To James, the validity of a religious experience rests upon the effects it produces – are lives changed? James’ argument for God is very general; the phenomena of religious experiences point to a higher order of reality.

Task 8

- a. Apply James’ characteristics to the account of Rumi or St Teresa.

The experiences as transient	Example	They were passive because ..
The experience was noetic		The experience was ineffable

- b. Explain James’ principles of empiricism, pluralism and pragmatism.

8 b. Essay skills activity

Explain James' characteristics of mystical experiences

William James is, arguably, the most famous commentator on religious experience. He had a deep interest in philosophy and psychology. His famous work *The Principles of Psychology* (1902) was originally a series of lectures (The Gifford Lectures) given at Edinburgh University at the beginning of the 20th century.

In it, James aims to survey the various types of religious experience as a psychologist and to present the findings of this survey and its implications for philosophy. He used a variety of case studies of first-hand religious experience in the words of the people who told him their stories such as a homeless drunken man who "seemed to feel some great and mighty presence. I did not know then what it was. I did learn afterwards that it was Jesus, the sinner's friend." The man went on to become a preacher.

He defined religious experiences using four characteristics. He said they were ineffable, the experience was beyond proper description and no adequate description can be given in words. Language limitations prevent description.

He also claimed they were irresistible, not just 'feelings,' but a deep and direct knowledge of God which could not have been achieved through reason alone. The 'truth' was revealed to them

Furthermore, he identified that they were transient, the experience is transient and cannot be sustained, although its effects may last a long time. It can develop and deepen with subsequent experiences and the effects can last a lifetime

Finally, he described the experiences as passive. The experience was not controlled by the mystic but rather they have a sense that something is acting upon them. The experience is controlled from outside themselves

These experiences are the 'true' heart of religion and can be exemplified by ... (add an example of someone who has had a mystical experience e.g. St Teresa of Avila or Rumi)

Religious experience for James is at the heart of religion - whereas religious teachings, practices and attitudes are 'second hand' religion.

He believed experiences can be studied scientifically and his aim was to take an objective a stance as he could, to take accounts of religious experiences seriously and to make observations about them. Much of his book concentrates on firsthand accounts of experiences however, sceptics view many of these are examples of psychological disorders. James saw them as central to understanding any religion.

James believed that all religious experiences indicated the probability of God, although as a pluralist, James does not directly speak of God but of the 'spiritual' and the 'higher aspects' of the world and the self. Therefore, James offers an argument for God in very general terms, the phenomena of religious experiences points to a higher order of reality.

However, he claimed it was best to ask: 'what effect do these experiences have?' rather than: 'are they true?'

He wanted to examine the experiences objectively and did not try to prove if they were true or false. Religious experience does not give proof of anything however it is reasonable to believe that there is a personal God who is interested in the world and individuals. It is not reasonable for anyone to reject clear evidence of religious experience just because they started from a position of scepticism. He was particularly interested in the effects of religious experience on people's lives and believed that the validity of the experience rests upon the effects it produces e.g. are lives changed? This was his way of testing them. He was more concerned with 'does it work?' as opposed to 'is it true?'.

The experiences of great religious figures can set patterns for the conventional believer to study. He cites examples of 'saintliness' in people such as St Teresa of Avila. He shows how such Christians can be strong people who help others to progress and for people to learn from

James draws on his knowledge of psychology and neurology in accepting that religious experiences are psychological phenomena that occur in our brains. This does not mean that they are just psychological and they may well have a supernatural, as well as a spiritual element. He bases this on his three key principles.

Use the booklet to add a paragraph on empiricism, pluralism and pragmatism

Rudolf Otto and the numinous – the human predisposition for religious experience

Numinous: Religious experiences of awe and wonder in the presence of an almighty and transcendent God. It is the awareness of human nothingness when faced with a holy and powerful being.

Rudolph Otto was a German philosopher and theologian who pointed out that a central element of direct experiences of God was an **'apprehension of the wholly other'**. He described this wholly other as **'numinous'** (from the Latin word *numen*, which refers to a supernatural divine power) meaning the world that is beyond the physical observable universe in which we live. Therefore, Otto refers to direct experiences of God as being completely outside of our possible knowledge and experience, it was *sui generis* or unique.

Otto also noticed that people who have had religious experiences describe them using words like 'awe' and 'wonder', but the actual nature of the experience was **ineffable** (*experiences which humans can't describe*).

In his book **The Idea of the Holy**, Otto created the term 'numinous' to describe the event; the individual was both attracted and repelled by a sense of awe and wonder.

Simon Peter's words to Jesus after the miraculous catch of fish show this contradiction well: *'Depart from me, for I am a sinful man, O Lord'* (Luke 5:8).

He analysed this type of experience using the Latin phrase *'mysterium tremendum et fascinans'*.

The *tremendum* component of the numinous experience comprises of three elements:

1. *Awe-fulness – inspiring awe, fear or dread.*
2. *Overpoweringness – inspires feelings of humility.*
3. *Energy – impression of vigour and compelling.*

The *mysterium* component has two elements:

1. *Wholly other – totally outside our normal experience.*
2. *Fascination – the person is caught up in the experience and they are pulled towards it or attracted to it, they are unable to drag themselves away.*

Otto was trying to describe the intensity or strength of feeling associated with a mystical experience and the mix of emotions and sensations that affect the individual.

He believed the experience led to a sense of insignificance or 'creature consciousness' while they were in the overwhelming presence of God. Otto claims the numinous grips the mind powerfully and produces the **Numinous dread**.

C.S. Lewis's example can be used to understand the nature of numinous dread and its difference from ordinary fear: *'Suppose you were told that there was a **tiger** in the next room: you would know that you were in danger and would probably feel fear. But if you were told "There is a **ghost** in the next room," and believed it, you would feel, indeed, what is often called fear, but of a different kind. It would not be based on the knowledge of danger, for no one is primarily afraid of what a ghost may do to him, but of the mere fact that it is a ghost. It is "uncanny" rather than dangerous, and the special kind of fear it excites may be called Dread. With the Uncanny one has reached the fringes of the Numinous. Now suppose that you were told simply "There is a **mighty spirit** in the room" and believed it. Your feelings would then be even less like the mere fear of danger: but the disturbance would be profound. You would feel wonder and a certain shrinking—described as awe, and the object which excites it is the Numinous.'*

C.S. Lewis, 'The Problem of Pain' 1940.

An example of a numinous experience from the Bible – the book of Exodus

Moses and the Burning Bush – what features of the numinous experience can you find in this quote?

3 Now Moses was tending the flock of Jethro his father-in-law, the priest of Midian, and he led the flock to the far side of the wilderness and came to Horeb, the mountain of God. **2** There the angel of the LORD appeared to him in flames of fire from within a bush. **Moses saw that though the bush was on fire it did not burn up.** **3** So Moses thought, **“I will go over and see this strange sight—why the bush does not burn up.”**

4 When the LORD saw that he had gone over to look, God called to him from within the bush, “Moses! Moses!”

And Moses said, “Here I am.”

5 “Do not come any closer,” God said. “Take off your sandals, for the place where you are standing is holy ground.” **6** Then he said, “I am the God of your father,^[a] the God of Abraham, the God of Isaac and the God of Jacob.” At this, **Moses hid his face, because he was afraid to look at God.**

7 The LORD said, “I have indeed seen the misery of my people in Egypt. I have heard them crying out because of their slave drivers, and I am concerned about their suffering. **8** So I have come down to rescue them from the hand of the Egyptians and to bring them up out of that land into a good and spacious land, a land flowing with milk and honey—the home of the Canaanites, Hittites, Amorites, Perizzites, Hivites and Jebusites. **9** And now the cry of the Israelites has reached me, and I have seen the way the Egyptians are oppressing them. **10** So now, go. I am sending you to Pharaoh to bring my people the Israelites out of Egypt.”

11 But Moses said to God, “Who am I that I should go to Pharaoh and bring the Israelites out of Egypt?”

12 And God said, “I will be with you. And this will be the sign to you that it is I who have sent you: When you have brought the people out of Egypt, you^[b] will worship God on this mountain.”

13 Moses said to God, “Suppose I go to the Israelites and say to them, ‘The God of your fathers has sent me to you,’ and they ask me, ‘What is his name?’ Then what shall I tell them?”

14 God said to Moses, “I AM WHO I AM.^[c] This is what you are to say to the Israelites: ‘I AM has sent me to you.’”



The human predisposition for religious experience

Religious growth has occurred because of a **human predisposition towards religious experience that was always present but only gradually awakened**. Otto emphasises that this predisposition is a characteristic not just of some individuals, but also of the whole human species, it is universal.

Otto goes on to identify and discuss a series of phenomena he associates with the earliest expressions of the human predisposition for religion. His eight phenomena are not part of religion as he understands it, but of pre-religion.

He begins with:

Magic,

Worship of the dead,

Ideas regarding souls and spirits,

Belief that natural objects have powers that can be manipulated by spells etc.,

Belief that natural objects like mountains and the sun and the moon are actually alive,

Fairy stories (and myths).

A little more advanced are belief in daemons (pre-deities, so to speak), notions of pure and impure.

The beginnings of religions

Otto claimed religion proper starts only when feelings prompted by the predisposition for religious experience are no longer projected on to things out there in the natural world, but are accounted for in terms of gods. From then on, the progress of religion is a matter of the gradual refinement of people's understanding of their experience of the divine, till the culmination in Christianity.





Otto's view of Christianity as the end product of religious development: for example, Christianity... "stands out in complete superiority over all sister religions". The Idea of the Holy)

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REP – Something to watch, to listen to and to read.

The following tasks are not compulsory; however, we strongly recommend that you complete them as they will help you develop your knowledge and understanding of the many topics covered during the Religion, Ethics and Philosophy A Level course.


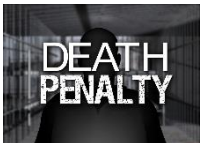

Choose a minimum of one listen task, one watch task and one read task, write a one paragraph summary and/or review of it that we can discuss in September.

	<p>The Panpsycast Panpsycast episodes Aimed at A Level RS and Philosophy students. Thought-provoking and witty. Useful episodes include, 1, 2, 32 or 42 or any that you find interesting!</p>	<p>Philosophy Bites, Ethics Bites and Philosophy the Classics podcasts philosophy bites episodes Brilliant introductions to key texts and ideas in philosophy and ethics</p>	<p>BBC In Our Time A very wide ranging series of programmes In our time episodes Some interesting discussions on the history of religion. The fairy tales episodes is very good You're dead to me</p>	<p>History of Philosophy without any gaps This is a podcast that tells the story of philosophy but without the focus on the Western tradition. Introduction to the ideas of Aquinas</p>
 	<p>The Good Place The Good Place clips Comedy on Netflix exploring the afterlife and ethics (it is very funny!) Some clip are available on YouTube.</p>	<p>Religion for Breakfast ReligionForBreakfast YouTube series of short, 6 minute videos on a huge range of religious topics and movements.</p>	<p>Crash course philosophy Christianity from Judaism to Constantine What is God like? What is philosophy? There are lots of other interesting introductions to key issues</p>	<p>The Root of all Evil? 2-part documentary series from Richard Dawkins that outlines the main arguments of the New Atheists regarding the apparent dangers of religion</p>
	<p>Article on Jurgen Moltmann An influential theologian looks back on his life and ideas.</p>	<p>Challenging Learning Journal - articles Journals aimed at A levels students e.g. Autumn 2020 has articles on Jesus, faith in a pandemic and religion and science.</p>	<p>Challenging learning - atonement and feminist theology articles Specific articles on relevant topics</p>	<p>Current and archived news articles on religion BBC ethics Keep up to date with religion in the news.</p>



Component 3: Religion and Ethics
Theme 2: Deontological Ethics
Booklet 2 d, e and f

Knowledge and understanding of religion and belief

D	<p>John Finnis' development of Natural Law:</p> <p>Development of the seven basic human goods (life, knowledge, friendship, play, aesthetic experience, practical reasonableness and religion); distinction between theoretical / practical reason;</p> <p>Nine Requirements of Practical Reason (view life as a whole, no arbitrary preference amongst values (goods), basic goods apply equally to all, do not become obsessed with a particular project, use effort to improve, plan your actions to do the most good, never harm a basic good, foster common good in the community and act in your own conscience and authority); the common good and the need for authority.</p>	
E	<p>Bernard Hoose's Proportionalism:</p> <p>Bernard Hoose's overview of the Proportionalist debate:</p> <p>As a hybrid of Natural Law, a deontological / teleological ethic; a Proportionalist maxim ('it is never right to go against a principle unless there is a proportionate reason which would justify it');</p> <p>distinction between an evil moral act (an immoral act) and pre-moral/ontic evil; distinction between a good act (an act that follows the moral rule) and a right act (an act that is not necessarily a good act, but creates the lesser of two evils);</p> <p>proportionality based on agape.</p>	
F	<p>Finnis' Natural Law and Hoose's Proportionalism: application of the theory:</p> <p>The application of Finnis' Natural Law and Hoose's Proportionalism to both of the issues listed below:</p> <ol style="list-style-type: none"> 1. Immigration 2. capital punishment. 	<div style="display: flex; justify-content: space-around;">   </div>

Issues for analysis and evaluation will be drawn from any aspect of the content above, such as:

- ☐ Whether Finnis' Natural Law is acceptable in contemporary society.
- ☐ The extent to which Hoose's Proportionalism promotes immoral behaviour.
- ☐ Whether Finnis and/or Hoose provide a basis for moral decision making for believers and/or non-believers.
- ☐ The strengths and weaknesses of Finnis' Natural Law and/or Hoose's Proportionalism.
- ☐ The effectiveness of Finnis' Natural Law and/or Hoose's Proportionalism in dealing with ethical issues.
- ☐ The extent to which Finnis' Natural Law is a better ethic than Hoose's Proportionalism or vice versa

Use the draft text book on Teams to support your learning in this topic.

D. John Finnis' Development of Natural Law

- I. Development of the **seven basic human goods** (life, knowledge, friendship, play, aesthetic experience, practical reasonableness and religion);
- II. Distinction between **theoretical / practical reason**;
- III. **Nine Requirements of Practical Reason** (view life as a whole, prioritise certain goods over others, basic goods apply equally to all, do not become obsessed with a particular project, use effort to improve, plan your actions to do the most good, never harm a basic good, foster common good in the community and act in your own conscience and authority);
- IV. The **common good and the need for authority**.

Introduction

Finnis (b.1940) is a practicing Catholic and has been a Professor of Law at Oxford University. Finnis published *Natural Law and Natural Rights* in 1980, and the book is an important development of the Natural Law theory. For Finnis, as for Aquinas, law and morality are closely related.

The Problem

By the 20th century, because of David Hume and Jeremy Bentham's attacks, Natural Law suffered and was seen as an unsuccessful ethical theory. It was thought to be largely based on religion, and therefore lost popularity due to the development of scientific explanation. (Darwin).

Finnis' Solution

Like Aristotle, Finnis asks: "*What constitutes a worthwhile and a valuable life?*" Finnis knew that he couldn't get over Hume's problem (is/ought - you can't derive values from facts) so instead Finnis tried to demonstrate that there are **universal basic values that are necessary for us to live worthwhile lives**.

He regards these as "**Basic Goods**" inherent in human nature. Finnis claimed that every person on the planet recognises the value of these "Basic Goods", although they may prioritise them differently, depending on cultural background and goals for life. They cannot be derived from God's law, or logic or the inclinations of the human brain.

Finnis agrees with Hume that it is not possible to infer values from facts. However, he denies that Aquinas and Aristotle are guilty of this error. In Finnis' restatement of Natural Law, Aquinas' first principles of Natural Law specifying basic forms of good and evil are self-evident and indemonstrable. Finnis asserts that these "goods" may be grasped by practical reasoning (which describes how to act) and without the use of theoretical reasoning (which describes what is true) and by anyone old enough to reason.

1. What problems did the Natural Law theory face?

2. How does Finnis attempt to solve the problems facing Natural Law?

I. Seven basic human goods

Finnis said that his "goods" or "values" are not "basic human urges". People desire them because they are **intrinsically good**; they do not become good because people desire them.

Finnis rejects arguments that ideals like liberty, opportunity, wealth and self-respect are primary goods. Instead, he views them as intermediate ends that help to make the basic values achievable. For Finnis the central object of his theory is a set of seven basic 'goods' for humankind. Like Aquinas' Primary Precepts (educate; worship God etc.) Finnis' 'goods' describe the things that human beings value. These goods are:

1. **Life:** covers various aspects of life from bodily and mental health to procreation
2. **Knowledge** (for its own sake): means being well informed. The ability to see things clearly, as they 'really are'. It is a basic good that constantly aims for the truth.
3. **Friendship** and Sociability: the common good 'acting for the sake of one's friend's purposes, one's friend's well-being' Finnis, not for self-interest.
4. **Play** (for its own sake), skilled performance, recreation, enjoyment, physical, intellectual and fun
5. **Aesthetic Experience:** the appreciation of natural beauty, art and performance
6. **Practical Reasonableness**, i.e. the ability to use your intelligence and reason correctly about what is best for your-self and to act on those decisions (influenced by Aristotle's practical wisdom)
7. **Religion** i.e. a connection with, and participation with, the orders that transcend individual humanity

These basic goods are **universal** (for all times, peoples and cultures) and establish the foundation for ethical action. Once we recognize those things that are fundamentally and inherently good then we are obliged to take them seriously and work from them. Other motivations for action, such as the pursuit of pleasure or material gain, are wrong and motivated by human desire rather than practical reason.

Like Aquinas, Finnis argues that these "goods" should be valued for their own sake and not merely for some other good they bring about. They are both the motivation and the goal of any action. For Finnis, these Seven Basic Goods are "self-evidently" good.

3. Create a mnemonic to remember the basic goods and describe them

Good - Mnemonic	Description and examples

For Finnis' this "self-evidence" has certain features:

- a. The goods cannot be reduced into a more basic value.
- b. They are indemonstrable - their existence is presupposed in any attempt to demonstrate them. Finnis actually wants to create a circular reference here. This particularly applies to knowledge: one can neither

deny nor endorse the ~value” of knowledge without using knowledge. The denial of knowledge thus involves self-contradiction.

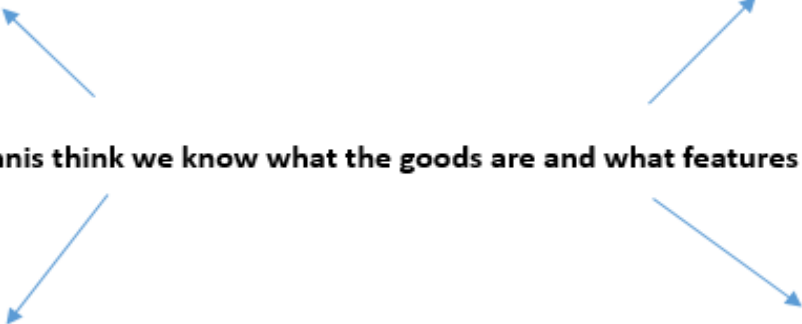
- c. They cannot be verified by looking at them “they are obviously valid to those who have experience of theoretical judgment, that is, anyone with experience of inquiry, even a child”.
- d. It is possible to deny them, but denial is “straightforwardly unreasonable”. For Finnis, evil involves the denial of basic goods, perhaps by an attack on one or more, the total absence of one or more, or indifference to one or more: “*evil is live backwards*” is in opposition to life and liveliness.

To defeat Hume’s “ought/is” dilemma Finnis does not prove that these seven are the best from observing human practices, but relies on “self-evidence”. He is also keen to prove that his basic values can’t be reduced to a basic notion of ~pleasure” Friendship, for example, may not always bring pleasure, but it remains a good in itself.

The Reality of the Basic Goods

How do we know that these are the basic human goods? Finnis argues that **they are self-evident and obvious**. They’re not obvious because they’re somehow innate (inscribed on the mind at birth), nor are they obvious because we feel certain about them, nor are they obvious because we observe them in the world around us, **but they’re obvious because we presuppose them in everything we think and do**.

For example, take *the Basic Good of Knowledge*: babies aren’t born with the importance of knowledge already planted in their minds, but once a child starts to find things out, they presuppose that it’s better to have knowledge than be ignorant. For Finnis, the statement ‘these are the seven basic goods’ is just as true as any mathematical statement. These ‘goods’ are self-evident and according to Finnis exist independently of human thought, and so we can put them in ‘reality’ in the same sense that mathematics lives in reality. The basic goods, of course, do not have physical form.



4. How did Finnis think we know what the goods are and what features do they have?

II. Theoretical and Practical Reasoning

There is an important distinction between theoretical and practical reason: in theoretical reason, if two statements contradict then at least one of them must be false. In practical reason, there can be two contradictory acts that are *both* morally correct choices. It is up to a human's free will to choose which act they will adopt.

An important aspect of Finnis' argument concerns the use of human intelligence. When people try to work out "*what is the case*" they use **theoretical reasoning** to derive conclusions from observed facts. Theoretical reasoning deals with what we have in front of us and tries to make sense of questions of explanation and prediction, very much like scientific analysis, and attempts to determine what is going to happen. It is concerned with matters of fact and explanation

Practical reasoning is a different type of reasoning that allows us to work out what is right and wrong. It is based on self-evident ethical principles and deals with the normative; that is 'what am I obliged to do'. It is the application of the principles of practical reasonableness to an actual moral issue when working out what to do.

The key difference between theoretical reasoning and practical reasoning is that theoretical reasoning does not and cannot deal with ethical decisions from obligation.

5. Theoretical reasoning is . . .

Practical reasoning is . . .

III. Nine Principles of Practical reasonableness

The importance of practical reasonableness for Finnis lies in the fact that all basic goods are worth pursuing. People exercise practical reason when making moral decisions in seeking out these goods. Finnis thinks practical reasonableness avoids extreme injustice and provides a model for basic rights. Finnis proposes nine, interrelated principles (or requirements), of practical reason.

They help to create the optimum conditions in which to achieve the seven basic good i.e. in order to make right moral decisions in your life you act rationally in accordance with the nine requirements, that then helps you successfully achieve the basic goods.

1. You should view your **life as a whole**, and not live moment to moment, based on achieving the basic goods. You should have a 'coherent plan for life' Finnis.
2. **No arbitrary preference amongst values** (goods) You naturally have to **prioritise** certain goods over others (e.g. a student would prioritise knowledge over fun!), but you should always do so with good reason. You should never arbitrarily discount one of the basic goods.
3. **Basic goods apply equally** to all people. You can be self-interested to the extent that you are in the best position to look after yourself, but you should always take into account the good of others. A person must commit to all of these basic goods; none can be left out 'No arbitrary preference amongst persons' Finnis.
4. You should make sure that you **do not become obsessed** with a particular project, and keep the perspective that the project is a participation of a basic good. A person should not show arbitrary preference among people. In other words: do unto others, as you would have them do unto you.
5. Use **effort** to improve – you should actually do projects and make an effort to improve – do not just sit around and repeat old habits. 'Commitment' Finnis
6. **Plan** your actions to do the most good and avoid evil - try to be efficient in our moral choices {e.g. reasonable to save the old woman from the burning house and not her budgie}
7. **Never harm a basic good** - In every moral act, all the basic values must be remembered. For example, you should not kill even if it will indirectly save more lives later. 'Respect for every basic value in every act' Finnis
8. We must foster the **common good** of the community, not just for you as an individual. 'The requirements of the common good' Finnis
9. You should act according to your own **conscience and practical reason**, not the authority of someone else. 'Following one's conscience' Finnis.

6. Cover up the list and summarise each Requirement in less than five words.

-
-
-
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Making Decisions using the Seven Goods and the Nine Principles

The seven goods and the nine principles apply equally to everyone. To make specific decisions in your life, you think reasonably, in accordance with the nine requirements, and decide how you will participate in the basic goods.

The seven goods are all equally important, and do not exist in a hierarchy. Therefore, although some acts are wrong - because they do not participate in a basic good - there is no single correct act. In this way, the seven goods and the nine requirements specify the overarching structure and goals, but do *not* determine the details of day-to-day life, or even big decisions like the choice of career.

This is an important distinction between theoretical and practical reason: in theoretical reason, if two statements contradict then at least one of them must be false. In practical reason, there can be two contradictory acts that are both morally correct choices. It is up to human's free will to choose which act they will adopt.

There is plenty of scope for discretion in Finnis' version of Natural Law. If you are deciding what to do with you day, you could choose to listen to music, or go to college, or to go to a party, to volunteer to help a charity. These are all, in principle, valid choices i.e. they all support one of the basic goods.

However, some choices are wrong, e.g. murdering someone, or spending all day in an empty room doing nothing, but there are many equally correct choices.

IV. The Common Good and authority

Finnis proposes a "First Moral Principle": the idea that we act for the good of the community as a whole and not just as an individual. Humans naturally need to live in groups. This is both required expressly by the basic good of Friendship/Sociability, and implicitly by all the other goods, because we are most productive when we are working together. Therefore, one of the nine requirements of practical reason is to '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. Like one of the basic goods, the common good is never *achieved*, it is only *participated in*.

Finnis argues the importance of the seven basic goods leads us to the idea of the common good. That is, we are able to see there are certain conditions that are needed to enable all members of the community to attain reasonable objectives for themselves. Similarly, we may like Finnis' seven basic principles, but decide that we can't be bothered extending the benefit of the basic goods to others. But Finnis responds by stating that unless "goods" are extended to others there will be no social rules, let alone orderd society. If each person thinks he has a right to life, knowledge, play etc. but that others don't, or the individual in question doesn't care, there will be no harmony and no social cohesion.

Finnis argues that friendship/sociability *is* an objective good because it leads to concern for others, and leads us beyond an exclusive concern with ourselves. Finnis also argues that ~practical reasonableness" {another basic value} requires a person to have regard to the ~common good" when determining their actions.

Authority

To best achieve the common good, certain acts need to be performed by the *whole* community rather than specific people. Examples are respect for the rules of games, collaboration within knowledge, spirituality within the community, or respect for each other's lives and safety. Such community-wide actions require coordination, and coordination requires authority {not necessarily coercive authority}. Such coordinating authorities include churches, team captains, university heads of department, and governments. One of the basic goods is practical reasonableness. It is necessary that every member of a society be able to make decisions *for them-selves*. 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.

7. If you decided to follow Finnis' Natural Law how would you make a moral decision?

8. What is the common good?

9. What do authority figures need to do according to Finnis?

Explain John Finnis' development of Aquinas' Natural Law. [AO1 20]

Candidates could include some or all of the following, but other relevant points should be credited.

- 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 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.
- To achieve the above basic goods, moral agents need to fulfil nine principles of practical reasonableness. 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.
- Finnis also proposes a '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. Such whole community action needs co-ordination; however, this requires authority (but not necessarily coercive authority).

This is not a checklist, please remember to credit any valid alternative.

2 F Application of Finnis' Natural Law - Immigration and Capital Punishment

A. Immigration:

Definition: The action of coming to live permanently in a foreign country.

What are reasons for migration to another country?

Finnis' Natural Law Theory can be seen to send mixed messages about immigration. This is because the seven basic goods and nine requirements of practical reason do not give specific ethical guidance. Therefore, some of the seven basic goods and nine requirements of practical reason seem to support immigration and some seem to oppose it:

The basic goods and requirements of practical reason that support immigration:

Finnis believed each good is of value in itself and there is no hierarchy of goods.

Basic Goods

- Friendship and Sociability: the basic good friendship can be seen to support immigration because we should extend the hand of friendship to all – including immigrants
- Aesthetic Experience – it could be argued that immigration supports this basic good because immigration opens up a society to a wider variety of cultural aesthetic influences, such as art or poetry.
- Religion – It could be argued that immigration opens up different avenues to answer the ultimate questions that transcend humanity. As immigrants may bring with them different answers to such questions e.g. a Buddhist, Muslim, Hindu perspective etc.

Requirements of Practical Reason

- Basic goods apply equally to all people. You can be self-interested to the extent that you are in the best position to look after yourself, but you should always take into account the good of others i.e. you must not neglect others. Therefore, we should not neglect the needs of immigrants
- Aim to do good and avoid evil, by actions that fulfil the basic goods. It could be argued that helping immigrants, particularly from war torn areas, is doing 'good' and to neglect them is evil.
- You should foster the common good of the community, not just for you as an individual. If we consider the world of a community then we must help others by allowing immigration.
- You should act according to your conscience and practical reason, not the authority of someone else. It could be argued that helping people by allowing immigration is the right thing to do and our consciences would support that.



The basic goods and requirements of practical reason that against immigration:

Basic Goods

- Friendship and Sociability – on a basic level it means at least been sociable, but ultimately acting in the interests of one's friends. This point could limit friendship to a close knit group of friends. Therefore, this basic good does not include people we do not know – like immigrants.
- Aesthetic Experience – means an appreciation of beauty and art. Allowing immigration could erode a cultural identity and thus a cultures idea on aesthetics (such as art could be lost).

Requirements of Practical Reason

- You should foster the common good of the community, not just for you as an individual. It could be argued that mass immigration disrupts a particular society. Therefore, the only way to foster the common good for a community is to reject immigration all together or opt for controlled immigration.

Other

- Also as we have seen if a law in society is to reject immigration (a little like with the Trump administration in the USA) then we should accept that because following the law is the best way to achieve the common basic goods.
- Perhaps the best way to understand Finnis' Natural Law theories view on immigration is to look at recent articles about immigration written by Finnis. He argues that controlled immigration is a good thing because the benefits to a community outweigh the problems e.g. it helps people within that community achieve the basic goods. However, mass immigration would have the opposite effect because of the disruption to a community this would cause e.g. a break down in local services such as health care, education and welfare and/or law and order. This would stop a community been able to achieve the basic goods.

Aspect of Finnis' Theory	Why would it not support immigration?	Why would it support immigration
1. Life: The preservation of life, leading a healthy life, the right to a good quality of life.		
2. Knowledge: To understand the world around us, helping us to develop as humans.		
3. Friendship/Sociability: Our relationships, from one-on-one to a global scale, acting for others.		
4. Play: The enjoyment in things, deriving pleasure from activities		
5. Aesthetic experience: Appreciating beauty in what we see <i>and</i> what we create.		
6. Practical reasonableness: Deciding how to act morally based on our knowledge and experience.		
7. Religion: More than just religious affiliation; Ultimate questions and striving for meaning.		
1. Have a rational coherent plan of life View your life as a whole, and not live moment to moment		
2. No arbitrary preferences between values Cannot aspire to just one good or devalue a good for other people.		
3. No arbitrary preferences between people Basic goods apply equally to all people. Can be self-interested to the extent that you are in the best position to look after yourself, but you should always take into account the good of others		
4. Detachment Do not become obsessed with a particular project. Remember that the project is ONLY a participation of a basic good.		
5. Commitment-		

Do projects and make an effort to improve – don't just sit around or repeat old habits		
6. Efficiency within reason- Calculate and plan your actions so that they are the most efficient (in a utilitarian sense) and do the most good.		
7. Respect for every basic value- Never commit an act that directly harms a basic good, even if it will indirectly benefit a different basic good.		
8. Respect for community and common good Foster the common good of the community. Not individualistic self-fulfilment		
9. Following conscience and practical reason- Act according to <i>your</i> conscience and practical reason, not the authority of someone else.		
The Common Good		

Capital Punishment:

Definition: The legally authorised killing of someone as punishment for a crime.

Finnis' Natural Law Theory can be seen to send mixed messages about capital punishment. This is because the seven basic goods and nine requirements of practical reason do not give specific ethical guidance. Therefore, some of the seven basic goods and nine requirements of practical reason seem to support capital punishment and some seem to oppose it:

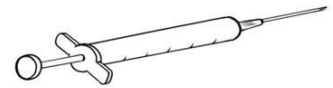
The basic goods and requirements of practical reason that support capital punishment:

Basic Goods

- Friendship and Sociability – on a basic level it means at least been sociable, but ultimately acting in the interests of one's friends. If one of our friends is either directly affected by a killing or is a potential target of killer; then it could be argued that it is in the interests of our friend to support capital punishment for the killer.
- Practical Reasonableness – using one's intelligence to solve moral problems. Is it not an obvious externally fact that a murderer, by taking someone else life, forfeits their own? Therefore, supporting capital punishment.

Requirements of Practical Reason

- Basic goods apply equally to all people. You can be self-interested to the extent that you are in the best position to look after yourself, but you should always take into account the good of others. Therefore, for the good of others, on the whole, should not a community support capital punishment – thus removing the continued threat posed, by say, a murderer.
- You should foster the common good of the community, not just for you as an individual. Is not the common good of a community fostered by removing those members of a society that do not, in an extreme way, support the basic goods e.g. capital punishment for murderers and rapists etc.



The basic goods and requirements of practical reason that oppose capital punishment:

Basic Goods

- Life – covers various aspects of life from bodily health. This basic good supports to the concept and importance of life. For obvious reasons capital punishment would go against this basic good.
- Practical Reasonableness – using one's intelligence to solve moral problems. Does our practical reasonableness point us in the direction that capital punishment is wrong. Is it not obvious from observation that killing, in any form, is wrong.

Requirements of Practical Reason

- You should never commit an act that directly harms a basic good, even if it will indirectly benefit a different basic good. For example, you should not kill even if it will indirectly save more lives later. Therefore, capital punishment should never be carried out because capital punishment would harm the basic good of 'life'.
- You should act according to your conscience. It could be argued that our conscience tells us that killing is always wrong and therefore capital punishment is never acceptable.

Other

Also as we have seen if a law in society is to support or reject capital punishment then we should accept that because following the law is the best way to achieve the common basic goods.

Perhaps the best way to understand Finnis' Natural Law theories view on capital punishment is to consider Finnis' view on the law. Finnis argues that if you accept a legal system, then you have a legal obligation to obey every law. The argument runs like this:

1. I ought to pursue the basic goods
2. Society needs to coordinate in order to best achieve the basic goods

3. The law is an effective way of coordinating society this way
4. Therefore, I ought to obey the law.
- Therefore you have both a legal and moral obligation to respect and obey the law. The law is therefore justified to put in place sanctions for those that disobey the law. If that includes capital punishment, then we should accept it.

2 F Application of Finnis'
Natural Law to Capital
Punishment

Bernard Hoose's overview of the Proportionalism debate: An American philosopher and theologian born in 1945

- I. As a hybrid of Natural Law, a deontological / teleological ethic;
- II. Hoose's proportionalist maxim ('it is never right to go against a principle unless there is a proportionate reason which would justify it')
- III. Distinction between an evil moral act (an immoral act) and a pre-moral/ontic evil act (a bad act that in itself is not immoral);
- IV. Distinction between a right act (an act that is not necessarily a good act, but creates the lesser of two evils) and a good act (an act that follows the moral rule);
- V. Proportionality based on agape.



Introduction to Proportionalism

Proportionalism (sometimes called revisionism) originated among Catholic scholars in Europe and America in the 1960's. Proportionalists believed their work was a revision of Natural Law rather than a theory that replaces it. There was increasing concern among some theologians that ethics, in the Catholic tradition, was too deontologically rigid and so the revised theory was developed.

Richard McCormick (1922–2000), a Jesuit priest and moral theologian, suggested that Catholic moral theology had: '**... disowned an excessively casuistic approach to the moral life.**' One influential commentator of proportionalism is **Bernard Hoose** (1945 -). Hoose summarised the proportionalist position in his 1987 book: 'Proportionalism: The American Debate and Its European Roots.'

The Catholic Church has condemned proportionalism. For example, Pope John Paul II (1920-2005) in his encyclical 'Veritatis Splendor' (The Splendour of Truth) stated proportionalism is wrong because it denies that any action can in and of itself be intrinsically evil.

Though proportionalism was formalised in the 1960's, the proportionalist approach is to some extent visible in the writings of St. Thomas Aquinas' (1225-1274). For example, Aquinas' principle of double effect, considered the question of whether it would be permissible for a starving man to break the secondary precept of stealing, in order to save his life. He concluded it was lawful.

Therefore, Aquinas concluded, where a person is starving to death, then, it would be moral to steal from another. However, Aquinas did not accept this for every moral situation. For example, when it comes to the issue of telling a lie to save someone from death, Aquinas argues that this is not lawful!

However, modern proportionalists would generally argue that if it is acceptable to steal in order to save yourself from starvation, then it makes little sense to prohibit lying in order to save someone's life.

Commenting on this, Hoose suggests that: '**What the proportionalists have done is point out the inconsistency and invalidity of such thinking.**'

1. Explain the origins of proportionalism, including Aquinas.

i. As a hybrid of Natural Law, a deontological / teleological ethic;

Proportionalism responds to natural law by working within its framework, but without insisting on a fixed, inflexible and absolutist interpretation if a greater good is served by laying it aside. Proportionalism is a hybrid of deontological and teleological ideas:

- Deontological: The moral rule, derived from the precepts of Natural Law, should always be followed, unless there is a proportionate reason not to.
- Teleological: the deontological rule can be broken if there is proportionate reasons, including a consideration of the intention, outcome, to do so.

2.

Proportionalism is called a hybrid because . . .

It is deontological because . . .

It is also teleological because . . .

ii. Proportionalist maxim

Proportionalism claims that there are certain moral rules (such as those that come from Natural Law) that it can never be right to go against; unless there is a proportionate reason which would justify it.

For example, the secondary precept that stealing is wrong should always be followed because it breaks the primary precept of living in an ordered society; unless there is a proportionate reason to steal.

Therefore, deontological moral laws that come from Natural Law do provide firm moral guidelines which should never be ignored, unless it is absolutely clear that, in the particular unique situation, this is justified by a proportionate reason. These moral laws determined by precepts are 'intrinsic goods', and an act that goes against an intrinsic good is an 'intrinsic evil'.

This was summarised by Hoose when he stated the main proportionalist maxim is: **'it is never right to go against a principle unless there is a proportionate reason which would justify it'.**

In other words, where proportionate reasons exist, it would be right to ignore the rule in that situation i.e. a bad action can be done if there is a larger reason why it should be carried out.



Right / Good Act

Early Proportionalist, such as Peter Knauer, used moral terms, such as, 'evil moral act' (immoral act) in an unclear way.

Therefore, as Proportionalism developed it became obvious that there needed to be a definition of what was meant by a 'good act' and a 'right act'. Due to the complex debate about the meaning of key terms, Hoose attempted to clarify the issues of good, evil, right and wrong by looking at a basic philosophical distinction that had been made by G E Moore in his Principia Ethica many years earlier. Hoose defined a good act and right act as:

Good Act or 'intrinsic good': This is a descriptive term for an act that follows a deontological theological moral rule e.g. following the eighth commandment: 'Do Not Steal'.

However, Hoose does add an exception to this - the good act must be carried out with the right intention. For example, if a moral agent does not steal, but only because it would benefit them financially (intention of greed), this according to Hoose cannot be considered a good act. Hoose considered agape to be the most important intention.

Right Act: This is an evaluative term for an act that is not necessarily a good act but creates the lesser of two evils. What this means is that a moral agent may break a deontological theological moral rule e.g. 'Do Not Steal'. However, a consideration of the intention/situation/consequences of this unique situation reveals that the moral agent only stole to create the lesser of two evils (a proportionate reason).

This would be considered a 'right act' because although the moral agent has not followed the theological moral rule (and thus has not carried out a 'good act') it has created the lesser of two evils. For example, a moral agent steals a gun (breaking the eighth commandment) but with the intention of stopping a potential mass killer from killing people and consequentially saving many lives. Though this cannot be considered a good act (because the theological moral rule was broken) it can be considered a right act.

Many Proportionalists got very confused between what was meant by a 'good act' and a 'right act'. Particularly many American Proportionalists who either ignored this distinction or defined them the other way around. Famous Proportionalist Richard McCormick was particularly guilty of this. However, perhaps one of Hoose's greatest achievements in the Proportionalist debate was to clarify the meaning of these two phrases.

Proportionate Reason

The proportionate reason should be based on the unique individual situation of the moral agent; including the intention of the moral agent affected in that unique moral situation i.e. the intention of a woman considering having an abortion.

However, this situation/intention must be sufficiently unusual and of sufficient magnitude to provide a reason which would overturn what would otherwise be a firm rule based on the precepts of Natural Law e.g. abortion is wrong unless there is an unusual and serious teleological reason to justify the abortion. For example, the pregnancy is ectopic and the mother and foetus will die unless the foetus is aborted; thus, saving the mother.

Therefore, in order to decide whether an act is moral or immoral, the intention of the moral agent has to be considered. If you ignore the intention of the moral agent, then you can only determine what, has variously, been called the 'ontic', or 'pre-moral', or 'physical' rightness or wrongness of the act, and not its morality.

Therefore, in terms of good/evil acts:

Pre-moral/ontic: are right physical acts (such as getting an education) or wrong physical acts (such as having an cutting human flesh) but that in themselves are not necessarily moral and immoral acts. This because the situation/intention has not been considered; only the physical action has been considered. The justification proportionalists, give for this is that many actions are neither good or bad in themselves, it is only the intention that gives them their morality e.g. if a surgeon makes an incision in human flesh, for example, you do not immediately say, 'That cut is morally good', or 'That cut is morally bad'. It instead depends on the surgeon's intention in doing the cut.

In fact, proportionalists argue there cannot be any acts that are intrinsically evil (evil in themselves). The physical act of cutting human flesh, for example, is not intrinsically evil, we can only find out whether the cut is morally right or wrong by looking at the situation/intention of the moral agent.



Moral and Immoral Acts: The morality of a situation can only be known when a consideration of the full situation/intention of the moral agent is considered. If a pre-moral/ontic act was carried out with a bad intention then it becomes an immoral act.

The distinction between pre-moral and moral evil is central to the proportionalist position.

Bernard Hoose said that:

An evil like pain, death or mutilation is, in itself, pre-moral or non-moral, and should never be described as 'moral'. It is the act as a whole which is either right or wrong, and it is the person, or the person in his or her acting, who is morally good or morally bad.

A distinction has to be made between acts which are good and acts which are right – and this distinction, proportionalists maintain, is often not made. A person may have a good intention but may be able to achieve that intention only through an act which is considered to be, in itself, evil. The proportionalists hold that it is possible for an act, in itself to be wrong, whilst based on the actual situation in which the action is done the action may be morally right.

A separation is being made distinguishing the different intentions of a human being who acts:

Part of the issue here is whether psychological intention is to be distinguished from moral intention. Surely a doctor who amputates a limb to save a person's life has to remove the limb. But does he or she morally intend the evil in the amputation? Phillip Keane

Proportionalists seek the right thing to do in the particular circumstances. Unlike advocates of situation ethics, they affirm that there are non-moral goods and evils, but they maintain that the circumstances need to be taken into account in deciding whether a non-moral evil is also a moral evil. Killing, theft or contraception (if one is a Catholic) may be morally good in certain circumstances. As Bernard Hoose puts it:

If what is morally good is what is morally right and what is morally bad is what is morally wrong, we shall have to revise an awful lot of our thinking in moral matters. Some of the people who burned heretics were probably morally good in such actions. Are we to assume, therefore, that the burning of heretics was morally right? Must rich benefactors seeking admiration stop giving money to the poor? Surely they should change their attitude, but continue to give their money.

Value and Disvalue

Therefore, when considering the morality of a particular situation a proportionalist considers, what is called, the proportion of **value** to **disvalue** in the potential action to be carried out. What this means:

- **Value:** All the reasons why the action to be carried out, in terms of its own unique moral situation, may be justified – including positive intentions and precepts upheld etc.
- **Disvalue:** All the reasons why the action to be carried out, in terms of its own unique moral situation, may not be justified – including negative intentions and precepts broken etc.

If the value outweighs the disvalue then a particular act, in context of its own unique situation, would be justified by the proportionalist. And visa-versa if the disvalue outweighed the value.

Examples:

Both examples, below, are examples of the pre-moral/ontic physical act of abortion. Proportionalists would argue what makes abortion a moral or an immoral act, in each example, is the calculation of value against disvalue. Though abortion is being used in the example below all other 'pre-moral'/'ontic' physical acts can be assessed in the same way.

Example 1:

Situation: A woman has become pregnant within marriage. She wishes to terminate the pregnancy because she believes that having a child will interrupt her career pattern.

- Value: Uninterrupted progress of her career
- Disvalue: The intention of the agent would be the destruction of an foetus for personal gain, which goes against two of the primary precepts: the preservation of life and reproduction.
- Conclusion: the disvalue of the abortion exceeds its value of it because the non-moral intention of the agent outweighs any value. Therefore, to have an abortion for an uninterrupted career pattern is not justifiable on proportionalist grounds. The Natural Law deontological rule, on abortion, stands.



Example 2:

Situation: A woman has a pregnancy that endangers her life. She wishes to terminate the pregnancy because otherwise, two people will die – herself and the foetus.

- Value: the intention of the agent is to support the precept of preserve her life. This could also include her continued existence to support (and thus preserve) the rest of her family. Moreover, it is possible she might be able to conceive in the future without danger of death.
- Disvalue would be the destruction of a foetus.
- Conclusion: the value of the abortion exceeds its disvalue. Therefore, in this situation, to preserve her life by aborting the foetus is justifiable. Therefore, the Natural Law deontological rule, on abortion, does not stand. Although there is an acceptance among proportionalists that this can be seen as justifying a wrong act, the intension/outcome of the wrong act is deemed to outweigh the wrong act and is thus moral.

Comparison with Situation Ethics – connection to Ethics theme 3

Some commentators have criticised Proportionalism as just another form of Fletcher's Situation Ethics.

In some ways this could be seen as true. This is because, as we have seen, it does take a teleological view in the same way Situation Ethics does. Moreover, a proportionalist when considering the situation/intention can consider the agape consequences of the pre-moral/ontic physical action, as part of the value/disvalue of the unique moral situation.

However, there is a strong distinction between Situation Ethics and Proportionalism. Situation Ethics has the monist approach i.e. it will only consider agape for its value to disvalue calculation. Whereas Proportionalism will consider a wide variety of factors when considering the value and disvalue of a certain oral action.



Proportionality based on agape.

Those who support situation ethics and proportionalism both maintain that love or agape is the only criterion for moral goodness or badness. However, proportionalists refuse to accept the view of situation ethicists that love can make a wrong action right. As Hoose puts it:

An action born of love can be wrong, while an action not resulting from love can be right.

3. Read the information and answer the questions briefly from memory, then check your answers.

What is the proportionalist maxim?

How did Hoose define good acts and right acts?

What is an immoral act?

What is the proportional reason?

What is the distinction between an evil moral act (an immoral act) and a pre-moral/ontic evil act (a bad act that in itself is not immoral)?

Explain Hoose's concept of Value and Disvalue with an example.

What is agape? How does it link to Proportionalism?

4. Use these answers/notes to create an answer to 'Explain Hoose's interpretation of Proportionalism'

Proportionalism: application to theory

1. Capital Punishment:

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).



Aquinas' Natural Law can also be seen as against the death penalty because it goes against the primary precept of 'preservation of life' (however it does have to be noted this is by no means a universal view – with some arguing capital punishment supports the primary precept of 'preservation of life' or 'an ordered society' by ending a threat to life by, for example, lawfully killing a murderer).

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.

For example:

- **Situation:** 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.
- **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.

Apply Hoose's Proportionalism to issues of capital punishment. (20)

Bernard Hoose's Proportionalism is a hybrid of Natural Law, which also adopts the principle of Agape from Fletcher's Situation Ethics. Although it is a deontological ethic, which recognises Aquinas' Five Primary Precepts of Natural Law, it does also recognise that at times, there may be a proportionate reason to go against these moral principles, particularly if the end result would be agape. For this reason, Proportionalism is also seen to be a teleological ethical theory as it looks at the end outcome of an action.

Hoose's proportionalist maxim 'it is never right to go against a principle unless there is a proportionate reason which would justify it' could be said to be a useful when considering issues surrounding capital punishment. Whereas Natural Law would almost certainly forbid Capital punishment as a direct violation of the primary precept to preserve life, a proportionalist may argue that there may, at times, to be a proportionate reason to allow capital punishment and to therefore break a precept of natural law.

Hoose distinguishes between evil moral act (acts which are always wrong, such as murder in cold blood, for example) and pre-moral/ontic evil acts (a bad act that in itself is not immoral). Taking these teachings into account, it could be argued that Proportionalism should not allow the death penalty, as it directly violates the Primary Precept of preserving life. The death penalty is killing another person, which could be claimed to be an evil moral act. Hoose did recognise that some acts are always wrong. In this sense, he differs from Fletcher. "An action born of love can be wrong, while an action not resulting from love can be right." One might argue that there is never a proportionate reason to put someone to death.

However, following the same teachings, it may be argued that at times, there is a proportionate reason to put someone to death, even though it breaks a moral rule. For example, would it be immoral to sentence a serial killer to death? The proportionate reason may be that in doing so, society is being protected from further evil. Society is also learning that such acts receive a severe punishment, which in return fits in with another principle of Natural Law, which is learning. Perhaps in this instance, capital punishment is not an evil moral act, but an ontic evil act.

Similarly, Hoose also makes a distinction between a right act (an act that follows the moral principles of Natural Law, such as keeping a foetus even if it is unwanted) and a good act (an act that is not a right act, but creates the lesser of two evils, such as promoting justice). This may also be applicable to capital punishment. One could never argue that capital punishment is a right act, since it violates several principles of Natural Law. It means taking someone's life, therefore taking their ability to learn, to reproduce and to worship God. However, at times, capital punishment could be seen as a good act, since it creates the lesser of two evils. A Proportionalist would need to weigh up which is the lesser of evils. If we allow a murderer to live, we may send a message to society that murder is tolerated. If we allow capital punishment, we might not even need to use it, but it could act as a deterrent in the same way that nuclear weapons are used as a deterrent against nuclear war. We might also enable victims and their families to feel that justice is being done. Perhaps, in some situations, capital punishment may be a right act.

When applying Proportionalism to capital punishment, the proportionate reason to allow capital punishment should be linked to agape. What is the most loving thing to do in each situation? A Proportionalist must look at the act as a whole, and also to consider the long term consequences. In some countries which practise capital punishment, it could never be seen to be carried out due to agape. Many countries that carry out capital punishment do so for fairly minor crimes. Amnesty International's research and campaigns show that in countries such as China, trials are carried out unfairly, without the right to legal representation. China do not disclose the official number of executions since many are carried out secretly. Amnesty believes that at least 10,000 people in China are executed secretly each year. Amnesty International has also demonstrated that in China, people are kept on death row for years, never knowing when they will be put to death. This is inhumane, and could never be seen as agape. There could never be a proportionate reason to practise capital punishment in this way.

However, in countries such as the United States (several states practise capital punishment), it could be argued that trials are fair. The sentences are given based on clear evidence. A person has opportunities to appeal their sentence. We may argue that when this is the case, it may be loving to carry out capital punishment, particularly if it benefits society and contributes to the safety and well-being of society.

Overall, it is clear that Proportionalism does not offer a definitive response to the issue of capital punishment. In each individual situation, it must be considered whether there is a proportionate reason to carry out capital

punishment. Would the end outcome be the most loving thing to do for all? In some situations, the answer may be yes, whereas in others, the answer may be no.

2. Immigration

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.”**

Aquinas’ Natural Law can also be seen to support immigration because it supports the primary precept of ‘preservation of life’ (however it does have to be noted this is by no means a universal view – with some arguing that mass immigration may break the primary precept of an ‘ordered society’ by breaking down a society as it is unable to cope with the mass influx of people).

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.

For example:

- **Situation:** 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 immigrant 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.

6. Proportionalism: Immigration

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Proportionalism	How could this apply to Immigration?	What does it conclude about immigration (allowed/depends)

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AO2 – Evaluation of Finnis and Hoose

- ☐ Whether Finnis' Natural Law is acceptable in contemporary society.
- ☐ The extent to which Hoose's Proportionalism promotes immoral behaviour.
- ☐ Whether Finnis and/or Hoose provide a basis for moral decision making for believers and/or non-believers.
- ☐ The strengths and weaknesses of Finnis' Natural Law and/or Hoose's Proportionalism.
- ☐ The effectiveness of Finnis' Natural Law and/or Hoose's Proportionalism in dealing with ethical issues.
- ☐ The extent to which Finnis' Natural Law is a better ethic than Hoose's Proportionalism or vice versa

1. **Do you think Finnis' Natural Law theory is acceptable? A good basis for moral decisions? Strong? Better than Hoose?**

Yes

No

2. **Do you think Proportionalism theory is effective? Promotes morality? Strong?**

Think of two arguments to support the theory and two to challenge it.

Yes

No

Evaluation of Finnis' Natural Law

Weaknesses

1. Finnis aims to deal with the Hume problem with naturalism, and although he tries mightily, some think he failed. There is simply no way of knowing that all rational people automatically accept his basic values. If not all people accept them, then we are back to inferring values from facts.
2. Finnis is also confronted by the problem of moral relativism, something not considered by Hume but blindingly obvious to anyone who lives in a multicultural community. In order to produce seven values common to all cultures, he has to define them so broadly that they become meaningless. {e.g. "Knowledge" in Islamic fundamentalism may boil down to word-perfect recitation of the Koran}
3. It can be seen as a weak ethic because it is based on fallible human reason rather than the Divine Command of God.
4. Finnis chooses 7 objective values but why those seven, and why seven only? Are there other values that could be added?
5. Finnis presents himself as a secular natural lawyer, and only "slips the religion in" towards the end of his work. He argues that if you accept his arguments in Natural Law and Natural Rights, you are also likely to accept the existence of an "uncaused cause" i.e. God.
6. Do the elements of practical reasonableness help guide us with difficult moral dilemmas {abortion, euthanasia]? Finnis' Catholicism rears its head when he states that because abortion and euthanasia both involve damage to a basic good, they should not be legalised, regardless of any good consequences their legalisation may have.
7. Finnis is aware that this argument could easily be mistaken for utilitarianism as it looks like the "common good" is just another name for Bentham's "the greatest good for the greatest number". But Finnis is quick to point out that in utilitarian theory, the individual is not intrinsically important in the Hedonic Calculus that determines the moral worth of an act or rule.
8. The Seven Basic Goods are not necessarily linked to morality – they are ethically neutral.
9. Unlike Aquinas' version it is not a clear ethic, and appears to be something to aspire to rather than a set of moral commands.
10. Finnis claims the Seven Basic Goods are independent of human thought, universal and unchanging. However in a post-modern and relativistic world, morality is more likely to be viewed as fluid, and unique to each moral agent and/or situation.

Strengths

1. According to Robert Bowie, Finnis' reworking of Natural Law seems "a more measured interpretation on Natural Law (than Aquinas)". This means . . .
2. Finnis writes from a Catholic perspective but his theory could be acceptable to atheists. His theory does not rely on the existence of God but relies on human (not divine) reasoning. It provides an universally acceptable idea of what is 'good' rather than just a religious one. This is a convincing strength because . . .
3. Finnis is not focused on a single way of measuring morality (unlike Utilitarianism for example) and as such his reworking is flexible. Flexibility is useful in ethical theories because . . .
4. The Seven Basic Goods are adapted to contemporary society and the Nine Principles of practical reasonableness can be grasped by anyone and address important concerns of human beings. They are attractive/make sense to the modern mind and are easily understood. For example, . . .
5. Finnis' Natural Law focuses on community rather than just individual morality. This is a strength because . . .

'The strengths of Finnis' Natural Law outweigh its weaknesses.'

Evaluate this view

[AO2 30]

Candidates could include some or all of the following, but other relevant points should be credited.

- A strength of Finnis' Natural Law is that it does not rely on the existence of God for its authority, e.g. the basic goods cannot be derived from God. Finnis' Natural Law could appeal to non-believers because it is reliant on human (and not divine) deductive reasoning.
- However, he accepts that one of the seven basic goods is religion, still providing a basis for believers to accept his theory. Therefore, Finnis' ethic can be seen to be open to all. It potentially provides a universally acceptable idea on what is 'good' rather than just a religious one.
- In Finnis' Natural Law, 'basic goods' and 'principles of practical reason' are adapted to contemporary society i.e. this version of Natural Law is more in line with the beliefs of a secular society.
- Another strength of Finnis' Natural Law is that it focuses on community morality rather than just individual morality. This can be seen in Finnis' 'First Moral Principle' - the idea that we act for the good of the community as a whole not just as an individual.
- However, Finnis' Natural Law can be seen as a weak ethic. The seven basic goods are based on fallible human reason and therefore they have no divine justification. Many religious believers would, as a result of this, not consider following Finnis' Natural Law. Its status as a moral ethic is flawed because it is not associated with the command of God.
- The seven basic goods are not necessarily linked to morality, for example knowledge can be seen as being ethically neutral, or worse if used in isolation from the others goods.
- A further weakness of Finnis' Natural Law is that it is not a clear ethic. Aquinas' Natural Law, for example, gives a clear set of ethical rules, whereas Finnis' Natural Law can be seen as something to aspire to rather than a set of moral commands.
- Finnis claims that the seven basic goods are independent of human thought. They are universal and do not change in the same way that Aquinas claimed his precepts were universal and unchanging. This claim will not appeal to moral agents brought up in a post-modern society, where morality is seen as fluid and unique to each moral agent and or situation.

Overall, candidates should engage with the debate and come to a substantiated evaluation regarding the issue raised.

**General
Specific
Thesis**

Aspect of the theory	Strengths	Weaknesses
It is based on what it means to be human	It assumes the special status of human beings	
Community		
Goods	Secular	
Practical reasoning	Based on rationality	

Conclusion

Whether Finnis' Natural Law is acceptable in contemporary society AO2 Lines of argument

- Many people feel that there must be a 'higher law' that can be appealed to – that human law is not the final authority. Finnis' Natural Moral Law approach supports this (and fights against a legal 'positivist' view that law is merely the creation of powerful people).

- Finnis' Natural Law does clearly prevent us from performing morally wrong actions because it does set out some acts that are always bad. This gives us clear guidance.
- Finnis' basic goods are largely positive and encouraging of individuals to make something of their lives rather than to sit back and mindlessly follow restrictive preventative rules. Rather than a list of 'don'ts' Finnis encourages action, purpose and enjoyment of life. This is attractive for a modern, productive society.
- Finnis says we must never go against a basic good. However, there are some very complex situations that people face – perhaps a utilitarian viewpoint is more reasonable (something that Finnis would reject).
- How can we know that the basic goods are 'basic' and not merely instrumental? After all, Finnis says that knowledge is a basic good, but perhaps he only knows this from having benefitted instrumentally from his knowledge!
- Even though Finnis defines religion in an open way (reflection on the ordering of the cosmos), it seems that one has to believe in some kind of God to embrace this theory. If so, this would not appeal to an increasing segment of our society who reject all religion would find no reason to relate to it and thus no desire to trust and then follow its principles.

Key questions that may arise could be:

1. Do we face problems in contemporary society to which the basic goods do not apply?
2. What kind of things do we value in contemporary society?
3. Is the list of basic goods complete or are there more?
4. Many people in modern life do not believe in God, can they still use the theory?
5. Would modern society have an argument for prioritising some goods over others?

Possible conclusions to some arguments put forward could be: 1. Finnis' Natural Law is very acceptable to society because society values play, friendship and aesthetic experience as well as the more traditional values of life and knowledge. This is very much in line with the universal declaration of human rights. 2. Finnis' Natural Law is unacceptable to contemporary society for the simple reason that one of the basic goods is religion. New Atheism rejects the need for religion in society and argues that it is dangerous. 3. There are features of Finnis' Natural Law that might be acceptable, but it may need moderation. There will always be extreme circumstances whereby a value should be prioritised over others in order to preserve a person's well-being.

Finnis' Natural Law is acceptable in contemporary society.' Evaluate this view.

General

Specific

Thesis

Finnis' Natural Law is acceptable in contemporary society	Finnis' Natural Law is not acceptable in contemporary society
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It is acceptable today because it is universal and appeals to our common human nature.	<p>However, it is not universal as not everyone would agree with Finnis' controversial views about immigration and homosexual acts.</p> <p>Furthermore, there is no common human nature</p>
It is acceptable today because it is based on human reason and not God.	However, human reason is fallible
It is acceptable today as it encourages people to work for the common good.	It is not relevant today because other ethical theories are more beneficial for communities
It is acceptable today due his emphasis on aesthetics, play and sociability	It is not relevant today as not everyone would agree these are the basic goods. They are not self-evident.

Conclusion

Whether Finnis provides a basis for moral decision making for believers and/or non-believers AO2 Lines of argument

- Finnis' natural law is steeped in history and can be dated back to Aristotle through Aquinas. This gives it a firm basis for moral decision making because it has stood the test of time.
- Whilst Finnis' Natural law does have reference to religion and God within it, and so would be attractive to religious believers, everything else within it can be said to be universally desirable by human beings whether they are religious or not. E.g. play, friendship, beauty and understanding.
- Practical reason can be proven to have benefits to one's own physical and emotional health – as well as to society. This aspect of his theory could appeal in a secular world that values empiricism.

- Finnis does make the claim that the need for religion is self-evident, yet this is an assumption which non-believers might object to since it is based on faith rather than evidence. Non-believers may point out that they feel no need at all to seek God.
- Finnis' theory relies upon too many principles that cannot be proven and so a nonbeliever might mistrust them. For example, that the 'basic goods' are basic or given or that a simple explanation is always preferable to a complex one. Philosophically these assumptions are questionable.
- Finnis' Natural law takes us down a road which is inconsistent with what many, religious or non-religious alike, might now feel is unacceptable and inconsistent with morality. For example, Finnis objects to same gender coupling and reserves marriage only for a man and a woman.

Key questions that may arise could be:

1. What do believers require to make moral decisions?
2. How does decision making differ between believers and non-believers?
3. Do both groups have anything in common, as is suggested by the notion of 'basic goods'?
4. What makes a decision moral?
5. Is the universe 'ordered' as Finnis thinks it is?

Possible conclusions to some arguments put forward could be: 1. Finnis' approach does not provide a good enough basis for moral decision making for believers because there is a lack of emphasis upon the religious aspect of life (scripture and God's authority) that is fundamental for a believer. 2. Finnis' approach is suitable for all because it appeals to something both groups have in common and that is the authority of practical reason. It emphasises common values and allows the individual to reason about how best to put them in place. 3. Finnis' approach strikes a balance for believers between individual faith and scriptural guidelines. Finnis encourages individuality but with the clear restrictions of the basic goods that can be supported by the values in scripture without relying solely upon it.

'Finnis only provides a basis for moral decision making for believers.' Evaluate this view

General

Specific

Thesis

Only provides a basis for moral decision making for believers

Finnis' Natural Law theory only provides a basis for moral decision making for religious believers

Provides a basis for moral decision making for believers and non-believers

Conclusion

AO2 Evaluating Proportionalism

Strengths

1. Proportionalism recognises that natural law must be allowed to change and that it is almost impossible to identify laws that are eternally valid without adaptation. This means that . . .

2. Proportionalism is more compassionate than the strict observance of absolutist Natural Law. This is because . . .
3. It allows individual circumstances to be taken into account. For example . . .
4. Proportionalism has been used for a long time in Catholic moral thinking in the issue of Just War.
5. Aquinas did allow exceptions to the secondary precepts which are the basis for moral rules in the Catholic tradition, so it may be argued that proportionalism is closer to mainstream Catholic tradition than the more conservative and restrictive view supported by this Church's Magisterium at the present time.

Weaknesses

1. Proportionalism allows humans too much freedom to decide what is proportionately good. This is a problem because . . .
2. It does not provide a method to assess proportionality – Bernard Hoose maintains that the judgement about the morality of an action is made taking the consequences into account but without a formal method of calculation – this becomes similar to a form of intuitionism and is therefore very individualistic. It relies on the individual to weigh up the situation – the intrinsic evil of lying, theft etc. and balance this against the consequences.
3. Proportionalism may be thought of as a consequentialist theory in a different form, since it takes into account the outcome of an action rather than its intrinsic worth. For example, . . .
4. It permits the rejection of authoritarian moral codes such as those laid down by the Roman Catholic Church, such as . . .
5. Proportionalism was condemned by the Vatican in the document 'Veritatis Spondor' on October 1993 (except in Just War teachings)

The Strengths and Weaknesses of Hoose's Proportionalism AO2 Lines of argument

- Hoose's Proportionalism gives clear authority to the law, emphasising that in ordinary situations these laws are inviolable and so moral behaviour is easy to govern and judge.
- It has a tradition and history behind it since St. Aquinas had attempted to recognise the need for flexibility but hadn't consistently achieved it. Hoose develops that which Aquinas had begun.

- Proportionalism combines the strengths of situation ethics (focus on love and unique situations) without promoting complete relativism – there are abiding principles (Natural Law). It is therefore a unique modern fusion of ideas for contemporary Catholics.
- By not condemning any one action as being intrinsically immoral, Hoose makes it theoretically possible for someone to perform any act, however heinous, if the circumstances were extreme enough. Many people would argue that child abuse or rape are always wrong no matter what the situation.
- Proportionalism is impractical for society. A society needs a rigid set of principles that are applied to all people in order for it to function properly. Anything less could result in anarchy where each individual can bend their interpretation of the severity of their situation to suit their own desires.
- Proportionalism is just not as clear as deontological Natural law on the one hand or a relativist approach like situation ethics on the other hand. It seems to be between these two without offering a clear method for determining whether or not an action is proportional.

Key questions that may arise could be:

1. What characteristics do people require in a 'strong' ethical theory? (e.g. fair / consistent / flexible, etc.)
2. What kinds of things would worry people about a 'weak' ethical theory? (e.g. impractical / vague etc.)
3. Does Proportionalism take the best ideas from both situation ethics and natural law?
4. Is it practical for everyone regardless of education or context to engage in proportional thinking/calculations?
5. Are absolute rules really absolute if we are allowed to break them?

Possible conclusions to some arguments put forward could be:

Hoose's proportionalism is a strong moral theory because it seems to be fair in the way it treats people, by recognising that it is much harder to obey a command not to kill if your own life is being threatened by an attacker.

2. Proportionalism is a weak moral theory because it claims to be deontological and value some rules as absolute, but in the next breath it allows exceptions.

3. Hoose's proportionalism has several important strengths as it is compassionate, reasonable and intends to promote good moral behaviour. But it has a powerful weakness in how unspecific 'exceptional circumstances' are meaning that almost anything could be considered exceptional.

'The weaknesses of Hoose's Proportionalism outweigh the strengths.' Evaluate this view.

Issues	Hoose's Proportionalism is a weak theory	Hoose's Proportionalism is not a weak theory
Laws		However,
Right and good acts		On the other hand,

Compatible with Christianity		This view can be challenged

Conclusion

The extent to which Hoose's proportionalism promotes immoral behaviour. AO2 Lines of argument

- The Roman Catholic Church has felt that Proportionalism promotes immoral behaviour on the basis that it does not condemn any act as intrinsically bad (but as pre-moral or ontic evil).
- There is little guidance by Proportionalists as how to weigh up the value of an act in relation to its disvalue. This could be very subjective and therefore could make it easy to perform acts that others would deem to be immoral, with no concrete way to judge who is correct.
- Many Catholics believe that God has given the Magisterium the role of guiding people's moral choices (not just spiritual influence). Proportionalists deny this thus replace the authority of the church with godless Utilitarianism (according to the Magisterium!).
- According to Proportionalism an immoral act is one which carries brings more ontic evil into the world than it takes away. It promotes only those acts that are proportionally valuable and so does not promote immoral behaviour.
- Proportionalism and Hoose still advocate that people should, in general, follow deontological laws like Natural Law. This theory merely gives the opportunity for moral agents to make a choice between two bad options in an extreme situation.
- Hoose's Proportionalism shows more compassion than a strict adherence to Natural Law would allow. This is more in line with the kind of morality that Jesus advocated where law was for the benefit of humankind rather than the other way around.

Key questions that may arise could be:

1. Aren't there some actions (like rape) that are wrong actions without exception?

2. Is a proportional decision one that is reached objectively or does it come down to personal preference?
3. Don't we sometimes need other people (like the Magisterium) to tell us how to act?
4. Does the occasional laying aside of principles make one unprincipled?
5. Is it ever acceptable to perform an action with bad motives.

Possible conclusions to some arguments put forward could be: 1. Hoose's Proportionalism does promote immoral behaviour by separating the act from the intention of the agent. If some acts are morally bad, as demonstrated through Natural Law, then they are bad regardless of the circumstance or intention. 2. Hoose's Proportionalism does not promote immoral behaviour, instead it prevents immoral behaviour. Rules support people in behaving well, but if following a rule causes more harm than good, Proportionalism allows a person to break that rule for the greater good. 3. This is a dangerous theory. On the one hand, it is not promoting immorality to insist on exceptions to principles; however, Hoose's theory could open the door for not challenging intentions but instead focusing on actions.

'Proportionalism promotes immoral behaviour.' Evaluate this view.

Introduction – what is immoral behaviour?

Issue	Proportionalism promotes immoral behaviour	Proportionalism does not promote immoral behaviour
Good acts and right acts	Proportionalism promote immoral behaviour as it does not believe that acts that go against moral rules are necessarily wrong. Furthermore, Romans 3:8 condemns the practice of 'doing evil to achieve good'	However, this does not mean it promotes immoral behaviour
Teleological and deontological		
Subjective		

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Conclusion

Whether Hoose provides a basis for moral decision making for believers and/or non-believers AO2 Lines of argument

- Hoose provides a basis for moral decision making for believers by claiming that Proportionalism can be seen in the life of Jesus: Jesus advocated following law but, allowed exceptions in the extreme situations like hunger or to save the life of the woman accused of adultery.
- Hoose gives autonomy to the moral agent by allowing them to weigh up the value or disvalue of an act proportionally for themselves rather than being ruled mindlessly by laws. This would be attractive to anyone in the modern world whether believer or not.
- Hoose's Proportionalism respects Natural Law which would be attractive to believers who desire a traditional approach. It also takes into account a range of influencing factors such as intention, situation and outcome (as well as holding the law in high regard). This might be attractive to believers and non-believers alike because it appears to be more logical than simple obedience.
- Many religious believers would reject Proportionalism (e.g. Roman Catholics) on the basis that it does not allow for any act to be intrinsically right or wrong. The Bible seems to condemn some acts absolutely and Hoose seems to place human intellect above the need for obedience to God.
- Non-believers might reject Proportionalism on the basis that it still places too high a regard for law in its theory and such laws based on revelation from God (who does not exist) is irrelevant to them. If there were to accept any kind of deontological law, it would have to be based upon reason rather than any deity.
- Proportionalism seems like a weak fusion of Natural Law and Situation Ethics. The lack of commitment to a method or system that is clearly laid out (as by both Aquinas and Fletcher) is an inefficient compromise that combines the weaknesses of both theories rather than the strengths.

Key questions that may arise could be:

1. To what extent do we see Jesus setting a Proportionalist example in scripture?
2. Could an atheist make use of this theory and it still make sense?
3. What use could this theory be to people of other religions?
4. Could Proportionalism lead people to perform acts that the Bible condemns?
5. If you do not believe in any divine authority, can you use a deontological theory at all?

Possible conclusions to some arguments put forward could be: 1. Proportionalism involves reasoning around values and disvalues; therefore, it is a suitable basis for all human beings, whether they believe in God or not. 2. Hoose's theory would not be attractive to a religious believer because it places human reasoning above God, Her commands and God's ordained community (the Magisterium). 3. Hoose's theory would not be a suitable basis for an atheist because of its roots in Natural Law, a religious theory, and because of its deontological nature.

‘Hoose provides a basis for moral decision making for believers and non-believers.’ Evaluate this view.

General

Specific

Thesis

Hoose’s Proportionalism provides a basis for moral decision making for believers and non-believers	Hoose’s Proportionalism does not provides a basis for moral decision making for believers and non-believers

Conclusion

The extent to which Finnis’ Natural Law is a better ethic than Hoose’s Proportionalism or vice versa AO2 Lines of argument

- Finnis is more consistent in his application of deontological laws which means that all people are treated the same regardless of their cultural origin or their perceived crime. This protects people from prejudice and ensures justice for all.
- Hoose's proportionalism appears to value fixed laws but actually disregards them when it suits him. This is more complex and thus time consuming and costly to administrate and, thus, is less practical.
- Hoose does not place as much importance upon the good of society as Finnis does. He is more concerned with individuals and their circumstances. Sometimes it is necessary to consider the greater good or majority and Finnis ensures that the common good is always protected.
- Hoose recognises that Natural Law is limited if it doesn't recognise that some situations call for a different response. Since society is constantly throwing up different and varied dilemmas, Hoose gives us the chance to respond to them more appropriately instead of just applying a 'best fit' law that might not be adequate.
- Hoose recognises the need for Natural Law, yet also recognises that sometimes the blind application of Natural Law can result in more evil overall.
- Finnis does not give us a solution regarding what to do if an act brings about a conflict between basic goods, whereas Hoose allows us to take the least damaging option. In real life, outside the arm-chair, people sometimes have to do things that go against basic goods just to survive. Hoose takes this into account.

Key questions that may arise could be:

1. What are the features of a good or best ethical theory? (e.g. fairness / clarity / consistency)
2. How is Proportionalism different from Finnis' Natural Law approach?
3. Which of these theories is more 'deontological'? Which of them is more 'circumstantial'?
4. Do either of the theories give the individual more independence or more restrictions?
5. In a situation where there are only bad actions possible – would either of these theories help? (e.g. a family hiding from an axe murderer has a new-born baby who is sick and won't stop crying – what are the options? Can the theories help?) 1

Possible conclusions to some arguments put forward could be:

1. Finnis' Natural Law is a better ethic than Proportionalism because it keeps clear rules about what is acceptable whilst allowing the individual to make use of their own reasoning capacity to choose between different good options. It avoids the pit fall of the Proportionalism which finds itself weighing up each action according to circumstances that meet the vague criteria of being 'exceptional'.
2. Proportionalism is clearly a better ethic than Natural Law because it begins with Natural Law but allows more scope for compassion in situations that cannot be legislated for or even predicted.
3. Natural Law and Proportionalism are both equally valuable as ethical theories, because both value the principles of Natural Law and both allow for the use of individual reason. Even Finnis' approach could be seen to deal with exceptions through the principle of double effect.

The extent to which Finnis' Natural Law is a better ethic than Hoose's Proportionalism or vice versa

Evaluation of Finnis	
Finnis is better because	However, there are problems with Finnis' theory
Evaluation of Hoose	
Hoose is better because . . .	However, there are problems with Hoose . . .

F: Finnis' Natural Law and Hoose's Proportionalism: application of the theory

The Effectiveness of Finnis' Natural Law in dealing with ethical issues [example used here is immigration]: AO2
Lines of argument

Finnis' natural law provides a clear support for those who are fighting for immigrants who will not otherwise have the basic goods. It can support this struggle by appealing to a higher law (against egoism and group bias) which cries out against inhumanity and works on behalf of those who need shelter and safety.

The eighth principle of practical reason is that we should 'foster good in the community'; if we interpret 'community' broadly as the human race then there is a clear basis for working on behalf of immigration.

However 'Community' can be interpreted narrowly as a family, tribe or nation and therefore this principle can be used in a clear way to resist some forms (or all forms!) of immigration.

There is a conflict between the value of friendliness and being practically reasonable with resources, time and commitments. This can lead to conflicting interpretations of applying Finnis to immigration; therefore, it is not a helpful theory.

A truly deontological theory would demand that we behave in an ethical way consistently; yet, as can be seen from conflicts in the above points (how to interpret 'community'), Finnis' Natural Law approach can lead to vastly different actions in terms of this issue.

Key questions that may arise could be:

1. Do we really need to appeal to a 'higher law' to combat group bias?
2. How should we interpret the word 'community' when Finnis says, 'Foster good in the community?'
3. Is Finnis' approach simply too 'general' to lead to any agreement on specific moral decisions?
4. What should we do if the basic good of the individual comes into direct conflict with the basic good of the society?
5. Does saying 'no' to open borders | refugees | immigrants | (etc.) | promote or detract from the basic goods/principles of practical reasonableness?

Possible conclusions to some arguments put forward could be:

1. Finnis' Natural law is effective when dealing with the problems of immigration because it looks at the big picture for everyone concerned as well as looking at the rights of the individual. It is a practical theory that can be applied to a society and enforced without confusion.
2. 2. Natural law is not effective when dealing with immigration because it is inevitable that the goods of some will conflict with the good of others and there is no way to decide between.
3. 3. Natural Law can offer guidance regarding the best way to approach immigration, but it is not wholly effective because the term 'community' can be interpreted either broadly or narrowly.

The Effectiveness of Hoose' Proportionalism in dealing with ethical issues [example used here is immigration]:

AO2 Lines of argument

It is effective to engage in the process of weighing up whether an action brings more or less ontic evil into the world as this ensures that we are aware of the context of our actions.

Proportionalism is effective against a dehumanizing absolutist approach to the law. Even if it necessary for there to be immigration laws, Proportionalism means that exceptions can be made.

Hoose's proportionalism is effective in preventing a purely emotive response to a contentious issue. By categorising the need for immigration itself as an ontic or premoral evil, Hoose allows us to take a practical approach to weighing up the advantages and disadvantages before making a decision.

Proportionalism is simply impractical as countries need absolutes to function. A circumstantial approach requires an enormous and costly amount of administration to weigh up each case separately.

Proportionalism isn't actually a method in that it offers no clear set of principles to make a calculation of proportion. It is more of a 'mindset'; thus one could use it with conflicting results on any moral issue.

Proportionalism can't be effective as it is too subjective. Different individuals will give different weight to the issues. Some may think the disvalue of the strain on the job market with more competition for work cannot outweigh the value for the country of having more a more diverse skill set available. Others will argue the opposite.

Key questions that may arise could be:

1. If thousands of people wish to flee a war zone, how to we weigh this proportionally against the strain on a society that could be asked to support them?
2. What kind of circumstances would be considered 'not exceptional' (and therefore NOT require proportional thinking)?
3. Are decisions about immigration based, essentially, on emotion?
4. What kind of 'value' could people bring to a society that they wish to move to (in other words, beyond purely utilitarian considerations of pain and pleasure)?
5. Which precepts or goods can support the idea of allowing 'no borders'
6. Does 'keeping people out' add 'disvalue' and a relative increase in ontic evil to a culture or are there times when doing so creates a 'value' and a relative decrease in ontic evil?

Possible conclusions to some arguments put forward could be:

1. Hoose's Proportionalism is extremely effective with immigration because it is the kind of system that we already employ. It is necessary for us to have some kinds of laws regarding immigration, simply to control the quantity of people that we can accommodate, yet there are some circumstances when we assess whether to breach these laws when someone's life is threatened if they remain in their country of origin.
2. Proportionalism is not effective in dealing with immigration because it could be argued that every single person is an exception and therefore it is impractical to apply Proportionalism. Either we need strict laws, or open borders so that we can treat people fairly.
3. Hoose is partially effective. It is compassionate certainly, but it is difficult to see where the line is to be drawn between a proportionate and disproportionate reason to move countries and it could still see some people in need being turned away.

The effectiveness of Finnis' Natural Law in dealing with ethical issues [example used here is Capital Punishment]

AO2 Lines of argument

- Finnis' Natural law is effective because it prevents inhumanity even to those who have committed serious crimes – the basic goods apply to all. A mob mentality may want capital punishment, but Finnis would have us pause and consider that all humans deserve basic goods.
- Finnis' approach is effective because it offers the clear perspective of 'the common good' – the majority are protected from harm by the minority. It might be in the interest of the common good to make use of capital punishment and Natural Law would seem to allow this.
- Finnis' Natural law could be considered effective because leaves room for debate and the use of the human mind in communal decision making (the principles of practical reason).
- Finnis' Natural Law is ineffective in dealing with capital punishment because it gives no clear guidance on whether or not it is acceptable, and we may interpret his basic goods and requirements of practical reason to come to any number of conclusions.
- If Finnis' approach is used to justify ceasing capital punishment, then this may be considered an ineffective response to those victims of crime who need closure. Some crimes are sufficiently damaging that it is unreasonable of Natural Law to protect the sanctity of life of the individual over and above the need for retribution on behalf of victims.
- It is ineffective in giving us any method of dealing with a criminal at all since the basic goods of friendliness and sociability mean that we should treat everyone in the way we would like to be treated ourselves.

Key questions that may arise could be:

1. Does Finnis' approach prevent a 'mob mentality' to capital punishment?
2. Does 'common good' lead towards accepting or rejecting capital punishment? Or, is it too vague an idea?
3. What should we do when to uphold the basic good of one person (the prisoner) means violating the basic good of another (the victim's family who needs closure)?
4. Are the basic goods compatible with ANY kind of punishment?
5. Does Finnis' approach provide any clarity on this issue?

Possible conclusions to some arguments put forward could be:

1. Finnis' Natural Law is effective when dealing with capital punishment because it avoids an overly emotional, instinctive reaction which might be expected when a crime has been committed and people feel violated (practical reason).
2. Finnis' approach is ineffective because it leads in the direction of viewing punishment in general as violating one's basic goods. This would lead to too soft an approach to those who have committed crimes.
3. Finnis' Natural Law approach is both clear and unclear on this issue. On the one hand, it points us away from capital punishment (basic goods apply to prisoners as well as everyone else). On the other hand, it encourages reasoning on this issue that could lead to a justification of capital punishment.

The effectiveness of Hoose's Proportionalism in dealing with ethical issues [example used here is Capital Punishment] AO2 Lines of argument

- Proportionalism is effective because it recognises that no answer will ever be perfect (there is always ontic evil) but tries to create a solution where ontic evil is lessened.
- Hoose's Proportionalism is effective because rather than prescribing a complicated formula to this issue, it urges us to pay attention to the fact that often what is proportionate is very clear to us.
- Hoose's Proportionalism is effective because moves us to consider not only how capital punishment could bring pain or pleasure into the world but also for how it can produce values or disvalues – this is a broader perspective than Utilitarianism.
- Hoose's Proportionalism is not effective because it is irrational. Once a deontological system has decided that life is to be preserved or is sacred, it is illogical to then start producing exceptions to this rule. Either the theory is deontological, or it is not. There is no middle path.
- Hoose's approach is not effective because we would never really know if ontic evil is increased or reduced – we simply don't have that kind of knowledge!
- If we have a sense of clarity about a proportionate act without having to do a calculation, what is to prevent that clarity from being merely selfish interest? Proportionalism could be seen therefore as, essentially, Egoism!

Key questions that may arise could be:

1. What values or disvalues are created for a society that permits capital punishment?
2. What could be considered exceptional circumstances - and therefore give a proportional reason for capital punishment to be allowed?
3. Who or what must be taken into consideration when making the proportional decision to allow capital punishment?
4. When considering punishment for a crime, is there ever a situation which would be considered 'not exceptional'?
5. Can one picture a situation where an act of capital punishment reduces the amount of ontic evil in the world compared to not committing an act of capital punishment?

Possible conclusions to some arguments put forward could be:

- Hoose's Proportionalism is effective when dealing with the issue of capital punishment because it begins with principles (such as the value life for those who have committed murder), but recognises that there could be exceptions where capital punishment is the better path to reduce ontic evil.
- Hoose is not effective in dealing with the issue of capital punishment because every situation is exceptional when it comes to crime and punishment. If this is the case Proportionalism loses its identity as a partially deontological theory and become completely teleological with no basis in absolute law.
- Hoose's approach is limited to personal morality and does not provide a solid legal or political basis for society. This is because it is inconceivable that everyone, together, would ever come to the same 'proportional' decision.