AS LEVEL

Exemplar Candidate Work

RELIGIOUS STUDIES

H173
For first teaching in 2016

H173/02 Religion and ethics
Summer 2017 examination series
Version 1
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Introduction

These exemplar answers have been chosen from the summer 2017 examination series.

OCR is open to a wide variety of approaches and all answers are considered on their merits. These exemplars, therefore, should not be seen as the only way to answer questions but do illustrate how the mark scheme has been applied.

Please always refer to the specification (http://www.ocr.org.uk/qualifications/as-a-level-gce-religious-studies-h173-h573-from-2016/) for full details of the assessment for this qualification. These exemplar answers should also be read in conjunction with the sample assessment materials and the June 2017 Examiners’ Report to Centres available on the OCR website http://www.ocr.org.uk/qualifications/.

The question paper, mark scheme and any resource booklet(s) will be available on the OCR website from summer 2018. Until then, they are available on OCR Interchange (school exams officers will have a login for this).

It is important to note that approaches to question setting and marking will remain consistent. At the same time OCR reviews all its qualifications annually and may make small adjustments to improve the performance of its assessments. We will let you know of any substantive changes.
To what extent does natural law provide a helpful method of moral decision-making?

AO1 Level 4 - 13 marks  AO2 Level 4 - 12 marks

Natural law is an ethical theory derived by the Catholic writer Thomas Aquinas, who expanded on the initial idea of the Greek writer and philosopher Aristotle. It is a legalistic thinking of ethics, in that there are laws to follow, and is unadulterated prescriptive. Aquinas believed both strengths and weaknesses exist, and overall, it can be argued that the strengths do outweigh the weaknesses.

Aristotle first initiated the ideas of natural law when he was writing in ancient Greece. He believed that everything was part of the natural order and in order for something to be ‘good’, it must adhere to its purpose and reach a sense of permanence. For Aristotle, a ‘good’ idea will tend and achieve its purpose by being able to act. Similarly, a racing car reaches its mark of permanence when it accelerates smoothly from the starting line. When Greece’s ancient Greek ideas were beginning to be redefined in the middle ages, some believed it questioned the male’s authority in making moral decisions. Thomas Aquinas on the other hand disagreed, arguing that with the accurate application of reason, one comes to the same conclusions as the Bible. Aquinas believed that, because humans are indeed a part of the natural world, they do have a purpose which we can observe using our senses. Aquinas believed that the
‘teach’ or preserve of a human being is to ‘reflect the image of God’. Aristotle devised his primary concepts to define the purpose of human beings; to reproduce, in lexis, on mankind, to live together harmoniously and to preserve life. The process of applying the primary concepts into our everyday lives is labelled ‘teleology’. Secondary concepts are concepts determined from one of the primary concepts; so I may conclude that homosexuality is wrong because it doesn’t aid in reproduction - similarly, abortion and euthanasia must be wrong morally wrong as they don’t help in the preservation of life. Aristotle also devised a hierarchy of laws. At the summit of this hierarchy in external laws (the laws that govern the universe, beyond our comprehension), divine law (the law given by God in the Bible), natural law, and statute law (the laws put in place by the government). Aquinas argued that followers of natural law can override statute law if it comes into conflict with divine law. Barbara Ferguson

A perceived strength of applying the theory of natural law when making moral decisions is that it is legitimate and prescriptive. That raises corresponding risks. One can easily be helped when making moral decisions, as it relatively easy to apply the primary concepts to modern-day situation and indeed use divine law to question whether an action is morally acceptable. For example, lying must be wrong as in many cases, it doesn’t ensure that we live together harmoniously.

Moreover, on the other hand, this could be deemed a weakness of the theory. Joseph Fletcher would argue that natural law is indeed too prescriptive, arguing
That situation would be a better approach to making moral decisions. A weakness therefore is that the theory is not situationist. For example, the paralysed rugby player Daniel James desired to go through with euthanasia of the intention where because he felt ‘trapped’ inside an impotent body. Euthanasia by natural law wouldn’t be able to allow this desire to happen to the client as it doesn’t expand the thinking breadth of the preservation of life. It can therefore be argued that natural law isn’t helpful because it is relativist, it doesn’t take into account the situation when making moral decisions.

A strength of natural law is that it protects the right of each individual, including the elderly and the handicapped. Under situationism, if voluntary euthanasia was permitted, then the elderly may eventually feel a responsibility to go through with involuntary euthanasia in order to make sure they would a burden upon rather than their family or indeed, indeed death at the hospital. Under natural law, this situation wouldn’t be accepted to occur as it doesn’t aid in the preservation of life.

On the other hand, situationism of situationism may indeed restrict the rights of elderly or handicapped individuals in this way. Therefore, natural law can be interpreted to be helpful when making moral decisions, providing the right of each individual.

Contrastingly, some would argue that the Divine law included in the reasoning of law for providing of natural law to follow is not of date and not helpful when making moral decision in the modern civil society. Some people would argue that the
Examiner commentary

AO1

This response demonstrates an accurate and detailed knowledge of natural law showing very good understanding through the breadth and depth of the material used. There is accurate use of technical terms and subject vocabulary throughout the response with a very good selection of relevant material which is used appropriately. The lack of exemplification of views limits the response to the bottom of Level 5.

AO2

The answer to this question has a good demonstration of analysis and evaluation in response to the question with views that are well stated with some development and justification leading to a response that answers the question well. There is mostly accurate and appropriate use of technical terms and subject vocabulary which is supported by a good range of academic and scholarly views. There is a little too much of a strengths versus weaknesses argument rather than a real focus on whether natural law was really a helpful method of moral decision-making – good use of more pertinent examples would have improved this response.
Question 1

To what extent does natural law provide a helpful method of moral decision-making?

AO1 Level 3 - 9 marks  AO2 Level 3 - 8 marks

1. Natural law was derived from Aristotle at first who believed that our ability to reason should allow us to achieve our purpose in life which is eudaimonism or flourishing. Aquinas followed on from Aristotle and argued that we have innate reason which is God-given. By using our reason, we are able to fulfill our ultimate purpose because we would do good actions and then unite with God in the afterlife.

Natural law is a helpful method of moral decision making because it is clear. Aquinas sets out the 5 primary precepts which must be used for all decision making. These are preservation of life, living in an ordered society, worshipping God, educating the young and reproduction. For Aquinas, these primary precepts must then be used to judge whether an action is right or wrong. There are also secondary precepts which are derived from the primary precepts for example, if the primary precept is preservation of life, its secondary precept would be ‘do not kill’ as killing someone would be going against the primary precept. Therefore, its clear instructions.
On moral decision making, natural law is a helpful method of moral decision making.

However, the primary precepts could be in conflict. For example, if allowing a pregnant woman to die in order to save her child would support the primary precept of reproduction but would fail to preserve the woman’s life, this makes the moral theory quite impractical as quick decisions cannot be made if there are contradictions within the theory.

Aquinas also places great emphasis on virtues. He argues that faith is the most important virtue that one could have, followed by other virtues such as prudence (the ability to practical reason) and courage.

A more updated version of natural law is Finnis’ forms of flourishing. He argued that humans need sleep, work and people to flourish. We perform certain acts because they fulfil these forms of flourishing.

Aquinas’ natural law may not provide a helpful method of moral decision making because one of the key primary precepts is ‘worshipping God.’ This would make the ethical theory irrelevent to atheists and, therefore, natural law cannot be a helpful
The doctrine of double effect states that the intentions of an action must be good even if there is a bad outcome. For example, if a doctor has to operate on a pregnant woman to save her life, and yet her baby dies, the death of the baby would just be an 'unfortunate side effect'. This solves the issue of conflicting primary and secondary principles. Therefore, natural law may provide a helpful method of moral decision making. However, people may pretend to have good intentions to perform evil acts. This may reduce the ethical theory's helpfulness in moral decision making.

Ultimately, natural law is a teleological ethical theory. This means that it judges the rightness or wrongness of an act based on its consequences or outcomes. This relies on
Examiner commentary

AO1

The candidate has run through each of the significant elements of natural law theory with the primary and secondary precepts being represented alongside mention of the virtues and the development of Finnis alongside double-effect. However, the lack of depth in the demonstration of the understanding of the candidate of each element leads to a response that sits at the top of the Level 3 boundary.

AO2

The candidate has produced a response that contains a successful argument where views are presented as assertions without being fully supported and justified within the argument. There is an answer to the set question with a line of reasoning that is relevant and has some structure.
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