

**PONTIFICAL UNIVERSITY
ST. PATRICK'S COLLEGE, MAYNOOTH**

**THE NATURE, ROLE AND FORMATION OF CONSCIENCE
IN THE THOUGHTS OF JOHN HENRY NEWMAN,
GERMAIN GRISEZ AND LINDA HOGAN: AN ASSESSMENT
OF THEIR THOUGHTS IN RELATION TO CHURCH
TEACHING**

John Musa Aikoye

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OF JOHN HENRY NEWMAN, GERMAIN GRISEZ AND LINDA HOGAN: AN
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**A DISSERTATION SUBMITTED TO THE FACULTY OF THEOLOGY IN
FULFILMENT OF THE REQUIREMENT FOR DOCTORATE DEGREE IN THEOLOGY**

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2013

DECLARATION

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John Musa Aikoye

November, 2013

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ABBREVIATIONS

<i>CCC</i>	<i>Catechism of the Catholic Church</i>
<i>CM</i>	<i>Conscience and Morality</i>
<i>CS</i>	<i>Communion and Stewardship: Human Persons Created in the Image of God</i>
<i>FCFC</i>	<i>Forming Consciences for Faithful Citizenships: A Call to Political Responsibility</i>
<i>IDB</i>	<i>Dictionary of the Bible</i>
<i>LC</i>	<i>Instruction on Christian Freedom and Liberation (Libertatis Conscientia)</i>
<i>LD</i>	<i>The Letters and Diaries of John Henry Newman</i>
<i>NCE</i>	<i>New Catholic Encyclopaedia</i>
<i>NIDB</i>	<i>The New Interpreters Dictionary of the Bible</i>
<i>PPS</i>	<i>Parochial and Plain Sermons</i>
<i>QDV</i>	<i>Quaestiones Disputatae de Veritate</i>
<i>SCG</i>	<i>Summa Contra Gentiles</i>
<i>SDB</i>	<i>Summa De Bono</i>
<i>SFC</i>	<i>Statement on the Formation of Conscience</i>
<i>ST</i>	<i>Summa Theologica</i>
<i>SVO</i>	<i>Sermons Preached on Various Occasions</i>
<i>US</i>	<i>Fifteen Sermons Preached before the University of Oxford: Between A.D. 1826 and 1843</i>
<i>VS</i>	<i>Veritatis Splendor</i>

GENERAL INTRODUCTION

From the birth of Christianity to the present day, conscience has been a prominent and essentially contentious concept in Catholic moral theology and tradition. Catholic theologians have, for centuries, engaged in generating elaborate treatises on the meaning, nature, primacy, role and formation of this human capacity for moral choice.

The concept has raised bitter, divisive and damaging disputations in history between individual conscience and perceived objective truth that is subjective/objective dilemma. For instance, Martin Luther unapologetically asserted that:

I am bound by the Scriptures I have quoted and my conscience is captive to the Word of God. I cannot and will not retract anything, since it is neither safe nor right to go against conscience.¹

In the presence of ecclesiastical and political leaders, Luther has done no less than to proclaim his ‘captive’ allegiance to the doctrine of the primacy of conscience. In response to such a declaration, the Secretary to the Diet of Worms remonstrated with Luther as follows:

Lay aside your conscience, Martin; you must lay it aside because it is in error; and it will be safe and proper for you to recant. Although you say the councils have erred you will never be able to prove it, in matters of faith at least, and even in matters of moral I fancy it will be with much difficulty.²

Amongst the issues raised by this response, issues that are dealt with during the course of this thesis, are that: (i) the primacy of conscience will inevitably lead to conflict between the individual and the institutions, be they political or ecclesiastical; (ii) the expectation that the individual conscience should ‘naturally’ defer to the professionalised ‘wisdom’ of the institution; (iii) the ecclesiastical management of the erroneous conscience; and (iv) even in the event of the institution being in error, it is better that the individual recant his or her own

¹ Martin Luther, *Luther's Works: Career of the Reformer* vol. 32, American ed. Ed. George W. Forell (Philadelphia: Fortress Press, 1958), 112.

² *Ibid.*, 130.

insights and continue to obey institutional edicts because as a minority of one, he or she will always find it inherently difficult to satisfactorily establish such institutional error. There are some, however, who would argue at this stage that far from exercising the primacy of conscience Luther is actually concretising what John Henry Newman was to later describe as “the right of self-will.”³ Luther’s solitary, but principled stand foreshadows Mahatma Gandhi’s assertion that, “In matters of conscience, the law of the majority has no place.”⁴

While matters of conscience for today’s Catholics usually enter their consciousness at less grandiose levels than those experienced by Martin Luther, such Catholics are nonetheless faced with morally demanding struggles. Hence, this thesis examines the Church’s interaction with conscience as she seeks to “inform” it as to how Christians should respond in moral areas. It also seeks to examine the individual Catholic’s personal conscientious management of such modern moral dilemmas from a stance that is informed by the ethical notion of *intrinsece malum* or *malum in se*,⁵ for example.

This thesis undertakes such a task through the ‘lens’ of the thinking, theories and life experiences of these theologians: John Henry Newman, Germain Grisez and Linda Hogan, all of whom are absolutely convinced of the notion that conscience is a unique but complex human phenomenon that cannot and must not be ignored or mismanaged. It is in the light of their unique contributions to the study of the notion of conscience, then, that this thesis seeks answers to the following questions:

³ John Henry Newman, “A Letter Addressed to his Grace the Duke of Norfolk on Occasion of Mr. Gladstone’s Recent Expostulation,” in *Certain Difficulties Felt by Anglicans in Catholic Teaching*, vol. 2 (London: Longmans, Green, and Co., 1900), 250.

⁴ Cited by Gerald Benedict, *The Five-Minute Philosopher: 80 Unquestionably Good Answers to 80 Unquestionable Big Questions* (London: Watkins Publishing, 2011), 80.

⁵ See John Paul II, *Veritatis Splendor* (London: Catholic Truth Society, 1993), nn.80, 81; Nicholas Crotty, “Conscience and Conflict” *Theological Studies* 32 (June 1971), 208-232; Germain Grisez, “Revelation vs. Dissent,” in *John Paul II and Moral Theology: Readings in Moral Theology No. 10*, ed. Charles E. Curran and Richard A. McCormick (Mahwah, NJ: Paulist Press, 1998), 35-42.

1. What does conscience mean in a pluralist society that is characterised by individualism, subjectivism, relativism and very diverse moral values?
2. What roles, functions or goals do these scholars assign to conscience?
3. What is their understanding of the term “primacy of conscience”?
4. How do they relate conscience to the intention and circumstance of human actions?
5. What is their response, if any, to the prospect of the individual conscience against specific moral church teaching?
6. In the inevitable event of such conflicts occurring, what solutions do these scholars proffer in order that they be resolved?
7. How do these scholars relate conscience to the role of the Holy Spirit (teacher of truth)?
8. To what extent, if any, does their understanding of the notion of a Christian conscience differ from, or closely interrelate with, the notions of goodwill and truth?
9. How do they treat erroneous conscience in terms both of the ‘informing Church’ and the ‘misguided’ Catholic?

AIM AND PURPOSE OF THE THESIS

As already noted, this thesis draws from ongoing modern theological enquiry evidenced in the works of the English clerical scholar, John Henry Newman, the American lay moral theologian, Germain Grisez, and the Irish moral theologian, Linda Hogan. As with the overall history of the study of conscience, the writings of these scholars on the nature and function of conscience reveal distinctive differences in the moral theological views they represent. Newman’s general approach to the topic could be characterised as being distinctively religious, while Grisez’s is driven by philosophical/conformist principles and Hogan’s by the tenets of personalism. The thesis evaluates the usefulness and efficacy of these distinctive approaches by examining them in relation to the overall teaching tradition of the Catholic Church.

METHODOLOGY

This thesis undertakes two tasks, one minor, the other major. The minor task traces the historical evolution of the notion of conscience from pre-Christian, Greek and Old Testament times, through to the early Christian eras of Paul, the Apostles and the Church Fathers, and thence to the medieval era of Scholars and Thomas Aquinas, before eventually arriving at the modern era of Newman, Grisez and Hogan. Having completed the minor task, the major one of examining, evaluating and comparing the works of the latter three scholars is then undertaken - particularly in terms of their accord or not with each other, and particularly with the teaching traditions of the Catholic Church.

This dissertation takes the form of a qualitative research project which seeks to give voice, through their writings, debates and teachings to the three major protagonists, Newman, Grisez and Hogan, on the notion of conscience. A qualitative approach was specifically used because it can more than adequately cater for the depth and insightfulness of the diverse contributions made by these scholars.

Under this qualitative umbrella, the use of an assessment tool that is sensitive to the 'evolving motions' of history in assessing the development or otherwise of the concept of conscience is vital to the development of this thesis. Imaginative, but proper use of such an historically sensitive tool serve as an aid in tracing the original sources of the debates and conclusions on conscience. Furthermore, it also facilitates an assessment of the extent to which such debates, research and studies have served to horizontally progress and/or vertically deepen current understandings of conscience from that of the early pioneers.

In conjunction with the implementation of the historically sensitive method of research, this thesis is also hermeneutic in its approach. Such a research strategy specifically enables this dissertation to make interpretations and achieve an in-depth understanding of the

researched phenomenon, namely the elaboration of the notion of conscience by the dissertation's three scholars. Though concerned with subjective interpretations in the research of meanings of text, social and cultural phenomena and thinking, the hermeneutic strategy contrasts starkly with scientifically-driven research strategies that stress objectivity and independence for interpretations in the formation of knowledge.⁶

THESIS DESIGN

Overall, this thesis divides into five chapters, with the first and last serving to contextualise and draw conclusions from the contents of chapters two, three and four.

- Chapter 1 divides into three parts. Part 1 specifically examines the nature of the human person, and outlines and discusses fundamental characteristics of humanity, such as its origin in God (*Image Dei*), its composition of body and soul. From such human-Divine origins flow those other human characteristics of reason, intuition, emotion, imagination, as well as the desire for freedom, community, communication and socialisation, sociality, all of which are shown to have implications for the linking of morality to the notion of conscience.

Part II of Chapter 1 focuses on the etymology of conscience itself, its use in the Bible and moral theological understanding of the concept in the scholastic era especially in the works of Thomas Aquinas.

Part III of this opening chapter investigates the documents of Vatican II, the *Catechism of the Catholic Church*, John Paul II's encyclical *Veritatis Splendor*, the documents of three national Episcopal Conferences, those of Canada, America and

⁶ See Bernard J. F. Lonergan, *Method in Theology* (New York: Seabury, 1972) for further details.

Ireland, in terms of their potential for either moving the development of the notion of conscience further along, or maintaining and strengthening the magisterial status quo.

Chapters two, three, and four, seek to describe and analytically evaluate the nature, role and formation of conscience as outlined in the thoughts, works and teaching of Newman, Grisez and Hogan, respectively.

- Chapter 2 draws on Newman's insights as elaborated in vast collection of sermons, books, treatises, pamphlets and personal correspondence. In addition, the thesis draws on commentaries on Newman's works, commentaries supportive or otherwise, which were commenced even as he still lived, and continue unabated to the present day.

Newman's work is contextualised in terms of (i) the historical development of the 'Catholic' conscience as outlined in Chapter 1, and (ii) his own experiences of living, working and writing and teaching in 19th century England and Ireland, firstly as an Anglican minister, then as a Catholic priest, and eventually as Cardinal. Hence, the importance of maintaining the 'historical' underpinning to this thesis, overall, is well evidenced. The life of Newman and the environments in which he lived impacted on his beliefs about the nature and role of conscience.

- In the case of Grisez, in Chapter 3, the thesis shows that although he had written much to do with Catholic moral theology, in particular, many opposed to his views chose to show their disdain for his ultra-conservative approach by simply not commenting on or even challenging those views publicly. However, by examining his input on conscience and the great moral debates of his day, e.g. the death penalty, nuclear war, and particularly the ongoing debate on Paul VI's upholding of the Church's ban on the use of contraception, the thesis fleshes out much of Grisez's staunchly held and aggressively proposed views on the nature of conscience.

It is to be noted that it was through both contextualising and historicising Grisez's works, in terms of his own life and of his contributions to some of the major moral debates of his time, that the thesis managed to garner some rich pickings from his works on the nature and function of conscience and its relationship to the traditional teachings of the Church.

- As with Grisez in Chapter 3, so it is with Hogan in Chapter 4. Very little contextual information about the life of Linda Hogan was to be found, so the thesis focused on critically analysing her work in terms of the traditional teaching of the Church as outlined in Chapter I, and in terms of the personalist approach as outlined by both herself and other 'independent' personalist commentators. In this way, an effort was made at maintaining the historical underpinning that has been much in evidence in the previous chapters.
- Chapter five attempts to critically evaluate, compare, and synthesise the understandings of conscience as individually enunciated by Newman, Grisez and Hogan. Specifically, this closing chapter seeks to identify areas of accord and/or discord in the thinking of the three scholars, before assessing them in relation to current and traditional Church teaching. In so doing, the chapter seeks to examine the implications and challenges of their joint or disjointed thinking for Church teaching. This chapter also compares the individual, social and institutional implications and challenges of the theorising and teaching of the three scholars for the individual conscience. In so doing, it captures their joint emphasis on the necessity for each individual to assume personal responsibility in the relationship between him or herself and their conscience. It also succeeds in capturing an area of fundamental discord between two of the scholars and the third.

It can therefore be validly claimed that this thesis - and its design - elaborates and critically analyses the contribution of Newman, Grisez and Hogan to furthering the understanding of the nature and function of conscience, not only amongst Catholics, but among all interested parties in general.

Chapter One

The Human Person and the Concept of Conscience

Introduction

Marvelling at the human person who is at the centre God's creation, the Psalmist exclaims:

[A]h, what is man that you should spare a thought for him, the son of man that you should care for him. Yet you have made him little less than a god, you have crowned him with glory and splendour, made him lord over the work of your hands, set all things under his feet.¹

Yet, finding such Divine consideration for the human person almost incomprehensible, the Psalmist feels constrained to ask: "Yahweh, what is man, that you should notice him? A human being, that you should think about him?"² These passages point to the essential nature of the human person a nature very dear to God for its value but apparently complex. Vatican II expresses this idea thus:

But what is humanity? People have put forward, and continue to put forward, many views about humanity, views divergent and even contradictory. Sometimes they either set it up as the absolute measure of all things, or debase it to the point of despair. Hence humanity's doubt and anguish.³

On the other hand, the Council also declares:

People nowadays are becoming increasingly conscious of the dignity of the human person; a growing number demand that people should exercise fully their own judgment and responsible freedom in their actions and should not be subjected to external pressure or coercion but inspired by a sense of duty. At the same time, to prevent excessive

¹ Psalm 8:4-5. All biblical citations are from *The Jerusalem Bible*, Popular ed. (London: Darton, Longman and Todd, 1968).

² Psalm 144:3. Like the Psalmist, Job expressed: "What is man that you should make so much of him, subjecting him to your scrutiny, that morning after morning you should examine him and at every instant test him? Will you never take your eyes off me long enough for me to swallow my spittle? Suppose I have sinned, what have I done, you tireless watcher of mankind" (Job 7:17-19).

³ All citations from Vatican II documents are from *Vatican Council II: Constitutions, Decrees, Declarations, A Completely Revised Translation in Inclusive Language*, ed. Austin Flannery (Dublin: Dominican Publications, 2007). See *Gaudium et Spes*, n.12.

restriction of the rightful freedom of individuals and associations, they demand constitutional limitation of the powers of government.⁴

This signifies that there are certain fundamental aspects of humanity necessary for moral living. It is in this context that we will examine the principal elements that make up the moral person.

This chapter is divided into three parts. The first part will discuss the basic attributes of the human person. The second part will address the notion of conscience and the third part will focus on conscience as elaborated by Vatican II and post Vatican II documents.

PART I

1. The Human Person

Various disciplines seek to comprehend and discover the origin, nature and end of the human person and the universe. Thus, the human person is variously described as a created, composite, social, political, rational,⁵ transcendent, historical,⁶ spiritual, moral or free being. The uniquely “moral” attribute links the human person to the concept of “conscience”. The key question then is: what makes the human person moral?

⁴ *Dignitatis Humanae*, n.1.

⁵ The early philosophers, Plato, Aristotle and Boethius all describe the human person from these perspectives. See Plato’s *Phaedo* and *Republic*, in *Plato: Complete Works*, eds., John M. Cooper and D. S. Hutchinson (Indianapolis: Hackett, 1997); Aristotle in his work *Politics* states that a “human being is by nature a political animal . . . more of a political animal than a bee or any gregarious animal” (Bk.1, ch.2); Boethius for his part declared: “*Persona est rationalis naturae individua substantia* that is, ‘a person is an individual substance of a rational nature’” in *Liber de Persona et Duabus Naturis* Bk.3, *Patrologia Latina* 64, 1343. For more details on Boethius description see Thomas Aquinas, *Summa Theologica*, trans. Fathers of the English Dominican Province, Complete English ed., 5 vols., (New York: Christian Classics, 1948), Ia, q.29, a.1, [hereafter *ST*]; *Catholic Encyclopedia*, s.v “Person.”

⁶ See Karl Rahner, *Christian at the Crossroads* (London: Burns and Oats, 1977); *Foundations of Christian Faith: An Introduction to the Idea of Christianity*, trans. William V. Dych (New York: Crossroad, 1976); *Hearer of the Word: Laying Foundation for a Philosophy of Religion* trans. Joseph Donceel (London: Continuum, 1994); Declan Marmion and Mary E. Hines eds., *The Cambridge Companion to Karl Rahner* (Cambridge: Cambridge University Press, 2005); Michael G. Lawler and Todd A. Salzmann, “Karl Rahner and Human Nature: Implications for Ethics” *Irish Theological Quarterly* 74 (2009): 289-418.

1.1. A Created Being

In Christian tradition, the human person is moral because we are first and foremost God's creature.⁷ In the Genesis' creation narrative only the human person is said to be created in God's "image" (*tselem*) and "likeness" (*demuth*).⁸ Philip Edgcumbe Hughes affirms thus: "Man, whatever his affinities with the animal realm, is radically distinguished from all other earthly creatures by the fact that he alone has been created in the divine image and is intended by constitution to be a godly creature."⁹ Theologians throughout history show the dynamic development of the doctrine of the *Imago Dei*, and its moral implications for the human person.¹⁰ However, they differ in their explanations of the doctrine of the *Imago Die*. The International Theological Commission points this out clearly:

Patristic and medieval theology diverged at certain points from biblical anthropology, and developed it at other points. The majority

⁷ See Vatican II, *Gaudium et Spes*, n.12.

⁸ See Genesis 1:26 "God said, 'Let us make man in our own image, in the likeness of ourselves . . .'" Genesis 1:27 "God created man in the image of himself, in the image of God he created him, male and female he created them." Genesis 5:1–2 "This is the roll of Adam's descendants. On the day when God created Adam he made him in the likeness of God. Male and female he created them." Genesis 9:6 "He who sheds man's blood, shall have his blood shed by man, for in the image of God man was made." Wisdom 2:23 "Yet God did make man imperishable, he made him in the image of his own nature." 1 Corinthians 11:7 "A man should certainly not cover his head, since he is the image of God and reflects God's glory." James 3:9 "nobody can tame the tongue—it is a pest that will not keep still, full of deadly poison. We use it to bless our Lord and Father, but we also use it to curse men who are made in God's image." These passages outline how the human person came to be seen and understood within the Scriptures and also why certain behaviours or actions should not be engaged in because of their contrariness to the Divine element in our nature. This interpretation of Creation narrative by which the human person is God's image and likeness has implication for science or atheism. Critiques of this teaching, for example, assert that the human person is the inventor of the very notion of God. And as for Creation, itself, proponents of the "Big Bang Theory," first posited in 1948 by the Russian-American physicist, George Gamow, propose that the universe was created in a gigantic explosion and that the various elements observed today were produced within the first few minutes after the Big Bang. The Big Bang is a working hypothesis and questions about whether it the idea that God caused it to occur is an ongoing debate. For more details see William Lane Craig and Quentin Smith, *Theism, Atheism and Big Bang Cosmology* (Oxford: Clarendon Press, 1993).

⁹ Philip Edgcumbe Hughes, *The True Image: The Origin and Destiny of Man in Christ* (Grand Rapids: Eerdmans, 1989), 7.

¹⁰ Cardinal Joseph Ratzinger in his reflection on the creation of the human person addresses what it means to be a human being. In his reflection, he says "We are all from only *one* earth . . . We are all *one* humanity, formed from God's own *one* earth. It is precisely this thought that is at the very heart of the creation account and of the whole Bible." By this fact, he declared that the "Bible says a decisive 'no' to all racism and to every human division." He upholds that "in order for the human being to exist there must be a second element as well." That element is God's breathe that imprints the divine image in the human person. Through breathe; God enters into his creation in the human person so that whoever violates the human person violates God's property. See Cardinal Joseph Ratzinger, *In the Beginning . . .: A Catholic Understanding of the Story of Creation and the Fall*, trans. Boniface Ramsey (Edinburgh: T&T Clark, 1995), 42–45.

of the representatives of the tradition, for example, did not fully embrace the biblical vision which identified the image with the totality of man. A significant development of the biblical account was the distinction between image and likeness, introduced by St. Irenaeus, according to which ‘image’ denotes an ontological participation (*methexis*) and ‘likeness’ (*mimêsis*) a moral transformation (*Adv. Haer.* V,6,1; V,8,1; V,16,2). According to Tertullian, God created man in his image and gave him the breath of life as his likeness. While the image can never be destroyed, the likeness can be lost by sin (*Bapt.* 5, 6.7). St. Augustine did not take up this distinction, but presented a more personalistic, psychological and existential account of the *imago Dei*. For him, the image of God in man has a Trinitarian structure, reflecting either the tripartite structure of the human soul (spirit, self-consciousness, and love) or the threefold aspects of the psyche (memory, intelligence, and will). According to Augustine, the image of God in man orients him to God in invocation, knowledge and love.¹¹

Rather than seeking explanations for these differences, it is far more fruitful to treat them as varying, but not mutually exclusive insights into the same doctrine. Certainly Patristic insights greatly influenced such scholastic theologians as Thomas Aquinas, Bonaventure and Meister Eckhart, as is evidenced in the document which states:

In Thomas Aquinas, the *imago Dei* possesses an historical character, since it passes through three stages: the *imago creationis (naturae)*, the *imago recreationis (gratiae)*, and the *similitudinis (gloriae)* (*S.Th.* I q.93 a.4). For Aquinas, the *imago Dei* is the basis for participation in the divine life. The image of God is realized principally in an act of contemplation in the intellect (*S.Th.* I q.93 a.4 and 7). This conception can be distinguished from that of Bonaventure, for whom the image is realized chiefly through the will in the religious act of man (*Sent.* II d.16 a.2 q.3). Within a similar mystical vision, but with a greater boldness, Meister Eckhart tends to spiritualize the *imago Dei* by placing it at the summit of the soul and detaching it from the body (*Quint.* I,5,5-7;V, 6.9s).¹²

Views and perspectives on the presence of *Imago Dei* in human beings have historically progressed through the Patristic and Scholastic eras to the present day where they continue to

¹¹ International Theological Commission, *Communion and Stewardship: Human Persons Created in the Image of God*, 2002, [hereafter *CS*] n.15. Chapter one of the document examines the image of God historically. It looks at it through the eyes of scripture and tradition. In this regard, the document addresses how the Fathers of the Church and the Scholastic Theologians understood the doctrine. The document goes on to look at how the Reformers explained the doctrine and gave it a Protestant perspective. The Commission then proceeded to point out modern critiques of the image of God. Finally, the Commission concludes Chapter 1 by highlighting the insights of Vatican II and current theology into the notion of the image of God.

¹² International Theological Commission, *CS*, n. 16.

be developed and elaborated. Such current updating is particularly demonstrated, for example, by Millard J. Erickson a Baptist theologian, who summarises the theological insights in terms of the substantive, relational and functional views of the *Imago Dei*.¹³

1.1.1. The substantive view

The substantive view is considered to be ontologically driven since it seeks to establish the fundamentally distinct entities which compose the notion of the *Imago Dei*.¹⁴ Josef Fuchs explains that the proposition that God's image resides in the human person derives from Holy Scriptures. He goes on to claim that while the *Imago Dei* was not destroyed by original sin, the *likeness* was. This lost *likeness*, however, he sees as being regained for us by Christ in baptism and claims that it is this sacramental encounter which 'remakes' us, in our living flesh, *like* unto God. As for the *Imago Dei*, which was not destroyed by Original Sin, Fuchs suggests that it is through the indwelling of this image in us, that we gain a true knowledge of God and of the requirements for a moral life, the acceptance of which, he believes, will result in our developing a genuine love for God. Maintaining that this "has been the dominant view"¹⁵, Erickson points to such distinct human entities as bodily make up, physical features, with possible metaphorical significance, and the presence of psychological or spiritual qualities as he attempts to sum up the 'substantive' view thus:

[T]he image is identified as some definite characteristic or quality within the make-up of the human. Some have considered the image of God to be an aspect of our physical or bodily make-up [and] . . . some see the image as being a physical feature with metaphorical import. That the human walks upright, for example, is taken as a symbol of the moral uprightness or righteousness of God, or of humans' relatedness to God. . . . More common substantive views of the image of God isolate it in terms of some psychological or spiritual quality in

¹³ Millard J. Erickson, *Christian Theology*, 2nd ed., (Grand Rapids: Baker Books, 1998), 518.

¹⁴ Josef Fuchs, *Natural Law: A Theological Approach*, trans. Helmut Reckter and John A. Dowling (Dublin: Gill and Son, 1965), 61-62.

¹⁵ Millard J. Erickson, *Christian Theology*, 520.

human nature, especially reason. Indeed, the human species is classified biologically as *Homo sapiens*, the thinking being.¹⁶

This substantive view is rooted in both Catholic and Protestant traditions of Christianity.¹⁷

Erickson concludes that all substantive views agree that the image of God is located within humans as a natural quality or capacity.¹⁸ This conclusion suggests that conscience is a special image of God in the human person. Interestingly, Geoffrey W. Bromiley believes that the “most widely accepted” meaning of the “image” of God centres on the notion of our capacity to make moral decisions.¹⁹ So, could it be that God’s “image” and “likeness” is in fact what is called conscience?

1.1.2. The relational view

Unlike the substantive views, which maintains that the *Imago Dei* is a natural capacity or faculty within the human person, the relational view presents the concepts of the *image* and *likeness* in terms of human relationships. Advocates of this view argue that we come to possess the “image” of God through developing a relationship with Him²⁰ or with our neighbours. Erickson, for example, writes that advocates say “Humans can be said to be in the image or to display the image when standing in a particular relationship.”²¹ The doctrine of the Trinity is essential and influential to this view because of the relationality of the triune God, hence “theologians in this category identify the *image* in terms of a person’s various relationships.”²² Cardinal Ratzinger, elaborates this view thus:

¹⁶ Ibid., 520-21.

¹⁷ See James R. Beck and Bruce A. Demarest, *The Human Person in Theology and Psychology: A Biblical Anthropology for the Twenty-First Century* (Grand Rapids: Kregel, 2005), 141-6; G. C. Berkouwer, *Man: The Image of God*, trans., D. Jellema (Grand Rapids: Eerdmans, 1962).

¹⁸ Millard J. Erickson, *Christian Theology*, 523.

¹⁹ *The International Standard Bible Encyclopedia*, s.v “Image of God.”

²⁰ The traditional male pronoun will be used throughout this thesis to refer to God.

²¹ Millard J. Erickson, *Christian Theology*, 524.

²² Fuchs while explaining the ontological view states that the relational view adhered to by the Protestant tradition considers the human person only in terms of a relationship with God on a purely actual, personal and dynamic basis. He claims that human likeness to God has a relational character but it not a likeness that is most essential (*Natural Law*, 62-63); See also Beck and Demarest, *The Human Person*, 143.

To be the image of God implies relationality. It is the dynamic that sets the human being in motion toward the totally Other. Hence it means the capacity for relationship; it is the human capacity for God. Human beings are, as a consequence, most profoundly human when they step out of themselves and become capable of addressing God on familiar terms. Indeed, to the question as to what distinguishes the human being from an animal, as to what is specifically different about human beings, the answer has to be that they are the beings that God made capable of thinking and praying. They are most profoundly themselves when they discover their relation to their Creator. Therefore the image of God also means that human persons are beings of word and of love, beings moving toward Another, oriented to giving themselves to the Other and only truly receiving themselves back in real self-giving.²³

Here, Ratzinger describes this relational image as ongoing, dynamic, and a work in progress, rather than a static, substantive entity. Ratzinger's use of such "mobile" images as: "motion toward the totally Other", "step[ping] out of themselves" to become fully human; and "beings of word and love . . . moving toward Another," for example, graphically represent his perception of the dynamic nature of the relational *Imago Dei*. Such dynamisms are also expressed in the *Image Dei* accounts of Emil Brunner, Martin Buber and Karl Barth, who are strong proponents of this relational viewpoint.²⁴

1.1.3. The functional view

This view is based on

the idea that the image is not something present in the makeup of the human, nor the experiencing of relationship with God or with fellow humans, but the image consists in something one does. It is a human function; the most frequently mentioned being the exercise of dominion.²⁵

This view is linked to the Divine command in Genesis 1:27 for human beings to exercise dominion over the universe and to increase and multiply. Beck and Demarest suggest that the

²³ Cardinal Joseph Ratzinger, *In the Beginning. . .* 47-48.

²⁴ See Millard J. Erickson, *Christian Theology*, 254-26; James R. Beck and Bruce A. Demarest, *The Human Person*, 143; Dietrich Bonhoeffer, *Creation and Fall Temptation: Two Biblical Studies* (New York: Touchstone, 1997) .

²⁵ Millard J. Erickson, *Christian Theology*, 527.

functional view considers God's image and likeness as the human's exercise of dominion over the created order and lower creatures.²⁶

While the concept of the *Imago Dei* generates divergent discourses, one truth does come out clearly from the apparently contradictory viewpoints, namely, that the human person originates from God and reflects God.²⁷ For Beck and Demarest, such a claim influences the dignity and value of human beings, their personal and social ethics, the relationships between the sexes and even in terms of "the nature, role and formation of our conscience."²⁸

The moral theologian, Richard M. Gula notes that to claim "that the human person is the 'image of God' is first a theological statement before it is an anthropological one."²⁹ As a theological statement, it deals with the relation between God and the human person and shows how the human person can be properly understood in relation to our Creator.³⁰ As an anthropological statement, Gula maintains that created in *the image and likeness* of God, "we all share in a common human condition which has a common end, namely God. It also says that human dignity does not depend on human achievements, but on divine love."³¹ Thus, it can be claimed that, as a theological or an anthropological statement, the doctrine imputes a moral character to the human person. The Theological Commission clarifies the fruitful outcome of this 'marriage' of disciplines, when it maintains that the doctrine of *Imago Dei*

links anthropology with moral theology by showing that, in his very being, man possesses a participation in the divine law. This natural law orients human persons to the pursuit of the good in their actions. It

²⁶ James R. Beck and Bruce A. Demarest, *The Human Person*, 141.

²⁷ Articles 18, 19 and 20 of The International Theological Commission's document narrates a critique of *Imago Dei* wherein the human person is represented as being detached from God, thereby making the latter a mere human projection rather than an actual reality. Such a critical narrative holds great moral implication for our world.

²⁸ James R. Beck and Bruce A. Demarest, *The Human Person*, 141.

²⁹ Richard M. Gula, *Reason Informed by Faith: Foundations of Catholic Morality* (New York: Paulist Press, 1989), 64.

³⁰ *Ibid.*

³¹ *Ibid.*, 64-7.

follows, finally, that the *imago Dei* has a teleological and eschatological dimension which defines man as *homo viator*, oriented to the *parousia* and to the consummation of the divine plan for the universe as it is realized in the history of grace in the life of each individual human being and in the history of the whole human race.³²

Here we see the functional *imago Dei* doctrine and its interpersonal relationship with the human being outlined in dynamic terms. Its function has both personal and universal implications, for the present and throughout time; it is concerned with the day-to-day living of the moral life, but also with final or ultimate causes; and while accompanying the human being in his or her daily role of *homo viator*, it also awaits him at the final outcome, when “the glorious establishment of the messianic kingdom . . . [will] bring all men to the definitive order of justice, love and peace.”³³

1.2. Composed of Body and Soul

Ratzinger’s reflection on creation illustrates how the dust or clay combined with the breath of life make the human person a composite being.³⁴ His reflection affirms that the human person is a union of body and soul. Irenaeus and the *Catechism* refer to the union as material and spiritual,³⁵ or corporeal and spiritual.³⁶ Classical philosophical inquiries about human nature, especially by Plato and Aristotle, recognised this composition and distinguished between the body and the soul.³⁷

The influence of Plato on Christian scholars is evident in Augustine as he asks:

³² CS, n. 24.

³³ *Catechism of the Catholic Church* (Dublin: Veritas, 2006), n.193 [hereafter CCC].

³⁴ See Cardinal Joseph Ratzinger, *In the Beginning. . .* 42–45.

³⁵ Irenaeus defines the human person in such composite terms: “By Man, I mean him who is a mixture of soul and flesh, formed after the likeness of God, and moulded by his hands” *Against Heresies*, in *The Ante-Nicene Fathers*, vol. I, eds. Alexander Roberts and Donaldson (Grand Rapids: Eerdmans, 1973), Bk. 4. §4.

³⁶ CCC, n.362.

³⁷ See Plato’s *Phaedo* and *Republic*, in *Plato: Complete Works*, eds., John M. Cooper and D. S. Hutchinson; H. Lorenz, “Plato on the Soul,” in *The Oxford Handbook of Plato*, ed. Gail Fine (Oxford: University Press, 2008); Aristotle, *On the Soul*, in *The Complete Works of Aristotle*, vol. I, ed. Jonathan Barnes (Princeton: Princeton University Press, 1984); Michael Frede, “On Aristotle’s Conception of the Soul,” in *Essays on Aristotle’s De Anima*, ed. Martha C. Nussbaum and Amélie Oksenberg Rorty (Oxford: Clarendon Press, 1992).

What is man? Is he both of these? Or is he the body only, or the soul only? For although the things are two, soul and body, and although neither without the other could be called man (for the body would not be man without the soul, nor again would the soul be man if there were not a body animated by it), still it is possible that one of these may be held to be man, and may be called so. What then do we call man? Is he soul and body, as in a double harness, or like a centaur? Or do we mean the body only, as being in the service of the soul which rules it, as the word lamp denotes not the light and the case together, but only the case, yet it is on account of the light that it is so called? Or do we mean only the mind, and that on account of the body which it rules, as horseman means not the man and the horse, but the man only, and that as employed in ruling the horse?³⁸

Here, Augustine appears to answer his own question as to the possibility of the body or the soul only being “held to be man.” Thus, he argues that while a lamp is the case, it cannot be considered to be truly a lamp until it produces light. He makes a similar argument with the notion of a horseman, who remains simply a man until he fulfils his purpose, and rules his horse. And so it is with body and soul, where the body cannot be considered to be man in the absence of soul, nor can the soul be man in the absence of a body to animate. This body-soul relationship, however, is not considered by Augustine to be a relationship of equals. He leaves us in no doubt that the soul and not the body is the giver of life as he declared:

Now if we ask what is the chief good of the body, reason obliges us to admit that it is that by means of which the body comes to be in its best state. But of all the things which invigorate the body, there is nothing better or greater than the soul. The chief good of the body, then, is not bodily pleasure, not absence of pain, not strength, not beauty, not swiftness, or whatever else is usually reckoned among the goods of the body, but simply the soul. For all the things mentioned the soul supplies to the body by its presence, and, what is above them all, life.³⁹

Augustine also states in the dialogue with Evodius: “If you wish a definition of what the soul is, I have a ready answer. It seems to me to be a certain kind of substance, sharing in reason,

³⁸ Augustine, *On the Morals of the Catholic Church* (De Moribus Ecclesiae Catholicae), in vol. IV of *Nicene and Post-Nicene Fathers of the Christian Church*, ed. Philip Schaff, (Grand Rapids: Eerdmans, 1983), 4.6.

³⁹ *Ibid*, 5.7.

fitted to rule the body.’⁴⁰ John of Damascus echoes Augustine’s description of this unequal relationship as he maintains that the soul is

a living substance, simple and incorporeal, of its own nature invisible to bodily eyes, activating an organic body in which it is able to cause life, growth, sensation, and reproduction. It does not have the mind as something distinct from itself, but its purest part, for, as the eye is to the body, so is the mind to the soul. It is free, endowed with will and the power to act, and subject to change, that is, subject to change of will, because it is also created⁴¹

Thomas Aquinas, who was influenced by Aristotle’s thinking, while objecting to Plato’s position says:

Plato and his followers asserted that the intellectual soul is not united to the body as form to matter, but only as mover to moveable, for Plato said that the soul is in the body ‘as a sailor in a ship.’ Thus, the union of soul and body would be by contact of power . . . But this doctrine seems not to fit the facts. For, as a result of contact of power, a thing unqualifiedly one does not arise, as we have shown; whereas from the union of soul and body there results a man. On Plato’s theory, then, a man is not one unqualifiedly speaking, nor, consequently, is he a being unqualifiedly speaking, but a being by accident. In order to avoid this, Plato asserted that man is not a being composed of body and soul, but that *the soul itself using the body* is man; just as Peter is not a thing composed of man and clothes, but *a man using clothes*.⁴²

He refuted Plato’s position as he declared that

animal and man are sensible and natural realities. But this would not be the case if the body and its parts were not of the essence of man and animal; rather, the soul would be the entire essence of both, according to the aforesaid position; for the soul is neither a sensible nor a material thing. It is, therefore, impossible that man and animal

⁴⁰ Augustine, *The Magnitude of the Soul* (De quantitate animae), trans. John J. McMahon, in *The Fathers of the Church*, vol. 5 (New York: CIMA, 1947), 13.22.

⁴¹ John of Damascus, *An Exact Exposition of the Orthodox Faith*, in *The Fathers of the Church*, vol. 37 (New York: Fathers of the Church, 1958), Bk. II: ch.12.

⁴² Thomas Aquinas, *Summa Contra Gentiles*, trans. James F. Anderson (Notre Dame: University of Notre Dame Press, 1975), Bk. II: Ch. 57 [hereafter *SCG*]. Plato’s position on human composition is resented in another form by René Descartes in his *Meditations on First Philosophy*. He asserts that his essence is basically in the fact that he is thinking. He believes that he can exist without his body since the body is for him distinct as a material thing. See *The Philosophical Writings of Descartes*, vol. II, trans. John Cottingham, Robert Stoothoff and Dugald Murdoch (Cambridge: Cambridge University Press, 1984), 54 [hereafter *Meditations*].

should be a soul using a body, and not a thing composed of body and soul.⁴³

Accordingly, the human person is a unitary creature, a single reality. Within this unitary creature and single reality, both elements, soul and body, need each other to arrive at truth and to gain knowledge.⁴⁴

However, as with Augustine and John of Damascus, whose teaching assign a superior executive function to the soul, so too with Aquinas. In his *Summa*, he devotes much of his treatises on man to considerations about the soul, which he treats as an intellectual function. However, a closer inspection of Aristotle's thinking sees the philosopher assigning an active role to the body in the soul-body union. He suggests that while such a composition of soul and body gives us a special identity, it does so in the sense that the body provides information through "sight, hearing, smell, taste, touch,"⁴⁵ which, in turn, enables the soul to interpret and direct us on what to do. The importance of such a human composition, especially in terms of the contribution by a more active body to the overall effectiveness of the union, is summed up by Richard Gula:

[Our] bodies are not accessories. They are not merely something to house our subjectivity, but essential to our being integrated persons. We express ourselves as the image of God through our bodies. What concerns the body inevitably concerns the whole person, for our bodies are essential to being human and to relating in human ways. The fact that we have bodies affects every expression of ourselves in relationship. The affection of love, for example, needs to be expressed in bodily ways, such as through a gift, or a kiss, or an embrace, or sexual intercourse.⁴⁶

Of course, there are those for whom these debates are futile, because they see no role for the soul in the life of man, since they deny the existence of any such entity. David Hume, for

⁴³ Thomas Aquinas, *SCG*, Bk. II: Ch. 57.

⁴⁴ See Thomas Aquinas, *SCG* Bk. II: Ch. 83. In the *Summa*, he devotes much of his treatise on man to the soul. Numerous questions are asked about the soul. In his considerations, the soul is the intellectual principle.

⁴⁵ Aristotle, *De Anima*, Bk. III: Ch.1, 424b 20.

⁴⁶ Richard M. Gula, *Reason Informed by Faith*, 69.

example, denies the very idea of soul. For him, the soul is nothing but “fiction”, “something unknown and mysterious.”⁴⁷

1.3. Endowed with Intellect (Reason)

Plato and Aristotle, who distinguished between the body and soul, associate human intellect with the soul. Through the intellect, the soul is said to perceive, understand and make judgement. In Aquinas’ theology of the human person, he gives priority to the intellect and asserts:

Man is said to be after the image of God, not as regards his body, but as regards that whereby he excels other animals. Hence, when it is said, *Let us make man to our image and likeness*, it is added, *And let him have dominion over the fishes of the sea* (Gen i.26). Now man excels all animals by his reason and intelligence; hence it is according to his intelligence and reason, which are incorporeal, that man is said to be according to the image of God.⁴⁸

Aquinas is pointing out that God’s image and likeness resides in human beings as the capacity for intelligence. Such characteristics not only give humans “dominion” over all other creatures and inanimate objects, but they also serve to hold them responsible for their actions. Thus, to the extent that reason holds people to account for their actions, to that extent morality is embedded in that rational capacity. It is obvious therefore, that human intellect specifically enables us to attain the knowledge that makes us moral.

Aquinas illustrates how this specific human characteristic leads to knowledge. He states accordingly:

Reason and intellect in man cannot be distinct powers . . . For to understand is simply to apprehend intelligible truth: and to reason is to advance from one thing understood to another, so as to know an intelligible truth. And therefore angels who, according to their nature, possess perfect knowledge of intelligible truth, have no need to advance from one thing to another; but apprehend the truth simply and

⁴⁷ David Hume, *A Treatise on Human Nature* (Oxford: Clarendon Press, 1968), Bk. I: Part IV, Sect. VI.

⁴⁸ Thomas Aquinas, *ST Ia*, q.3, Rep. Obj. 2.

without mental discussion. But man arrives at the knowledge of intelligible truth by advancing from one thing to another; and therefore he is called rational.⁴⁹

René Descartes on his part demonstrates the primacy of this special faculty as he states that

simply by knowing that I exist and seeing at the same time that absolutely nothing else belongs to my nature or essence except that I am a thinking thing, I can infer correctly that my essence consists solely in the fact that I am a thinking thing.⁵⁰

So without rationality, moral life will be demeaned because as Aquinas says, “human morals depend on their relation to reason, which is the proper principle of human acts, those morals are called good which accord with reason, and those are called bad which are discarded from reason.”⁵¹ Aquinas’ discussion on the powers of the soul led to questions relating to conscience. This enabled him to discuss vividly the notion of conscience which will be expounded in Part II of this chapter.

1.4. Freedom

Freedom is another essential feature of the human person but how free the human person is remains unclear since according to the philosopher Jean-Jacques Rousseau, “Man is born free, and everywhere he is in chains.”⁵² Certain human experiences, both past and present, help us understand the real meaning of freedom. The Exodus experience, whereby God led his “Chosen People” from slavery to freedom, may be considered a wonderful example of what it means to be both rescued and freed. For Christians, the Incarnation of the

⁴⁹ Ibid, *ST Ia IIae*, q.79, a.8.

⁵⁰ René Descartes, *Meditation VI*, 78. Before this conclusion, in his earlier reflections he affirmed his existence thus: “Thinking? At last I have discovered it – thought; this alone is inseparable from me. I am, I exist – that is certain. But for how long? For as long as I am thinking . . . I am, then, in the strict sense only a thing that thinks; that is, I am a mind, or intelligence, or intellect, or reason – words whose meaning I have been ignorant of until now. But for all that I am a thing which is real and which truly exists. But what kind of a thing? As I have just said – a thinking thing” *Meditation II*, 27.

⁵¹ Thomas Aquinas, *ST Ia IIa*, q.100, a.1.

⁵² See *The Social Contract or Principle of Political Right*, trans. G. D. H. Cole (New York: E. P. Dutton, 1913), Bk: I, Ch.1.

Word is considered to be the ultimate rescue, the definitive freeing, in that the Son of God took on human form to lead us from the slavery of sin to freedom.

However, because of the wrong and immoral choices made by some, many continue to experience the absence of freedom. Thus, a world chorus of suffering human voices can be heard in modern times pleading for economic freedom, freedom of the press, freedom of speech, academic freedom, freedom of religion, and, most importantly, freedom of conscience. The importance of freedom of conscience is highlighted by the fact that to interfere with such a right serves to produce “Prisoners of Conscience” namely, human beings wrongly persecuted or even jailed because of their conscientious beliefs. It can be argued that it is only when we either experience or witness the unjust denial of freedom that we can appreciate the fundamental significance of Rousseau’s assertion, especially in terms of the interrelatedness between the concepts of freedom and of conscience.

Aristotle states that “a free man exists who is such for his own sake, and not for the sake of another.”⁵³ Freedom is therefore so fundamental to human persons that they possess it as of their natural right to self-fulfilment, and not as a gift bestowed on them by a powerful other. Aquinas considering our fundamental human freedom in terms of the exercising of free-will, believes that God’s image in human beings can be expressed in terms of human freedom,⁵⁴ such that to be free is to be able to act out of one’s own volition.⁵⁵

As rationality differentiates us from inanimate things or brutes so also does free-will.

Aquinas in this regard declared:

In order to make this evident, we must observe that some things act without judgement; as a stone moves downwards; and in like manner all things which lack knowledge. And some act from judgment, but not a free judgment; as brute animals. For the sheep, seeing the wolf,

⁵³ Aristotle, *The Metaphysics*, trans. John H. McMahon, (New York: Prometheus Books, 1991), 1:2. 982b.

⁵⁴ See Prologue to Thomas Aquinas, *ST Ia IIae*.

⁵⁵ *Ibid*, *ST Ia IIae*, q.1, a.1.

judges it a thing to be shunned, from a natural and not a free judgment, because it judges, not from reason but from natural instinct. And the same thing is to be said of any judgment of brute animals. But man acts from judgment, because by his apprehensive power he judges that something should be avoided or sought. But because this judgment, in the case of some particular act, is not from a natural instinct, but from some act of comparison in the reason, therefore he acts from a free judgment and retains the power of being inclined to various things . . . And as forasmuch as man is rational is it necessary that man have a free will.⁵⁶

The root of freedom is therefore our free-will. Speaking from an existential viewpoint, which strongly emphasises, concrete individual existence, subjectivity, individual freedom and choice, Karl Rahner maintains that freedom is one of the existential features of the human person. Such that individual freedom, for Rahner, is a basic condition for the possibility of human beings moving through and beyond the finite and taking up a position towards God himself. Freedom, he maintains, enables us to take responsibility for whatever stance we take, since it is mediated in time and space, in our materialism and in our history. Moving from the individual to the social, however, Rahner believes that, for any society to be guided by conscience, freedom must be guaranteed. This does not mean absolute freedom for people do whatever they like, but a freedom to express oneself as a human person. Speaking existentially, rather than theoretically or theologically, he emphasises, that freedom must be exercised in this world, because if not, it will be of no interest to anyone, and neither would it be freedom as Christianity understands it.⁵⁷

In his understanding of freedom as a positive state which can enable human beings to take up a position towards God himself, Karl Rahner echoes the teaching of the Church. Take the following statement for the Congregation for the Doctrine of the Faith, for instance,

⁵⁶ Ibid, *ST Ia*, q.83, a.1.

⁵⁷ Karl Rahner, *Theological Investigations: Man in the Church*, vol. 2, trans. Karl-H Kruger (London: Darton, Longman and Todd, 1963), 239-40; Karl Rahner, *Foundations of Christian Faith: An Introduction to the Idea of Christianity*, trans. William V. Dych, 1st ed., (London: Darton, Longman and Todd, 1978), 36-7.

where freedom is interpreted as that state which enables the human being, not only to become friends with his Creator, but to enter His very life:

By creating man free, God imprinted on him his own image and likeness. Man hears the call of his Creator in the inclination and aspiration of his own nature toward the Good, and still more in the word of Revelation, which was proclaimed in a perfect manner in the Christ. It is thus revealed to man that God created him free so that by grace man could enter into friendship with God and share his life.⁵⁸

Human freedom is therefore a divine gift that enables human persons to choose the communion which the triune God offers them as their ultimate good.⁵⁹ The Church reminds us implicitly that the exercise of freedom carries duties as well as responsibilities. A reflection on freedom, by John Paul II, however, suggests that being in this state, involves much more than carrying out duties and exercising rights. Rather, he reiterates the spiritual stance of Vatican II, which teaches that

It is only in freedom that man can turn to what is good. . . Genuine freedom is an outstanding manifestation of the divine image in man. For God willed to leave man in ‘the power of his own counsel,’ (*Sir* 15:14), so that he would seek his Creator of his own accord and would freely arrive at full and blessed perfection by cleaving to God.⁶⁰

Finally, Gula’s words summarise how essential “being in the state of freedom” and exercising it responsibly is to the moral and spiritual well-being of every human person, and also to the possibility of their actualising their potential as images of God:

Freedom is so central to the moral life that without it we cannot properly speak of being moral persons at all. If we are beyond freedom, then we are beyond morality. Morality pertains to those areas of our lives where freedom is possible and enables us to actualise our potential as the image of God. . . We can speak of freedom in the moral life in two ways as basic freedom, or freedom of self-determination, and as freedom of choice. In either sense of the

⁵⁸ Congregation for the Doctrine of Faith, *Instruction on Christian Freedom and Liberation* (Libertatis Conscientia) March 22, 1986, n.28, [hereafter *LC*].

⁵⁹ International Theological Commission, *CS*, n. 44

⁶⁰ John Paul II, *Veritatis Splendor* (London: Catholic Truth Society, 1993), n.34 [hereafter *VC*]. John Paul II reminds us in the document of the dangers of wrong ways of understanding freedom by which people do anything they please even evil. Freedom is not unlimited. It finds its authentic and complete fulfilment in the acceptance of the law of God (*VS* 35).

word, freedom is so necessary that we can only be morally good not when we reason well to a moral judgment, but only when we use our freedom well.⁶¹

1.5. A Social Being

We have already alluded to the fact that being created in the image and likeness of God carries implications for the human being in terms of human relationships. Not only are we directed towards God, but we are also directed towards others, since we have been created as communal rather than as isolated beings. Such a relational concept is well illustrated in the words of the pastoral theologian, Veronika Prüller-Jagenteufel:

In a Christian view we are not monads, existing for oneself and only secondarily relating to others; we are beings in relation and we exist because we are related. We are ourselves because we are in relationships. Relatedness is the foundational reality. Christian theology tries to find words for that by speaking about the divine as a triune God. The Christian belief pictures God, the foundation of foundations, not as a monolith, a lonely potentate, nor as an impersonal flow of energy, but as personal relationship, as a community. Therefore relatedness is the way of being a person.⁶²

That relatedness is vital to the freedom of human beings to achieve their full human, social and divine potential, is well borne out in Thomas Merton's *No Man is an Island*, a book titled after John Donne's graphic description of the social essence of human beings: "No man is an Island, entire of itself, every man is a part of the continent, a part of the main."⁶³ Hence, the human person is relational. Gula expressly remarks that exercising our right to live relationally carries duties and responsibilities as well as rights and privileges. He declared:

As relational, social beings, human persons need *to live in social groups with appropriate structures* which sustain human dignity and the common good. The moral significance of this aspect of being

⁶¹ Richard M. Gula, *Reason Informed by Faith*, 75. By "basic freedom, or the freedom of self-determination," he says "is directed toward a loving relationship with God, the ultimate end of our lives." In this sense, basic freedom demands a more personal involvement from us in a moral society. Thus, it is "always incarnated in the particular choices we make through life." 77.

⁶² Veronika Prüller-Jagenteufel, "The Power of Presence" in *Spirituality and Counselling: Experiential and Theoretical Perspectives*, eds. Judy Moore and Campbell Purton (Herefordshire: PCCS Books, 2006), 121.

⁶³ Thomas Merton, *No Man is an Island* (Boston: Shambhala Publications, 1955), xxiii. Merton's reflection centres on how we relate with God, to others and the truth of creation.

human is that we must respect the laws and institutions of society which promote communal living and uphold the common good. The relational dimension of being human reaches its high point in our *relationship to God* in faith, hope, and love.⁶⁴

The Congregation for the Doctrine of Faith's *Libertatis Conscientia* emphasised the inherent social nature of the human being and its implications for living freely and relationally. Specifically, this document identifies some of the vital communities in which people participate and the potential that such engaging has for each individual to actualise his or her free personality:

God did not create man as a 'solitary being' but wished him to be a 'social being.' Social life therefore is not exterior to man: he can only grow and realize his vocation in relation with others. Man belongs to different communities: the family and professional and political communities, and it is inside these communities that he must exercise his responsible freedom. A just social order offers man irreplaceable assistance in realizing his free personality.⁶⁵

Thus far, we have looked at the fundamental nature of the human person through the eyes of ancient Greek Philosophy, Scripture, Church Fathers, Aquinas and his Scholastic peers from the Middle Ages, the magisterium, and scholars such as Richard Gula, Thomas Merton, and Veronica Pruller-Jagenteufel. It is necessary to get a broad sweep of insights into the multi-faceted nature of the human being, because it is out of such a compound nature that an understanding can be achieved of the nature and role of conscience.

PART II

2. Conscience and its Theological Development

We now examine the concept of conscience itself and the manner in which it has been historically studied and understood; its intrinsic nature and whether it can be deemed to be an innate or acquired function of the human person; how it is essentially linked with the human

⁶⁴ Richard M. Gula, *Reason Informed by Faith*, 67-68.

⁶⁵ Congregation for the Doctrine of Faith, *LC*, n.32.

person, and the extent to which people can be morally certain about its dictates. Finally, reference to morality suggests the need to investigate how the concept of conscience has come to hold both moral and theological implications, particularly from the Christian perspective.

2.1. Conscience in Pre-Christian Greek and Roman Thinking

Greek and Roman writings provide the etymology for the English word ‘conscience’ namely the Greek word, *συνείδησις* (*syneidesis*), and the Latin word, *conscientia*. Concerning these two words, Philippe Delhaye remarks that “in the Greek writers closer to the Christian era, the use of *συνείδησις* is very infrequent,” and that, “in Latin, Cicero is the first to use it widely.”⁶⁶ Interestingly, in light of the close connection between Judaism and early Christianity, Delhaye also points out that “Hebrew has no term equivalent to *συνείδησις*.”⁶⁷ C. A. Pierce traces the origin and use of the word *συνείδησις* back to the New Testament⁶⁸ and illustrates how the word is attributed to Stoic philosophy in the Roman Empire before the beginning of Christianity which emphasised ethics as the main field of knowledge.⁶⁹ Pierce cites different writers who attributed the origin of the word *συνείδησις* to the Stoics. He notes such apparently supportive comments as the “Stoics invented it”; ‘made much use of it’; or ‘first gave it a philosophical importance.’⁷⁰ He affirmed however, that “such an assertion is, firstly, hardly supported by the available evidence; secondly, inherently improbable; and thirdly, quite unnecessary.”⁷¹

In his analysis, Pierce states explicitly that

⁶⁶ Philippe Delhaye, *The Christian Conscience*, trans. Charles Underhill Quinn (New York: Desclée, 1968), 23.

⁶⁷ *Ibid.*

⁶⁸ See C. A. Pierce, *Conscience in the New Testament: A study of Syneidesis in the New Testament; in the light of its sources, and with particular reference to St. Paul: with some observation regarding its pastoral relevance today* (London: SCM, 1955).

⁶⁹ See *New Catholic Encyclopedia*, s.v. “Stoicism” and *The Encyclopedia of Philosophy*, s.v. “Stoicism.”

⁷⁰ C. A. Pierce, *Conscience in the New Testament*, 13.

⁷¹ *Ibid.*

only three quotations,⁷² at best, from Stoic writers can be offered in evidence: of these the most vital, as it was attributed to Epictetus, is of doubtful origin. Even were Epictetus [is] the author beyond all possible doubt, it must still be remembered that he was about four years old at the time of St. Paul's death. If either influenced the other, it can only be the earlier [that] influenced the later. In any case, further, the fragment would still be a 'sport', having no proper place in the Epictetean corpus, or, as will be seen, in Stoic writing in general. For if it be argued that the remains of Epictetus are fragmentary, and that the argument from silence is thus weaker than usual, an earlier, more 'orthodox' Stoic provides the best answer. Chrysippus predicates *συνείδησις* of every living creature – not exclusively of man – and means by it, as might be expected in a philosopher, simply the awareness or consciousness which a creature has of its own composition. No moral element whatsoever is implied.⁷³

Although the fragments of Chrysippus and Epictetus presented as evidence of the Stoic origin of the word *συνείδησις*, do not appear to have any moral element, either explicitly or implicitly attached to them, Pierce states that there is a moral element to the use of the word *συνείδησις* in another Stoic quotation ascribed to the Roman Emperor, Marcus Aurelius (121 AD–180 AD).

Such a moral element is however present in the third and last item of evidence that can be offered in support of the assertion of a Stoic origin for the Pauline *συνείδησις*. Marcus Aurelius closes a long list of virtues, and an exhortation to men to aspire to them, with the words: 'that thy last hour coming upon thee may find thee clear of conscience.'⁷⁴

Pierce observes that in this extract "*συνείδησις* itself is not used here, nor does the passage hint at any definition of the derivative epitaph which replaces it. The word here, therefore, has no technical significance for the author. In any case the lateness of his date makes him a

⁷² The three quotations referred to here are that of Chrysippus, Epictetus and Marcus Aurelius.

⁷³ Pierce remarks that of all the works attributed to Epictetus, it is only in *Melissa* that the word *συνείδησις* occurs. As a matter of fact, *Melissa*'s attribution to Epictetus rests on the slenderest authority. As such the evidence of its Stoic origin seems untenable. See footnote n.10 on page 13-14 by Pierce.

⁷⁴ *Ibid.*

poor witness.”⁷⁵ Thus, he concludes that the use of the word *συνείδησις* in the New Testament did not originate from Stoic philosophy.⁷⁶

The Welsh Congregationalist leader and academic theologian, W. D. Davies, outlines the historical use of the word thus:

The term first occurs in a passage in Democritus (460-361 B.C.), whose works were praised by Cicero. The passage reads: ‘Some men, not knowing the dissolution of mortal nature, suffer wretchedly throughout their life time from distress and fear because of their consciousness of the evil-doing in their lives, making false speculations about the time after death.’⁷⁷ . . . The term next appears in Chrysippus, a celebrated Stoic philosopher born *ca.* 280 B.C.⁷⁸ . . . After Chrysippus we again note the appearance of ‘conscience’ (*συνείδησις*) with moral significance in *Wisdom of Solomon* 17:10, and in Philodemus (50 B.C.) *Rhetoric* 11.40, and in Dionysius of Helicarnassus (died 7 B.C.) *Antiquities* VIII.1.3, where conscience disturbs Coriolanus in his approach to the Volsci, whom he had often treated brutally in battle. In Diodorus Siculus (a contemporary of Julius Caesar and Augustus) we find the term at IV.65.7, but here also it may mean ‘consciousness.’⁷⁹

Davies maintains that: “In all these passages, with the exception of that by Chrysippus, the Stoic, *συνείδησις* has a moral reference.”⁸⁰ Davies believes that there was infrequent use of the word by Greek authors unlike *conscientia* by the Latin authors. He narrates that Cicero made use of the term *conscientia* seventy-five times⁸¹ and that Latin usage by Roman authors

lend no support to the view that conscience was peculiarly Stoic doctrine, while they suggest that, in its Latin form at least, conscience was a concept much more employed in literary circles . . . Latin Writers reveal that the term ‘conscience’ was known to Epicurians,

⁷⁵ Ibid.

⁷⁶ Ibid., 14-15.

⁷⁷ Davies cited Democritus from Diels’ *Fragmente der Vorsokratiker*, II [1952], 206-7. He declared that conscience according to the passage has a moral connotation and that it consists of the consciousness of wrong doing.

⁷⁸ According to Davies, Chrysippus’ words are cited by Diogenes Laërtius (240 B.C.) VII.85 which reads: “It is suitable [or fitting] for every living thing to be *aware* of its own structure and of itself.” Davies that “conscience” is predicated of all living creatures and not only of the human person and seems to merely designate a creature’s self-awareness.

⁷⁹ *The Interpreters Dictionary of the Bible*, (1962) vol.1 s.v. “Conscience” [hereafter *IDB*].

⁸⁰ *IDB*, “Conscience.”

⁸¹ On this, Davies refers to Cicero, *De Finibus* I.51; II.53-54; Seneca *Epistles* XLIII.5; CV.7-9. Also he refers to Seneca, *Epistles* XLIII.5; XXVIII.9-10 where conscience had the role of accuser; and Seneca *On a Happy Life* XIX.1; XX.5 which deals with the cultivation of a ‘good conscience’.

Cynicism, and—although not native or even congenial to it—to Stoicism.⁸²

Stoic origin of *συνείδησις* seems to be inconclusive; however, what is evident is its use in Greek and Latin writing.⁸³ So then what does the term *συνείδησις* mean? Davies delineates its meaning thus:

The term ‘conscience’ (*συνείδησις*) is to be understood in conjunction with a number of similar words and phrases, which are sometimes used interchangeably. These are τὸ συνειδότος, τὸ συνειδός, συνείσις, αὐτῷ συνιστορεῖν τι, αὐτῷ συνεδέναι τι. All these stem from the verb σύννοια, which means ‘I know in common with.’ It usually implies knowledge about another person, which can be used in witness for or against him. Hence σύννοια came to mean ‘I bear witness.’ Of particular importance is the phrase αὐτῷ συνεδέναι τι, which means ‘to share knowledge with oneself,’ ‘to know oneself,’ ‘to be a witness for or against oneself,’ because συνείδησις (like τὸ συνειδός and συνείσις) is its substantival equivalent. The necessity for finding a single substantive to convey the meaning of a phrase would be natural. It is also easy to see why συνείδησις and συνειδός, because of their greater similarity in form and sound to αὐτῷ συνεδέναι τι, would be more likely to be chosen for this than συνέσις. It is more difficult to understand why συνείδησις should have been preferred to συνειδός. Possibly συνείδησις is the wider term, including all sense of the verb σύννοια, while συνειδός was restricted to ἐμαυτῷ σύννοια. But this is uncertain. By the time of the N.T., in any case, συνείδησις was most popular term to express what was conveyed by the phrase αὐτῷ συνεδέναι τι.⁸⁴

From its Greek source, conscience apparently refers to a form of knowledge or self awareness, which would seem to place this faculty within the domain of the rational.

However, Davies’ earlier comment about conscience being that which “disturbs Coriolanus in

⁸² *IDB*, “Conscience.”

⁸³ Pierce maintains that “popular philosophy” was present in every day speech and was evident in Hellenistic *koinē* language at the beginning of the Christian era such that the use of *συνείδησις* is found among the terms used in Greek writings. See pages 16-17 of C. A. Pierce.

⁸⁴ Based on these words and phrases, Davies maintains that conscience according to some prominent passages, connotes “a faculty implanted in man as part of his very nature, so that it functions by necessity, as an expression of his very constitution.” Davies cites works of different writers such as Xenophon’s account of the trial of Socrates in the *Apology* 24, to show its link to God, its connection to deeds especially bad deeds. In Philo’s *On the Decalogue* 87, Davies demonstrates how conscience emerges as a pain. He recalls Plutarch who quoted Euripides *Orestes* 396 to show pain or pang of conscience after a bad action; Also Helen Costigane presents the Greek and Latin root in “A History of the Western Idea of Conscience” in *Conscience in World Religions* ed., Jayne Hoose (Notre Dame: University of Notre Dame Press, 1999) 3-20. She states that “The word ‘conscience’, derived from Latin *conscientia* (*con* meaning ‘with’, *scio* meaning ‘I know’), is originally found in a range of Greek texts from the sixth century BCE to the seventh century AD as *syneidesis*. The main word in the group - *synoida* – has a basic meaning of ‘I know in common with’ (from *syn* and *eido*, ‘with’ and ‘I know’). There are other senses, among these being ‘I bear witness’; ‘I know well’; or ‘I am conscious of’.” 3-4.

his approach to the Volsci, whom he had often treated brutally in battle,”⁸⁵ suggests that the word has an affective component as well. In her study, “A History of the Western Idea of Conscience” Helen Costigane, refers not only to the rational component present in the main word of the group mentioned by Davies, namely *synoidea*, but also to the presence of both moral and social components in the word *συνείδησις*. She explains:

Syneidesis itself generally refers to the goodness or badness of specific actions performed by an individual, but one who is in relationship with others. So, in the Greek fragments, these actions are seen mainly in terms of a breach of civic responsibilities, such as receiving bribes, plundering public property, matricide, ignoble behaviour in war, and sexual corruption.⁸⁶

The Latin equivalent *conscientia* which is a direct transliteration of *συνείδησις* is coined from *con* (with) and *scire* (to know).⁸⁷ Both terms mean “the state (or act) of sharing knowledge or else simply knowledge, awareness, apprehension—even something like mind or thought.”⁸⁸

The Australian Catholic Philosopher, Eric D’Arcy, associates the usage of both terms with “judicial conscience”, and declared that such was the understanding of conscience among the Greek and Latin writers before St. Paul.⁸⁹ D’Arcy cites D. F. Ast, and H. Deman to show how Greek writers attached moral connotation to its usage:

The noun *συνείδησις* does not occur in Plato. However, the verb *συνείδεναι* is found nineteen times. Of these only one seems to have a moral flavour: in the *Symposium*, Alcibiades says, ‘Socrates makes me conscious that I cannot deny the duty of doing his bidding.’ In one other place, strangely not listed by Ast, the verb clearly bears a moral connotation. In the *Republic*, Cephalus says, ‘The man who is conscious of no wrong looks forward with cheerfulness and hope.’ Aristotle did not use the noun *συνείδησις*, and according to Deman it is not found again in its moral usage until just before Christian era.⁹⁰

⁸⁵ *IDB*, “Conscience.”

⁸⁶ Helen Costigane, “A History of the Western Idea of Conscience,” 4.

⁸⁷ *The New Interpreters Dictionary of the Bible*, vol.1, (2006) s.v. “conscience” [hereafter *NIDB*].

⁸⁸ C. S. Lewis, *Studies in Words* (Cambridge: Cambridge University Press, 1967), 181.

⁸⁹ Eric D’Arcy, *Conscience and its Rights to Freedom* (London: Sheed and Ward, 1962), 4-5.

⁹⁰ *Ibid.*, 5-6.

D'Arcy makes the point that “we find in pre-Christian writers what we have called judicial conscience. After an action is performed conscience passes moral judgment upon it.”⁹¹ Thus, from the moral perspective, this is the first way conscience was understood.

Despite D'Arcy's conclusion, Delhaye's remarks that “Before *συνείδησις* and *conscientia* came into common use—the Greek and Latin languages used the words φρήν, καρῆ, καρδία and *cor* to designate the same psychological facts”⁹² signify that other terms expressed the moral connotation of conscience. Timothy E O'Connell affirms this as he states that “research into Greek and Latin literature has revealed before the emergence of the technical term those languages ordinarily expressed the *idea* of conscience by the word ‘heart’ (*kardia* and *cor*).”⁹³

2.2. Conscience in Scripture

As referred to earlier by Delhaye, Hebrew has no technical term for conscience, as was the case with Greek and Latin for much of what could be considered the Stoic era. In fact, the earliest references to anything that could resemble the Greco-Latin understanding of consciences present themselves in the form of inferences. Thus, the image of the “Tree of Knowledge of good and evil” presented in Genesis account of “The Fall of Man (see Genesis 2:17) can be decoded to mean “conscience”. The actual account of the Fall, itself, (see Genesis 3:1-24), wherein God is portrayed as the Divine Punisher of both Adam and Eve for their disregard of his command not to eat from the Tree of Knowledge of good and evil, suggests an awareness of conscience as a Divinely created inner judicial process. The people

⁹¹ Ibid., 8.

⁹² Philippe Delhaye, *The Christian Conscience*, remarks that the use of “heart” in the sense of conscience has had a wide survival. “The heart” he explains “is indeed, psychologically, one of the most important aspects of the bond that exists between the physical and the moral. It beats much faster under the influence of certain violent feelings, anger or love for example. It races at times under the influence of fear or a vivid apprehension.” 51.

⁹³ Timothy E. O'Connell, *Principles for a Catholic Morality*, rev. ed. (New York: HarperCollins, 1990), 106. See W. D. Davies in *IDB* who stated the usage of conscience is understood in the synonymous term “heart” for example in Mark 3:5 and 1 John 3: 20-21.

of the early Old Testament understood and apparently accepted that breaking divinely instituted laws must necessarily require punishment of some form. We see further acceptance of this in the Genesis account of the murder of Abel by his brother Cain (Genesis 4:1-18), wherein God is seen to pronounce a curse on Cain for this murder, and where Cain accepts that he will have to become a vagrant and a wanderer of the earth as punishment for his act of fratricide. His acknowledgement that others will seek to kill him for this deed (“whoever comes across me will kill me” Genesis 4:14), further portrays him as operating out of an innate sense of right and wrong, since a law against murder had yet to be established in the Old Testament. Once again the presence of some form of understanding of conscience can be inferred from this Old Testament story.

However, some theologians, biblical and literary historians maintain that it is an investigation into the scriptural concept of “heart” which gives both a clearer and a broader picture of the Hebrew understanding of the concept of conscience. O’Connell is unambiguous about this. He remarks that the Septuagint translates the Hebrew term *leb* (heart) in Job 27:6 with the Greek *syneidesis* and the Vulgate translate Ecclesiastes 7:22 with the Latin word *conscientia*. Hence, the starting point for understanding the notion of conscience is with the term “heart.”⁹⁴ The significance of this claim is demonstrated by Rudolf Schnackenburg, who asserts that, “For the Semites, the heart was the seat of thoughts, desires and emotions and also of moral judgment, taking over the functions we ascribe to the conscience, for which there is no specific word in the gospel.”⁹⁵ Evidence for the use of the term “heart” to denote conscience is also offered by W. Dupré who cites an ancient Egyptian text which reads: “The ‘heart’ is an excellent witness; one must not transgress its words.”⁹⁶

⁹⁴ Timothy O’Connell, *Principles for a Catholic Morality*, 106.

⁹⁵ Rudolf Schnackenburg, *Moral Teaching of the New Testament* (New York: Herder and Herder, 1965), 69-70.

⁹⁶ *NCE*, s.v. “Conscience.”

The Greek, Latin or Hebrew worlds and their spheres of influence broadened the significance of the concept of conscience. Many other cultures like the Hebrew use the word heart to denote what conscience means. For instance, up to the present day, among the Igala people of Nigeria,⁹⁷ the word for conscience is *edo*.⁹⁸ This word can ordinarily mean “chest”, “mind” or “heart”, and therefore, its reference and its meaning will depend on the context in which it is being used. For instance, while the statement, *edo awumi* means “I have a chest pain or my chest is painning me”, the phrase, *edo egbiti*, meaning “strong mind or will, or hardened mind or brave heart” is often used to refer to a person with a strong conscience. Igala people often make use of the proverb: “*edo kia kpigbe owo tun*” which literally interprets as “the hand cannot reach out to stop the heart that spans.” This Igala proverb conveys the notion that the pang of a guilty conscience cannot be stopped or extinguished.⁹⁹

These examples, from different cultures, serve to demonstrate the significance of what the term “heart” carries in terms of its relationship to the concept of conscience. Therefore, it is in light of the notion of “heart” as an analogous term to conscience, that we will explore the notion of conscience in the Bible.

2.2.1. The Old Testament and Conscience

The term “heart” in Scripture reflects what “conscience” connoted in Greek and Latin thinking and literature, as do the terms “mind” and “loin”. R. C. Dentan writes that in

⁹⁷ Igala people are one of the many ethnic groups in the central part of Nigeria. Igala is also their language. The people live in eastern region of Kogi State where I come from. The people are bordered on the North by Benue state and Nasarawa State, on the West by River Niger and on the East by Enugu and Anambra States. The entire area is referred to as *Ane-Igala* that is, Igalaland. For more details see Joseph N. Ukwedeh, *History of the Igala Kingdom c. 1534-1854: A Study of Political and Cultural Integration in the Niger-Benue Confluence Area of Nigeria*, (Zaria: Ahmadu Bello University Press, 2003); Fidelis Eleojo Egbunu, *Igala Traditional Values Versus Modernity*, (Nsukka: Afro-Orbis, 2009), 7-8.

⁹⁸ See Felix O. Adejoh, “Penance and Expiatory Sacrifice among the Igala People (Nigeria) and their Relevance to the Sacramental Rites of Penance” (PhD diss., Pontifical University of St. Thomas Aquinas, Rome, 2007), 62.

⁹⁹ Felix O. Adejoh describes this as “the speaking heart, the reporting heart, or the complaining heart” 62. This implies that the speaking, reporting or complaining heart, which is one’s consciences calls us to order and in so doing spans us over past actions. Conscience among the Igala people is a part of the inner person that assesses human actions hence *edo* is the appropriate word that refers to conscience as a moral judgment. But terms like “*Ibe*” meaning “reason” and “*Aye*” meaning “thought” are used in reference to moral guide.

Hebrew, there are three words for “heart”: לב, לבב, and לבה with no distinction in meaning. These words are usually translated in LXX as καρδία (occasionally νοῦς or διάνοια).¹⁰⁰ O’Connell outlines major biblical references to the “heart” that stand for conscience accordingly:

The psalmist urges us: ‘O, that today you would hear his voice: harden not your hearts’ (Ps 95:7f). Repeatedly we are told that ‘God probes the heart’ (e.g. Jer 11:20, 17:10; Prov 21:2; ps 26:2). Twice in the Book of Samuel, King David is described as a man whose ‘heart misgave him’ (1 Sam 24:6; 2 Sam 24:10), The Book of Ecclesiastes (7:22) justifies an assertion by declaring that ‘you know in your heart’. . . And Proverbs often urges us to ‘take it to heart’ (eg. 2:1; 3:1; 4:21; 7:3). In the Book of Job, the beleaguered hero responds to his critics with the simple statement ‘My heart does not reproach me’ (27:6).¹⁰¹

These references enumerated by O’Connell point to the Hebraic experience and understanding of the concept of conscience. It is not surprising then that “heart” in some passages is translated with the Greek and Latin terms, *συνείδησις* and *conscientia*.

2.2.2. New Testament Usage and Understanding

The Hebrew notion of heart which reflects the Greek concept of conscience is also presented in the New Testament. Davies suggests that the term “heart” in Mark 3:5; Matthew 6:23; Luke 12:57; John 15:20-21 could at least be regarded as a roundabout way to refer to conscience, or even be considered to be identical with the notion of conscience.¹⁰² But with regard to the Greek term *syneidesis*, Pierce asserts that St. Paul introduced it into Christianity, and made use of it in New Testament more often than any other writer.¹⁰³ Paul’s background placed him in a better position to use this Greek term. He was a well-educated Jew of the diaspora and a Roman citizen, was raised in the Greek speaking city of Tarsus in Asia Minor.

¹⁰⁰ *IDB* s.v. “Heart.” Dentan states that “from the idea that the heart is the center of the intellectual life it is a natural step to the thought that it is the center of the will and hence of the moral life.”

¹⁰¹ Timothy E. O’Connell, *Principles for a Catholic Morality*, 106.

¹⁰² *IDB*, “Conscience.” See also *NIDB*, “Conscience.”

¹⁰³ C. A. Pierce, *Conscience in the New Testament*, 16.

This enabled him to adopt the term *syneidesis*.¹⁰⁴ However, since Paul was not writing for professional philosophers, the meaning of “Pauline” *syneidesis* may only be established in terms of its everyday, commonplace, colloquial usage.¹⁰⁵

So how did Paul understand and apply this Greek term? According to Bernard Häring:

While using the concept *syneidesis*, Paul intends to convey the message of the prophets about the heart of man wherein God makes known his law of love. *Syneidesis* is brought explicitly into the context of the essential message that God writes his law into man’s heart. It is not only a question of remorse or of an accusing conscience; the heart or *syneidesis* argues the case “on either side”. Today it is more and more agreed among biblical theologians that Paul uses the word *syneidesis* also to point out the constructive, creative quality of the human heart to grasp what is good and right.¹⁰⁶

D’Arcy on his part notes that although Paul introduced the term *synderesis* “in an entirely new sense . . . he did not abandon the old one.”¹⁰⁷ D’Arcy elaborates on this “entirely new sense” and distinguishes it from “the old one” as follows:

St. Paul . . . introduces an entirely new phase in the history of the term ‘conscience’ in moral theory, and two new features characterize his use of it. First, it is to play a *directive* role *before* action takes place. In the pagan writers conscience did not appear on the scene until *after* the action was performed, and its role was purely *judicial*; but in St. Paul, conscience is credited with a legislative function, and it induces an obligation in the proper sense. Second, conscience is infallible: the directions it issues may be mistaken.¹⁰⁸

This passages suggests that the Pauline *syneidesis* plays a directive or legislative function within the individual before an action takes place, which then goes on to induce an appropriate sense of obligation within that individual. Furthermore, although the directions issued by this function may be mistaken, the function, in and of itself is considered to be

¹⁰⁴ See Timothy E. O’Connell, *Principles for a Catholic Morality*, 107.

¹⁰⁵ C. A. Pierce, *Conscience in the New Testament*, 16.

¹⁰⁶ Bernard Häring, *Free and Faithful in Christ: Moral Theology for Priest and Laity*, vol. 1 (Slough: St. Paul Publications, 1978), 228.

¹⁰⁷ Eric D’Arcy, *Conscience and its Right to Freedom*, 8.

¹⁰⁸ *Ibid.*, 11-12.

infallible.¹⁰⁹ D’Arcy distinguishes this new Pauline thinking from that of pagan writers, for whom “conscience” had a purely judicial function, in that it does not appear on the scene until after an action is performed. It makes this appearance in order to judge the appropriateness or inappropriateness of that action, generally in terms of the individual’s civic duties or obligations. However, since Paul retains both old and new usages, he sees conscience in terms of both its legislative and judicial roles.¹¹⁰

Paul links the Hebrew notions of “heart” and “law” to his evolving sense of “conscience”,¹¹¹ as is evidenced in his epistle to the Romans:

[P]agans who never heard of the Law but are led by reason to do what the Law commands, may not actually ‘possess’ the Law, but they can be said to ‘be’ the Law. They can point to the substance of the Law engraved on their hearts—they can call a witness, that is, their own conscience—they have accusation and defence, that is, their own inner mental dialogue.¹¹²

This passage graphically expands Paul’s notion of conscience with such images as the substance of the Law engraved on the hearts of all human beings, be they Christian, Hebrew or Pagan. Therefore, he regards all human beings as witnesses who can testify on behalf of both the prosecution and the defence through an “inner mental dialogue”. In the words of Pierce and Delhaye, the Pauline concept of conscience is establishing itself as a norm for all human beings; it can assume the roles of both witness and judge; and finally, as a law of the human heart, it can determine the morality of actions.¹¹³

Paul also points to his personal belief in the presence of a Divine component in the workings of conscience. Such a presence enables Paul, in Romans 9:1 to assure his readers that because his conscience functions “in union with the Holy Spirit,” its testimony can be

¹⁰⁹ Ibid.

¹¹⁰ Ibid., 11-12; See also Philippe Delhaye, *The Christian Conscience*, 37-50.

¹¹¹ See Timothy O’Connell, *Principles for a Catholic Morality*, 108.

¹¹² Romans 2: 14–15

¹¹³ C. A. Pierce, *Conscience in the New Testament*: 108-9; Delhaye, *Christian Conscience*, 37-8.

regarded as a source of truth. In Corinthians 1:12 conscience is a testifier to the truth: “our conscience tells us it is true.” Here, it is seen not only to testify to the truth of Paul’s claim, but also to assess the morality of his behaviour in terms of his display of such divinely instituted qualities as reverence and sincerity, while interacting with his fellow human beings. Thus, the Pauline use of conscience possesses a Divine component; on the one hand, it demonstrates a capacity to assess the behaviour of human beings in terms of their fulfilment of Divine requirements. However, in 1Corinthians 4:4, Paul, with the words: “It is true that my conscience does not reproach me, but that is not enough to justify me,” reminds us that there is a fallible component of conscience, namely the humanness of its operator. It is the presence of this human factor that prompts Delhaye to observe that conscience can become “susceptible to weakness; [and] can be corrupted, edified or influenced in evil, compelled by bad examples.”¹¹⁴ The Pauline solution to the possibility of such negative, human influence is almost predictable, namely to urge his readers to maximise the Divine input to their consciences, as can be seen in his letter to the Corinthians.

2.3. Jerome’s *Commentary on Ezekiel* and Christian Usage of Conscience

Christian application of *συνείδησις* and *conscientia*, was mostly influenced, in its theological development, by the writings of the early Church Fathers. The Church Fathers, themselves, in drawing their thinking on conscience from philosophy and scripture, followed on from St Paul’s introduction of the Greek term into the New Testament.¹¹⁵ Although

¹¹⁴ Philippe Delhaye, *The Christian Conscience*, 42.

¹¹⁵ Anders Shinkel, *Conscience and Conscientious Objections* (Amsterdam: Pallas Publication, 2007), 163. Delhaye enumerates how the Fathers made use of the terms *συνείδησις* and *conscientia* in their writings to denote both moral and non moral senses. Relating these terms with the notion of “heart” in the writing of the Fathers, Delhaye declared: “we have seen in the preceding section the role played in the Bible by the word heart as a substitute for *συνείδησις*. This equivalence continues with the Fathers. Noted by Origen (*In Rom.* 2,9 – PG 14, 893 A), this idea is brought forth in his *In Jer. Hom* 19,9 (PG 13, 521 BC): the sinner is tormented in his conscience and tortured in his heart . . . Cassian makes much use of the terms conscience and heart as synonyms. St. Augustine uses the characteristic expression, *cordis conscientia*.” See *The Christian Conscience*, 69. Delhaye’s words and references show that the Fathers used and understood conscience in relation to the heart. His words also express the fact that the Fathers made use of the term not strictly as a moral term but in different senses.

Rudolf Hofmann maintains, that: “The rich foundations in [the] NT for a theological teaching on conscience were not followed up by the Church Fathers,”¹¹⁶ he believes that variety of single statements and individual opinions from such early Church Fathers as Tertullian, Origen, Chrysostom, and Augustine, simply functioned as single comments on the role of religion in conscience.¹¹⁷ Tellingly, Hofmann found no specific treatise on their individual understanding of the concept of conscience, an omission which seems to suggest that these writers did not engage in debates about the concept.

It was Jerome’s interpretation of the fourth vision of the Prophet Ezekiel that eventually propelled and transformed the concept of conscience. In his visionary prophecy, Ezekiel claimed to have seen four living creatures coming out of a cloud, with each creature shaped like a man, but each having four faces, namely that of a human, a lion, an ox and an eagle (see Ezekiel 1:4-28). Interpreting this vision, Jerome stated:

Most people interpret the man, the lion and the ox as the rational, emotional and appetitive parts of the soul, following Plato’s division, who calls them the *logikon* and *thymikon* and *epithymetikon*, locating reason in the brain, emotion in the gall-bladder and appetite in the liver. And they posit a fourth part which is above and beyond these three, and which the Greeks call *synteresin*: that spark of conscience which was not even extinguished in the breast of Cain after he was turned out of Paradise, and by which we discern that we sin, when we are overcome by pleasures or frenzy and meanwhile are misled by an imitation of reason. They reckon that this is, strictly speaking, the eagle, which is not mixed up with the other three, but corrects them when they go wrong, and of which we read in Scripture as the spirit ‘which intercedes for us with ineffable groaning’ (Romans 8:26). ‘For no one knows what a man is really like, except the spirit which is in him’ (1Corinthians 2:11). And, writing to the Thessalonians, Paul also entreats for it to be kept sound together with soul and body (1Thessalonians 5:23). However, we also see that this conscience is cast down in some people, who have neither shame nor insight regarding their offences, and loses its place, as is written in the book of Proverbs: ‘When the wicked man reaches the depths of sin, he doesn’t care a damn.’ (Proverbs 18:3.) So they deserve to be told:

¹¹⁶ *Encyclopedia of Theology: A Concise Sacramentum Mundi*, s.v. “Conscience” [hereafter *ET*].

¹¹⁷ *Ibid.*

‘You have acquired the face of a prostitute, you refuse to blush’
(Jeremiah 3:3).¹¹⁸

Jerome’s interpretation of the face of the fourth creatures, the eagle, is his fundamental contribution to the philosophical and theological understanding of conscience.¹¹⁹ In his interpretation, Jerome imports the Greek notion of *συνείδησις* “*syneidesis*” re-designated as “*synteresin*” or in some translations, “*synderesis*” which he called the spark of conscience (*scintilla conscientiae*).¹²⁰ Delhaye is of the view that Jerome did not import the term “*synderesis*,” but that it was introduced in error by a copyist into Jerome’s work.¹²¹ The term however became significant in later theological development. Jerome seems to distinguish between the Greek *συνείδησις* “*syneidesis*” and Latin “*conscientia*” by specifically designating “*synderesis*” as “the spark of *conscientia*.” He appears to create a distinction by which one heralds the other thus the Greek and Latin words may not possibly be used interchangeably. Furthermore, when Jerome attributes a superior position to the fourth part of the creatures’ face, the eagle, in that he interprets it as being “above and beyond [the other] three,”¹²² we can assume he is referring to *synteresis*. When he acknowledges, however, that conscience can be negatively affected or influenced by certain human failings, in that it can be “cast down” or lose its place, as in Proverbs 18:3, we can then assume that he is referring to “*conscientia*” specifically.

¹¹⁸ Jerome, *Commentary on Ezekiel 1.7*, Latin text in *Patrologia Latina*, vol. 25, col. 22. Translation is taken from Timothy C. Potts, *Conscience in Medieval Philosophy*, (Cambridge: Cambridge University Press, 1980) 79-80 [hereafter, Jerome, *Commentary on Ezekiel*].

¹¹⁹ Douglas Kries who examined Jerome’s *Commentary* traces the source of interpretation to “Origen’s text such as the *Homilies on Ezekiel* and the *Commentary on Romans*.” As a result, Kries acknowledged the significance of Jerome’s interpretation thus: “It is fair to say that Jerome’s preservation of the Platonic interpretation of the first three faces of Ezekiel’s vision — clever as that interpretation was — had relatively little influence on later Christian thought. Jerome’s preservation of Origen’s theory of conscience, however, has had a deep and long-lasting influence on subsequent Christian reflection, for Origen bequeathed to Christianity a sophisticated anthropology in which the Pauline conscience is elevated far beyond soul and achieves an extraordinary independence from soul. . . .” See “Origen, Plato, and Conscience (*Synderesis*) in Jerome’s Ezekiel Commentary” *Traditio* 57 (2002) 79 and 82-83.

¹²⁰ See Jerome’s text and also M. B. Crowe, “The Term Synderesis and the Scholastics,” *Irish Theological Quarterly* 23 (1956): 151-164; 228-245; Philippe Delhaye, *The Christian conscience*, 25-26, 87, 107-8; Michael Bertram Crowe, *The Changing Profile of the Natural Law* (Hague: Martinus Nijhoff, 1977), 123-27; Bernard Häring, *The Law of Christ: Moral Theology for Priests and Laity*, vol. 1, trans. Edwin C. Kaiser (Cork: The Mercier Press, 1963), 139.

¹²¹ See Philippe Delhaye, *The Christian Conscience*, 108.

¹²² See Jerome’s text.

Although Jerome attributes a superior place to conscience in Ezekiel's facial quartet, of man, lion, ox and eagle, he cites St. Paul's to the Thessalonians (1Thessalonians 5:23), to assert that *synteresis*, as the "spark of conscience" stands in need of being "kept sound together with soul and body"¹²³ a developmental need, which indicates that both *synteresis* and *conscientia* have need of the human as well as of the Divine. But although it is in need of care, and although it may be "cast down", or "lose its place", or even be "misled by an imitation of reason," Jerome attributes an element of indestructibility to this "spark of conscience." Specifically, he detects this attribute, for example, in Cain's response to his act of fratricide, when he noted that the spark "was not even extinguished in the breast of Cain after he was turned out of Paradise." On the other hand, however Jerome claims that wicked people can cease to have any consciences at all. Such contrasting does indeed suggest that he is distinguishing between conscience as either *synteresis* or *conscientia*.¹²⁴

With regard to the functions of conscience, Jerome noted its power of discernment, in its capacity of *synteresis*, a power that enables it "to discern that we sin, when we are overcome by pleasures or frenzy and meanwhile are misled by an imitation of reason."¹²⁵ Furthermore, he observes that when assuming its superior role as *synteresis*, a role which prevents him from "getting mixed up with the other three," the *eagle* can exercise the power of correction over *the human, the lion and the ox*, if they assume inappropriate rational, emotional or appetitive roles.¹²⁶ Drawing directly from Paul's epistles to the Romans and to the Corinthians, Jerome also explains why the conscience, as *synteresis*, can be portrayed as a spirit with powers of mediation or intercession, between the Creator and man as His creature.

¹²³ Ibid.

¹²⁴ Ibid.

¹²⁵ Ibid.

¹²⁶ Ibid.

Finally, Jerome issues a warning to those who choose the ultimate step of totally ignoring the promptings of their *synteresis* or conscience, to the effect that this spiritual entity possesses the power to shame. As evidence for this function of inducing shame, Jerome cites a quite colloquial proverb to the effect that “When the wicked man reaches the depths of sin, he doesn’t give a damn” (Proverbs, 18:3), a moral aberration, which in Jeremiah’s down-to-earth opinion, merits that the offender be strongly reminded that he has acquired the face of a prostitute, because he has refused “to blush” (Jeremiah 3:3).¹²⁷

While it still remains unclear as to whether Jerome deliberately sought to differentiate between conscience as *synteresis* (*synderesis*) or as *conscientia*, one thing is certain, that with the advent of this Church Father, the Greek word *συνείδησις* (*syneidesis*) or *synteresis* or *synderesis* seems to contrast with the Latin word *conscientia*. Such a contrast, a corollary of Jerome’s textual interpretation of Ezekiel’s vision, would come to dominate the subsequent late medieval, Scholastic discourse on conscience.¹²⁸

3. Conscience in the Middle Ages

The term conscience, as examined thus far from the Greco-Roman tradition, made use of a single synonymous word *συνείδησις* (*syneidesis*) or *conscientia*. The concept, viewed from either Greek or Latin roots, respectively, deals essentially with moral knowledge. However, *synderesis* as the spark of conscience (*scintilla conscientia*), in Jerome’s writings initiated a serious theological debate on the concept of conscience in the “Middle Ages”.¹²⁹

¹²⁷ Ibid..

¹²⁸ See Bernard Häring, *Free and Faithful in Christ*, 230; Linda Hogan believes that theologians of the Middle ages either failed to notice the error or were reluctant to point it out. Either way they accepted the presence of both *syneidesis* and *synderesis* and set about explaining and defending their existence. Consequently, early scholastic treatises on conscience were divided into two parts. While one focused on *synderesis* the other was on *conscientia*. See *Confronting the Truth: Conscience in the Catholic Tradition* (New York: Paulist Press, 2000), 66.

¹²⁹ Häring affirms this stating: “The Scholastic tradition took from Jerome *synteresis* as that profound quality which makes man have conscience and qualifies him to perceive the moral order and moral values as his obligation” (*Free and Faithfull in Christ*, 230).

Thus theologians of that time¹³⁰ according to Michael Despland “use the notion of conscience primarily to elaborate a theory of moral judgment. In their systematic construction, the scholastics used two terms to designate two functions.”¹³¹ The two terms we will examine in this section.

Peter Lombard (c. 1100 – 1160), the Italian theologian and bishop of Paris whose book *Sententiarum libri quatuor* (Four Books of Sentences) earned him the title of *Magister Sententiarum*, was the first Middle Age thinker to refer to Jerome’s passage on conscience. Lombard’s reference may be considered the beacon which initiated thinkers after him not only to seriously debate the concept of conscience, but also to produce treatises on such a concept.¹³² Subsequently, discussions on *synderesis* and *conscientia* appeared in Scholastic commentaries, “university seminars (written up as *Debated Questions*) and textbooks (*Summae*).”¹³³ Such intense academic interest eventually gave the study of conscience a standard form, within which theologians of the period specifically identified and distinguished between *synderesis* and *conscientia*. Häring elaborated on the development thus:

Scholastic theology distinguished clearly between synteresis and conscientia, that is, between conscience as permanent power or disposition and its activity in the particular dictate of conscience. . . . conscience is looked upon as the innate urge of the spiritual person to preserve himself The special seat of conscience, according to many scholastics, especially the great mystics, is *scintilla animae*, the inmost center of the soul, or the spark of the soul, which is least accessible to the contamination of sin.¹³⁴

¹³⁰ This period is very important in the historical development of the study of conscience. The period’s link to monastic schools and universities as seat of education earned it the name: Age of *Scholasticism* and hence, Scholastic Theology. For more details of this period see Douglas C. Langston, *Conscience and other Virtues: from Bonaventure to MacIntyre* (Pennsylvania: Pennsylvania State University Press, 2001) 7-8.

¹³¹ See *The Encyclopedia of Religion*, s.v. “Conscience.”

¹³² See Philipp W. Rosemann, *Great Medieval Thinkers: Peter Lombard* (Oxford: Oxford University Press, 2004).

¹³³ Timothy C. Potts, *Conscience in Medieval Philosophy* (Cambridge: Cambridge University Press, 1980), 1; *Encyclopedia of the Middle Ages*, s.v “Conscience.”

¹³⁴ Bernard Häring, *The Law of Christ*, 139-40.

Subsequently, great scholars such as: Philip the Chancellor, Alexander of Hales, Bonaventure, Henry of Ghent, Albert the Great and Thomas Aquinas went on to produce elaborate treatises on the nature of conscience. Specifically, these scholars addressed issues centred on the concepts of *synderesis* and *conscientia* and the relationship between both. This resulted in the emergence of two distinctive views. The first understood conscience from the perspective of human-will (voluntaristic). Proponents of this view include: Alexander of Hales, Henry of Ghent and Bonaventure. The second group understood conscience from the perspective of human intellect (intellectualistic). Albert the Great and Thomas Aquinas are the major advocates expounding this view.¹³⁵

These two perspectives drew upon the thinking of Philip the Chancellor on conscience. He produced a thesis, which mainly discusses the topic of *synderesis*.¹³⁶ According to M. B. Crowe, Philip the Chancellor was the most important of the early writers on *synderesis*. He notes that Philip “virtually created the formal treatise on the subject, [while] later writers like the author of the *Summa* attributed to Alexander of Hales, Odo Rigaldus, St. Albert the Great, Peter of Tarentaise and even St. Thomas Aquinas, did little more than discuss, and in the same order, the same questions raised by Philip.”¹³⁷ It is clear, then, that the significance of Philip the Chancellor in terms of the development of the concept of conscience during the Middle Ages cannot be overstated.

¹³⁵ See Eric D’Arcy, *Conscience and its Right to Freedom*, 29; Michael Crowe, *The Changing Profile*, 127-35; Bernard Häring, *The Law of Christ*, 140-41.

¹³⁶ The Scholastics of the early Middle Ages gave attention to the nature of *synderesis*. They addressed questions like: Is *synderesis* a faculty or a habit? D’Arcy points out however that Philip the Chancellor is the first to take up the questions: “What is the relationship between *synderesis* and conscience? Are they distinct or identical? (*Conscience and its Right to Freedom*, 28). This early treatise of Philip will shape later scholastic writers. See also Michael Bertram Crowe, *The Changing Profile*, 130.

¹³⁷ Michael Bertram Crowe, *The Changing Profile*, 130; Timothy C. Potts in his own remarks states that “the first treatise on conscience, which set the pattern for subsequent ones, was written by Philip the Chancellor about 1235. Philip deals primarily with *synderesis* and only secondarily with *conscientia*” (*Conscience in Medieval Philosophy*, 12); for further readings on Philip see R.E. Houser, “Philip the Chancellor,” in *A Companion to Philosophy in the Middle Ages*, ed. Jorge J. E. Gracia and Timothy B. Noone (Oxford: Blackwell Publishers, 2003), 534-35; *Encyclopedia of the Middle Ages*, vol.2 s.v. “Philip the Chancellor.”

In Philip's major work, *Summa de Bono*,¹³⁸ which influenced philosophers and theologians of his own and later eras, he begins his treatise on conscience with Jerome's text. In the third question of his discussion, for example, he asserts: "synderesis plus the reason for a free choice makes *conscientia* right or mistaken, and *conscientia* sticks more to the side of reason; *synderesis* itself, however, which is the spark of *conscientia*, as blessed Gregory says, is not mistaken."¹³⁹ It is through such reasoning, wherein he proposes that *conscientia* can sometimes be right and sometimes wrong, while *synderesis* will always remain right, that he seeks to clearly distinguish between them. Before he made the above distinction, he had described *synderesis* as a dispositional potentiality, which means that it is not and cannot be hampered from actualisation in and of itself.¹⁴⁰ Philip sees *synderesis* affecting free choice by telling it to do good and to refrain from evil, but strictly at a general level. Therefore, in his view, it moves human beings to the general good because it is not in itself directed to particular good deeds but to the general good present in them. This would suggest that it is called *synderesis*, "because it is directed to what is rationally good."¹⁴¹ It is for this reason that *synderesis* was explicitly identified as a provider of general truths to *conscientia*, in order that the latter could apply them to specific issues.

The Franciscan Scholar, Bonaventure, was one of those influenced by Philip the Chancellor's views on *synderesis* and *conscientia*. Bonaventure, in his *Commentary on Peter Lombard's 'Books of Judgments'* 2.39,¹⁴² began his enquiry with the nature of *conscientia*. He identified it within the rational faculty, stating that it is part of practical reason because it

¹³⁸ See translation of the *Treatise on Conscience* in Timothy C. Potts, *Conscience in Medieval Philosophy*, 94-109. [Hereafter Philip, *SDB*].

¹³⁹ Extract from Philip, *SDB*, Q.3, A1. Potts remarks that "Philip's motivation for distinguishing between *synderesis* and *conscientia* is that he wants to maintain that, although *conscientia* can be mistaken *synderesis* cannot." See page 15.

¹⁴⁰ Philip, *SDB*, Q.2, *Reply*.

¹⁴¹ *Ibid*.

¹⁴² See translation in Timothy C. Potts, *Conscience in Medieval Philosophy*, 110-121. [Henceforth, Bonaventure, *Commentary*].

is connected to the performance of actions.¹⁴³ *Synderesis*, on the other hand, he identified with the affective or desiring part of the soul or the human person. It is what stimulates the human person to do good. More specifically, he portrays *synderesis* as a power for discovering the truth of very general practical principles, while *conscientia* is portrayed as being concerned with the application of these general principles to either general or particular situations.¹⁴⁴ While Bonaventure regards both parts as innate, he describes *synderesis* as being incapable of error or of being lost to any individual, no matter how morally depraved that person may be. On the other hand, he claims that *conscientia* can be mistaken because of the misapplication of very general principles through ignorance, faulty reasoning or ignorance. D’Arcy presents a concise summary of Bonaventure’s views as follows:

Both reason and will have a part to play in our moral life, and each of them needs to be given some direction or inclination towards moral goodness. Conscience does this for reason; synderesis does it for the will, where it resides as a ‘natural bias’ inclining the will towards moral goodness, as indeed dispositions do incline the faculty where they reside to elicit acts of certain kind. ‘Synderesis is that which impels a man towards the good; and so it belongs to the affective order.’¹⁴⁵

It is not intended for this thesis to go into any further detail on Bonaventure’s views. However it is worth noting their obvious derivation from the thinking of Philip the Chancellor; and that, in terms of the activities of both its components, he portrays conscience as being a dynamic faculty. Finally, commenting on the connections between the works of both Philip the Chancellor and Bonaventure, Timothy C. Potts observed that Bonaventure did not distinguish between the terms *synderesis* and *conscience* in the same way as Philip, but that, in fact, he considers Bonaventure’s work to be more complicated.¹⁴⁶ Our attention will now focus on to

¹⁴³ Bonaventure, *Commentary*, 1.1.

¹⁴⁴ *Ibid.*, 2.1.

¹⁴⁵ Eric D’Arcy, *Conscience and its Right to Freedom*, 30. See also Douglas C. Langston, *Conscience and Other Virtues*, 35-37 where he summarised and outlined the significant contribution of Bonaventure.

¹⁴⁶ Timothy C. Potts, *Conscience in Medieval Philosophy*, 32.

St. Thomas Aquinas, whose teachings have long been considered the most dominant influence in Catholic Moral thinking.¹⁴⁷

3.1 Thomas Aquinas

Aquinas drew on the writings and thinking of Aristotle, the Church Fathers, the early Scholastics, and above all the Scriptures to promote an intellectualistic view of conscience, which held that conscience was a device or faculty for distinguishing right from wrong through the use of reason and so was a natural part of a mental activity, which provided an individual with moral guidance.¹⁴⁸ Aquinas' teaching remains a classical landmark in the systematic study of the nature of conscience.

3.1.1 Aquinas' Specific Teaching on Conscience

Aquinas' distinctive treatment of conscience is contained in his: *Commentary on the Sentences*, *Questiones Disputatae de Veritate* and the *Summa Theologica*.¹⁴⁹ In these works, he gave greater clarity to the understanding of the nature of conscience in general through the distinction he made between Greek and Latin terms for conscience.

3.1.2 *Synderesis* and *Conscientia*

Aquinas' elaboration of the concept of *synderesis* in *Debated Questions on Truth* (*Questiones Disputatae de Veritate*),¹⁵⁰ deals with questions on its nature and functions. Firstly, he asks if *synderesis* is a potentiality or a disposition; secondly, he investigates the possibility of *synderesis* erring or being wrong; and thirdly, he wonders if *synderesis* could be

¹⁴⁷ The significance of Aquinas is evident in James F. Keenan, "Ten Reasons Why Thomas Aquinas is Important for Ethics Today," *New Blackfriars* 75 (1994). Keenan asserts that "In an age that wants to respect the individual conscience while maintaining a sense of the objectively right and wrong, Thomas provides a framework in which we can achieve both" 354—355. Keenan also stated categorically the fact that Aquinas upheld the primacy of conscience as one of the reasons he is relevant today. See pages 357-358.

¹⁴⁸ See Ralph McInerney, *St. Thomas Aquinas* (Notre Dame: University of Notre Dame Press, 1977).

¹⁴⁹ Eric D'Arcy, *Conscience and its Right to Freedom*, 33-34.

¹⁵⁰ See translation by Potts, *Conscience in Medieval Philosophy*, 122-136, [hereafter Thomas Aquinas, *QDV*].

extinguished in some people. In the *Summa* he asks: whether *synderesis* is a special power of the soul, completely distinct from any other powers possessed by human beings.¹⁵¹

According to Aquinas, *synderesis* is a capacity, disposition or natural habit (*habitus*) of practical reason which enables human beings to apprehend general principles for human action.¹⁵² He bases this assertion on the argument that since *synderesis* involves apprehension of the truth without inquiry, both in theoretical and practical matters, that apprehension must be the source of subsequent apprehension, and therefore must be dispositional. It is a disposition that is concerned “with the basic principles of behaviour, which are the general principles of natural law.”¹⁵³ In this way, Aquinas link *synderesis* to reason, human action and the natural law. In the *Summa*, Aquinas reiterates his teaching on *synderesis* accordingly:

Now it is clear that, as the speculative reason argues about speculative things, so that practical reason argues about practical things. Therefore we must have, bestowed on us by nature, not only speculative principles, but also practical principles. Now the first speculative principles bestowed on us by nature do not belong to a special power, but to a special habit, which is called *the understanding of principles*, as the philosopher explains. Wherefore the first practical principles, bestowed on us by nature, do not belong to a special power, but to a special natural habit, which we call *synderesis*. Whence *synderesis* is said to incite to good, and to murmur at evil, inasmuch as through first principles we proceed to discover, and judge of what we have discovered. It is therefore clear that *synderesis* is not a power, but a natural habit.¹⁵⁴

¹⁵¹ See Thomas Aquinas, *ST Ia*, q.79, a.12.

¹⁵² Aquinas elucidates his teaching on *synderesis* in an elaborate way in *QDV*. He compares the angels with the human way of apprehending things. He narrates, “It is proper to the nature of an angel to apprehend the truth without inquiry or running over the matter, but proper to human nature to reach an apprehension of truth by inquiring and by running from one point to another. As a result, the human mind, at its highest, comes near to something of what is proper to an angelic nature” (*QDV* 16.1). Developing this understanding, he asserts that there are two kinds of apprehension in the nature of angel: theoretical and practical. Consequently, Aquinas believes that in as much as human nature comes close to that of angels, there must be apprehension of the truth without inquiry both in theoretical and in practical matters. He concludes that that apprehension must be the source of subsequent apprehension and so must be dispositional. This being the case Aquinas concludes: “just as there is a natural disposition of the human mind by which it apprehends the principles of theoretical disciplines . . . so too it has a natural disposition concerned with the basic principles of behaviour, which are the general principles of natural law. This disposition relates to *synderesis*” (*QDV* 16.1). *Synderesis* is therefore the natural disposition or habit by which the human person apprehends universal or general principles for human actions. *ST IaIIae*, q.94, a.1.

¹⁵³ Thomas Aquinas, *QDV* 16.1.

¹⁵⁴ Thomas Aquinas, *ST Ia*, q.79, a.12.

Aquinas is quite unequivocal here in his assertion that *synderesis* is not a special power of the soul but rather “a special habit” or a first practical principle bestowed on human beings by nature, and as such should be considered “a special natural habit.” Specifically, Aquinas sees the notion of habit to be inherent in the process of discovery and judgment that human beings will repeatedly engage in when *synderesis*, as a first practical principle, operates within their natures to “incite to good,” or “to murmur at evil.” The very nature of conscience in the sense of *synderesis* is that it is the human person’s natural ability for moral principles.

With regards to whether *synderesis* can do wrong, err or be mistaken in its judgement, or whether it can be extinguished, Aquinas is unequivocal in his findings. He declared that, as a natural disposition or habit, *synderesis* does not do wrong, err or make mistakes in its judgment¹⁵⁵ and that, as a dispositional light it cannot be extinguished.¹⁵⁶ Its permanency in the life of human beings is underlined by the fact that it is considered to be the first rule for human actions.¹⁵⁷ However, with regard to its *extinguishing*, Aquinas cites two extreme examples, (extreme insofar as they are deemed to be outside the normal range of human nature) where such could occur. Aquinas sees the possibility for the extinguishing of *synderesis* occurring where its actualisation has been obstructed and, secondly, where the use of free choice or any use of reason has been seriously compromised due to injury to body organs responsible for reasoning.¹⁵⁸

Synderesis derives its significance and importance in the study of conscience from the fact that it is deemed to be a receptacle for the precepts of Natural Law, precepts which are deemed to be the first principles of human action. Furthermore, as human beings seek to participate in the Eternal Law, they do so in a context wherein they already possess

¹⁵⁵ Thomas Aquinas, *QDV* 16. 2; 17.2.

¹⁵⁶ *Ibid.*, 16.3.

¹⁵⁷ *Ibid.*, 17.2, reply 7.

¹⁵⁸ *Ibid.*, 16.3.

awareness, through *synderesis*, of the first general principle of law.¹⁵⁹ Therefore, up to the present day, *synderesis* continues to be considered as the illuminating light of the soul for the conscience.¹⁶⁰

Just as with *synderesis*, Aquinas' investigation of the nature of *conscientia* is done out in a question and answer format. So we find him posing five questions in this respect.¹⁶¹ These questions concern whether *conscientia* is a potentiality, a disposition or an actualisation and if *conscientia* can ever be mistaken. In the *Summa*, however, he seeks to ascertain if *conscientia* is a power of the soul.¹⁶²

With regard to conscience and power, Aquinas responds that: "Properly speaking conscience is not a power, but an act. This is evident both from the very name and from those things which in the common way of speaking are attributed to conscience."¹⁶³ In an attempt to clarify his description of conscience as an act, he elaborates two ways in which this can be understood. The first centres on the etymology of the word itself, especially on the notion of applying knowledge to something. He states that conscience "according to the very nature of

¹⁵⁹ Thomas Aquinas, *ST Ia IIae*, q.94, a.1.

¹⁶⁰ See Joseph Cardinal Ratzinger, "Conscience and Truth," in *Crisis of Conscience* ed. John M. Haas (New York: The Crossroad, 1996), 12. He remarked: "The word *synderesis* (*synteresis*) came into the medieval tradition of conscience from the stoic doctrine of the microcosm. It remained unclear in its exact meaning and for this reason became a hindrance to a careful development of this essential aspect of the whole question of conscience. I would like, therefore, without entering into philosophical disputes, to replace this problematic word with the much more clearly defined Platonic concept of *anamnesis*. It is not only linguistically clearer and philosophically deeper and purer, but *anamnesis* above all also harmonizes with key motifs of biblical thought and the anthropology derived therein. The word *anamnesis* should be taken to mean exactly that which Paul expressed in the second chapter of his Letter to the Romans." Ratzinger upholds that the same thought is amplified in the monastic rule of St. Basil which says "The love of God is not founded on a discipline imposed on us from outside, but is constitutively established in us as the capacity and necessity of our rational nature." *Anamnesis* is therefore the law of law written in our hearts. In the same way, he cites Augustine who affirms that our judgment about what is good is a basic understanding instilled in us. Hence Ratzinger explains that this "first so-called ontological level of the phenomenon of conscience consists in the fact that something like an original memory of the good and true (both are identical) has been implanted in us." Deducing from Plato's theory of knowledge, Ratzinger teaches that *synderesis* is a form of memory in us since we are created in God's image and likeness. Thus *anamnesis* enables us to grasp the principles for good human action but not without external help. In the light of this he states: "The true sense of the authority of the pope consists in his being the advocate of the Christian memory. The pope does not impose from without. Rather he elucidates the Christian memory and defends it." See page 12-15.

¹⁶¹ Thomas Aquinas, *QDV 17*

¹⁶² Thomas Aquinas, *ST Ia IIae*, q.79, a.13 and *Commentary on the Sentences*, Distinction 24, Question 2, article 4.

¹⁶³ Thomas Aquinas, *ST Ia*, q.79, a.13.

the word . . . implies the relation of knowledge to something. It may be resolved into *cum alio scientia*, that is, knowledge applied to an individual case. But the application of knowledge to something is done by some act.” Not surprisingly, then, Aquinas concluded that “from this explanation of the name it is clear that conscience is an act.”¹⁶⁴

In another explanation for the above conclusion, Aquinas identifies specific verbs and three contexts in which they have been used with reference to *conscientia* as another basis for concluding that it be considered an *actus*:

For conscience is said to *witness, to bind, or incite*, and also to *accuse, torment, or rebuke*. And all these follow from the application of knowledge or science to what we do: which application is made in three ways. One way in *so far as we recognize that we have done or not done something . . .* and according to this, conscience is said to witness. In another way, *so far as through the conscience we judge that something should be done or not done*; and in this sense, conscience is said to incite or to bind. In the third way, *so far as by conscience we judge that something done is well done or ill done*, and in this sense conscience is said to excuse, accuse, or torment.¹⁶⁵

Here, Aquinas assigns different verbs or actions denoting action to specific contexts, all of which leads him to conclude: “Now, it is clear all these things follow the actual application of knowledge to what we do. Wherefore, properly speaking, conscience denominates an act.”¹⁶⁶

Aquinas’ identification of conscience as an act helps clarify the nature and roles of conscience. *Conscientia* is now seen to be essentially connected with the level of the application of the principles of *synderesis* through recognition, witness and judgement of actions that have already been performed or are going to be performed; a process which

¹⁶⁴ Ibid.

¹⁶⁵ Ibid., [italics are mine].

¹⁶⁶ Ibid.

Joseph Ratzinger asserts is based on the traditional Aristotelian model of deductive reasoning.¹⁶⁷

Aquinas establishes a major and fundamental difference between *synderesis* and *conscientia* through his responses to the following two questions, firstly, as to whether *synderesis* can do wrong, and secondly, as to whether *conscientia* can be mistaken.¹⁶⁸ His response to the question concerning *synderesis* not only asserts that it can do no wrong, but also serves to distinctly separate it from *conscientia*, as can be seen in the following excerpt:

In order that there can be some rightness in human deeds, there must be some enduring principle which has unchangeable rightness and by reference to which all deeds are tested, such that this enduring principle resists everything evil and give assent to everything good. This is what *synderesis* is, whose job is to murmur back in reply to evil and to turn us towards what is good. Hence, it is to be admitted that it cannot do wrong.¹⁶⁹

Basically this response contends that *synderesis* “cannot do wrong” because it possesses an “unchangeable rightness” through which it assesses all deeds, and so must be considered an “enduring principle.”

Aquinas’ response to an observation in Jerome’s *Commentary on Ezekiel* to the effect that *synderesis* can do wrong or be “cast down” not only serves to support his conclusion in the above excerpt from *QDV* but also to distinguish it from *conscientia*:

Synderesis is never cast down in its generalisation, but it can admit of error in the application of a general principle to something particular, as a result of incomplete or invalid deduction, or of some false assumption. Thus [the commentary] does not just say that *synderesis*

¹⁶⁷ Ratzinger maintains that *conscientia* as an *actus* is an event in execution. Its role or duty is to apply the basic knowledge of *anamnesis* that is, “inner repugnance to evil and an attraction to the good” to particular situation. He explains that Aquinas divided the role of *conscientia* into three elements, which are: recognizing (*recognoscere*), bearing witness (*testificari*), and finally judging (*iudicare*). This sequence Ratzinger states is based on Aristotelian tradition’s model of deductive reasoning. “Conscience and Truth,” 16.

¹⁶⁸ Thomas Aquinas, *QDV* 16.2; 17.2.

¹⁶⁹ *Ibid.*, 16.2.

is cast down, but that *conscientia*, which applies the general judgments of *synderesis* to particulars, is cast down.¹⁷⁰

In that response, Aquinas is maintaining that Jerome's conclusion that (*synderesis* "can admit of error" when it attempts to apply general principles to particular situations), is one that should actually be applied to *conscientia*, because Aquinas, himself, sees such a process as its distinct task. He further underscores this distinction in a response he makes to his question as to whether *conscientia* can be mistaken, where he clearly asserts that: "I have argued that *conscientia* is no other than the application of knowledge to some special actualisation. Mistakes can occur in two ways in this application: first, because what is applied contains a mistake; second, because it is not applied properly."¹⁷¹ Aquinas is at pains to emphasise that the general information or knowledge possessed by *synderesis* is applied by *conscientia* and also by higher and lower reason to particular situations. Furthermore, he maintains that since the judgement of *synderesis* is general, it cannot be applied without the involvement of some particular premise, which, in his estimation, is sometimes provided by the higher or lower forms of reason present in *conscientia*. This leads Aquinas to conclude that if a mistake occurs in the higher or lower forms of reason, then *conscientia* can be mistaken, but not so with *synderesis*, because its judgement are general. Finally, in his response to Argument 7, Aquinas not only substantiates his conclusion regarding the possibility of *conscientia* being mistaken, but also serves to plainly distinguish between it and *synderesis*: "*Conscientia* is not the first rule of human deeds but, rather *synderesis*. *Conscientia*, however, is like a rule which is itself rule-governed (*regula regulate*), so there is nothing surprising if error occurs in it."¹⁷²

¹⁷⁰ Ibid.

¹⁷¹ Ibid., 17.2.

¹⁷² Thomas Aquinas, *QDV* 17.2.

3.1.3 Does *Conscientia* Bind?

Having examined the specific nature of *conscientia* and distinguished between it and *synderesis*, Aquinas turned his attention to the extent to which *conscientia* itself can be considered to be binding. In fact, over the historical course of the debate on this topic, three possible responses were supported, namely that it was always binding; that it was sometimes binding; that it was never binding.¹⁷³ Although he found this issue to be tricky and complicated, he crucially concluded that “Without any doubt, *conscientia* binds,” and explains that it acquires this force because of the “imposition of necessity.” He elaborates that

binding can have a place when the necessity is imposed by something else. There are two kinds of necessity which can be imposed by another agent. The first is a necessity of force, through which everything absolutely necessary has to do with what is determined by the action of the agent; the other should not strictly be called force but, rather, inducement. This is a conditional necessity, that is, deriving from the goal; e.g. there may be a necessity imposed upon someone that, if he does not do such-and-such, he will not obtain his reward.

The first kind of necessity, which is that of force, does not occur in changes of the will, but in bodily things, because the will is naturally free from force. The second kind of necessity can be imposed upon the will, e.g. it may be necessary to choose such-and-such, if a certain good is to result, or if a certain evil is to be avoided. . . . But just as the necessity of force is imposed on bodily things by some action, so conditional necessity is imposed upon the will by some action. The action, by which the will is changed, however, is the command of a ruler or governor. . . . Thus the command of something which governs is related to binding bodily things by the necessity of force. But the action of a bodily agent only introduces necessity into another thing by its forceful contact with the thing on which it acts; so someone is only bound by the command of a ruler or lord, too, if the command reaches him who is commanded; and it reaches him through knowledge.

¹⁷³ In Part II of D’Arcy’s *Conscience and its Right to Freedom*, 78-86, he presented discussions on the authority or binding force of conscience under the following headings: 1) conscience never binds, 2) conscience sometimes binds, and 3) conscience always binds. Augustine, Alexander of Hales and Walter of Château-Thierry are cited as scholars who believe that conscience never binds. On the other hand, John de la Rochelle and Bonaventure are believed to propose that conscience sometimes bind. While Albert the Great teaches that conscience always binds. D’Arcy asserts that Albert’s teaching in his *Summa de Homine*, q.72, art.2, was the first to claim the sovereign authority of conscience in this debate. Aquinas’ position within this debate has been influenced by the teaching of Albert the Great.

Hence no one is bound by an injunction except by means of knowledge of that injunction and, therefore, anyone who is not capable of being informed, is not bound by the command; nor is someone who is ignorant of an injunction of God bound to carry out the injunction, except in so far as he is obliged to know the injunction. But if he is neither obliged to know it nor does know it, he is in no way bound by the injunction. Just as in bodily matters a bodily agent only acts through contact, so in spiritual matters an injunction only binds through knowledge . . . since an injunction only binds in virtue of knowledge and knowledge only in virtue of the injunction. Hence, since *conscientia* is no other than the application of what is known to an actualisation, it has been shown that *conscientia* is said to bind by the power of divine injunction.¹⁷⁴

As can be seen, Aquinas, in his elaboration of necessity, distinguishes between two types. The first he describes as *the necessity of force*, whereby all factors relevant to the actualisation of an action are determined by the actions of an external agent. The second type, which he labels *the necessity of inducement*, or *conditional necessity*, he claims derives from the actual goal of the action, which can be determined by “the command of a ruler or governor”. The first type of necessity is depicted as arising, not from the will, which, of itself, is free from the power of force, but from “bodily things”. In the case of conditional necessity, however this power can be imposed on the will, because of the necessity for individuals to choose specific actions, when it comes to choosing good or avoiding evil. While not overtly stating it, Aquinas leaves no room for doubting that in spiritual matters the agent responsible for identifying the elements is of Divine origin. Neither is there any doubt that the ruler or governor endowed with powers of injunction in matters spiritual is, in fact, God. It is the acknowledgement of the prospect of such Divine intervention that drew Aquinas to conclude that “conscientia is said to bind by the power of divine injunction.” However, Aquinas points out that the power of Divine injunctions to bind in spiritual matters is modulated, in terms of both necessities, by the extent of the person’s knowledge of those injunctions and also by the influence these injunctions can bring to bear on knowledge.

¹⁷⁴ Thomas Aquinas, *QDV* 17.3.

In summary, it is both knowledge and the divine authority underpinning any injunctions, which are presented as the main reasons as to why ‘the voice’ of *conscientia* is deemed to be binding on a person. Taking both reasons into account, then, a person who chooses to go against or to ignore the ‘voice’ of *conscientia* is committing sin.¹⁷⁵ However, what if that “voice” is found to be mistaken or erroneous?

3.1.4 Erroneous or Mistaken Conscience

Aquinas clearly demonstrated that while no error can happen in *synderesis*, mistakes can occur in *conscientia* due to ignorance, or to some deficit in the promulgation of the law or injunction, for example. Thus, for Aquinas, an erroneous conscience is, in fact, to be distinctly understood as an erroneous *conscientia*. What we are here dealing with is whether erroneous or mistaken conscience binds and whether it is blameworthy. Aquinas says it binds relatively and accidentally and illustrates thus:

For someone whose *conscientia* tells him that he is obliged to fornicate, is not so obliged that he cannot forgo fornication without sin, except on condition that such a *conscientia* persists. But this *conscientia* can be removed without sin. Hence such a *conscientia* does not bind in every circumstance; something can happen namely the laying aside of that *conscientia*, and, if this happens, then he is no longer bound. But what merely holds upon a condition is said to hold relatively.

. . . Someone who wants or loves one thing on account of something else, loves that on account of which he loves the former *per se*, but loves accidentally, as it were, that which he loves on account of the other; e.g. a man who loves wine for its sweetness, loves sweetness *per se* but wine accidentally. A man who has a mistaken *conscientia* believing it to be correct (otherwise he would not be mistaken), however, does not cling to a mistaken *conscientia*, either, on account of the rightness which he believes to be there; he clings, rather . . . speaking *per se*, he is bound by a correct *conscientia*, but speaking accidentally, by a mistaken one.¹⁷⁶

¹⁷⁵ Ibid.

¹⁷⁶ Ibid., 17.4.

This excerpt indicates that erroneous or mistaken *conscientia* results from a form of ignorance, ignorance of what one believes to be right. It is therefore a person's duty to lay aside such ignorance; if not, a person becomes blameworthy for following such a *conscientia*. On the other hand one is not blameworthy for an ignorance that cannot be put aside.¹⁷⁷

Aquinas' theory on conscience summarises the teachings of the Scholastics. Linda Hogan remarks on the significance of Aquinas to the effect that when his task was completed, *synderesis* as a component of conscience was understood to be the habitual grasp of first moral principles, and *conscientia*, as its distinct application of the moral principles.¹⁷⁸ Aquinas' legacy with regard to the notion of conscience remains an indelible development in philosophy and theology.

PART III

4. Conscience in the Documents of the Church (Twentieth and Twenty First Century)

Over the centuries, and certainly in the twentieth century, many Church documents have consistently referred to conscience, particularly in the context of emphasising its importance for moral living. These documents and many others are intended as useful guides to all Christians in their understanding of conscience, in particular as the concept has been found to continue to be misunderstood and even misused. This section will draw on a selection of such documents that elucidate the true nature of conscience, and refute some of the current misconceptions about this concept.¹⁷⁹ Particular attention will be paid to such issues as: the real meaning of conscience; the authority of conscience; freedom of conscience;

¹⁷⁷ See Thomas Aquinas, *On Evil*, trans. Jean Oesterle (Notre Dame: University of Notre Dame Press, 1995), q.3, a.6-8, where he discussed the issue of ignorance.

¹⁷⁸ See Linda Hogan, *Confronting the Truth*, 79.

¹⁷⁹ See John XXIII, "Opening Speech for Council of Vatican II" October 11, 1962, under <http://www.ourladywarriors.org/teach/v2open.htm> [accessed 14/05/2011].

formation of conscience; and the role of the magisterium relative to the exercise of conscience.¹⁸⁰

4.1. Vatican II Council (1962-1965) and Conscience

Vatican II's concern was not about philosophical technicalities as to whether conscience as *synderesis* or as *conscientia* were distinct or interchangeable functions of conscience, rather the Council Fathers attempted to make conscience a personal matter for the ordinary person on the street. The Council attempted to bring conscience into daily lives and issues. In particular, the Council demonstrates the primacy and freedom of conscience to every human being in an era that has suffered the scourges of World Wars, Ethnic Cleansing, Holocausts, Man-Made Famines, in short, multiple world-wide Abuses of Human Rights.¹⁸¹

Thus in terms of freedom and primacy of conscience, for instance, the Council teaches:

All are bound to follow their conscience faithfully in every sphere of activity so that they may come to God, who is their last end. Therefore, the individual must not be forced to act against conscience nor be prevented from acting according to conscience . . .¹⁸²

The Council Fathers also assert: "The layperson, at one and at the same time a believer and a citizen of the world, has only a single conscience, a Christian conscience, by which to be guided continually in both domains."¹⁸³ This statement affirms the fact that we have

¹⁸⁰See Francis A. Sullivan, *Magisterium: Teaching Authority in the Catholic Church* (New York: Paulist Press, 1983); Joseph A. Selling, "Authority and Moral Teaching in the Catholic Context," in *Christian Ethics: An Introduction*, ed. Bernard Hoose (Collegeville: The Liturgical Press, 1998); Norbert Rigali "Moral Theology and Magisterium," *Horizons* 15 (1988):121-122;

¹⁸¹ Many writers have pointed to the mindlessness in which massacres have occurred. They have questioned the role of conscience in all of these. In the same way Church documents constantly draw attention to the need for proper use of conscience. Many of the Encyclicals before and after Vatican II appealed to conscience. For instance, John XXIII's *Pacem in Terris* declared that a government or regime that governs by means of threats violates the moral order and divine; rather they should appeal to individual conscience (nn 48-52); Paul VI in *Populorum Progressio*, states: "Each man must examine his conscience, which sounds a new call in our present times" (n.47).

¹⁸² *Dignatatis Humanae*, n.3.

¹⁸³ Vatican II, Decree on the Apostolate of Lay People *Apostolicam Actuositatem*, n.5. This reaffirms Dogmatic Constitution on the Church *Lumen Gentium* which advises that in all temporary matters we are to be guided by a Christian conscience, since not even in temporal business may any human activity be withdrawn from God (n. 35).

conscience whose function is to guide us in our duty towards God and the state. The Council described the nature of this conscience accordingly:

Deep within their consciences men and women discover a law which they have not laid upon themselves and which they must obey. Its voice, ever calling them to love and to do what is good and to avoid evil, tells them inwardly at the right moment: do this, shun that. For they have in their hearts a law inscribed by God. Their dignity rests in observing this law, and by it they will be judged. Conscience is the most secret core and the sanctuary of the human person. There they are alone with God whose voice echoes in their depths. By conscience, in a wonderful way, that law is made known which is fulfilled in the love of God and of one's neighbour. Through loyalty to conscience, Christians are joined to others in search for truth and for the right solution to so many moral problems which arise both in the life of individuals and from social relations. Hence, the more a correct conscience prevails, the more do persons and groups turn aside from blind choice and endeavor to conform to the objective standard of moral conduct. Yet it often happens that conscience goes astray through ignorance which it is unable to avoid, without thereby losing its dignity. This cannot be said of the person who takes little trouble to find out what is true and good, or when conscience is gradually almost blinded through the habit of committing sin.¹⁸⁴

An overall assessment of the passage shows that the Council places ownership of conscience and of its responsibilities firmly and absolutely in the hands of each individual. It teaches this, because it understands conscience to be “the most secret core and sanctuary of the human person . . . [where we] are alone with God.” However, the Council presents conscience as much more than the inalienable possession of solitary, unconnected individuals. It reminds all human persons, be they subjects or rulers, that as social and spiritual beings, conscience functions to make known “the law . . . which is fulfilled in the love of God and of one's neighbour.” Such a concise presentation of the social and spiritual functions of conscience relevant to the life of the individual draws directly from the teachings

¹⁸⁴ *Gaudium et Spes*, n.16.

of Pius XII¹⁸⁵ and, therefore, is not a new insight that can only be ascribed to the teaching of Vatican II.

The first noticeable thing from Vatican II is that the document does not simply focus on conscience as a locus wherein we can discover our personal, social and spiritual obligations only. It portrays conscience as a medium for discovering “a law” which we “must obey.” The document reveals conscience as a voice “ever calling [the human person] to love and to do what is good and to avoid evil.” It goes on to emphasise the inner and divine nature of the voice of such a conscience, and the importance of listening to its precepts, by reminding Christians that “they have in their hearts a law inscribed by God.” Therefore, as we examined in Paul (Romans 2:14-16) previously, conscience is presented here, more as a channel for the transmission of the law of God which Aquinas describes as the eternal law. So, Vatican II Fathers succinctly remind Christians that, in a wonderful manner, conscience reveals that law, which is fulfilled by the love of God and neighbour (Matthew 22:37-39; Galatians. 5:14).

It is not surprising, then that the Church says to Christians, “Through loyalty to conscience, Christians are joined to others in search for truth and for the right solution to so many moral problems which arise both in the life of individuals and from social relations.” Such loyalty, far from constraining the true freedom of individuals, will serve to enhance their dignity, because, it claims, “dignity rests in observing this law.” Interestingly, loyalty to conscience is seen as a possible point of congruence between Christians and non-Christians. The document points out, that the search for truth and right solutions is not simply a Christian

¹⁸⁵ Pope Pius XII, “The Christian Conscience as an Object of Education,” *Catholic Documents* 8 (1952): 1–7. See Josef Fuchs, *Personal Responsibility and Christian Morality*, trans. William Cleves (Dublin: Gill and Macmillan, 1983). Fuchs explains that conscience is the most profound level of our interiority, where we experience, pledge and bind ourselves to God. He observes that God’s voice comes to us clearly through conscience. So, for Fuchs conscience is not the voice of God, per se, but a medium for hearing God’s Voice. 44-45.

pre-occupation. It is also very much the concern of non-Christian “others”, in terms of their fidelity to the voice of their conscience, because it is on the basis of such fidelity that all will be judged.

There is an intimate, private, and almost exclusively personal nature attached to the notion of conscience by the Council Fathers that must not be overlooked. Note, for example, such deeply personal and intimate images as “the most secret core,” “the sanctuary of the human person” and “there they are alone with God.” The moral theologian, Bernard Häring, who himself was a *peritus* during Vatican II drew from these images in his own work of personalising the concept of conscience. Applying Vatican II, Häring declared:

Conscience is the person’s moral faculty, the inner core and sanctuary where one knows oneself in confrontation with God and with fellow men . . . In the depth of our being, conscience makes us aware that our true self is linked with Christ, and that we can find our unique name only by listening and responding to the One who calls us by this name.¹⁸⁶

Häring explains that the voice of conscience, which emanates from “the depths of our being” “comes through the Word in whom all things are made . . . Of itself, conscience is a candle without a flame. It receives its truth from Christ who is Truth and light and through him it shines forth with his brightness and warmth.”¹⁸⁷ Häring, while drawing on Vatican II, demonstrates the Christological aspect of conscience. Therefore, as a voice that echoes in a person, it must be exercised daily lest it loses its vigour. The document asserts that the more this voice is seen to exert its control, the more that individuals and groups will turn aside from blind or misguided choices and strive to be guided by the objective norms of morality. And for the individual, this is where authentic freedom is to be found because “God has

¹⁸⁶ Bernard Häring, *Free and Faithful in Christ*, 224.

¹⁸⁷ *Ibid.*

willed that a human being remain ‘under the control of his own decisions’ so that he can seek his Creator spontaneously.”¹⁸⁸

4.1.2. Freedom of Conscience Proclaimed

It is well to note that the notion of freedom of conscience which Vatican II seeks to champion is one that is seen to be intimately connected to the notions of personal responsibility and human dignity. Thus, the Council revealed:

People nowadays are becoming increasingly conscious of the dignity of the human person; a growing number demand that people should exercise fully their own judgment and a responsible freedom in their actions and should not be subject to external pressure or coercion but inspired by a sense of duty. At the same time, to prevent excessive restriction of the rightful freedom of individuals and associations, they demand constitutional limitation of the powers of government.¹⁸⁹

The Council situates this increasing awareness of the dignity of the human person and of their desire for greater freedom within the context of recent philosophical and theological developments and considers it to be a significant step in the evolution of civilisation. However, rather than engaging in the great philosophical debates about the notion of freedom itself, Vatican II focuses on “freedom of conscience” in the context of “religious freedom”.¹⁹⁰ According to the Council, “the human person has a right to religious freedom. Freedom of this kind means that everyone should be immune from coercion by individuals, social groups and every human power . . .”¹⁹¹ But the individual must not be considered a passive onlooker in this process of striving for both religious freedom and freedom of conscience; instead the Council Fathers stress that it is both the right and duty of people “to seek the truth in religious

¹⁸⁸ *Gaudium et Spes*, n.17.

¹⁸⁹ *Dignitatis Humanae*, n.1.

¹⁹⁰ See also the Declaration on Christian Education: *Gravissimum Educationis*, nn.6 and 8.

¹⁹¹ *Dignitatis Humanae*, n.2.

matters, so that, through the use of appropriate means, they may form prudent judgements of conscience which are sincere and true.”¹⁹²

The freedom that has been referred to in earlier sections of this chapter was understood as inherent, thus individuals in their dealings with each other or with groups are called not to undermine that God given freedom.¹⁹³ For example, we note the admonition of Vatican II that the dignity of human beings dictates that they “act out of conscious and free choice, as moved and drawn in a personal way from within, and not by . . . blind impulses or by external constraint.”¹⁹⁴ The Council Fathers are even clearer and more adamant on this point, when they refer to both religious freedom and freedom of conscience. In this context they insist that: “the individual must not be forced to act against conscience nor be prevented from acting according to conscience, especially in religious matters.”¹⁹⁵ Even in terms of an individual converting to Catholicism this principle can never be violated, as noted in Canon Law, itself: “It is never lawful for anyone to force others to embrace the Catholic faith against their conscience.”¹⁹⁶

There is no doubt that the Council Fathers are unequivocally affirming that freedom of conscience is a fundamental right of every human being and also that this freedom is inviolable.¹⁹⁷ That is why John Paul II strongly emphasised and declared that “No human

¹⁹² *Dignitatis Humanae*, n.3.

¹⁹³ The Council Fathers declared that “God willed that all men and women should ‘be left free to make their own decisions’ so that they might of their own accord seek their creator and freely attain their full and blessed perfection by cleaving to God. Their dignity therefore requires them to act out of conscious and free choice . . . and not by their own blind impulses or by external constraint” (*Gaudium et Spes* 17).

¹⁹⁴ *Gaudium et Spes*, n.17.

¹⁹⁵ *Dignitatis Humanae*, n.3.

¹⁹⁶ See *The Code of Canon Law*, English trans. (London: Collins, 1983), Can. 748 §2. Vatican II also teaches: “God calls people to serve him in spirit and in truth. Consequently, they are bound to him in conscience, but not coerced. God has regard for the dignity of the human person which he himself created; human persons are to be guided by their own judgment and to enjoy freedom” (*Dignitatis Humanae*, n.11).

¹⁹⁷ See Article 18 of United Nations Declaration on Human Rights, December 10, 1940.

authority has the right to interfere with a person's conscience.”¹⁹⁸ Naturally, as a body of Christians, the Council Fathers stressed these freedoms were entitlements for Christian believers, pointing out that: “the Christian faithful, in common with everybody else, have the civil right of freedom from interference, the right to lead their lives according to their conscience.”¹⁹⁹ In general, then, freedom of conscience is understood as the absence of force or coercion on a person’s use of conscience. However, such freedom “does not consist . . . in the freedom to do as one likes, but rather to do as a responsible conscience directs.”²⁰⁰ It “is never freedom ‘from’ the truth but always and only freedom ‘in’ the truth.”²⁰¹

The Council having taught that conscience is the “most secret core and sanctuary of the human person” through which the human person discovers God’s law; and that conscience must not be violated drew attention to its formation. The Council state therefore that it is the task of the human person “to cultivate a properly informed conscience and to impress the divine law on the affairs of the earthly city.”²⁰² The Council declared:

However, in forming their consciences the faithful must pay careful attention to the holy and certain teaching of the church. For the Catholic Church is by the will of Christ the teacher of truth. It is its duty to proclaim and teach with authority the truth which is Christ

¹⁹⁸ John Paul II, “If you want peace, respect the conscience of every person.” Message for the XXIV World Day of Peace, 1 January, 1991, §IV.

http://www.vatican.va/holy_father/john_paul_ii/messages/peace/documents/hf_jp-ii_mes_08121990_xxiv-world-day-for-peace_en.html [accessed 22/06/2011].

¹⁹⁹ *Dignitatis Humanae*, n.13. See also *Gaudium et Spes* which teaches that “living a genuinely human life” includes “the right to act according to the dictates of one conscience” (n.26); See Message of John Paul II, “On the Value and Content of Freedom of Conscience and Religion” to Madrid Conference on European Security and Cooperation. September 1, 1980.

http://www.vatican.va/holy_father/john_paul_ii/messages/pont_messages/1980/documents/hf_jp-ii_mes_19800901_helsinki-act_en.html [accessed 22/06/11].

²⁰⁰ In another way, Richard M. Gula reminds us of the misconception about freedom of conscience as he states: “Many people still mistake the appeal to ‘conscience’ as a stand for individual freedom and against authority. In short, they think conscience is a freedom from authority. This notion could not be further from the truth. Conscience is not a law unto itself, nor is it the teacher of moral doctrine. To invoke conscience means to be subject to moral truth and to make a practical judgment of what to do in light of that truth” in “The Moral Conscience,” in *Christian Ethics: An Introduction*, ed. Bernard Hoose (Collegeville: The Liturgical Press, 1998),

²⁰¹ John Paul II, “If You Want Peace,” XXIV World Day of Peace, §III.

²⁰² *Gaudium et Spes*, n.43.

and, at the same time, to declare and confirm by her authority the principles of the moral order which spring from human nature itself.²⁰³

This signifies that it is important for individuals to try and do all things possible to avoid ignorance and acquire truth that will aid human actions towards God, neighbour and the environment.

4.2. Conscience in the *Catechism of the Catholic Church (CCC)* and Pope John Paul II

This *Catechism* continues the teaching tradition of the Church on conscience. It outlines and reiterates the nature of conscience, as found in Sacred Scriptures, Church Fathers, Vatican II and many other sources. The extent to which it actually reflects the principles of the teaching magisterium will be well illustrated at the conclusion of this section through an analysis of a Papal document issued by John Paul II. This analysis can be viewed from two contrasting perspectives; either in terms of the Pope putting “flesh and bones” on the teachings about conscience found in the *Catechism*: or in terms of the *Catechism* extracting basic and concrete principle from the teachings of the magisterium.

4.2.1. Meaning of Conscience

The *Catechism* defines conscience as “a judgment of reason whereby the human person recognizes the moral quality of a concrete act that he is going to perform, is in the process of performing, or has already completed.”²⁰⁴ Once again, as with Aquinas, for example, the definition brings out the relationship between conscience, reason and human action. It also asserts the judicial and legislative aspects of conscience as in the Greco-Roman and Pauline thought. The definition is both direct and concrete for two reasons. Firstly, as catechisms are specifically intended to be used as teaching aids, they are not meant to be long-winded or cumbersome in their explications. Secondly, the directness and concreteness

²⁰³ *Dignitatis Humanae*, 14.

²⁰⁴ CCC, n. 1778. Conscience is here described in very concrete terms, terms which are different from *Gaudium et Spes* which presented an ontological definition.

of the *Catechism's* definition can assist the authors in demonstrating their certainty that conscience is the definite and recognised means for identifying the moral quality of an action. This certainty or self-assuredness is also highlighted by the Catechism's attention to detailing every step of the process for identifying the moral qualities of an action. For example, in its explication of conscience, it refers to: (i) *synderesis*, the perception of the principles of morality; (ii) to how these principles are applied in given circumstance by practical discernment of reason and of good and evil; and, (iii) to how judgement is exercised on concrete acts that are yet to be performed or have already been performed.²⁰⁵

4.2.2. Formation of Conscience

Formation of conscience forms a crucial part of the Church's teaching on conscience as Vatican II indicated. This is because; conscience possesses the tendency to err. At a theological and moral level, the formation of conscience and the manner in which it may be accomplished has been extensively researched. Richard Gula,²⁰⁶ for example describes formation of conscience as the acquisition of "necessary skills for making right judgments." He goes on to list such formative skills as the ability to access morally relevant factors; the ability to assess the action itself, its intentions, circumstances, consequences, values and norms. Gula concludes his description by adding the ability to provide sound reason for a moral judgment and the ability to have a decisive will to execute a judgment to his list.

The *Catechism* presents conscience formation or education as a life-long task of the acquisition of moral objectives which every individual is obliged to undertake.²⁰⁷ It asserts that this task is essential because human beings are "subjected to negative influence, and tempted by sin to prefer their own judgement and to reject authoritative teachings."²⁰⁸ It is for

²⁰⁵ Ibid., n.1780.

²⁰⁶ Richard M. Gula, *Reason Informed by Faith*, 136.

²⁰⁷ CCC, n. 1783.

²⁰⁸ Ibid.

this reason that the authors of the *Catechism* deem it important to be specific about what the formation of conscience actually involves. Particularly, the *Catechism* describes this process as involving the assimilation of the Word of God through faith and prayer, and then putting this assimilation into practice through the process of education of conscience.²⁰⁹ As helpful aids to advancing of this process, the *Catechism* then lists such practices as the cultivation of a deep awareness of the Lord's Passion; the acceptance of the gifts of the Holy Spirit; being open to guidance by the demonstrable witness of others; and crucially (though for some Christians still a matter in need of precise clarification) acceptance of guidance from the authoritative teaching of the Church.²¹⁰

As can be seen in the following excerpt from the *Catechism*, those who sincerely seek the formation of a well-formed, upright and truthful conscience through such 'prudent education', stand to benefit immensely in terms of their own intellectual, emotional and spiritual development:

A well-formed conscience . . . formulates its judgments according to reason, in conformity with the true good willed by the wisdom of the Creator . . . it awakens the child to the knowledge and practice of the interior law recognized by conscience. Prudent education teaches virtue; it prevents or cures fear, selfishness and pride, resentment arising from guilt, and feelings of complacency, born of human weakness and faults. The education of the conscience guarantees freedom and engenders peace of heart.²¹¹

By this, the *Catechism* provides clear accounts of the benefits of a conscience formed or educated in line with Vatican II's recommendation. Pope John Paul II himself, in his 1991 message for the World Day of Peace, provides an elaborate teaching and presentation on the formation of conscience. The importance of his elaboration, however, lies in the manner in

²⁰⁹ Ibid., n.1785.

²¹⁰ Ibid.

²¹¹ Ibid., n. 1783-1784.

which he succeeds in inserting the *Catechism's* didactic injunctions into the everyday world of today's human beings, in particular those of a Christian persuasion.

John Paul II begins by plainly characterising the formation of conscience as a grave duty for all individuals, one with which no one may interfere. The gravity of this requirement derives from the necessity for all to know that when they claim to be acting in accordance with their conscience, they are not, in fact, superimposing their own limited opinions on the truth and law which God has written into their hearts:

*Every individual has the grave duty to form his or her own conscience in the light of that objective truth which everyone can come to know, and which no one may be prevented from knowing. To claim that one has a right to act according to conscience, but without at the same time acknowledging the duty to conform one's conscience to the truth and to the law which God himself has written on our hearts, in the end means nothing more than imposing one's limited personal opinion . . . the truth must be passionately pursued and lived to the best of one's ability. This sincere search for the truth will lead not only to respect for the search that others are making, but also to a desire to seek the truth together.*²¹²

John Paul II goes on to identify two key institutions that can play a role in conscience formation and education, the family and the school, which are the primary and secondary carers, respectively. John Paul II's use of the term "grave duty" as he advises parents of their primary role of helping their children to seek the truth and live their lives in conformity with their findings points to the significance he gives to the role of parents.

The importance that John Paul II attaches to the education of conscience in schools is reflected in the amount of space and depth he allocates to that area. The importance of the school in the child's life is seen to originate in the obvious role it plays in the expansion of the child's social life and learning possibilities from that of a cohesive family unit to that of a much wider, impersonal and, at times, unintelligible world. More important, however, is John

²¹² John Paul II, "If You Want Peace," §III.

Paul II's assertion that despite claims to the contrary, no system of education is ever morally indifferent when it comes to ethical and religious values. Therefore, the danger to the education of the child's conscience that is inherent in this much broader environment, is that he or she may assimilate values that are either consciously or unconsciously being promoted by the educational systems, and indeed, even by the child's family. John Paul II therefore is quite forthright when speaking of the need to respect the dignity of the child and the ways they can be helped to form their consciences.

The family plays a primary role in the important task of forming consciences. Parents have a grave duty to help their children to seek the truth from their earliest years and to live in conformity with the truth, to seek the good and to promote it.

The school is also fundamental to the formation of conscience. It is there that children and young people come into contact with a world which is larger and often unlike the family environment. Education is in fact never morally indifferent, even when it claims to be neutral with regard to ethical and religious values. The way in which children and young people are brought up and educated will necessarily reflect certain values which in turn influence their understanding of others and of society as a whole. Hence, in a way consonant with the nature and dignity of the human person and with the law of God, young people should be helped during their years of schooling to discern and to seek the truth, to accept its demands and the limits of authentic freedom, and to respect the right of others to do the same.²¹³

The Pope now singles out the importance of religious education in the child's formation of conscience. Under the umbrella term of religious education, John Paul II refers to the positive influences that the family, the Catholic Church, Christian communities and other religious institutions can have on this process of formation. Even the State is expected to play its part in this process, firstly, by guaranteeing the rights of the above institutions to actively engage in this process and secondly, by making it possible for those institutions to work in this sphere. In the light of such a demand from John Paul II, we are reminded of current campaigns by certain humanist and atheist individuals and organisations to have all

²¹³ Ibid.

religious references or symbols removed from schools and public buildings, to keep religious lessons completely separate from secular ones, and even to have religious schools themselves secularised.

The formation of conscience is compromised if a thorough *religious education* is lacking. How can a young person fully understand the demands of human dignity if no reference is made to the source of that dignity, namely, God the Creator? In this regard, the role of the family, the Catholic Church, Christian communities and other religious institutions remains essential. The State, in compliance with international norms and Declarations, must guarantee their rights in this field and make it possible for them to exercise those rights. For their part, families and communities of believers ought to appreciate and ever deepen their commitment to the human person and to the objective values of the person.²¹⁴

Finally, John Paul II gives his attention to the mass media and the role it can play in the education of conscience if it so desires. He underlines its importance in this role by noting that for many in the modern world the media has become their only source of information. However, it may be a sign of the times with regard to the relationship that now exists between an ascendant media and a Church that has seen its influence wane, particularly in the Western World, that the Pope's input here is expressed more in negative than positive terms. Specifically, he seems to be emphasising what practices the mass media could avoid, rather than ones it could positively engage in to further conscience education.

Among the many other institutions and bodies which play a specific role in forming consciences, *the means of social communication* must also be mentioned. In today's world of rapid communication, the mass media can play an extremely important and indeed essential role in furthering the search for the truth, provided that they avoid presenting merely the limited interests of certain individuals, groups or ideologies. For more and more people the media are often their only source of information. How important, then, that the media be used responsibly in the service of the truth.²¹⁵

²¹⁴ Ibid.

²¹⁵ Ibid.

In summary, Vatican II, the Catechism, and John Paul II brought to world-wide attention, in a language intelligible to all ‘interested parties’, the absolute necessity of meaningfully and sincerely engaging in the understanding of conscience, both on their own behalf and on behalf of their neighbours.

4.3. *Veritatis Splendor* (VS): The Misinterpreted Conscience Corrected

John Paul II’s encyclical, *Veritatis Splendor*²¹⁶ deals with issues intrinsically connected with conscience, such as moral freedom and responsibility, the immutability of truth, and the authority of the Church to morally guide, teach and correct. Addressed specifically to Catholic Bishops worldwide, it is considered to be John Paul II’s major work on fundamental moral theology.²¹⁷

Ironically, however, this document opens with the Holy Father exercising his teaching authority to challenge a crisis in fundamental moral theology that he witnessed progressively unfolding within the post-conciliar Church. From the outset therefore, it is obvious that he intends both to robustly identify and rebut false views on morality or conscience that he considers to be contaminating Church teaching. This intention is well illustrated in the following excerpt from the encyclical, wherein he is found emphatically asserting his intention of:

clearly setting forth certain aspects of doctrine which are of crucial importance in facing what is certainly a genuine crisis, since the difficulties which it engenders have most serious implications for the moral life of the faithful and for communion in the Church, as well as for a just and fraternal social life . . . [and of setting] forth, with regard

²¹⁶ See VS, nn. 54-64 for the Pope’s specific teaching.

²¹⁷ For synopsis, reactions and responses see William E. May, “*Veritatis Splendor*: An Overview of the Encyclical,” *Communio: International Catholic Review* 21 (1994): 1-23; Michael E. Alsopp and John J. O’Keefe eds., *Veritatis Splendor: American Response* (Kansas: Sheed and Ward: 1995); J. A. DiNoia and Romanus Cessario eds., *Veritatis Splendor and Renewal of Moral Theology* (Princeton, N.J.: Scepter Press 1999); Jayne Hoose, “Conscience in *Veritatis Splendor* and the *Catechism*,” in *Readings in Moral Theology No. 14: Conscience*, ed. Charles E. Curran (New York: Paulist Press, 2004); James F. Keenan, *A History of Catholic Moral Theology in the Twentieth Century: From Confessing Sins to Liberating Consciences* (London: Continuum, 2010), 127-134.

the problems being discussed, the principles of a moral teaching based upon Sacred Scripture and the living Apostolic Tradition, and at the same time to shed light on the presuppositions and consequences of the dissent which that teaching has met.²¹⁸

What specifically concerned John Paul II, however, was that the Christian community itself was being faced with an overall and systematic challenging of traditional moral doctrine, the fundamental objective of which, in his view, was to detach human freedom “from its essential and constitutive relationship to truth.”²¹⁹ John Paul II’s direct response to this effort, in terms of conscience, was to remind his readers that “the relationship between man’s freedom and God’s Law is most deeply lived out in the ‘heart’ of the person, in his moral conscience.”²²⁰

In rebutting what he considered as the erroneous notion that conscience was a creative decision²²¹ rather than a judgement arrived at through reason and guidance, John Paul II clarified the Church’s understanding of the true nature and function of conscience. Firstly, he unequivocally defined it as a practical judgement, one “which makes known what man must do or not do or which assesses an act already performed by him.”²²² There is no place in this definition for an element considered essential to creativity, namely spontaneity. Indeed, he uses a citation from St. Paul’s Letter to the Romans (2:15) to make it absolutely clear that far from being a creative decision, conscience is in fact “a *moral judgment about man and his actions*, a judgment either of acquittal or of condemnation, according as human acts are in conformity or not with the law of God written on the heart.”²²³

Of far greater danger to the Church’s authentic teaching on conscience, however, in the John Paul II’s estimation, were attempts to introduce elements of relativism and subjectivism into the functioning of conscience. He saw evidence of this intrusion in some

²¹⁸ VS, n.5.

²¹⁹ VS, n. 4.

²²⁰ VS, n. 54.

²²¹ See also VS, nn.55 and 56.

²²² VS, n. 59.

²²³ Ibid.

modern theological and philosophical trends that accorded the individual conscience “the status of a supreme tribunal of moral judgment which hands down categorical and infallible decisions about good and evil.”²²⁴ In John Paul II’s view, then, this tendency grants “to the individual conscience the prerogative of independently determining the criteria of good and evil and then acting accordingly.”²²⁵ One of the negative consequences, which he identified in the acceptance of such a view of human autonomy, was that it would “so exalt human freedom that [it] would end up in the subjectivist notion that men are the creators of the moral order, of what is good and bad.”²²⁶ Another seriously negative consequence of accepting this understanding of human autonomy was that because of human historicity, moral norms would no longer be considered as immutable and would therefore “change under varying historical and cultural situations.”²²⁷ This attempt at questioning the human freedom of choice in terms of the “existence of objective norms of morality valid for all people of the present and the future”²²⁸ receives the response:

It must certainly be admitted that man always exists in a particular culture, but it must also be admitted that man is not exhaustively defined by that same culture. Moreover, the very progress of cultures demonstrates that there is something in man which transcends those cultures. This ‘something’ is precisely human nature: this nature is itself the measure of culture and the condition ensuring that man does not become the prisoner of any of his cultures, but asserts his personal dignity by living in accordance with the profound truth of his being.²²⁹

While he has made references to conscience in his previous writings and sermons,²³⁰ he is seen in the above examples to be using the *gravitas* of an encyclical in his role as

²²⁴ *VS*, n. 35.

²²⁵ *Ibid.*

²²⁶ See William E. May, “*Veritatis Splendor*.”

²²⁷ *Ibid.*

²²⁸ *VS*, n. 53.

²²⁹ *Ibid.*

²³⁰ See John Paul II, Encyclical Letter *Dominum et Vivificantem (DV)* (18 May 1986); *Evangelium Vitae (EV)*, (1995); Also Charles E. Curran and Richard A. McCormick, eds., *John Paul II and Moral Theology: Readings in Moral Theology No. 10* (New York: Paulist Press, 1998); Charles E. Curran, *The Moral Theology of Pope John Paul II* (Washington D.C.: Georgetown University Press, 2005) particularly chapter 4.

Teacher to emphatically reiterate the Church's teaching on conscience, while at the same time unequivocally refuting what he deems to be erroneous opinions concerning this concept.

John Paul II reminds his readers that “from the Church's beginnings, the Apostles . . . were vigilant over the right conduct of Christians, just as they were vigilant for the purity of the faith and the handing down of the divine gifts in the sacraments”²³¹ Such Apostolic origins and their implications for the teaching magisterium left John Paul II in no doubt that “the task of authentically interpreting the word of God, whether in its written form or in that of tradition, has been entrusted only to those charged with the Church's living magisterium, whose authority is exercised in the name of Jesus Christ.”²³² It is this awareness of the Apostolic and Divine authority that he believes is invested in him, which empowers him to remind the Christian faithful that: “In forming their consciences [they] must give careful attention to the sacred and certain teaching of the Church. For the Catholic Church is by the will of Christ the teacher of truth.”²³³

Finally, it will come as no surprise to find that the teachings outlined in *Veritatis Splendor*, in terms of its repudiations and reiterations, did not meet with universal approval, even among Christians. John F. Wilkins, a former editor of *The Tablet*, critically observed that so long as conscience was taken to mean “resisting totalitarianism”, it received Papal applause (rather than critical Papal analysis).²³⁴ By contrast, however, Wilkins claims that it is when “conscience starts operating in the personal ethical sphere” that cautions and caveats are found to increase. It is at this level of individual morality that we find such cautions as

²³¹ *VS*, n. 26.

²³² *VS*, n. 27.

²³³ See *Dignitatis Humanae*, n. 14 and *VS*, n.64.

²³⁴ John Wilkins, Introduction to *Understanding Veritatis Splendor*, ed. John Wilkins ix-xv (London: The Cromwell Press, 1994) xiii-xiv. See also William E. May, *An Introduction to Moral Theology* (Huntington: Our Sunday Visitor, 1994), 259-285.

conscience being subject to error, or in need of shaping and hard work or, crucially for Church influence, in need of help from communal tradition and insights.

4.3.1. Conscience as Interior Witness and Judge

The encyclical describes conscience as one's interior *witness*, an image which reflects a lot more about conscience than it initially suggest.²³⁵ It roots this concept in the teachings of St. Paul, to point out that

conscience in a certain sense confronts man with the law, and thus becomes a '*witness*' for man: a witness of his own faithfulness or unfaithfulness with regard to the law, of his essential moral rectitude or iniquity . . . is the *only* witness, since what takes place in the heart of the person is hidden from the eyes of everyone outside . . . makes its witness known only to the person himself . . . [such that] only the person himself knows what his own response is to the voice of conscience.²³⁶

Such witnessing is further elaborated as “this interior *dialogue of man with himself* . . . [and] also a *dialogue of man with God*, the author of the law. . .”²³⁷ It is in the course of such “dialoguing” that conscience is seen to make the law known, and thereby becomes a proper witness to the information it gives and to the decisions and actions that follow on from this witnessing. The encyclical substantiates the interpersonal notion of witness as the dialoguing of man with God, as well as God's authoritative role in this exchange, by drawing on St. Bonaventure's imaging of conscience as being “like God's herald and messenger; it does not command things on its own authority, but commands them as coming from God's authority, like a herald when he proclaims the edict of the king.”²³⁸ The role of God in the dialoguing is also described: “it is *the witness of God himself*, whose voice and judgement penetrate the depths of man's soul, calling him *fortiter and suaviter* to obedience.”²³⁹ Here, God as witness

²³⁵ See Thomas Aquinas, *ST Ia*, q.79, a.13 where he refers to conscience as a witness.

²³⁶ *VS*, n. 57.

²³⁷ *VS*, n. 58.

²³⁸ *Ibid.*

²³⁹ *Ibid.*

is portrayed as a Divine Being whose voice will be listened to, whose evidence will penetrate deeply, and whose judgment is expected to be ‘boldly and faithfully’ accepted. The reason forwarded for such an unequivocal expectation is that as the testimony to the truth emanates from God himself (Romans 9:1), that testimony must be considered to be the absolute truth about the individual himself, about others and about the Divine Testifier.

Unlike in human courts, the witness to the truth at the court of conscience functions both as witness and judge. This is described elsewhere in terms of the re-enactment of both judicial and legislative functions. St. Paul describes the judgement delivered in this moral court of conscience as

*a moral judgment about man and his actions, a judgment either of acquittal or of condemnation, according as human acts are in conformity or not with the law of God written on the heart. . . . [It] is a practical judgment, a judgment which makes known what man must do or not do, or which assesses an act already performed by him.*²⁴⁰

By calling for the unequivocal acceptance of the judgment of conscience, in *Veritatis Splendor*, John Paul II is simply reiterating the Catholic teaching that people are obliged to follow their conscience, since if they do not, they will actually be condemned by it, because:

Like the natural law itself and all practical knowledge, the judgment of conscience also has an imperative character: man must act in accordance with it. If man acts against this judgment or, in a case where he lacks certainty about the rightness and goodness of a determined act, still performs that act, he stands condemned by his own conscience, *the proximate norm of personal morality*.²⁴¹

The encyclical also assesses the judgement of conscience, in terms of the distinction between the universal demands of natural law and particular cases, and between the ultimate and proximate objectives of conscience: it claims that

²⁴⁰ VS, n.59. This teaching re-enacts both the judicial and legislative (antecedent and consequent) conscience discussed before.

²⁴¹ VS, n. 60.

whereas the natural law discloses the objective and universal demands of the moral good, conscience is the application of the law to a particular case; this application of the law thus becomes an inner dictate for the individual, a summons to do what is good in this particular situation. Conscience thus formulates *moral obligation* in the light of the natural law; it is the obligation to do what the individual, through the workings of his conscience, *knows* to be a good he is called to do *here and now*. . . . The judgment of conscience states ‘in an ultimate way’ whether a certain particular kind of behaviour is in conformity with the law; it formulates the proximate norm of the morality of a voluntary act, ‘applying the objective law to a particular case.’²⁴²

It is in the light of such a description that Gula strongly urges each individual to: “Let conscience be your guide.”²⁴³ As already noted, the key issue in John Paul II’s teaching on the role of judgment in conscience, is that individuals are condemned if they fail to be guided by its dictates, because the very dignity of conscience, as witness, lies in its capacity to disclose the *truth* about moral good and evil. This truth is seen to derive from the divine law, the *universal and objective norm of morality*.²⁴⁴

Crucially, while the Holy Father clearly asserts that the judgement of conscience does not establish the law, he is equally clear in his assertion that

it bears witness to the authority of the natural law and of the practical reason with reference to the supreme good, whose attractiveness the human person perceives and whose commandments he accepts.²⁴⁵

The seriousness of this assertion is that the Church does not consider the requirements of natural law to be relative to cultures, historicity, or indeed to the separate or distinct judgments of every individual. Rather, it considers those requirements to be the norm by which they themselves are to be judged.

²⁴² VS, n. 59.

²⁴³ The specific role of conscience is here emphasised by the Holy Father in relation to the natural law in line with the teaching of Aquinas. And according to Gula, conscience as judgment “fulfils the maxim: let conscience be your guide. The guidance which this judgment gives us will be as reliable as the thoroughness of the homework that we did to inform it.” See “The Moral Conscience” 112.

²⁴⁴ VS, n.60.

²⁴⁵ Ibid.

4.3.2. *Veritatis Splendor* and the Erroneous Conscience

By asserting that the judgement of conscience makes manifest the “*link between freedom and truth*”²⁴⁶ the document is seen to be both explicating and supporting the concept of the primacy of conscience. However, promoting the understanding of conscience as an act of judgement, leaves it open to the possibility that incorrect as well as correct judgments will be made by human beings, who by their nature are fallible. John Paul II in this encyclical certainly accepts this position and reminds his readers that this has been a doctrine which the Church has developed throughout its history.²⁴⁷ In his own words he acknowledges that “Conscience, as the judgement of an act, is not exempt from the possibility of error.”²⁴⁸ He draws on Vatican II to further clarify this acknowledgement of acceptance in terms of both invincible and culpable ignorance.

In the above elaboration of the presence of error in conscience, John Paul II reiterates the teachings of Aquinas and Vatican II. Aquinas, for example held that individuals were not only excused from wrongdoing if their consciences were in error but they were expected to do the wrong thing, if their consciences told them that it was the right thing to do. In the case of *Gaudium et Spes*, it particularises the distinction between ‘culpable’ and invincible ignorance, particularly in terms of their relationship to the dignity of conscience:

Yet it often happens that conscience goes astray through ignorance which it is unable to avoid, without thereby losing dignity. This cannot be said of the person who takes little trouble to find out what is true and good, or when conscience is gradually almost blinded through the habit of committing sin.²⁴⁹

John Paul II himself is very much echoing such thinking when he carefully distinguishes between culpable and invincible ignorance and the effect of both on the dignity of

²⁴⁶ *VS*, n. 61.

²⁴⁷ *VS*, n. 62.

²⁴⁸ *Ibid.*

²⁴⁹ *Gaudium et Spes*, n.16.

conscience. He asserts that “error can be the result of an *invincible ignorance*, an ignorance of which the subject is not aware and which the person is unable to overcome by oneself.”²⁵⁰ He maintains, however, that “while [the] judgment of conscience retains its dignity when an *invincible ignorance* is not culpable,”²⁵¹ it is compromised when it is culpably erroneous.²⁵²

Having outlined a ‘conscience in error’, the Pope considers it to be just as equally important to characterise a conscience that administers good and correct judgements. In general terms the encyclical affirms that the dignity of a good or correct conscience comes from *objective truth*.²⁵³ However, basing much of his characterisation on Pauline teaching, John Paul II asserts that a “good conscience” (1 Timothy 1:5) is one that seeks the truth and makes judgments in accordance with the same truth.²⁵⁴ A good conscience is also one that is “confirmed by the Holy Spirit” (Romans 9:1), “clear” (2 Timothy 1:3) “openly states the truth” (2 Corinthians 4:2).²⁵⁵ The insistence of its search for truth and the extent to which it allows itself to be guided by that truth in its actions are quite tangible characteristics of the good conscience itself in action.²⁵⁶ Finally, quoting Paul to the Romans once again, John Paul II reminds us that a good conscience is not one that is “conformed to this world” (Romans 12:2), but one that is transformed by the renewal of minds, so that all “may prove what is the will of God, what is good and acceptable and perfect.”²⁵⁷ To achieve this level of goodness and absolute moral correctness in the judgements of conscience requires that it be shaped and formed on a daily basis.

²⁵⁰ VS, n. 62.

²⁵¹ Ibid.

²⁵² VS, n. 63.

²⁵³ Ibid.

²⁵⁴ VS, n. 62.

²⁵⁵ Ibid.

²⁵⁶ VS, n. 61.

²⁵⁷ VS, n. 62.

4.3.4. Conscience formation as Indicated in *Veritatis Splendor*

The potential for the judgement of conscience to be mistaken is not only an indication of its complex nature, but also, in the estimation of both Vatican II and the *Catechism*, of the need for its formation to be extremely relevant to the individual's daily living, and to be always part of an ongoing process. The encyclical's teaching on the formation of conscience definitely reflects these conclusions.

It is obvious from the characteristics of a good conscience outlined earlier that when conscience is sound, a person's judgement will be good and correct. It is on this basis that the document teaches that formation of conscience must be "a continuous conversion to what is true and to what is good."²⁵⁸ Furthermore, both bishops and the faithful are reminded that "It is the 'heart' converted to the Lord and to the love of what is good which is really the source of *true* judgments of conscience."²⁵⁹ Conversion is therefore identified as being crucial to the formation of conscience.²⁶⁰ While the document points out that for such a conversion to occur would require the individual to possess an adequate knowledge of God's law in general, it also indicates that of itself such knowledge would not be sufficient.²⁶¹ The document identifies an "essential" characteristic here, not explicitly referred to in Vatican II, which individuals will need to internalise, if their conscience formation is to be progressed. The document presents the concept of "connaturality"²⁶² as that essential characteristic. This can be elaborated as a dynamic process through which working towards achieving what is truly good will be seen as fundamentally essential to the nature and essence of the human person. The promotion of such a connatural state, and by association the advancement of conscience formation, will be achieved through the individual's practice of such virtues as prudence,

²⁵⁸ *VS*, n. 64.

²⁵⁹ *Ibid.*

²⁶⁰ This point will be elaborated in chapter six of this thesis where the notion of conscience formation will be evaluated.

²⁶¹ *VS*, n. 64.

²⁶² Thomas Aquinas, *ST Ia IIae*, q.45, a.2.

faith, hope and charity.²⁶³ The document cites Jesus' saying that "the man who lives by the truth comes out into the light" (John 3:21) as the Scriptural basis for identifying connaturality and the formation of virtues with conscience formation.²⁶⁴

Up until this, the document's promotion of conscience formation has focused on the role of the individual's inner personal spiritual development. By introducing a role for the Church, it demonstrates that forming or educating a conscience is not just an internal matter. It is also one that must receive external assistance. John Paul II is unequivocal in his identification of the source of such external aid: "Christians have a great help for the formation of conscience *in the Church and her Magisterium*."²⁶⁵ He draws on Vatican II²⁶⁶ and the Scriptures to provide an unambiguous basis for such a claim: "For the Catholic is by the will of Christ the teacher of truth."²⁶⁷ The nature of that truth can be said to be connatural, as seen from another perspective, that of identifying the person of Christ himself with the principles of the moral order that "derive from human nature itself."²⁶⁸ Such a concept enables John Paul II to claim that involving the magisterium is not a way of introducing extraneous truths to the formation of a Christian conscience in the Christian individual. Rather, in a marrying of magisterium to the individual Christian, the former is seen as the one who "brings to light the truths which it ought already to possess" in order to assist in the moral improvement of the latter.²⁶⁹

4.3.5 Conscience and Human Action

Thomas Aquinas' definition of conscience as the *act* of applying knowledge is at the centre of the link between conscience and human action. He opined also that:

²⁶³ VS, n. 64.

²⁶⁴ Ibid.

²⁶⁵ Ibid.

²⁶⁶ *Gaudium et Spes*, n.14.

²⁶⁷ VS, n. 64.

²⁶⁸ Ibid.

²⁶⁹ Ibid.

Since things act according to their nature, they derive their proper acts and ends (final cause) according to the law that is written into their nature. Everything in nature, insofar as they reflect the order by which God directs them through their nature for their own benefit, reflects the Eternal Law in their own natures.²⁷⁰

In other words Aquinas teaches that what is contained in people's most secret inner core, in the sanctuary of their conscience, will be revealed not in the words they utter, but in the actions they perform. According to him, when an act is performed from choice, it generally reflects the agent's opinion of what is morally good or evil. So "like the natural law itself and all practical knowledge, the judgment of conscience also has an imperative character: man must act in accordance with it."²⁷¹

Implicitly, moral acts involve the dictate of conscience. According to John Paul II, the reason underlying this assertion is that, ultimately, "the judgement of conscience is '*a practical judgement*', a judgement which makes known what man must do or not do, or which assesses an act already performed by him."²⁷² All this assessment is carried out with reference to the extent to which such "human acts are in conformity or not with the law of God written on the heart."²⁷³ Interestingly, John Paul II maintains that this connecting of the law to the judgemental function of conscience applies to non-believers or "Gentiles" who may not even be aware of, or who may reject such a connection. He points out that it is in the actual enacting or doing "by nature" what the law requires, rather than in any conscious awareness or knowledge, that non-believers can become a true law unto themselves.²⁷⁴

Finally, John Paul II opened *Veritatis Splendor* with an account of the dialogue of Jesus and the rich young man, which is narrated in Matthew 19:16-21.²⁷⁵ In terms of the above attempt at connecting conscience with actions, it is interesting to note that, in this

²⁷⁰ Thomas Aquinas, *ST Ia IIae* q.91, a.2.

²⁷¹ *VS*, n. 60.

²⁷² *VS*, n. 59.

²⁷³ *Ibid.*

²⁷⁴ *VS*, n. 57.

²⁷⁵ *VS*, n.6-8

dialogue, the rich young man asks Jesus what good he must *do* to have eternal life. Jesus' initial response is one that applies to all humankind; the action required to achieve this objective is that the young man "keep the commandments." This young man has obviously formed or educated his conscience quite well, because he claims to have followed and obeyed the entire Decalogue. And so his second question as to what else he can do, indicates a person for whom life is not simply about keeping rules and honouring laws, but about a search for "the full meaning of life." Jesus' response to the question of "What else" is to introduce into this man's search for the truth the higher ideals of a Christian conscience: "If you wish to be perfect, go, sell your possessions and give the money to the poor, and you will have treasure in heaven; then come, follow me."²⁷⁶ One could say that while obedience to the natural law will help truly humanise the young man by keeping his feet firmly set on the ground of honest and sincere daily living, honouring his Christian conscience will divinise him. This is because, in the words of John Paul II and of Mark 1:15 respectively, to know what to do will spur the young man to draw near to the One who had begun his preaching with this new and decisive proclamation: "The time is fulfilled, and the Kingdom of God is at hand; repent, and believe in the Gospel" (Mark 1:15).²⁷⁷ John Paul II interprets the relevance of this Gospel story to the lives of modern-day men and women in terms of what he sees as their absolute need to turn to Christ once again in order to receive from him the answer to their questions about what is good and what is evil.²⁷⁸ The encyclical sees it as the wish of the Church to serve all who seek this turning to Christ. Making reference to the encyclical Letter, *Redemptor Hominis*, John Paul II makes it clear that the Church "wishes to serve this single

²⁷⁶ VS, n.7.

²⁷⁷ VS, n. 8.

²⁷⁸ Ibid.

end: that each person may be able to find Christ, in order that Christ may walk with each person the path of life.”²⁷⁹

5. Documents of Regional Episcopal Conferences on Conscience

Thus far in Part III, we have looked at the concept of conscience as understood and used in some cultures, especially Greek and Roman cultures and the Hebraic Old Testament world of Israel. We also considered the evolution of the concept in historic eras, such as the Pauline Christian era and the medieval Scholastic era and then definitive Catholic teaching as illustrated in the documents of Vatican II, the *Catechism* and Pope John Paul II’s encyclical *Veritatis Splendor*.

This section will focus on the teaching of the Church on conscience at a more localised level. We will analyse three documents of National Episcopal Conferences of Bishops, namely: the Canadian Conference of Catholic Bishops (CCCCB), *Statement on the Formation of Conscience* (1973);²⁸⁰ the Irish Catholic Bishops Conference (ICBC), *Conscience and Morality* (1980)²⁸¹ and the United States Conference of Catholic Bishops (USCCB), *Forming Conscience for Faithful Citizenship: A Call to Political Responsibility* (2007).²⁸² The purpose is to look at how each National Conference applied the concept of conscience to the day to day lives and moral problems of the Catholics living within the jurisdiction of their respective locality.

In particular, this thesis is interested in establishing the extent to which the more localised understanding of the concept of conscience mirrors the teaching of the global magisterium, and also the extent to which each National Conference speaks the same

²⁷⁹ *VS*, n. 7.

²⁸⁰ Hereafter *SFC*.

²⁸¹ Hereafter *CM*.

²⁸² Hereafter *FCFC*.

language on this topic. In other words, this thesis seeks to find out if the local documents are universally applicable or if they are mostly centred on local issues.

5.1. Canadian Conference of Catholic Bishops (CCCCB): *Statement on the Formation of Conscience* (1973)

The Canadian Catholic Conference of Bishops issued the “Statement on the Formation of Conscience” on 1 December, 1973²⁸³ in the format of a five part document. From the outset of the document, the Bishops emphasised the uniqueness of human beings in God’s creation. In the prologue, for example, they noted that out of all creation, “man alone of the visible world is called by God to accept responsibility for his actions.”²⁸⁴ The uniqueness of the human being, in this case the Christian human being, is further demonstrated by the fact that it is to man alone that God gave the power to distinguish right from wrong, by engraving his way of instilling into the very depths of people’s beings an innate sense of the things which are good.²⁸⁵ Furthermore, the bishops also see the intrinsic worth of this unique and Christian human being affirmed by God’s intervention in the lives of humankind through His sending of his Son, Jesus Christ to redeem them and through the sending of his Holy Spirit to guide them.²⁸⁶ By insisting that such an intervention should be the focal point of human life and human doings,²⁸⁷ the Bishops give emphasis to the role of

²⁸³ *Statement on the Formation of Conscience*. 1 December, 1973.

<http://www.consciencelaws.org/religion/religion040.aspx> [accessed 23 August, 2011]. On September 27, 1968, the Canadian Conference of Catholic Bishops issued a “Statement on the Encyclical *Humanae Vitae*” at Winnipeg, Manitoba in which they referred to the significance of conscience and the divine law. The document was sympathetic to those who could not accept the teachings of Paul VI’s *Humanae Vitae* on contraception. In the document the bishops declared that: “In accord with the accepted principles of moral theology, if these persons have tried sincerely but without success to pursue a line of conduct in keeping with the given directives, they may be safely assured that, *whoever honestly chooses that course which seems right to him does so in good conscience*” (n. 26) [Italics are mine]. This statement on the role of conscience in this debate appeared to be a compromise. The italicised at n.26 became one of the most controversial passages in the document. *SFC* document is seen as a follow up to the teaching on conscience in the Winnipeg Statement even though that is not explicitly acknowledged.

²⁸⁴ Canadian Conference of Catholic Bishops, *SFC*, n.1.

²⁸⁵ *Ibid.*

²⁸⁶ *Ibid.*

²⁸⁷ *Ibid.*

Divine Law, as revealed in Scripture and Tradition, in the functioning of conscience. Besides, Scripture and Tradition, the Bishops advise that God currently speaks to present day human beings through “concrete situations, the providential framework of our existence, our times, our vicissitudes, events, happenings, circumstances.”²⁸⁸ The ideals or “high ground” which this modern-day voice of God asks Christians to aspire to attain is that they actively engage in the fight against their sinful natures by responding to the divine call to conversion.²⁸⁹ These are ideals, and as such will not always be achieved “because man is frail and at times loses himself readily.”²⁹⁰ Once more, the Bishops are leaving the door open for divine intervention in the workings of conscience and a role for the Church itself in such an intervention. The language, images and concepts offered by the Bishops in their prologue could have been drawn from many of the teaching documents, or ecclesiastically approved sources thereby promoting continuity of Church teaching.

In their definition of conscience, the bishops debunk the image of conscience as a mysterious device within the human psyche which is only ever activated when practical decisions have to be made concerning the acceptability of specific courses of action. Rather than being a mysterious and mostly static mechanism, the Bishops present a very practical and active conscience; a conscience which actively involves itself in the judgements of actions; in ensuring the avoidance of the violation of guiding principles; and in the acknowledging of those principles which govern lives. Specifically, the bishops affirm:

Conscience is not simply some ‘still small voice’ which is evoked by some mysterious mechanism within us when we are faced with a practical decision as to whether a given course of action is acceptable or not. Conscience is that ultimate judgement that every man is called to make as to whether this or that action is acceptable to him without violating the principles which he is prepared to admit as governing his

²⁸⁸ Ibid., n.2.

²⁸⁹ Ibid., n.3.

²⁹⁰ Ibid., n.4.

life. If he goes against those principles, he is said to be acting ‘against his conscience.’²⁹¹

The bishop’s definition of conscience is a reiteration of the many definitions, elaborations and commentaries that preceded their statement. Here, we have a Canadian echoing of the notion of conscience as that ultimate judgement that an individual has to make “without violating the principles which he is prepared to admit as governing his life.” Again, we come across the notion that conscience does not make principles or laws; instead its function is to utilise them to accomplish its role of guiding the individual towards acts of obedience in the case of the good and/or acts of avoidance in the case of evil.

Due to historical antecedents, the Canadian Bishops acknowledged the existence of confusion in the ever ongoing debate on conscience, and admitted that the idea of conscience could not be taken for granted. They suggested that there had been more poetry attached to the debate than clarity.²⁹² Rather than continuing this historical debate, however, the Bishops adopted a more practical “by-their-fruits-you-shall-know-them” approach and identified three current types of conscience in Canada. These appear to fall into the normal distribution of a centre position flanked by two contrasting extremes.

The first extreme form is described as “a static or complacent conscience” and is characterised by the individual’s abrogation of any responsibility for his or her actions, in favour of requiring the Church to minutely detail his or her obligations on their behalf.²⁹³ This conscience appears to simply be a static mechanism to be exercised by others which, according to the document, is an indication of the individual’s refusal to accept “the dynamics behind the changes in the Church and in society.”²⁹⁴ The image that comes to mind

²⁹¹ Ibid., n.6.

²⁹² Ibid.

²⁹³ Ibid., n.20.a.

²⁹⁴ Ibid.

for this type of conscience is that of conscience as a pre-programmed “answering telephone or machine.”

At the other extreme of the conscience triad, the Bishops situate “the excessively dynamic and revolutionary conscience.” In their opinion, this is the conscience of one who cannot be told what to do, not even by the Church, and can be characterised as a form of “exaggerated subjectivism.”²⁹⁵ At this extreme, every action or behaviour is solely judged relative to the beliefs and needs of the individual. This extremely subjective conscience, in the Bishops’ opinion, is the product of a person who has totally misinterpreted “the idea that everyone must ultimately be the Judge, before God, of his actions,”²⁹⁶ It can be argued that the tendency for such a misinterpretation may be intrinsic to Western cultures. Such cultures are particularly noted for their promotion of individualism, a philosophy wherein independence and self-reliance are valued, and any external interference with the individual’s interests, from whatever source, is strongly resisted. Therefore, it appears that the Bishops have experientially, rather than theoretically, identified this second type of conscience.

The Bishops describe the third type of conscience as being “in the middle position”²⁹⁷ implying therefore that it will not be found to be either inappropriately subjective and self-reliant or inappropriately dependent on external influences. This conscience is labelled “the dynamic Christian conscience.” Its dynamism can be seen in the document’s description of its tasks, which are listed as *leading* individuals “to have a responsible attitude” and *feeling* “a responsibility for a *progressive search* and *striving to live out* a life ideal.”²⁹⁸ The Christian element of the conscience is to be seen in the Bishop’s insistence that all these tasks must be

²⁹⁵ Ibid., n.21.b.

²⁹⁶ Ibid.

²⁹⁷ Ibid., n.22.c.

²⁹⁸ Ibid., [italics mine].

done “according to the mind of Christ.”²⁹⁹ This is the conscience which the Bishops hold up as the proper attitude of any human being in today’s society, and particularly in the Catholic milieu.³⁰⁰ In the opinion of this thesis, it is also an understanding of conscience which gels with the teachings of the magisterium and the views of its philosophers and theologians. It is also an understanding which would easily fit into the views of many Western based Bishops’ Conferences. What must be noted, however, is that while it consciously or unconsciously derives its thinking from the teachings of the magisterium, there is also an intimately experiential flavour to the Bishop’s description of conscience.

In Part three of the document, they identify the theological and philosophical roots from which this acceptable version of conscience grows, and also the positive consequences that can arise from engaging meaningfully with it. Before going into the details of the Bishops’ findings in this area, it is well to note that they labelled their approved Catholic as being by definition a “Mature Conscience.” Secondly, a person may get the feeling while reading this section that he has ‘heard it all before’. This should not be surprising, since a perusal of the citations in this section, could easily match those found in the *Catechism* and in John Paul II’s works on conscience, for example. It should come as no surprise if similar conclusions are reached.

The Bishops identify four factors that enhance the formation of a mature Catholic conscience: a respect for the proper dignity of every human being; an acceptance of a sense of responsibility by all; the need for an antidote to the denial of sin; and the need for the insertion of a faith dimension into any consideration of the functions of conscience.³⁰¹ These are presented by the Bishops as guides for the proper formation of Christian conscience,

²⁹⁹ Ibid.

³⁰⁰ Ibid.

³⁰¹ Ibid., n.23.

which has been described as “the never-ending search which every man must undertake for himself in order to find out what is worthy of a man and what is not worthy of a man.”

In the formation of the Catholic conscience, the faithful are advised that since they came into the world with God’s law on their hearts, they are duty bound to accept responsibility for their acts and, therefore, can only act with reference to their Creator, their fellow human beings and to themselves.³⁰² They are further advised that it is from accepting such responsibility that they derive their proper dignity.³⁰³ This dignity will be further enhanced when the individual specifically accepts that God has a role to play in the judgments of conscience. Citing Vatican II, the document asserts that “to obey it is the very dignity of man; according to it he will be judged.”³⁰⁴ For the Bishops this mature conscience will be the antidote to the exaggerated pseudo-autonomy of modern man, which has explicitly and implicitly played down the actual existence of sin and its consequences.³⁰⁵ While they are clear about not wanting to portray God as some sort of tyrant seeking out opportunities to punish, they are equally clear in their assertion that “He who rejects love is in turn rejected by it and lies howling at the threshold.”³⁰⁶ Acceptance of a divine role in the judgments of conscience, however, rests on the Catholic’s acceptance that living human life responsibly, meaningfully and fully will necessarily entail acknowledging a faith dimension to life. The Bishops summarise the need for such a dimension in terms of conversion: “Every man must turn freely to God.”³⁰⁷

It is obvious from the Bishops’ elaboration of a Catholic conscience that they believe the formation of conscience in a person who demonstrates a generalised belief in the

³⁰² Ibid., n.24.

³⁰³ Ibid.

³⁰⁴ Ibid., n.26.

³⁰⁵ Ibid., n.27.

³⁰⁶ Ibid.

³⁰⁷ Ibid., n.30.

existence of a distant God, will differ from that of a person who accepts that God intervened in human history. Such a difference will be seen to be all the more inevitable, when that intervention is depicted in terms of God sending his Son, Jesus Christ, to free and rehabilitate humankind by providing human beings with new principles and an offer to teach them the way in which God expects them to live, through the living of His own life (Jn. 3:16; 8:12).³⁰⁸ The Bishops also stress that such a difference will be demonstrated in the requirements that obeying such a Catholic formed conscience will require. True Catholics will be required to “probe deeper in the refinement of what God has revealed as our norm of conduct.”³⁰⁹ There is a projection here of John Paul II’s teaching concerning the Rich Man’s question to Jesus as to “What else” he needed to do to attain eternal life. And there is further evidence of a reiteration of teachings found in contemporary Catholic documents. The bishops implicitly advise Catholics that they need not rely solely on Scriptures to transmit the answer; such a divine power of transmission now resides “in the College of Bishops under the presiding direction of the successor of Peter . . . what we call ‘*the magisterium*’ or teaching service of the Church . . . [which] in matters of guiding our conduct . . . [must be considered] *a binding rule for those who call themselves Catholic*.”³¹⁰ The Bishops insist that these ‘extras’, asked only of Catholics, must not be considered to be a form of enslavement; rather they should be seen as a response to Jesus’ promise to those who truly seek the truth that: “The truth will make you free” (John 8:32).

While the role of the teaching magisterium has been forcefully reiterated, the role of its voice at the local level, that of the priest, has been refined. The document paints a picture of the pre-Vatican II priest as being “the conscience of the community [who] interpreted the teaching of the Church with a voice that was considered authoritative and usually

³⁰⁸ Ibid., n.10.

³⁰⁹ Ibid., n.11.

³¹⁰ Ibid.

unchallengeable.”³¹¹ In Post-Vatican II, the Church now sees its priest as one who “still has the duty of teaching his community the way of God and of morality”, but who also accepts that “this judgement must ultimately be made by the person himself.”³¹² Once again, it can be suspected that such an assessment may be driven by local issues, for example, a drop in the number of priests to do the teaching. This is not to say that this shift from a centralised hierarchical magisterium dictating how conscience should be managed to the localised teaching of a Parish Priest is not theologically driven. But it does indicate that the insights of the Bishops is experientially driven, and so should be quite relevant to the deliberations of other Episcopal Conferences.

Having identified the necessity for Catholics to cultivate a Catholic conscience, the Bishops proceed to identify certain principles and attitudes, which could help the believer in that task. They specifically mentioned four factors: a striving for human balance; cultivation of a sense of Christ’s Presence; availing of the guidance of the Scriptures and Tradition; and being open to the guidance of the magisterium. In terms of striving for ‘human balance’, the bishops are advising their flock of the advantages that can accrue to the formation of a Catholic conscience from cultivating such characteristics as sound emotional stability, self-knowledge and clear objective judgements and education.³¹³ They also see a role for utilising sound communal attitudes and an awareness of cultural and social influences. In their totality, the bishops believe that the acquisition of such characteristics could lead to the development of proper attitudes.³¹⁴ But, as they have already pointed out, there is need for something more than the human in the formation of conscience. Thus, they unambiguously assert that a person who wishes to have a true Christian conscience must be faithful in communication with his

³¹¹ Ibid., n.15.

³¹² Ibid., n.16.

³¹³ Ibid., n.32.

³¹⁴ Ibid.

Lord in all of his life, particularly through his own prayer and the prayer of the Church.³¹⁵ The bishops went on to point to the Scriptures and Tradition as sources for discovering the designs of the Father and “a refined series of ideals, precepts and examples” which Jesus passed on to his followers.³¹⁶ Finally, the Bishops assert that, for a believer, the teaching magisterium of the Church cannot be considered to “be just one element among others in the formation of his conscience.”³¹⁷ Instead, they insist, believers must see it as “the definitive cornerstone upon which the whole edifice of conscientious judgement must be built.”³¹⁸ The importance, which the Bishops attach to this final requirement, is well attested to by both the amount of print space they assign to it in comparison with the other three, and by the details into which they go to justify their conclusion.

This attention given to well-illustrated details³¹⁹ is a way to tell Christians that a believer “has the absolute obligation of conforming his conduct, first and foremost to what the Church teaches.”³²⁰ And even in matters not defined infallibly, the believer still has “the obligation to give full priority to the teaching of the Church in favour of a given position . . . and to maintain dialogue with the whole Church.”³²¹ The bishops leaving no room whatsoever for any element of ambiguity insist that when doubt does arise due to a conflict of the believer’s views and those of the magisterium, “the presumption of truth lies on the part of the magisterium” and must therefore receive the believer’s “religious assent of soul.”³²² The bishops are aware of laws like prescriptive positive law that affect the Christian life and which sometimes legalises acts condemned by church teaching. Hence, in relation to conscience and law in general, they stated: “We limit ourselves in saying that any law set up

³¹⁵ *SFC*, n.34.

³¹⁶ *Ibid.*, n.37.

³¹⁷ *Ibid.*, n.38.

³¹⁸ *Ibid.*

³¹⁹ *Ibid.*, n.39-41.

³²⁰ *Ibid.*, n.39.

³²¹ *Ibid.*, n.40.

³²² *Ibid.*, n.41.

by legitimate authority and in conformity with divine law must be taken into account in every moral action.”³²³ They unanimously reminded their faithful of the divine “prohibitions against killing the innocent, adultery, theft, etc”³²⁴ and reassured them that the laws that the church promulgates “are specifically to guide our feet away from the traps set by our sinfulness and our own tendencies to sin.”³²⁵

The above detailed description by the Bishops, contrasts breathtakingly with the stance they adopted in the 1968 Winnipeg Statement.³²⁶ It certainly makes that Statement look like an aberration. Once again, however, it is to be expected that any Conference drawing from the documents issued and approved by the magisterium on its role in the formation and education of conscience would not substantially differ from that which the Bishops have produced.³²⁷

While appearing to be somewhat experientially based, the Bishops did speak the theological language of the magisterium in addressing Canadian Catholics about the nature and requirements of a mature conscience. Therefore, while the document audience was local, its language and message was universal. It is with such parameters that we proceed to examine its Irish counterpart.

³²³ Ibid., n.49.

³²⁴ Ibid., n.50.

³²⁵ Ibid., n.51.

³²⁶ 1968 Winnipeg Statement by the Canadian bishops stated that those who went against Church teaching as contained in *Humanae Vitae* did so in “good conscience.” But the bishops’ view on this follow-up document is obviously different in their teaching as they advocate that the faithful should follow the magisterium. So, does adherence to church mean right judgement of conscience? This question is part of what we will be addressing in chapter five.

³²⁷ The bishops quote *Lumen Gentium* 25 which states “In matters of faith and morals, the bishops speak in the name of Christ and the faithful are to accept their teaching and adhere to it with a religious assent of soul. This religious submission of will and of mind must be shown in a special way to the authentic teaching authority of the Roman Pontiff even when he is speaking *ex cathedra*” to support this teaching

5.2. Irish Catholic Bishops Conference (ICBC): *Conscience and Morality* (1980)

This document³²⁸ which was issued on 22 February, 1980, has as its rationale the deepening of the awareness of moral values among Irish Catholics.³²⁹ Among the issues dealt with are: “The Meaning of Conscience”; “Conscience and the Gospel Law of Love”; “The Role of the Church”; “Conscience and Freedom”; “Conscience and Authority” and “When Conscience Errs”.

From the beginning, the Bishops claim that their aim is to “help Catholics to grow in moral insight and freedom, as they become progressively more responsive to the guidance of an enlightened, sure and sensitive conscience.”³³⁰ The Bishops see these values as embodying “God’s plan for human beings” and “as an expression of his wisdom.”³³¹ Their authority to engage in this process is inferred in their claim that the values they seek to engrave more deeply in Irish Catholics have been “reflected through the experience of the Church and its teaching in every age.”³³² They further underscore this authority by claiming that while it is actually Christ’s task to engrave these values more deeply into the hearts of Irish Catholics, and invite them to live by them, it is also the Church’s task, since it is the Body of Christ on earth. As with Jesus’ response to the Rich Young Man’s question as to “What else” he needed to do to attain eternal salvation, and the Canadian Bishops’ declared intention of dealing only with the formation of a Catholic conscience, so it is with the Irish Bishops. The values which are of concern to them do not derive from the demands of the natural law, as

³²⁸ This is a major statement by the Irish Catholic Bishops’ Conference published in Dublin by the Irish Messenger Publications, 1980. The Conference issued another statement, entitled *Conscience* in 1998. The latter was published in Dublin by Veritas Publication 1998. The themes examined in the 1980 document are well reflected in the later 1998 one.

³²⁹ Irish Catholic Bishops Conference, *CM*, n.37.

³³⁰ *Ibid.*

³³¹ *Ibid.*

³³² *Ibid.*

such, but from demands of “the Gospel law of love” that arise in the concrete situations of people’s lives.³³³

The bishops outline their goals accordingly:

Our purpose in issuing this statement is to deepen the awareness of moral values among our people. These values, which embody God’s plan for human beings and are an expression of his wisdom, are reflected through the experience of the Church and its teaching in every age. The more fully we realise them in our lives through obedience to the voice of conscience, the more we become conformed to the image of Christ. It is Christ himself, living by the spirit in our hearts, and in the Church, which is his body, who makes known these values to us and invites us to live by them. Through them the demands of the Gospel law of love are presented to us in the concrete circumstances of our life.

In offering these guiding principles on the relationship between conscience and morality, and in referring, however briefly, to the respective roles of love, freedom and authority in Christian life, our aim is to help Catholics to grow in moral insight and freedom, as they become progressively more responsive to the guidance of an enlightened, sure and sensitive conscience.³³⁴

As with the Canadian Bishops, the Irish Bishops are keen to rectify any “mistaken views about the role of conscience” that may exist among Irish Catholics. In fact, in their introduction, they maintain that such erroneous views are quite common.³³⁵ In the following excerpt, the bishops specify the exact nature of such errors:

People frequently fail to understand the relationship of conscience to what is morally right and good in itself, or, as it is often called, the objective order of morality. They do not pay enough attention to the fact that our moral life choices must always be in accordance with the true nature of the human person, who is made in the image of God and called to eternal union with him in knowledge and love. People are often confused, too, about the need for an external guide if conscience is to carry out its appointed task. In particular the role of the authoritative teaching of the Church in the formation of the individual Christian conscience is frequently neglected or misunderstood.³³⁶

³³³ Ibid.

³³⁴ Ibid.

³³⁵ Ibid., n. 1.

³³⁶ Ibid.

The first error identified by the Bishops is the frequent failures of Catholics in the area of natural law and conscience. They describe them as simply failing to understand the relationship between conscience and the objective order of morality which derives from natural law. As a basis for the second error, the Bishops move on to the concept of the role of the Divine in conscience. In this context, the Bishops claim that Catholics “do not pay enough attention” to their true nature. The essence of their true nature, according to the document, is that they have been made in God’s image, and this must be taken into account in all moral decision making. Naturally, this cannot happen if the decision takers do not attend sufficiently to the element of the divine within them. The Bishops identify the third source of error as the confusion that they see existing among Irish Catholics with regard to their need for external guidance “if conscience is to carry out its appointed task.”³³⁷

The Bishops recognised confusions that arise in particular with the role of “authoritative teaching of the Church in the formation of the individual Christian conscience.”³³⁸ What they do not specify, however, is whether they see Irish Catholics as generally being over reliant on Church guidance or seeking to be excessively independent of it, or as a mixture of both. As a general observation, it appears that while the Canadian document displays a certain awareness of what is actually happening in the modern world, the Bishops seem to be interested solely in providing the Catholic with ‘The Pure Theory’ of the Church’s teaching on conscience. Neither document appears to provide any strong evidence of being interested in the area of ‘Applied Theory’, particularly as to issues of conscience in the modern world.

Having outlined the nature of the errors Catholics are believed to commit in their understanding of the nature of conscience and of how it is required “to carry out its appointed

³³⁷ Ibid.

³³⁸ Ibid.

task”, the Bishops state a second aim as intention to teach the faithful “a few truths about conscience and morality, in line with the tradition of the Catholic Church.”³³⁹ They specifically intend to draw on what they consider to be the newer and clearer insights of the Church’s teaching as found in the documents of Vatican II.³⁴⁰

5.2.1 Meaning of Conscience

With regard to the meaning of conscience, the Bishops explain it in terms of the tasks it is required to perform. At a general level, they suggest that conscience can be understood as a function within the human being, which concerns itself with ensuring that an individual does well and avoids evil.³⁴¹ At a more practical and precise level, they present conscience as a “practical judgement” of an action which is about to be performed or has been performed is good or evil. However, as if emphasising that conscience is not simply a series of disconnected actions, the Bishops also propose that conscience can be rightly understood as “the habitual power of making judgements on the goodness or wickedness of actions.”³⁴² Combining these explanations, the Bishops present conscience to Irish Catholics as an individual’s attempt at discerning the moral values which are at stake in particular situations and, consequently, what his response should be if he is to respect their demands.³⁴³ To engage in this process requires assistance from at least three sources; from the involvement of the individual’s own intelligence; predictably, from the help of God, as delivered through His Church; and from other people.³⁴⁴

The Bishops’ document reinforced what Thomas Aquinas, Vatican II and John Paul II had taught earlier. However, there is a striking feature to be found in the language syntax of

³³⁹ Ibid.

³⁴⁰ Ibid.

³⁴¹ Ibid., n.2.

³⁴² Ibid.

³⁴³ Ibid.

³⁴⁴ Ibid., n.3.

the document. The bishops' use of first person pronouns and possessive adjectives can be interpreted as an attempt to move from the impersonal to the more personal, even to the intimate. It is also a subtle didactic strategy meant to draw the listener more into the world of the speaker, or the student more into the world of the teacher. Thus, we find the document actually placing the Bishops' words into the mouths of their readers:

*My conscience, in other words, is my reason telling me that I must choose the good and avoid evil, and making it possible for me to distinguish between them in practice. It is also my reason passing judgment on my actions once they have been performed, apportioning praise or blame according as I have followed or rejected its command.*³⁴⁵

5.2.2 Conscience and the Law of Love

Thus far, the type of conscience offered by the Bishops to their faithful could be offered to both believers and non-believers. The principles are general and, the references to the need for Divine guidance are centred mainly on the acceptance of the natural law. In "Conscience and the Gospel Law of Love," the Bishops set about presenting the Christian conscience to their faithful. They cite Jesus' command to his followers to love God, their neighbour and themselves as "the centre and summation of the Christian life."³⁴⁶ They praise the work of recent moral theologians, who have distanced themselves from the previous practice of dividing "moral teaching into a multiplicity of individual commands and prohibitions with no clear master principle behind them. By asserting the primacy of charity and of Jesus' law of love, the bishops claim that contemporary moral theologians have provided that absent "master principle."³⁴⁷ While agreeing with the assertion that "to follow one's conscience is to do what love requires", the Bishops advise believers to be wary of

³⁴⁵ Ibid., [italics mine].

³⁴⁶ Ibid., n.5.

³⁴⁷ Ibid.

misunderstanding this dictum, as it could lead them into a subjective moral world of confused and arbitrary moral judgments.³⁴⁸

This praise of contemporary moral theologians for moving from a “list system” to the notion of a “master principle” is somewhat compromised further on in the document. The Irish believers are strongly reminded that “when Jesus enunciated the commandment of love of God, neighbour and self, he was not abandoning the traditional moral teaching which categorised certain actions as moral and others as immoral.”³⁴⁹ The ‘strongly’ derives from the Bishops’ use of an extensive list of actual prohibitions contained in the Decalogue and in the list of “seven capital sins” which still obtain. According to the Bishops, it was never Jesus’ intention to abolish these lists, but rather to extend and amplify them.³⁵⁰ The potential ‘compromising’ lies in the Bishops’ return to the list system, so soon after decrying it.

With an eye to possibly justifying their own role, as part of the Church’s teaching magisterium in conscience guidance and formation, the Bishops note how the Apostles instructed their converts about the kind of acts which would accord with Christ’s law of love and those which would be considered contrary to such a law. They also note that one of the reasons for this apostolic intervention was their awareness of people’s susceptibility to self-deception. As with the documents produced by the other Bishops’ Conferences we see a return to a much debated issue, namely the conscience ‘practitioner’s’ need for moral guidance. Crucially in the case of the Catholic ‘practitioner’, the main source of such guidance must be of an ecclesiastically-mediated divine nature. Once again, this causes a certain tension, evident in this document, between the desire to unreservedly assert the notion of the primacy of the judgement of the individual’s conscience, and the desire of those who consider it their God-given duty to morally guide their followers to what many see as

³⁴⁸ Ibid., n.6.

³⁴⁹ Ibid., n.7.

³⁵⁰ Ibid.

ecclesiastically pre-determined moral positions. This universal tension may well be summed up in terms of the extent to which Catholics, who like all human beings are deemed prone to self-deception, can be expected to truly operate out of a conscience guided by the ‘master’ principles of Christ’s Law of Love as understood by them.

5.2.3 The Role of the Church and of the Holy Spirit

Having addressed the meaning of conscience at the levels of natural and divine law, the bishops then focused on justifying the roles of the authoritative teaching Church and the Holy Spirit in assisting the individual conscience in its moral tasks. In the case of the former, the document is seen to go into great detail in its seeking to establish such justification. Firstly, it points to the fact that modern times have generated modern moral problems not experienced in the times of the New Testament. This in turn, according to the Bishops, has generated a need for an “authoritative guidance”, which they unequivocally assert can be found in “the pronouncements of the teaching Church.”³⁵¹ The document proceeds to remind believers that, although the moral law has been divinely inscribed in their hearts, their individual consciences have only an “obscure view of moral truth.” Such potential vagueness, in addition to the very diversity of moral opinions in the contemporary world, leads the Bishops to advise the faithful of their need for external guidance when it comes to the “more detailed application” of the moral law.³⁵² It needs to be noted here that the document is simply reiterating the Church’s traditional portrayal of human beings as being inherently fallible and, therefore, in need of external assistance in their moral dealings with a world, which it sees as persistently landing them in moral quandaries. It then proceeds to do what, traditionally, the Church has done over the centuries and that is to establish the primacy of its role as the provider of external assistance.

³⁵¹ Ibid., n.9.

³⁵² Ibid.

In true judicial fashion, the document opens and closes its case with two uncompromising statements. In its opening address the document asserts that: “It makes little sense to call oneself a Christian without accepting the Church.”³⁵³ Its winding up address is even more adamant:

It is impossible, therefore, to separate allegiance to Christ from obedience to the teaching Church. One cannot be his disciple while disregarding those to whom he has given a share in proclaiming and teaching his Gospel.³⁵⁴

As with other Church documents, the Bishops document cites the Scriptures, the early Church Fathers and Vatican II in support of its claims to be the primary and necessary authoritative voice for guiding the individual’s conscience.³⁵⁵ These contributions are well summarised by St. Cyprian, a third century bishop of Carthage, in *On the Unity of the Catholic Church*, “He cannot have God for his Father who has not the Church for his Mother.”³⁵⁶ However, all arguments supporting the Church as the authoritative assistant to the human conscience are subsumed by the bishops into the words of Christ, uttered as he commissioned his Apostles to be His voice throughout humankind:

All authority in heaven and on earth has been given to me. Go therefore and make disciples of all nations . . . teaching them to observe all that I have commanded you; and lo, I am with you always, to the close of the age (Matt. 28:20).³⁵⁷

There is no doubt in the minds of the Bishops where that authoritative teaching office now resides, namely in the Church’s magisterium. Furthermore, they have no doubt as to the

³⁵³ Ibid., n.10.

³⁵⁴ Ibid., n.11.

³⁵⁵ According to the Bishops, the role of the Church as an external guide to conscience has been rejected by some who say “we do not need the Church” (CM. n.10). If this be the case, that is rejecting the guidance of the Church, then according to the bishops, it makes no sense for a person to call himself a Christian, because to be a Christian is to be a member of Christ and Christ cannot be separated from his body the Church. In support of this stance, the bishops cite scriptural passages and the writings of two of the Early Church Fathers, Irenaeus and Cyprian, to affirm the significance of the Church. So the teaching authority of Jesus still remains in the Church, and therefore the teaching office of the Church is relevant to the promotion of the understanding of conscience and the value of love as a good to be done.

³⁵⁶ Ibid., n.6.

³⁵⁷ Ibid., n.11.

nature of its duty, namely that of “officially interpreting for the Christian community the teaching of the Gospel, including its moral demands.”³⁵⁸ They are also clear as to the format of this magisterium, inherited from the Apostles that it is “the Episcopal College, united around its Head, the Bishop of Rome.”³⁵⁹ Therefore, the Irish Bishops quite comfortably present the Irish faithful with the take-it or leave-it words of Jesus to his Apostles, which are now rendered applicable to the Episcopal College of the magisterium: “He who hears you hears me, and he who rejects you rejects me, and he who rejects me rejects him who sent me” (Luke, 10:16).³⁶⁰

As well as the Church, however, the Bishops saw a crucial role for the Holy Spirit in the guidance of the individual conscience to right judgements. They saw its divine role as that of assisting conscience to mature in its role of discernment:

The function of conscience is to enable us to discern human moral values and respond to them freely. To the extent that we succeed in doing so, our conscience may be said to be adult, or mature. To help it reach this maturity, the Christian conscience enjoys the assistance of the Holy Spirit.³⁶¹

Elaborating on this, the Irish Bishops proclaimed that the Spirit of Christ dwells in the hearts of Catholics through Baptism in order to help them recognise and put into practice the divine injunction to love God and their neighbour. In so doing, Christian individuals are not left to rely entirely on an “unaided reason”; rather they are helped by the Spirit to be obedient to the dictates of conscience, once it has been discerned, by doing what is right. They are also helped to choose the good in accordance to the will by being given divine assistance to overcome obstacles.³⁶² The document presents the help of the Spirit as a form of inner guidance which is complemented by the teaching authority of the Church in its function of

³⁵⁸ Ibid.

³⁵⁹ Ibid.

³⁶⁰ Ibid.

³⁶¹ Ibid., n.12.

³⁶² Ibid.

external guidance: “By the will of Christ, therefore, the Spirit speaking in the depths of the Christian conscience is complemented by the living voice of the Church’s magisterium.”³⁶³ Speaking in more specific terms with reference to the complementary roles of Spirit and magisterium, the Bishops assert that the “moral values which conscience seeks to discern with the help of the Spirit are inculcated by the Church as it sets forth and applies the moral teaching of Christ. And this teaching of the church, too, is guided and directed by the Spirit.”³⁶⁴ However, with a weather eye to what the document proposes to deal with next, the relationship between “Conscience and Freedom”, the Bishops acknowledge that: “Conscience is the individual’s first guide in moral matters and, in a very important sense, it is also his last, for in the end one must do what conscience command.”³⁶⁵

What has been presented above in the sections on the role of the Church and the Holy Spirit in the moral assessments of the individual conscience can be described as pure orthodoxy relevant to the teachings of the magisterium and its sources. As such the Bishops’ teaching would sit comfortably in any Episcopal Conference document which seeks the unreserved support of that magisterium. On the other hand, whether it would receive such support from those for whom it is meant, the Irish Catholic remains doubtful in the twenty first century.

5.2.4. Conscience and Freedom

While the Bishops are addressing themselves to all Irish Catholics, they demonstrate awareness in this section of those who view the authoritative teaching of the magisterium as “a hindrance to true liberty of conscience.” The Bishops absolutely deny that this is the case and, in fact, assert that today more than ever “the world needs people who have learned to

³⁶³ Ibid., n.14.

³⁶⁴ Ibid.

³⁶⁵ Ibid., n.15.

exercise their own judgement as they search out, day by day, the path of true and right behaviour.” However, the document also points out that, as social beings, we will always have to depend on others for authoritative guidance. The Bishops regard such dependency as intrinsic to the social nature of the human person and for anyone to expect to live a moral life totally independent of any external guidance is, in the Bishops’ opinion, a denial of reality and a sign of immaturity.³⁶⁶

On the other hand, the document identifies “adult or mature Christians” as those who welcome the authoritative teaching of the Church as both reliable indicators of moral values and as “an aid to genuine human development.”³⁶⁷ Furthermore, far from encouraging the formation of an overly dependent conscience, such a positive attitude towards external magisterial assistance will, according to the Bishops, encourage the individual to be always “ready to meet new demands.”³⁶⁸ As if echoing the Canadian Bishops’ reminder to their faithful not to form a conscience that was overly reliant on Church guidance and directives, the Irish Bishops remind their Catholic readers that:

The full challenge of the moral law for the individual cannot be spelt out by authority or expressed to the last detail in any series of commandments. It is for conscience to consider each new situation in the light of the overall command of love and the relevant moral values, and make the appropriate response.³⁶⁹

The Bishops elaborate the remainder of what constitutes the “full challenge of the moral law”. Specifically, they remind believers that even when their response to the judgements of conscience is compatible with the specific commandments of God, as authoritatively interpreted by the Church, this simply points to “the limit below which [their] moral response must not fall.”³⁷⁰ For the Bishops, the true challenge for Catholics lies in their individual

³⁶⁶ Ibid., n.16.

³⁶⁷ Ibid.

³⁶⁸ Ibid., n.17.

³⁶⁹ Ibid.

³⁷⁰ Ibid.

response to the realisation that: “we never reach the point at which we can say that we have completely fulfilled the moral law in a given area and have no higher demands to meet.”³⁷¹

Far from constraining true liberty of conscience, then, the task of the magisterium and the Holy Spirit has been presented as that of guiding Christians on the way to moral freedom by calling upon them to make responses that are free, willing and generous.³⁷² The Irish bishops now utilise a memorable and much cited excerpt from Vatican II to remind the Irish faithful that the essence of the dignity of conscience can be measured by the extent to which it is enabled to “choose the good freely and for its own sake.” They declared:

For God willed that man should ‘be left in the hand of his own counsel’ (Eccl. 15:14), so that he might of his own accord seek his Creator and freely attain his full and blessed perfection by cleaving to him. Man’s dignity therefore requires him to act out of conscience and free choice, as moved and drawn in a personal way from within, and not by blind impulses in himself or by mere external constraint.³⁷³

This section on “Conscience and Freedom” has seen the Bishops attempting to achieve a three-way balance. Such a balance attempted to weight the right of every individual to freely exercise his or her conscience against every individual’s intrinsic need for external moral guidance. Both of these factors were then weighted against the Church’s claim to be the divinely appointed primary guide and interpreter for all Christians seeking moral advice and direction. The extent to which the Irish Bishops achieved their ‘weighting task’ may be difficult to assess objectively, as the faith commitment of each assessor may well play a key role in any assessment.

5.2.5. Conscience and Authority

In terms of the above heading, the document addresses two problems that consistently arise in the application of Church teachings on the supremacy of conscience. Firstly, it

³⁷¹ Ibid.

³⁷² Ibid., n.18.

³⁷³ Ibid., n.19.

focuses on the nature and resolution of the conflicts that inevitably occur when there is a clash between the moral directives of the Church and the judgements of the individual conscience. Secondly, it addresses the contribution of dissident theologians towards resolving or exacerbating such conflicts.

To shed light on the steps that must be taken to arrive at a resolution of the individual-magisterium conflict, the Bishops invoked the thinking and writings of John Henry Newman. The bishops introduce Newman with a glowing tribute to the effect that “no one has written with greater sensitivity on the subject of conscience than John Henry Newman.”³⁷⁴ The Bishops utilise this “greater” insight on the part of Newman to set limits to the supremacy of conscience and, thereby, underscore the need for the teaching Church as a guide for a fallible conscience:

The sense of right and wrong, which is the first element in religion, is so delicate, so fitful, so easily puzzled, obscured, perverted . . . that, in the struggle for existence amid the various exercises and triumphs of the inhuman intellect, this sense is at once the highest of all teachers, yet the least luminous; and the Church, the Pope, the Hierarchy are, in the divine purpose, the supply of an urgent demand.³⁷⁵

However, although they have already presented Newman as setting limits to the supremacy of conscience, the Bishops cite him asserting that no individual is allowed to disregard it under any circumstances: “that conscience is not infallible; it is true, but still it is ever to be obeyed.”³⁷⁶

The document presents Newman focusing on a critical scenario wherein an individual feels unable in conscience to obey a directive from the Pope. While his response and that of the Irish Bishops are shown to be unequivocal – obedience to one’s conscience certainly

³⁷⁴ Ibid., n.20.

³⁷⁵ Ibid.

³⁷⁶ Ibid.

comes first – all are agreed that a decision to go against the Pope’s authority can only be taken for the gravest reason.

With regards to theologians who dissent from the teachings of the magisterium, the document advises the Irish Catholic that the authority of any theologian cannot and does not outweigh that of the Pope in declaring the faith of the Church.³⁷⁷ The Bishops then invoked the words of John Paul II to enable the faithful to identify an authentic theologian accordingly:

Only when the teaching of theologians is in conformity with the teaching of the colleges of Bishops, united with the Pope, can the people of God know with certitude that that teaching is ‘the faith which has been once and for all entrusted to the Saints.’³⁷⁸

The Pope concludes this part of his address by assuring theologians that such a demarcation of their theological activities should not be seen as a restraining imposition. He asks them, instead, to view it as liberation, because insofar as his clarification of their roles ties them securely to the liberating truth of Christ, it also preserves them from being enslaved by changing fashions.³⁷⁹ Not surprisingly then, the Bishops call upon theologians who have failed to teach from such a position to reconsider their position. The entire section on “Conscience and Authority” as taught by the Bishops, should be considered their *Apologia* for the guiding role of the Church in matters pertaining to the individual’s conscience, even where the stances of both may be incompatible and the supremacy of conscience is necessarily upheld. Furthermore, the remit of this *Apologia* is extended to include the regularising of the teaching activities of dissenting theologians. As such the Bishops are delivering a lesson in obedience to the teaching authority of the Church both to the people of God and to theologians.

³⁷⁷ Ibid., n.22.

³⁷⁸ Address of Pope John Paul II to Priests, Missionaries and Religious Brothers and Sisters at Maynooth College, Ireland October 1st, 1979, n.5.

³⁷⁹ *CM*, n.22.

5.2.6 Conscience is Sacred (Even When in Error)

Two sections of the document shall here be discussed together: “When Conscience Errs”³⁸⁰ and “Conscience is Sacred.”³⁸¹ The Bishops open this section with a well-worn acknowledgement of the potential for an inherently fallible conscience to err and be mistaken. In such a fallible situation, the Bishops suggest that rather than labelling the “perpetrator” a sinner, he or she be offered sympathy and understanding. However, the Bishops advise those of their faithful who have acted wrongly because of a mistaken conscience that they may not be entirely blameless. They claim that an impaired conscience may be of one’s own making due to such behavioural factors as habitual sinning in the past, neglecting prayer or refusing to seek the advice of others, for example.

Whether mistaken or acting in error, however, the document reminds the Irish faithful of the essential sacredness of conscience, a sacredness it sees originating in the belief that when Christians opt for the morally good, they are “acting in accordance with the law of conduct which God has inscribed in [their] hearts.”³⁸² Again, the Bishops refer to Newman to enunciate the essence of this sacredness:

Conscience does not repose on itself, but vaguely reaches forward to something beyond self, and dimly discerns a sanction higher than self for its decisions, as is evidenced in that keen sense of obligation and responsibility which informs them. And hence it is that we are accustomed to speak of conscience as a voice . . . or the echo of a voice, imperative and constraining, like no other dictate in the whole of our experience.³⁸³

It is in the light of an elaboration of conscience as sacred that the Bishops assured the faithful that “Even when it is mistaken, [conscience] . . . is still an expression of man’s obedience to

³⁸⁰ Ibid., n.23.

³⁸¹ Ibid., n.24-25.

³⁸² Ibid., n.24.

³⁸³ Ibid. See John Henry Newman, *An Essay in Aid of a Grammar of Assent* (London: Longman, Green and Co, 1903), 107.

God, provided it has sincerely followed the light given it.”³⁸⁴ However, it is also because of this inherent sacredness that the Bishops seek to identify and dispel some mistaken, even false notions centred on the rights and supremacy of conscience. For example the Bishops observe that when some people talk about the supremacy and the rights of conscience, they are actually talking about a conscience that is independent of all authority, including that of God. That this is a problem can be seen from Newman’s elaboration of what the Bishops describe as “this utterly false idea of the rights of conscience” which obtained in his day:

When men advocate the rights of conscience, they in no sense mean the rights of the Creator, nor the duty to him, in thought and deed, of the creature; but the right of thinking, speaking, writing and acting, according to their judgement or their humour, without any thought of God at all.³⁸⁵

Even when Newman goes on to remind his readers that conscience has rights because it has duties, both he and the Bishops are only too aware that this is interpreted by some sections of society as their having the “very right and freedom of conscience to dispense with conscience, to ignore a Law-giver and Judge, to be independent of unseen obligations.”³⁸⁶ However mistaken the Bishops consider this to be, they simply reiterate the teaching of Vatican II, specifically that teaching which asserts that every human being is entitled to freedom from coercion or constraint when following his or her conscience. And even if this freedom is used to disparage the teachings of the Church on conscience, the Council and the Irish Bishops see no other option but to declare the right itself to be an inalienable possession of each individual person.³⁸⁷ And what if those individuals are made aware of the true nature of the supremacy of conscience in terms of demonstrating respect for others and for the requirements of public, but choose to continue propagating and acting out of their mistaken notions? They do not

³⁸⁴ *CM*, n.24.

³⁸⁵ *Ibid.*, n.25. See John Henry Newman, “A Letter Addressed to his Grace the Duke of Norfolk on Occasion of Mr. Gladstone’s Recent Expostulation,” in *Certain Difficulties Felt by Anglicans in Catholic Teaching*, vol. 2. (London: Longmans, Green, and Co., 1900), 250.

³⁸⁶ *Ibid.*, n.24.

³⁸⁷ *Ibid.*, n.25.

forfeit their right to a free and unconstrained conscience. As the Church teaches, that right is inalienable.

5.2 7. The Church Answers Back

In its last four sections, the document addresses four questions or notions which, they claim are regularly utilised to intentionally or unintentionally dilute the objectivity of the moral order and/or the individual's absolute responsibility for his or her actions.

5.2.7.1 Good Intentions not a Sufficient Test of Morality

Intention according to Aquinas is essential in human action, but it is not enough. The bishops here respond to proponents of intention rather than the act itself. It has already been noted that the Church acknowledges that sincerely following a mistaken conscience will not incur the penalty of sin, and that even in such circumstance the supremacy of conscience is never forfeit. However, the Bishops take strong issue with contemporary writers, who, they claim, "have shown a tendency to distort the organic and living relationship linking the moral order, authority and conscience."³⁸⁸ What they find specifically objectionable is these writers' apparent exaggeration of the freedom of the individual relevant to general moral precepts. The Bishops assert that adopting this moral stance gives people the impression that: "certain actions that have always been regarded as sinful are not necessarily so in all circumstances, but may be good when performed with the right intention or with a good motive."³⁸⁹

The Bishops draw examples from the teachings of the fifth and sixth Commandments to bring home to their faithful how straining the voice of conscience through the sieve of good intentions could impact on their day-to-day living. Relative to the fifth Commandment, the Bishops point out that it is now being asserted that it can be lawful to deliberately and directly

³⁸⁸ Ibid., n.26.

³⁸⁹ Ibid., n.27.

take innocent human life through abortion, euthanasia, or through the direct killing of innocent civilians through military action.³⁹⁰ In the context of the same Commandment, they also point out that the torture of human beings and the denial of genuine human rights to prisoners can also derive directly from this moral assessment of actions in terms of the intentions or motives being ascribed to their performance.³⁹¹ The Bishops go on to note the main argument forwarded by those who condone or even perpetrate such actions:

It is argued that cases sometimes arise where the evil involved in such acts is outweighed by the good achieved through them, and this is sufficient to make them morally permissible or even good. The overall demands of love are held to be better served by doing the action in question than by omitting it.³⁹²

In short, such an approach to morality, according to the Bishops, sees no problem with an individual allowing or even perpetrating what is in reality an evil act, if some important good is seen to derive from it.³⁹³

With reference to the sixth Commandment, the Bishops also note that certain writers are condoning acts “that are in themselves morally evil and [which] no motives or circumstances can change their nature.”³⁹⁴ Among such actions they list are “pre-marital and extra-marital sexual intercourse, masturbation, homosexual acts, contraceptive intercourse in marriage.”³⁹⁵ Although the Bishops were aware that their labelling of some of these acts as sinful might not find favour with all of their contemporary Irish Catholics, they demonstrated no hesitation about listing these actions. Furthermore, they cited recent documents from the magisterium in support of their stance.³⁹⁶ In the eyes of the Bishops what certain writers were actually promoting was “that actions which have always been condemned by Christian

³⁹⁰ Ibid., n.28.

³⁹¹ Ibid., n.37.

³⁹² Ibid., n.28.

³⁹³ Ibid., n.30.

³⁹⁴ Ibid.

³⁹⁵ Ibid.

³⁹⁶ Ibid.

teaching . . . can be lawful and good if done from the motive of love.”³⁹⁷ We may ask if such love is an *Agape* love.³⁹⁸

The message that the Bishops want their Catholic faithful to continually bear in mind in these and in all circumstances, where there exists a “tendency to justify exceptions to unchanging moral norms”³⁹⁹ is clear and unambiguous:

Even the best motives cannot change the nature of such actions. The end, in other words, can never justify the means: as St. Paul reminds us in the Epistle to the Romans, we may not do evil that good may come (Rom. 3:8).⁴⁰⁰

They also remind their faithful of the moral implications for any person adopting such a relative approach to the moral judgements of his or her conscience, and so follow through in their actions. Their message to these individuals is unequivocal: by seeking to justify your conscience in such a manner rather than openly acknowledging your actions as wrong, you are making a false appeal to conscience.⁴⁰¹ For the salutary benefit of all Catholics, the Irish Bishops spell out what the conscience of such a person has, in fact, degenerated into:

Conscience has become for them a more or less independent judge of morality, an arbitrary rule of conduct. It is no longer firmly anchored to the real order of human values, but it is tossed about according to the changing requirements of personal or group advantage.⁴⁰²

The Bishops also warn their faithful that such a relative approach to the injunctions of objective morality can have serious consequences for the welfare of society in general. They single out for particular attention relative to this debate the area of justice, and note that in this context there has never been a greater need for the recognition of and respect for such objective moral standards.

³⁹⁷ Ibid.

³⁹⁸ For details on “love”, see Benedict XVI, Encyclical Letter, *Deus Caritas Est* (God is Love) (Dublin: Veritas, 2006), nn. 2-8.

³⁹⁹ *CM*, n.30.

⁴⁰⁰ Ibid., n.29.

⁴⁰¹ Ibid., n.31.

⁴⁰² Ibid.

Two comments can be made relative to the Bishops' teachings in this particular debate. Firstly, they themselves cannot be accused of adapting their teachings to suit some modern day moral and philosophical transformations. In such fraught and controversial areas as attitudes towards homosexuality, masturbation and the use of torture, for example, their teaching is unequivocal, is definitely out of step with popular opinion, but is magisterially driven. Although their view on torture is congruent with many secular thinkers who abhor it, courting popularity was certainly not one of the Bishops' intentions. Secondly, in this section we do not find the Bishops simply promoting the need for Church involvement in the formation of the individual conscience. Rather we actually see them 'in action', helping to do just that, participating in the formation of the individual conscience.

5.2.7.2. Particular Acts and Basic Direction of Life

Concerning this section, the document addresses the notion that a Loving God would never send anyone to Hell for just one individual sin, no matter how serious. Instead, He would judge individual actions in the context of a person's overall relationship with Him. The document acknowledges that there is a certain amount of truth to be found in this tenet, but that it "errs insofar as it suggests that one can continue to love God while refusing to do his will in a serious matter."⁴⁰³ The document offers the following reasons for this assessment. Firstly, it notes that an individual act can completely alter the direction of a person's life, and can be an indication of a person's general carelessness about lesser acts that, in fact, suggest a general drift away from God. Secondly, Catholics are reminded that the basic direction of their lives "expresses itself in particular actions." Finally, they are reminded that a person, who deliberately acts in a manner which he or she knows to be seriously contrary to God's

⁴⁰³ Ibid., n.32.

love, shows that they do not love God, but have turned away from Him in self-love and disobedience.⁴⁰⁴

Naturally, the Bishops would prefer to draw from the wisdom of the magisterium rather than the obvious commonsense of colloquialisms to validate their teaching. This they do by using the words of the *Declaration on Certain Questions concerning Sexual Ethics* issued by the Sacred Congregation for the Doctrine of the Faith:

According to the Church's teaching, mortal sin, which is opposed to God, does not consist only in formal and direct resistance to the commandment of charity. It is equally to be found in this opposition to authentic love which is included in every deliberate transgression, in serious matter, of each of the moral laws.⁴⁰⁵

5.2.7.3 How Free Are Our Moral Choices?

This section of the document once again challenges what the bishops perceive as another attempt at diluting the individual's moral responsibility for his or her freely performed actions. It identifies the challenge as emanating this time from the findings of modern psychological research and depth analysis, which indicate that all human decisions are surrounded by a complex of conscious and unconscious motives;⁴⁰⁶ and that "these pressures act so far below the level of consciousness that [individuals] never realise the influence which they have on [their] decisions."⁴⁰⁷ The Bishops' response to this is to assert that unless these pressures are so excessive as to seriously impair the individual's ability to decide freely, those decisions are still deemed to be responsible and moral ones.⁴⁰⁸ Furthermore, while the Bishops acknowledge that the sinfulness of an action may be diminished in proportion to the strength of such 'psychological' pressures; such a 'sympathetic' stance does not relieve the individual of all moral culpability or blame. They remind their faithful that to adopt this

⁴⁰⁴ Ibid.

⁴⁰⁵ Ibid.

⁴⁰⁶ Ibid., n.34.

⁴⁰⁷ Ibid., n.33.

⁴⁰⁸ Ibid., n.34.

attitude would be tantamount to denying people their dignity as free and responsible human beings by actually turning them into “automata who respond blindly to the strongest pressure.”⁴⁰⁹

The Bishops see their teachings as being highly relevant to the area of adolescent sexual morality. They characterise this specific area as one where confusion abounds because of the absence of firm guidelines.⁴¹⁰ The Bishops implicitly attribute this problem to the exaggerated and one-sided ‘psychological’ statements that have been used by those seeking to emphasise the effects of conscious or unconscious factors on adolescent decision-making in the area of their sexual behaviour.⁴¹¹ While acknowledging the recent psychological advances in understanding the adolescent mind and distancing themselves from any attempt at introducing the element of guilt to this area, they advise both Catholic adults and adolescents that: “It does no service to the young to pretend that such actions are morally indifferent, or even positively virtuous, or that there is no need for them to learn self-control in the use of their sexual faculties.”⁴¹²

What comes through in this section is the Bishops’ repeated resistance to justifying acts that are perceived to be contrary to the objective moral order as promulgated by the Church’s magisterium. In this case they have challenged what they see as the misuse or abuse of psychological findings centred on the role of conscious and unconscious motivational pressures in the individual’s moral decision-making process. In the minds of the Irish Bishops any derogation from the objective moral order can only be tolerated to the extent that there has been some ‘over-the-top’ psychological interfering with the individual’s freedom to act morally. The Bishops also seek to contextualise their teaching in terms of the day-to-day lives

⁴⁰⁹ Ibid.

⁴¹⁰ Ibid., n.35.

⁴¹¹ Ibid., n.34-35.

⁴¹² Ibid., n.35.

of their faithful. Once again, they choose an area which is the subject of much debate, namely adolescent sexuality. In choosing this area, they would be well aware of the resentment of those adults who would consider that they are victims of the Church's previous guilt-laden intrusion into this area of their lives. However, while acknowledging this past failure on the part of the Church, they do not hesitate in reminding both adult and adolescent Irish Catholics of the need of the latter for "firm guidelines . . . in order to understand and come to terms with their awakening sexuality."⁴¹³

5.2.7.4 What Others Do

The attempt at diluting the individual's moral responsibility which the Bishops challenge in this section can best be summed up in the colloquial excuse: "Ah, sure they're all at it!" They cite some of the many areas in people's lives where such an attitude is used to justify immoral behaviour to the extent that such behaviour is no longer considered in terms of its morality. The Bishops' message to their faithful in this area, as in all areas where they identify an attempt at diluting individual moral responsibility, is forthright and uncompromising:

It is simply not the case that the individual conscience can abdicate its responsibility by unthinkingly following the practice of others; at all times it is its duty to seek the right course of conduct in the light of rational reflection and with the help of authoritative teaching.⁴¹⁴

They see this teaching as being particularly relevant in the domain of sexuality wherein, they note, that an "[a]ppeal to majority practice is also very frequently made in an attempt to justify sinful conduct."⁴¹⁵ The Bishops remind their faithful that, as in other areas of morals, "what is right and wrong in sexual morality is not changed by how people actually

⁴¹³ Ibid., n.35.

⁴¹⁴ Ibid., n.36.

⁴¹⁵ Ibid

behave.”⁴¹⁶ According to the Bishops, sexual misconduct will always remain “an offence against human dignity” and “against Christ, to whom the Christian belongs by Baptism.”⁴¹⁷

While the Bishops may not have found many ready listeners for this particular message at the time they issued their document, the same may not hold today, where our attention is constantly being drawn to many well-publicised scandals centred on sexual misconduct, exaggerated expense accounts and exorbitant profit margins. Could it be that the notion of moral responsibility in the context of “Sure, they’re all at it” is gaining ground in the area of public opinion and judicial accountability?

The Bishops conclude their statement to the faithful by reminding them accordingly:

Our purpose in issuing this statement is to deepen the awareness of moral values among our people . . . values, which embody God’s plan for human beings and are an expression of his wisdom, are reflected through the experience of the Church and its teaching in every age.⁴¹⁸

To the extent that their language throughout the entire document can be characterised as being uncompromising, unequivocal and unambiguous, the Bishops have definitely deepened an awareness of their stance in many areas of morality and moral responsibility. To the extent to which they drew on the teachings of Vatican II and other documents issued by the teaching magisterium to support their stance, they can be considered as being of one mind with the universal Catholic Church. However, the document can be considered as being “reactionary” in its overall tone. As expected, the document constantly reminds Irish Catholic faithful as to how they must morally respond or react to their environment. It specifically does this by seeking to contextualise its teachings in terms of the day-to-day lives of the faithful. Maybe, however, the Bishops could have also articulated a more pro-actively engaged social

⁴¹⁶ Ibid

⁴¹⁷ Ibid.

⁴¹⁸ Ibid., n.37.

conscience which the individual Irish Catholic could unashamedly bring with him or her into the public domain.

5.3. United States Conference of Catholic Bishops (USCCB): *Forming Consciences for Faithful Citizens: A Call to Political Responsibility* (2007)

In 1975, the United States Conference of Catholic Bishops began a tradition of reflection on “political responsibility” or “faithful citizenship” in advance of each presidential election. Their statements addressed public life in terms of what they perceived as key moral and social issues. They identified the purpose of “faithful citizenship” as teaching, educating and informing American Catholic citizens on how they could participate in public life and, also, address these key moral and social issues in a manner compatible with the Church’s teaching. This document, issued in November 2007, continues that tradition. It focuses specifically on the political life of the American Catholic community, as a relevant aspect in the formation of conscience.⁴¹⁹ The bishops specify how individuals should bring their Catholic consciences to bear on their political and social activities. The document also sets out the issues and objectives that American Catholics should seriously consider either as partisans or as elected officials.

The document is divided into three parts. Part I is entitled “Forming Consciences for Faithful Citizenship: The U.S. Bishops’ Reflection on Catholic Teaching and Political Life”. It deals with the bishops’ involvement in formation of consciences of Catholic Americans on the need to be both politically and socially sensitive to the Catholic teachings on matters such as ‘The Right to Life,’ ‘The True Nature of Marriage,’ ‘The Rights of Workers and Employers,’ and ‘The Right of the Catholic Church to Freely Promulgate its Teaching.’ To help achieve this objective in their mission to their faithful, the Bishops, in the first part,

⁴¹⁹ *United States Conference of Catholic Bishops, Forming Consciences for Faithful Citizens: A Call to Political Responsibility*. 2007. <http://www.usccb.org/issues-and-action/faithful-citizenship/upload/forming-consciences-for-faithful-citizenship.pdf> [accessed 23 August, 2011]. *FCFC*, nn.3, 4 and 5.

elaborated answers to four questions: (1) Why Does the Church Teach About Issues Affecting Public Policy? (2) Who in the Church Should Participate in Political Life? (3) How Does the Church Help the Catholic Faithful to Speak About Political and Social Questions? (4) What Does the Church Say About Catholic Social Teaching in the Public Square?⁴²⁰

Part II is entitled “Applying Catholic Teaching to Major Issues: A Summary of Policy Positions of the United States Conference of Catholic Bishops.” In this second part, the Bishops take four areas of concern already raised in Part I and undertake a more detailed analysis of these issues in terms of the teachings of the Catholic Church. Focusing on Human Life, Family Life, Social Justice and Global Solidarity, they announce that they are calling attention “to issues with significant moral dimensions that should be carefully considered in each campaign and as policy decisions are made in the years to come.”⁴²¹ With regard to such issues, the document reminds the American Christian Catholic faithful that, as Catholics they “cannot ignore their inescapable moral challenges or simply dismiss the Church’s guidance that flows from these principles.”⁴²²

Part III which is entitled “Goals for Political Life: Challenges for Citizens, Candidates and Public Officials” lists ten objectives derived from the teachings of the Catholic Church that the Bishops hope American Catholics will bring to the attention of their candidates and elected officials. Their hope is that these stated goals or objectives can “help voters and candidates act on ethical principles rather than particular interests and partisan allegiances.”⁴²³

As the main interest of this thesis centres on the formation and judgements of conscience, the primary focus of this section will be on the bishops’ analysis of the relationship between those moral phenomena and American politics. Politics is a vital aspect

⁴²⁰ Ibid., n.6.

⁴²¹ Ibid., n.63.

⁴²² Ibid., n.63.

⁴²³ Ibid., n.90.

of the social life of any country, especially because of its relevance to human lawmaking. Therefore, one of the activities that will be looked at closely will be the manner in which the document connects the American Catholic conscience to the ‘public square’. Another important aspect to be highlighted will be the reasons that the American Bishops offer for the Church’s involvement in teaching American Christian Catholics about the role their consciences should play in the political life of their country.

5.3.1 The Church, the American Catholic Conscience and the “Public Square”

In their introduction to Part I, the bishops state:

For many years, we bishops of the United States have sought to share Catholic teaching on political life. We have done so in a series of statements issued every four years focused on ‘political responsibility’ or ‘faithful citizenship.’ In this document we continue that practice, maintaining continuity with what we have said in the past in light of new challenges facing our nation and world. This is not new teaching but affirms what is taught by our Bishops’ Conference and the whole Church. As Catholics, we are part of a community with a rich heritage that helps us consider the challenges in public life and contribute to greater justice and peace for all people.⁴²⁴

The bishops are very clear about their intention on the need to foster the education of American Catholic political consciences. They are not out “to tell Catholics for whom or against whom to vote.”⁴²⁵ While they see the formation of the Catholic conscience as an essential part of their mission, their introduction and titles demonstrate that the Bishops are particularly interested in helping Catholics to bring their moral judgements to bear not only on themselves as individuals, but on “the public square” as either voters or elected officials. For example, they urge voters to “use the framework of Catholic teaching to examine candidates’ positions on issues affecting human life and dignity as well as issues of justice and peace, and they should consider candidates’ integrity, philosophy, and performance.”⁴²⁶

⁴²⁴ Ibid., n.3.

⁴²⁵ Ibid., n.7.

⁴²⁶ Ibid., n.41.

Catholic candidates and Catholic elected officials are strongly reminded that they may not leave their Catholic consciences at home or in church while they are performing their public duties. The Bishops strongly advise Catholic legislators and politicians that

Worship pleasing to God can never be a purely private matter, without consequences for our relationships with others: it demands a public witness to our faith. Evidently, this is true for all the baptized, yet it is especially incumbent upon those who, by virtue of their social or political position, must make decisions regarding fundamental values, such as respect for human life, its defence from conception to natural death, the family built upon marriage between a man and a woman, the freedom to educate one's children and the promotion of the common good in all its forms.⁴²⁷

Addressing Catholic voters and candidates, citizens and elected officials, the Bishops specifically identified the showing of respect for the dignity of every person as “the core of Catholic moral and social teaching.”⁴²⁸ Therefore, all are reminded that because they are “people of both faith and reason, it is appropriate and necessary for [them] to bring this essential truth about human life and dignity to the public square.”⁴²⁹

The document asserts that far from threatening the American nation's tradition of pluralism, it is enhanced by such a contribution from the Catholic community. This is because, in their opinion, the Catholic Church's teaching is “in accord with the foundational values that have shaped [their] nation's history: ‘life, liberty, and the pursuit of happiness.’”⁴³⁰ In fact, the Bishops identify the moral judgements that derive from the Catholic community as assets to the political dialogue about their nation's future. In support of this assertion they state that, as Catholic citizens or elected officials, for example, they bring “a consistent moral framework – drawn from basic human reason that is illuminated by Scripture and the teaching of the Church – for assessing issues, political platforms, and

⁴²⁷ Ibid., n.38.

⁴²⁸ Ibid., n.10.

⁴²⁹ Ibid., n.38.

⁴³⁰ Ibid., n.10.

campaigns.”⁴³¹ Accordingly, and relevant to the Catholic’s potential for contributing in a morally enlightened manner to the American political and social scene, the Bishops maintain that Catholics with properly formed consciences “are better able to evaluate policy positions, party platforms, and candidates’ promises and actions in light of the Gospel and the moral and social teaching of the Church in order to help build a better world.”⁴³²

There is nothing to suggest in the Bishops’ approach to their task that they are overly aware of, or over-sensitive to the fact that they are delivering their message in a “political environment, where Catholics may feel politically disenfranchised, sensing that no party and too few candidates fully share the Church’s comprehensive commitment to the life and dignity of every human being.”⁴³³ The Bishops appear to be following their own advice to their lay faithful, namely, that “now is not a time for retreat or discouragement.”⁴³⁴ Instead they represent this era as a time for renewed engagement, especially on the part of Catholic laywomen and men who, having formed their consciences in accord with Catholic teaching, can become actively involved in many of the political, social and religious activities of ‘the public square.’⁴³⁵

5.3.2 Are American Bishops Forming the Catholic Conscience or Simply Interfering Excessively in American Political Life?

A short response to the above is contained in a criticism of Part I of the document by Elizabeth F. Brown. While commenting on how useful the document has been in actually helping the average Catholic discern how to vote, she does refer to a particular flaw found in Part I. She particularly notes that: “Part I does not provide clear answers regarding how to

⁴³¹ Ibid., n.12.

⁴³² Ibid., n.5.

⁴³³ Ibid., n.16.

⁴³⁴ Ibid.

⁴³⁵ Ibid.

vote.”⁴³⁶ While Part II does provide greater clarity and less ambiguity for Catholic voters, Brown maintains that they will mostly read only Part I, and will consequently seek guidance from “voter guides for Catholics . . . which are terribly flawed and full of errors for the unwary.”⁴³⁷ However, whatever the reasons in favour may be, the bishops emphatically state that it is neither their mission nor their intention to instruct any one concerning whom to vote for, or for what political party they should specifically cast their vote. They cite the words of Benedict XVI in *Deus Caritas Est* in support of their position: “The Church cannot and must not take upon herself the political battle to bring about the most just society possible. She cannot and must not replace the State.”⁴³⁸ As proof of their commitment to this stance, the Bishops, as Church Leaders, acknowledge that they must “avoid endorsing or opposing candidates or telling people how to vote.”⁴³⁹

While strongly acknowledging Pope Benedict’s clear distinction between the functions of Church and State leaders, the Bishops also highlight one other conclusion to be found in the Pope’s Encyclical, namely that: “at the same time she [the Church] cannot and must not remain on the sidelines in the fight for justice.”⁴⁴⁰ The Bishops are quite clear as to the parameters of this “fight for justice.” They outline them both at the beginning and at the end of Part I, before going on to elaborate the most urgent and non-negotiable ones in Part II. In the introduction to Part I, for example, they profile a litany of moral and social disparities that exist between what could be described as ‘The American Dream’ and the ‘American Reality’:

We are a nation founded on ‘life, liberty, and the pursuit of happiness,’ but the right to life itself is not fully protected, especially for unborn children, the most vulnerable members of the American

⁴³⁶ Elizabeth F. Brown, “Trying to Vote in Good Conscience,” *Journal of Catholic Legal Studies* 47 (2008): 245.

⁴³⁷ *Ibid.*

⁴³⁸ *Ibid.*, n.15.

⁴³⁹ *Ibid.*

⁴⁴⁰ *Ibid.*

family. We are called to be peacemakers in a nation at war. We are a country pledged to pursue ‘liberty and justice for all,’ but we are too often divided across lines of race, ethnicity, and economic inequality. We are a nation of immigrants, struggling to address the challenges of many new immigrants in our midst. We are a society built on the strength of our families, called to defend marriage and offer moral and economic supports for family life. We are a powerful nation in a violent world, confronting terror and trying to build a safer, more just, more peaceful world. We are an affluent society where too many live in poverty and lack health care and other necessities of life. We are part of a global community facing urgent threats to the environment that must sustain us. These challenges are at the heart of public life and at the centre of the pursuit of the common good.⁴⁴¹

At the end of Part I the document particularises these disparities, as can be seen in the following examples. Relative to “The Right to Life and the Dignity of the Human Person” the Bishops’ stance is unambiguous and forthright: “Direct attacks on innocent persons are never morally acceptable, at any stage or in any condition.”⁴⁴² The Catholic layperson is left in no doubt as to the values that are under direct attack in their society: “human life is especially under direct attack from abortion . . . euthanasia, human cloning, and the destruction of human embryos for research.”⁴⁴³ Furthermore, the document demand that its laypeople show solidarity with Catholic teaching about the dignity of life by demonstrating their opposition to torture, unjust wars, the use of the death penalty, genocide, attacks against non-combatants, and racism.⁴⁴⁴ The document concludes this moral challenge to its Catholic community, by urging them in their roles as voters or candidates to demonstrate a reverence for the lives of all human beings as children of God.

In terms of showing support for the family, community and participation, the document emphasises that human beings are not only sacred but social as well and that the family, based on the union between a man and a woman, is the first and fundamental unit of

⁴⁴¹ Ibid., n.2.

⁴⁴² Ibid., n.44.

⁴⁴³ Ibid.

⁴⁴⁴ Ibid., n.45.

society.⁴⁴⁵ The Catholic electors and candidates are explicitly asked not to undermine or help redefine this “sanctuary for the creation and nurturing of children” by allowing same-sex unions or other distortions of marriage. In tandem with this notion of the human being as ‘social’, the Bishops also address the concept of ‘Solidarity within the entire human family. It is the Bishops’ hope that the Catholic community will keep in mind that whatever their national, racial, ethnic, economic and ideological differences, they are all one human family; they are their brothers’ and sisters’ keepers.⁴⁴⁶ The document wants this solidarity extended by the Catholic community to immigrants “seeking work, a safe home, education for their children, and a decent life for their families. Such solidarity is also to be demonstrated by the exercise of a preferential option for the poor and vulnerable. The attention of the Catholic faithful is drawn to the *Catechism* which explains that

Those who are oppressed by poverty are the object of a preferential love on the part of the Church which, since her origin and in spite of the failings of many of her members, has not ceased to work for their relief, defence, and liberation through numerous works of charity which remain indispensable always and everywhere.⁴⁴⁷

In this manner, the particularisation of general social and individual moral principles continues throughout the Bishops’ teaching.

At the conclusion of Part I the document acknowledges that it is involved in the political process, but that its involvement cannot be considered to be partisan, ideological or sectarian, but principled.⁴⁴⁸ The Bishops remind their critics and their fellow Catholics, however, that “As leaders of the Church in the United States, we bishops have the duty to apply these moral principles to key public policy decisions facing our nation, outlining directions on issues that have important moral and ethical dimensions”⁴⁴⁹ This assertion leads

⁴⁴⁵ Ibid., n.46.

⁴⁴⁶ Ibid., n.53.

⁴⁴⁷ Ibid., n.50.

⁴⁴⁸ Ibid., nn.55, 58 and 60.

⁴⁴⁹ Ibid., n.56.

naturally to the next section, which seeks to establish by whose authority the American Bishops seek to “create awareness and form the consciences of faithful citizens” for their participation in the “public square.”

5.3.3 Whence The Bishops’ Authority to Actively Form Consciences For Faithful Citizenship that are Socially and Politically Sensitive to the Teachings of the Church?

Citing Pope Benedict XVI’s thought on the mission of the church to form consciences in political life amongst the laity, the bishops reaffirmed that it was also part of their mission to stimulate in the laity a greater insight into the authentic requirements of justice, as well as greater readiness to act accordingly, even when this might involve conflict with situations of personal interest.⁴⁵⁰ Thus, the Bishops saw it as their primary responsibility “to hand on the Church’s moral and social teaching.”⁴⁵¹ Specifically, they saw it as their mission “to teach fundamental moral principles that help Catholics form their consciences correctly, to provide guidance on the moral dimensions of public decisions, and to encourage the faithful to carry out their responsibilities in political life.”⁴⁵²

The above illustrates the objectives of the Church’s participation in shaping the moral character of Catholic consciences for faithful citizenship. Primarily, the bishops engage themselves in an “obligation”, which “is a basic part of the mission [they] have received from Jesus Christ, who offers a vision of life revealed to [all] in Sacred Scripture and Tradition.”⁴⁵³ They claim that, in shaping the moral character of Catholic consciences, they are simply following in the footsteps of the Teaching Christ. They confirm that not only is this a mission imposed on them by Jesus Christ himself, but a mission deserving of the full support and

⁴⁵⁰ Ibid., n.15.

⁴⁵¹ Ibid.

⁴⁵² Ibid.

⁴⁵³ Ibid., n.9.

protection of American civil law because of the benefits that can accrue to society from its implementation:

Some question whether it is appropriate for the Church to play a role in political life. However, the obligation to teach about moral values that should shape our lives, including our public lives, is central to the mission given to the Church by Jesus Christ. Moreover, the United States Constitution protects the right of individual believers and religious bodies to participate and speak out without government interference, favoritism, or discrimination. Civil law should fully recognize and protect the Church's right, obligation, and opportunities to participate in society without being forced to abandon or ignore its central moral convictions. . . . Indeed, our Church's teaching is in accord with the foundational values that have shaped our nation's history: 'life, liberty, and the pursuit of happiness.' The Catholic community brings important assets to the political dialogue about our nation's future. We bring a consistent moral framework—drawn from basic human reason that is illuminated by Scripture and the teaching of the Church—for assessing issues, political platforms, and campaigns. We also bring broad experience in serving those in need—educating the young, caring for the sick, sheltering the homeless, helping women who face difficult pregnancies, feeding the hungry, welcoming immigrants and refugees, reaching out in global solidarity, and pursuing peace.⁴⁵⁴

In short, the Bishops are stating unequivocally that it is their duty as leaders within the Church to help shape the political scene in the United States, through their laity, whom they consider to be morally obliged to participate in political life. Their mission and that of the American Catholic community is an obligation that is rooted in the baptismal commitment of all Christians to follow Christ and to bear Christian witness in all that they do.⁴⁵⁵ The bishops invite the people to participate in a politics that recognises the dignity of the human person.

⁴⁵⁴ Ibid., n.11-12

⁴⁵⁵ Ibid., n.13. The Catholic Bishops' Conference of Nigeria (CBCN) express same message in their pastoral letter to the Nigerians in 1983. They stated: "We encourage Christian laymen [and women] with a talent for the difficult yet noble art of politics to prepare themselves for it, for we believe that the sacred task of the Christian in providing food for the hungry, water for the thirsty, shelter for the homeless, schools and hospitals for all, can be promoted through active participation in politics. It makes these amenities available on a large scale through democratic principles." See "Nigerian Election 1983: Joint Pastoral Letter of Catholic Bishops, February 1983, in *Voice of the Voiceless*, ed. Peter Schineller (Ibadan: Daily Graphics, 2002), n.10.

5.3.4 Catholics and Faithful Citizenship: A Different Sort of Political Engagement

The bishops observed that “politics in our country can often be a contest of powerful interests, partisan attacks, sound bites and media hype.”⁴⁵⁶ In contrast to such morally questionable practices, the bishops advocate a different type of political engagement, a politics that would be

shaped by the moral convictions of well-formed consciences and focused on the dignity of every human being, the pursuit of the common good, and the protection of the weak and the vulnerable. The Catholic call to faithful citizenship affirms the importance of political participation and insists that public service is a worthy vocation. As Catholics, we should be guided more by our moral convictions than by our attachment to a political party or interest group. When necessary, our participation should help transform the party to which we belong; we should not let the party transform us in such a way that we neglect or deny fundamental moral truths. We are called to bring together our principles and our political choices, our values and our votes, to help build a better world.⁴⁵⁷

There is no doubting the Bishops’ stance here. For Catholics, moral convictions must come before party allegiance or interest groups in all situations. Just as political leaders and legislators have already been reminded, such moral convictions are not a private affair, to be kept separate from their political activities in “the public square”. The Bishops tell Catholic political activists that they have a mission to transform their political parties by bringing together their principles and political choices, their values and their votes. To copper-fasten this moral injunction, the Bishops advise Catholic laymen and women regarding conscience formation and their involvement in political activities:

Forming their consciences in accord with Catholic teaching, Catholic lay women and men can become actively involved: running for office, working within political parties, communicating their concerns and positions to elected officials; and joining diocesan social mission or

⁴⁵⁶ This experience is not different from the experience of people in other parts of the world. For example, the experience of people especially in Nigeria and other parts of Africa attests to this. In fact, politics in Nigeria is often considered a do or die affair. Nigerian bishops have constantly voiced the need for a style of partisan politics that is free of violence.

⁴⁵⁷ *Ibid.*, n.14.

advocacy networks, state catholic conference initiatives, community organisations, and other efforts to apply authentic moral teaching in the public square. Even those who cannot vote have the right to have their voices heard on issues that affect their lives and the common good.⁴⁵⁸

The message coming through both loud and clear to the American faithful is that it is their duty to let their Catholic voices, shaped by well-formed consciences, be clearly heard in the “public square”.

5.3.5 Shaping the American Christian Catholic Conscience for Political Engagement

As already noted, the American laity has been strongly urged to use the values of their faith to shape their participation in political life. In light of this robust recommendation, active participation in politics has become a matter of faith and morals for the Catholic. The Church’s role in this political scenario is that of helping its laity to form their consciences so they can make sound moral judgments about public choices. The document goes into much detail as to how such formation can best be progressed, beginning with their understanding of a well-formed conscience and its function:

Conscience is not something that allows us to justify doing whatever we want, nor is it a mere ‘feeling’ about what we should or should not do. Rather, conscience is the voice of God resounding in the human heart, revealing the truth to us and calling us to do what is good while shunning what is evil. Conscience always requires serious attempts to make sound moral judgments based on the truths of our faith.⁴⁵⁹

As with most definitions of conscience throughout the history of the Church, conscience is here defined as the voice of God revealing His truth to human beings, so that they can do good and avoid evil. By introducing the notion of God into the concept, conscience becomes a matter of faith and the truths of that faith, ensuring that the role of the person’s faith in the formation of conscience becomes paramount. This is obvious in the American Bishops’ description of the actual elements that must be present in the process of the formation of a

⁴⁵⁸ Ibid., n.16.

⁴⁵⁹ Ibid., n.17.

Christian conscience. Overall, they emphasise that a desire on the part of the individual to embrace goodness and truth must be present. For Catholics this will involve a willingness and openness to: (a) “seek the truth and what is right by studying Sacred Scripture and the teaching of the Church; (b) analyze the facts and circumstances of the available choices, and (c) reflect prayerfully to discern God’s will.”⁴⁶⁰ Finally, the laity are warned that to fail to form such a conscience leaves them open to making erroneous judgements.⁴⁶¹

The document also emphasises the role of the virtue of prudence in the formation of conscience. Quoting the *Catechism*, the Bishops inform their laity that the virtue of prudence enables us “to discern our true good in every circumstance and to choose the right means of achieving it.” Specifically, they inform the faithful that the virtue of prudence will help shape and inform their ability to deliberate over available alternatives.⁴⁶² It will also help them to determine what is most fitting to a specific context, and to act decisively. They caution the laity, however, that “Exercising this virtue often requires the courage to act in defence of moral principles when making decisions about how to build a society of justice and peace.”⁴⁶³ Because not all possible courses are deemed morally acceptable when dealing with such moral and social issues as the inviolable sanctity of human life, the sanctity of marriage, the preferential option for the poor, seeking social justice for the immigrant and protecting the environment, for example, the Bishops see a crucial role for prudential judgement in “discerning carefully which public policies are morally sound.”⁴⁶⁴ Furthermore, emphasising once again that a well-formed conscience and its helper, prudence, are not meant solely for the home and the place of worship, the Bishops draw the attention of their laity to the fact that, as Catholics, they will be required “to make practical judgments regarding good and evil

⁴⁶⁰ *FCFC*, n.18; See Elizabeth F. Brown, “Trying to vote” 246-7.

⁴⁶¹ *FCFC*, n.18.

⁴⁶² *Ibid.*, n.19.

⁴⁶³ *Ibid.*

⁴⁶⁴ *Ibid.*, n.20.

choices in the political arena.”⁴⁶⁵ However, when it comes to the fundamental issue of doing good and avoiding evil, the document leaves absolutely no wriggle room. Citing the example of the intentional taking of innocent human life through abortion and euthanasia, the Bishops steadfastly and totally declared that:

There are some things we must never do, as individuals or as a society, because they are always incompatible with the love of God and neighbour. Such actions are so deeply flawed that they are always opposed to the authentic good of persons. These are called ‘intrinsically evil’ actions. They must always be rejected and opposed and must never to supported or condoned.⁴⁶⁶

While acknowledging that decisions within the political arena can be complex and require the exercise of a well-formed conscience aided by prudence, the American laity and all people of good will, be they voters or candidates, citizens or leaders and legislators, are strongly reminded that any exercise of conscience must begin with: “outright opposition to laws and other policies that violate human life or weaken its protection. Those who knowingly, willingly, and directly support public policies or legislation that undermine fundamental moral principles cooperate with evil.”⁴⁶⁷

This harsh and stark assertion can be regarded as a wake-up-call to voters, to party members and leaders, and to those who participate in the making and enacting of government policies that, as beings created in the *Imago Dei*, they cannot do things only to please their parties or political interests to the detriment of their own faith and morals. In this regard, they specifically presented the Catholic voter with clear and unambiguous guidelines as to how they should vote in situations where moral stances, incompatible with Christian beliefs, are being promoted by candidates. This is somewhat surprising in light of their previous assertion that it was never their intention to recommend to voters for whom they should or should not

⁴⁶⁵ Ibid., n.21.

⁴⁶⁶ Ibid., n.22. Similarly, direct threats to the sanctity and dignity of human life, such as human cloning and destructive research on human embryos are also intrinsically evil. They must always be opposed.” (n. 23).

⁴⁶⁷ Ibid., n.3.

vote.⁴⁶⁸ As already noted, this assertion was seen as their response to the claim made by Brown that the Bishops did “not provide clear answers regarding how to vote.”⁴⁶⁹ However, while they felt morally-bound to refrain from selecting the ‘right candidate’ for their faithful, the document shows no hesitation in spelling out what Catholic voters must consider before voting.⁴⁷⁰ Far from being silent or apologetic about this course of action, the Bishops regarded it as being vital to fulfilling their mission to the Catholic believer. The Bishops delivered the following direct advice to voters:

Catholics often face difficult choices about how to vote. This is why it is so important to vote according to a well-formed conscience that perceives a proper relationship among moral goods. A Catholic cannot vote for a candidate who takes a position in favour of an intrinsic evil, such as abortion or racism, if the voter’s intent is to support that position. In such cases a Catholic would be guilty of formal cooperation in grave evil. At the same time a voter should not use a candidate’s opposition to an intrinsic evil to justify indifference or inattentiveness to other important moral issues involving human life and dignity.⁴⁷¹

As it is with the leaders and candidates, so it is for the voters; when it comes to voting for the morally indefensible, the Bishops’ teaching is clear: “A Catholic cannot vote”. In a situation where all candidates are seen to support a position in favour of intrinsic evil, however, the Bishops are seen to be pragmatic and realistic. On the one hand, they leave it to their laity to “take the extraordinary step of not voting for any candidate.” On the other hand, they do see room for some prudential judgement and participating in “the art of the possible.” Room is left for the voter to decide, after careful deliberation, “to vote for the candidate deemed less likely to advance such a morally flawed position and more likely to pursue other authentic

⁴⁶⁸ Ibid., n.7.

⁴⁶⁹ Elizabeth F. Brown, “Trying to Vote in Good Conscience,” 245.

⁴⁷⁰ The Nigerian Bishops emphasised the role of conscience in voting by stating: “The electorate should exercise their civic rights responsibly by voting only for leaders who can be expected to serve honestly and selflessly, and by insisting on having only leaders of their choice. They should resist every temptation to sell their votes for money; for as we said in our 1983 Pastoral Letter, ‘It is criminal to buy or sell votes.’” See the Communiqué of CBCN, Second Plenary Meeting held at Ibadan from 7th – 12th of September, 1998.

⁴⁷¹ *FCFC*, n.34.

human goods.”⁴⁷² However, it must be noted that such flexibility in the face of “intrinsic evil” does not rest easy with the uncompromising stance demonstrated by the magisterium on such evil.

5.3.6 Shaping a Pro-Active Conscience

Through its promotion of the positive this short section of the bishops’ document serves as contrast to the previous one of warnings, cautions and admonitions. The Church was also anxious to demonstrate that its work of shaping Catholic consciences for ‘Faithful Citizenship’ is not exclusively centred on the principle of avoiding, shunning or rejecting evil. The document states clearly that opposition to intrinsically evil acts must be complemented by a positive contribution to the common good and by positive acts of solidarity with those in need.⁴⁷³ The document specifically refers to such basic needs as food, shelter, health care, education, and meaningful work and clearly states that addressing such needs must be regarded as a moral imperative, which is universally binding on all Catholics.⁴⁷⁴ Finally, in support of its assertion that both opposing evil and doing good are essential obligations, the document quotes from John Paul II: “The fact that only the negative commandments oblige always and under all circumstances does not mean that in the moral life prohibitions are more important than the obligation to do good indicated by the positive commandments.”⁴⁷⁵

This document can well be described as a *Vade Mecum* for any Catholic who wishes to vote, to seek election to office, to lead a political party or interest group, or to legislate in government, all in accordance with a conscience shaped by the teachings of the Catholic Church. The document itself can be regarded as being quite dogmatic in its pronouncements as to how Catholics should engage with the political public square. It leaves no doubt as to

⁴⁷² Ibid., n.36.

⁴⁷³ Ibid., n.24.

⁴⁷⁴ Ibid., n.25.

⁴⁷⁵ Ibid.

what the Catholic Church would wish its laity to do when they are faced with political decisions that entail supporting actions which the Church itself would label as being intrinsically evil. However, as the Bishops emphasised that their role is to lead rather than drive, the document also demonstrates certain pragmatism in the Bishops' advice to sincere believers. It speaks of the need for "prudential judgments" and operating, when absolutely necessary, within the terms of "the art of the possible".

What is not to be found in this document, however, are any philosophical or theological debates about issues such as the primacy of conscience, the nature of conscience in terms of *synderesis* or *conscientia*, or the infallibility of the Pope when pronouncing on conscience, for example. Its main focus is on helping the laity to form consciences that will assess their participation, as individuals or as groups, in political life in terms of the values of their faith.⁴⁷⁶ The Bishops' right to engage in such activity is both divinely underwritten by Jesus Christ and protected by the American Constitution itself. Their arguments in this area are direct, 'taken as read' and distinctly lacking in any form of *Apologia*. Overall, it can be argued that the approach which the bishops adopted in this exposé on the formation of a Catholic conscience that should be politically sensitive to the teachings of the Church is experientially rather than theoretically driven.

6. Conclusion

This chapter which examined the nature of the human person traced the concept of conscience from its Greek and Roman root through to the Hebraic Old Testament, the New Testament, and teachings of the early Church Fathers, in particular those of St. Jerome. It must be noted that even where there was not found to be any direct reference to the notion of

⁴⁷⁶ Ibid., n.37.

conscience, as in the Hebraic tradition, it was actually found to exist within that tradition, but with a different name or designation.

In the medieval era, the Scholastics especially Thomas Aquinas provided a paradigmatic study of conscience. Aquinas' teachings on human action and law provide the principles for moral decision-making. This chapter then addressed modern day inputs to the concept of conscience by the Catholic Church through such media as the Documents of Vatican II, *the Catechism of the Catholic Church*, Papal Encyclicals and the pronouncements issued by National Episcopal Conference of bishops.

Overall, the general thought on conscience through the ages is that of it being gradually brought down from the heady theoretical heights of philosophy, ethics and theology to its relevance in ordinary daily human living. Scholars who explain away or reject the notion of conscience, in whatever manner are not examined in this chapter. In subsequent chapters, we will be examining the thinking of Cardinal John Henry Newman, Germain Grisez and Linda Hogan. There such contrary theories will be referred to.

Chapter Two

*John Henry Newman: Teacher of Conscience*¹

1. Introduction

John Henry Newman's understanding of conscience is expressed in many of his writings. In *Apologia Pro Vita Sua*,² a book he wrote in response to Charles Kingsley's accusations especially of untruthfulness,³ he recounts his life history and various influences upon him, and acknowledges the significance of conscience as a major factor in both his living and in his thinking. Conscience was an important factor for him as Avery Cardinal Dulles clearly attests:

Apart from the self, only one other reality was to Newman absolutely certain. This other reality was God, whose voice resounds in the testimony of conscience. All normal persons, Newman believed, have a conscience that commands them categorically to do what is right and avoid what is evil.⁴

Dulles' testimony demonstrates Newman's perception of conscience as the personal channel through which God communicates with a creature. An indication of the respect and esteem accorded to Newman's teaching on conscience may be seen in his being awarded that lofty title, *Doctor of Conscience*. Drew Morgan contends that:

If the required investigation into Newman's doctorate culminates with the formal conferral of the title, Doctor of the Church, it will be due in no small part to the factors that have led so many already to hold him to be the Doctor of Conscience.⁵

¹ This designation of Newman comes from Hermann Geissler's, "Teacher of Conscience," *L'Osservatore Romano*, Weekly English ed. 5 October, 2011, 6-8.

² John Henry Newman, *Apologia Pro Vita Sua: Being a History of his Religious Opinions* (London: Longmans, Green, and Co., 1890), [hereafter *Apologia*].

³ *Ibid.*, Preface to *Apologia*, xv-xvii.

⁴ Avery Dulles, *John Henry Newman* (London: Continuum, 2002), 50.

⁵ Drew Morgan, "Newman Doctor of Conscience: Doctor of the Church," in *John Henry Newman: In his Time*, eds. Philippe Lefebvre and Colin Mason, (Oxford: Family Publications, 2007), 245.

The importance of Newman’s teaching on conscience is therefore not only essential to much of his thinking and teaching, but, in the words of Luc Terlinden, it displays Newman’s sapiential or erudite ability to “*unite originality and continuity.*”⁶

This chapter will therefore look at Newman’s life; outline the manner in which he lived that life, as well as the methods he utilised in dealing with many external forces. We will then examine specifically his teachings on the nature and role of conscience.

1.1. Newman’s Life and Writings

Wilfrid Ward, one of Newman’s earliest biographers writes:

John Henry Newman was born in Old Broad Street in the City of London on February 21, 1801, and was baptized in the Church of St. Benet Fink on April 9 of the same year. His father was a London banker whose family came from Cambridgeshire. His mother was of a French Protestant family who left France for this country on the revocation of the Edict of Nantes. He was the eldest of six children—three boys and three girls.⁷

The purpose of this biographical path is to bring us face to face with the real, the actual John Henry Newman and to provide an adequate answer to Thomas J. Norris’s question: Who is John Henry Newman?⁸ Since there are numerous writings on Newman, we will attempt to present *multum in parvo* the essentials for this thesis.

When Newman was seven in 1808, he was sent to a private school at Ealing run by Dr. George Nicholas, who believed that beside Newman, no student progressed as quickly

⁶ Luc Terlinden, “Newman and Conscience” in *John Henry Newman: Doctor of the Church*, ed. Philippe Lefebvre and Colin Mason (Oxford: Family Publications, 2007), 218 [italics mine].

⁷ Wilfrid Ward, *The Life of John Henry Cardinal Newman: Based on his Private Journals and Correspondence* (London: Longmans, Green, 1912), 27; Ian Ker, *John Henry Newman: A Biography* (Oxford: Oxford University Press, 1988), 1; See also *New Catholic Encyclopedia*, s.v “Newman John Henry”; Dermot Mansfield, *Heart Speaks to Heart: The Story of Blessed John Henry Newman* (Dublin: Veritas, 2010), 15-16; See Introductory Note to *The Letters and Diaries of John Henry Newman*, Volumes I-X, eds. Ian Kerr and Thomas Gornall (Oxford: Clarendon press, 1978), here vol. 1. Charles Stephen Dessain of the Oratory began the editorship of the volumes in 1961. In 1976, at the time of his death, volumes XI-XXXI were completed and published. Through the effort of other editors thirty two volumes have been published, hereafter we will refer to these volumes as *LD*.

⁸ Thomas J. Norris, *Cardinal Newman for Today* (Dublin: The Columba Press, 2010), 9.

through the school as he did.⁹ It was while at Ealing, however, that Newman experienced his first religious conversion inspired, as he narrated in his *Apologia*, by reading books given to him by the Reverend Walter Mayers. It is noted that the transformation that occurred as a result of the conversion was radical, changing him from a boy who had no religious convictions to a committed and devout Christian with beliefs and doctrines strongly influenced by the theology of John Calvin.¹⁰ Charles Stephen Dessain claims that this was the turning point, which gave to the rest of Newman's life its unity¹¹ while Newman himself describes this conversion as the beginning of divine faith in him.¹²

In December 1816, Newman gained admission to Trinity College, Oxford University, but only took up residence there on June 8, 1817, at sixteen years of age.¹³ Norris comments that, at Oxford, Newman had a remarkable spiritual, academic and apostolic career.¹⁴ Thus, Oxford was momentous to Newman. While he was a serious student, avoiding any overindulgence in alcohol, for which the students were famous, he suffered a setback in his final examinations, breaking down due to overwork and nerves, and being forced to retire from the examinations.¹⁵

Once again we turn to Norris and his question: "Who is John Henry Newman?" as this will enable us to see Newman as a college student and beyond. Norris, himself, responds to his own question by claiming that while his writings about John Henry Newman "tell very little about the *real* Newman, [they do] little to enable us to meet the *living* person. [They

⁹ John R. Connolly, *John Henry Newman: A View of Catholic Faith for the New Millennium* (Lanham, Maryland: Rowman and Littlefield, 2005), 1.

¹⁰ *Ibid.*, 2.

¹¹ *Ibid.*

¹² John Henry Newman, *Apologia*, 4.

¹³ See Wilfrid Ward, *The Life of John Henry Cardinal Newman*, 29; Ian Ker, *John Henry Newman*, 1, 6; Dermot Mansfield, *Heart Speaks to Heart*, 16-18.

¹⁴ Thomas J. Norris, *Cardinal Newman for Today*, 10.

¹⁵ See Letter to Mr Newman in *LD I*, 35-36; 94 and Letter to Hans Henry Hamilton, 105.

provide] some knowledge *about* Newman but [do] not provide knowledge *of* Newman.”¹⁶

Therefore, Newman’s biographical pathway alone, suggests that any attempt at gaining access into the inner reaches of Newman’s life and thinking may be better achieved by a more comprehensive over-view of his more personal and autobiographical writings.

1.1 1 Newman the Anglican

In Newman’s *Apologia* he is found narrating the history of influences on his life, more specifically those influences that led to changes in his worldviews and beliefs. Ian Kerr, for example, draws directly from the *Apologia* to include Newman’s own words as he elaborates on his early life as an Anglican:

He had been brought up as an ordinary member of the Church of England. His parents were in no way Evangelical, but belonged to what their son was later to call ‘the national religion of England’ or ‘Bible Religion’, which ‘consists, not in rites or creeds, but mainly in having the Bible read in Church, in the family, and in private’. He himself had been ‘brought up from a child to take great delight in reading the Bible’, particularly by his grandmother and aunt in whose house at Fulham he had stayed as a little boy.¹⁷

Christian living and love of Scripture were therefore part and parcel of Newman’s early childhood. In his own words, he confirms: “I was brought up from a child to take great delight in reading the Bible; but I had no formed religious convictions till I was fifteen.”¹⁸ He goes on to point out that the major turning point of his life started when, at age fifteen, he began to read literatures. He writes:

When I was fourteen, I read Paine’s Tracts against the Old Testament, and found pleasure in thinking of the objections which were contained in them. Also, I read some of Hume’s Essays; and perhaps that on miracles. So at least I gave my Father to understand; but perhaps it was a brag. Also I recollect copying out some French verses, perhaps

¹⁶ Thomas J. Norris, *Cardinal Newman for Today*, 10.

¹⁷ Ian Ker, *John Henry Newman*, 3, See also Dermot Mansfield, *Heart Speaks to Heart*, 16.

¹⁸ John Henry Cardinal Newman, *Apologia*, 1.

Voltaire's, in denial of the immortality of the soul, and saying to myself something like 'How dreadful, but how plausible.'¹⁹

As already noted by J. R. Connolly, the sowing of Newman's convictions was triggered by his contact with the Reverend Walter Mayers, thus Newman speaks of this turning point:

When I was fifteen (in the autumn of 1816) a great change of thought took place in me. I fell under the influences of a definite creed, and received into my intellect impressions of dogma, which, through God's mercy, have never been effaced or obscured. Above and beyond the conversations and sermons of the excellent man, long dead, the Rev. Walter Mayers, of Pembroke College, Oxford, who was the human means of this beginning of divine faith in me, was the effect of the books which he put into my hands, all of the school of Calvin.²⁰

In this sense, Newman's early faith convictions tended towards Calvinism and its emphases on predestination, the total depravity of human beings and the total sovereignty of God. It is a measure of his inherent eagerness to broaden his search for truth that Newman was not content to permanently sow all his newly discovered religious seedlings in those early, turning-point fields. For example, Newman recounts how, at fifteen, the writings of Thomas Scott of Aston Sandford also greatly influenced him:

I so admired and delighted in his writings, that, when I was an undergraduate, I thought of making a visit to his parsonage, in order to see a man whom I so deeply revered . . . What, I suppose, will strike any reader of Scott's history and writings, is his bold unworldliness and vigorous independence of mind. He followed truth wherever it led him, beginning with Unitarianism, and ending in a zealous faith in the Holy Trinity. It was he who first planted deep in my mind that fundamental truth of religion . . . Besides his unworldliness, what I also admired in Scott was his resolute opposition to Antinomianism, and the minutely practical character of his writing. They show him to be a true Englishman, and I deeply felt his influence; and for years I used almost as proverbs what I considered to be the scope and issue of his doctrine, 'Holiness rather than peace,' and 'Growth the only evidence of life.'²¹

¹⁹ Ibid., 3.

²⁰ Ibid., 4.

²¹ Ibid., 5.

It can be claimed that if you want to know the qualities that a people value or despise most, simply ask them to describe what they like or dislike most in another. Here in the *Apologia*, Newman is very much in his praise of Scott's "bold unwordliness and vigorous independence of mind", his following "the truth wherever it led", his "zealous faith in the Holy Trinity" "and the minutely practical character of his writing." Few people may undoubtedly dispute that the student learned well from the master in this context, and fewer still would be surprised by Newman's claim that it was Scott who first planted deep in his mind "fundamental truth of religion."

Newman cites other literary encounters, which made a great impression on him. For example, his contact with the writings of the Church Fathers, show obviously how he is taken by what he reads. His mention of St. Augustine is not surprising, since both can be said to have displayed that restless spirit that tirelessly sought the answers to life's most fundamental question about absolute Truth. Thus, St. Augustine's famous words, "thou hast made us for thyself and restless is our heart until it comes to rest in thee,"²² could easily have come from Newman. Newman recounts how Newton's writings on the prophecies²³ convinced him in keeping with Anglican teaching of the time that the Pope was indeed the antichrist. What is interesting here is to witness how open Newman is to examining, challenging and even obliterating once deeply held beliefs. Of even greater interest, however, is to witness a young Newman having an awareness of and even dealing with the concept of an erroneous conscience. He has this to say concerning the effect of the writings of both authors, Augustine and Newton, on him:

I read Joseph Milner's Church History, and was nothing short of enamoured of the long extracts from St. Augustine and the other Fathers which I found there. I read them as being the religion of the

²² Augustine, *Confessions* (Peabody: Hendrickson, 2004), Bk.1. 1.

²³ Thomas Newton (1704-1782) was an English Anglican theologian, clergyman, biblical scholar, author, biographer, bishop, Dean of St Paul's Cathedral in London.

primitive Christians: but simultaneously with Milner I read Newton on the Prophecies, and in consequence became most firmly convinced that the Pope was the antichrist predicted by Daniel, St. Paul, and St. John. My imagination was stained by the effects of this doctrine up to the year 1843; it had been obliterated from my reason and judgement at an earlier date; but the thought remained upon me as a sort of false conscience.²⁴

But this was not to be the last for Newman, since he came under the influence of matters other than literary that were also to shape his intellectual and moral views. When he resumed as a resident student at Trinity College in 1817 he encountered John William Bowden, a “Commoner” or undergraduate student without either a scholarship or an exhibition, who would be expected to “earn his keep.” As part of earning his keep, Bowden was detailed to look after Newman.²⁵ However, rather than having to act as Newman’s personal caretaker, Bowden became one of Newman’s closest companions at that time. In fact, they became such close companions and Newman remarked that

the two youths lived simply with and for each all through their undergraduate time, up to the term when they went into the school for their B.A. examination, being recognised in college as inseparables—taking their meals together, reading, walking, boating together—nay, visiting each other’s homes in the vacations; and, though so close a companionship could not continue when at length they ceased to be in a state of pupilage, and had taken their several paths in life, yet the mutual attachment thus formed at the University was maintained between them unimpaired till Mr. Bowden’s premature death in 1844, receiving an additional tie as time went on by their cordial agreement in ecclesiastical views and academical politics, and by the interest with which both entered into the Oxford movement of 1833.²⁶

Such accounts of exclusive closeness and intimacy show his appreciation of Friendship. In fact, as an Anglican priest, he expounded his theology of friendship in a sermon on the feast of St. John the Evangelist (traditionally thought to be the disciple “whom Jesus loved”) which he proclaimed:

²⁴ Ibid., 7.

²⁵ See also Ian Ker, *John Henry Newman*, 7.

²⁶ See Letter to Mrs Newman in *LD I*, 53; Anne Mozley ed., *Letters and Correspondence of John Henry Newman*, vol. I. (London: Longmans, Green, and Co, 1891), 28. [Hereafter, *Letters and Correspondence I*].

There have been men before now, who have supposed Christian love was so diffusive as not to admit of concentration upon individuals; so that we ought to love all men equally. And many there are, who, without bringing forward any theory, yet consider practically that the love of many is something superior to the love of one or two; and neglect the charities of private life, while busy in the schemes of an expansive benevolence, or of effecting a general union and conciliation among Christians. Now I shall here maintain, in opposition to such notions of Christian love, and with our Saviour's pattern before me, that the best preparation for loving the world at large, and loving it duly and wisely, is to cultivate an intimate friendship and affection towards those who are immediately about us.

²⁷

Newman honed his capacity for friendship and intimacy to the extent that he could see both as reflections of a greater love, as a foretaste of heaven. For Newman, friendship was in reality that place where two intimate friends can get a glimpse of the life that awaits them in God.²⁸ Another scholar of Newman believes that, while Newman's autobiography is a treatise on the human and supernatural virtues that comprise friendship, someday he "may well earn a new title, that of *Doctor amicitiae*: Doctor of the Church on Friendship."²⁹

It has been noted how Newman used his remarkable intellectual abilities, his insatiable inquisitiveness and curiosity, as well as his capacity for cultivating close friendships to gain ever deepening insights into the complexity of his Maker's Creation. However, as his friendship with John Bowden continued to blossom, Newman became the unwilling recipient of a new learning tool, one that was as novel to him as it was unwelcome: "failure." While both friends had studied together in preparation for their final B.A. Examination in 1820, Newman's performance was "Under-the-line."³⁰ In terms of his life's ambitions, this meant he could not study Law and be called to the Bar. Newman's coping

²⁷ John Henry Newman, *Parochial and Plain Sermons*, vol. II (London: Longman, Green and Co, 1891), II:5, 52-53.[hereafter *PPS*]

²⁸ See Mark Vernon, "One Soul, Two Bodies" *The Tablet*, April 2010, 10-11.

²⁹ See Juan R. Vélez, "Newman in the 21st Century: Heart Speaks to Heart," in http://www.mercatornet.com/articles/view/heart_speaks_to_heart/ [accessed 14 February 2012]. Vélez presents an array of Newman's friends and their influences upon him as well as his upon them. The article demonstrates the importance of friendship and love in Newman's life and the lasting impression his friends had on him.

³⁰ See footnote 1 in *LD I*, 94; also Ian Ker, *John Henry Newman*, 12-13.

with this dashing of his life's dreams serves to provide a measure of the depth and steadfastness of the inner spiritual beliefs and convictions of the younger Newman. Rather than opting out of academic life and applying his many talents elsewhere, he determinedly applied for the qualifying examination of Oriel Fellowship in April 1822. Academically successful, he was elected a Fellow of Oriel College on April 12, 1822.³¹

Newman's reaction to his academic success and subsequent election is an interesting one. He exults on his becoming a Fellow of Oriel that the position "raised him from obscurity and need, to competency and reputation. He never wished anything better or higher than, in the words of the epitaph: 'to live and die a Fellow of Oriel.'"³² His personal values are here highlighted. This enthusiastic embracing of such values as competency and status and his rejection of deprivation and insignificance may have been shaped by the failure of his father in his business life and the subsequent humiliation which followed this failure.

However, Oriel had more than security of income and status to offer Newman. It provided him with the opportunity to indulge his newly formed interest in a theological career, by giving him access to University society, intelligentsia and to the different schools of intellectual and ecclesiastical thought to be found at Oxford. Enthused of Oriel, he noted that it

opened upon him a theological career, placing him upon the high and broad platform of University society and intelligence, and bringing him across those various influences, personal and intellectual, and the teaching of those various schools of ecclesiastical thought, whereby the religious sentiment in his mind, which had been his blessing from the time he left school, was gradually developed and formed and brought on to its legitimate issues.³³

Undoubtedly, Oriel College was a major turning-point in Newman's life. His election enabled him to initiate contact with notable men as Edward Hawkins, Richard Whately, Richard

³¹ See Newman's correspondences in *LD I*, 128-131; Ian Ker, *John Henry Newman*, 15-17.

³² Anne Mozley, *Letters and Correspondence*, I. 73.

³³ *Ibid.*

Hurrell Froude, John Keble, and many others who introduced him to what hitherto he had not as yet experienced. They made a lasting impression on his religious ideas and indeed on his life.³⁴

On June 13th, 1824, Newman was ordained as an Anglican deacon and on May 25th, 1825 as an Anglican priest. During the period of his Fellowship right through to his Ordination, there was one man who had a remarkable influence on him, namely Dr. Edward Hawkins, the then Vicar of St. Mary's University Church, Oxford. Firstly, Hawkins provoked him and he in turn provoked him a great deal more.³⁵ However, Hawkins helped Newman develop intellectual and debating skills and techniques which would stand him in good stead, when engaging in polemics. For instance, those centred on controversies connected with the defence of doctrine held to be essential to Anglican Christian truth. This is obvious in the following piece as Newman gives appreciative descriptive details of Hawkins' assistance:

He was the first who taught me to weigh my words, and to be cautious in my statements. He led to that mode of limiting and clearing my sense in discussion and in controversy, and of distinguishing between cognate ideas, and of obviating mistakes by anticipation, which to my surprise has been since considered, even in quarters friendly to me, to savour of the polemics of Rome.³⁶

Hawkins' influence extended beyond training in polemical skills, however, and into matters theological. Newman notes how Hawkins got him to abandon Calvinism and replace it with the doctrine of Baptismal Regeneration, as enunciated in the *Treatise on Apostolical Preaching*, which Hawkins had given him to read. Besides the literature with which his mentor had provided him, Hawkins' preaching on "Tradition" during Newman's

³⁴ John Henry Newman, *Apologia*, 8-35; Wilfrid Ward, *The Life of John Henry Cardinal Newman*, 35-37.

³⁵ John Henry Newman, *Apologia*, 8.

³⁶ *Ibid.*

undergraduate days also influenced him immensely.³⁷ It introduced Newman to the “doctrine of Tradition,” a doctrine he acknowledges to be of great importance to Catholicism.³⁸

During the era of Hawkins’ influence, Newman also read Bishop Butler’s *Analogy of Religion* (1736). Of it, he states:

Its inculcation of a visible Church, the oracle of truth and a pattern of sanctity, of the duties of external religion, and of the historical character of Revelation, are characteristics of this great work which strike the reader at once; for myself, if I may attempt to determine what I most gained from it, it lay in two points, which I shall have an opportunity of dwelling on in the sequel; they are the underlying principles of a great portion of my teaching. First, the very idea of an *analogy* between the separate works of God leads to the conclusion the system which is of less importance is economically or sacramentally connected with the more momentous system, and of this conclusion the theory, to which I was inclined as a boy viz. the unreality of material phenomenon, is an ultimate resolution. At times I did not make the distinction between matter itself and its phenomena, which is so necessary and so obvious in discussing the subject. Secondly, Butler’s doctrine that *Probability* is the guide of life, led me, at least under the teaching to which few years later I was introduced, to the question of the logical cogency of Faith, on which I have written so much. Thus to Butler I trace those two principles of my teaching, which have led to a charge against me both of fancifulness and of scepticism.³⁹

Newman’s listing of the characteristics above is important because they shaped his ecclesiology as featured in his sermons.⁴⁰ But the most significant gain for him, Ian Ker explains “helped place [Newman’s] doctrinal views on a broad philosophical basis, with which an emotional religion could have little sympathy.”⁴¹ His “two points” centred on the notions of “analogy and probability.” The detailed profundity with which he elaborates and used these principles he concludes “led to a charge against” him “both of fancifulness and scepticism.”

³⁷ Ibid., 9.

³⁸ Ibid., 8-9.

³⁹ Ibid., 10-11.

⁴⁰ Dermot Mansfield, *Heart Speaks to Heart*, 23.

⁴¹ Ian Ker, *John Henry Newman*, 26.

Newman, while at Oxford also came under the influence of Richard Whately, who was later to become Archbishop of Dublin and a champion of unpopular causes. Newman acknowledges the importance of this influence as well as his indebtedness to Whately. He explains: “While I was still awkward and timid in 1822, he took me by the hand, and acted towards me the part of a gentle and encouraging instructor. He, emphatically, opened my mind, and taught me to think and to use my reason.”⁴² An anonymous work entitled *Letters on the Church by an Episcopalian*, ascribed to Whately had a gradual but deep effect on Newman’s thinking. The main tenet of this work centred on Church and State relations. Newman points to two focal points in the work which were of particular interest to him: “first that Church and state should be independent of each other . . . secondly, that the Church may justly and by right retain its property, though separated from the state.”⁴³ It is clear from this, the importance which Newman attaches to the notion of independence, whether it is of a personal nature, or in this case, at an institutional level.

Despite Whately’s great influence upon Newman, however, it eventually transpired that they could not agree on certain theological doctrines, which resulted in Whately accusing Newman of Arianizing in 1827.⁴⁴ It appears that when it comes to the search for the truth, Newman would not even allow friendship to compromise the integrity of that search. Hence, he devoted time to teaching about the importance of conscience as a means to the acquisition of truth.⁴⁵

Newman, himself, became vicar of the University Church of St. Mary the Virgin in 1828, a position he held until his resignation in 1843. The sermons he preached during that

⁴² John Henry Newman, *Apologia*, 11.

⁴³ *Ibid.*, 12-13.

⁴⁴ *Ibid.*, 13.

⁴⁵ See John Paul II, Letter to Archbishop Maurice Couve de Murville of Birmingham on the occasion of the first centenary of the death of John Henry Newman, in *L’Osservatore Romano*, Weekly English ed. 16 July 1990, 1-3. See also Hermann Geissler, “Teacher of Conscience,” where Geissler outlines Newman’s teaching on conscience and stated: “Newman found that conscience and truth belong together in partnership, that they support and enlighten each other – indeed, that obedience to conscience leads to obedience to truth.” 6.

period and published in the *Parochial and Plain Sermons* “made Oxford feel as though one of the early Fathers had come back to earth.”⁴⁶ Robert Sencourt writes that: “By his sermons in St. Mary’s Newman quickly made himself the figure foremost in the eyes of all serious undergraduates. Witness after witness arises to describe the peculiar effect which those sermons procured.”⁴⁷ This must have been more than satisfying for a man, whose undergraduate aspiration, as already noted, was to be raised from obscurity and need to competency and reputation. However, while his sermons did enlighten his audience on the mysteries of faith and the splendour of spiritual life, they were primarily moral discourses as is evident in the following extract from Ward:

The parochial sermons at St. Mary’s . . . were the main instrument of Newman’s influence on the Oxford of those days. They appealed to a far wider class than the University Sermons, and the indelible impression they made on many minds has been recorded by eminent men of widely different schools of thought . . . They were primarily moral discourses, with little of theological elaboration.⁴⁸

Amongst the moral themes with which the *Sermons* dealt were: conscience and God, conscience and religion, conscience and reason, conscience and peace of mind. In Sermon 9, for example, he preaches: “Conscience, and Reason in subjection to Conscience, *these* are those powerful instruments (under grace) which change a man.”⁴⁹

In Sermon 17 titled “The Testimony of Conscience” he expressed his teaching on conscience as a personal witness in relationship to God and religion. A teaching that is best summarised in the scriptural quotation from St. Paul with which he opened the sermon:

Our rejoicing is this, the testimony of our conscience, that in simplicity and godly sincerity, not with fleshly wisdom, but by the

⁴⁶ Wilfrid Ward, *The Life of John Henry Cardinal Newman*, 42.

⁴⁷ Robert Sencourt, *The Life of Newman* (Westminster: Dacre Press, 1948), 28.

⁴⁸ Wilfrid Ward, *The Life of John Henry Cardinal Newman*, 60.

⁴⁹ John Henry Newman, *PPS*, I: 9, 115.

grace of God, we have had our conversation in the world, and more abundantly to you-ward.⁵⁰

In Sermon 22, he speaks about good conscience to his audience accordingly:

This is what is meant by the peace of a good conscience; it is the habitual consciousness that our hearts are open to God, with a desire that they should be open. It is a confidence in God, from a feeling that there is nothing in us which we need be ashamed or afraid of.⁵¹

Thus the notion of conscience was very much part of Newman's reflection with his audience as an Anglican pastor.

Besides the *Parochial and Plain Sermons*, his *Oxford University Sermons*⁵² are equally compelling. Though these sermons focused on the relation between faith and reason, his notion of conscience is quite overt in some of them. In the following passage, for example, he outlines the nature of conscience in relation to religion and human action:

Conscience is the essential principle and sanction of Religion in the mind. Conscience implies a relation between the soul and a something exterior, and that, moreover, superior to itself; a relation to an excellence which it does not possess, and to a tribunal over which it has no power. And since the more closely this inward monitor is respected and followed, the clearer, the more exalted, and the more varied its dictates become, and the standard of excellence is ever outstripping, while it guides, our obedience, a moral conviction is thus at length obtained of the unapproachable nature as well as the supreme authority of That, whatever it is, which is the object of the mind's contemplation. Here, then, at once, we have the elements of a religious system; for what is Religion but the system of relations existing between us and a Supreme Power, claiming our habitual obedience: 'the blessed and only Potentate, who only hath immortality, dwelling in light unapproachable, whom no man hath seen or can see'? Further, Conscience implies a difference in the nature of actions, the power of acting in this way or that as we please, and an obligation of acting in one particular way in preference to all others; and since the more our moral nature is improved, the greater inward power of improvement it seems to possess, a view is laid open to us both of the capabilities and prospects of man, and the awful importance of that work which the law of his being lays upon him.

⁵⁰ Ibid., V: 17, 237.

⁵¹ Ibid., V: 22, 319.

⁵² John Henry Newman, *Fifteen Sermons Preached before the University of Oxford: Between A.D. 1826 and 1843* (London: Longmans, Green, and Co., 1896), [hereafter *US*].

And thus the presentiment of a future life, and of a judgment to be passed upon present conduct, with rewards and punishments annexed, forms an article, more or less distinct, in the creed of Natural Religion.
53

In the above passage, Newman highlights conscience as an essential element of Natural Religion. He presents it in terms of a “connector” between the human being and an External Power of Excellence, innately superior to all human beings. He points to the benefits that can be gained by following the dictates of such a conscience. For example, he posits that the more the dictates of conscience are obeyed, the clearer its more varied demands will become. Furthermore, ongoing obedience to the dictates of conscience will also serve to bring the voice of the Supreme Authority which is the source of all moral convictions more sharply into focus. Above all, he presents conscience as a basis on which all human actions will be finally judged, sentenced or honoured. In assessing this piece from Newman, irrespective of the topic, the phrase “inward monitor” comes across the mind as his distinctive way to describe conscience. What is apparent from the extract then is that we do not have to wait until his “Catholic Years” to discover Newman’s treatment of conscience because later as a Catholic, he would describe conscience as a “stern monitor.” “solemn monitor” and “authoritative monitor.” The term “monitor” is therefore vital in Newman’s way of describing the role of conscience.

His *Letters and Diaries*⁵⁴ proves to be another pertinent source for exploring his teachings on conscience. Relevant to “letter writing” as distinct from “sermonising” or other genres of “academic writing,” Alan G. Hill and Ian Ker claim that

Letter-writing always held a high place in Newman’s scale of priorities. It was not for him a marginal or leisure-time activity but an

⁵³ John Henry Newman, *US*: 2, 18-19.

⁵⁴ Editorship and publishing details have been provided in earlier footnotes.

integral part of his mission, and he devoted all his powers of mind and genius for human understanding and sympathy to it.⁵⁵

They believe that his “letters are intrinsically interesting . . . for their intimate revelation of Newman himself.”⁵⁶ His *letters*, for example, reveal his personal use and more intimate understanding of the term conscience. For instance, writing to Miss Maria Rosina Giberne on March 30, 1845, he notes:

Now I will tell just how things stand, and I am telling you more than any one in the world knows, except two friends of mine who are living here with me. My own convictions are as strong as I suppose they can be—only it is so difficult to know whether it is a call of *reason* or of *conscience*.⁵⁷

This letter shows Newman clearly distinguishing between reason and conscience rather than trying to draw them together, a distinction, which will be elucidated later. Suffice it to say at this stage however, that Newman viewed reason as an instrument “in the service of spiritual discernment, led by conscience.”⁵⁸ We can conclude then that Newman’s *Letters and Diaries* not only provide biographical details, but are also a valuable means for gathering and exploring his Anglican and Catholic views, thinking, theorising and philosophising.

1.1.2 Newman’s Conversion Odyssey

Benedict XVI believes that Newman’s conversion is a journey of conscience as he declared: “The path of Newman’s conversions is a path of conscience – not a path of self-asserting subjectivity but, on the contrary, a path of obedience to the truth that was gradually opening up to him.”⁵⁹ Newman’s evolving religious life which was influenced at various stages by Calvinism, evangelical fundamentalism and liberalism peaked when he embraced

⁵⁵ Alan G. Hill and Ian Ker, “Newman as a Letter-Writer,” in *Newman after a Hundred Years*, eds. Ian Ker and Alan G. Hill (Oxford: Clarendon Press, 1990), 129.

⁵⁶ Alan G. Hill and Ian Ker, “Newman as a Letter-Writer,” 135.

⁵⁷ John Henry Newman, *LD X*, 610.

⁵⁸ Luc Terlinden, “Newman and Conscience,” 213.

⁵⁹ Cited by Hermann Geissler, “Teacher of Conscience,” 6.

Catholicism.⁶⁰ However, before becoming a Catholic, he and some of his close Oxford friends and colleagues pioneered the publication of tracts, known as *Tracts for the Times*. As a group, these, clerics, scholars and theologians became known as the Oxford Movement, with Newman, himself, considered as the pre-eminent leader of the group. The founding and running of this group was to eventually culminate with Newman becoming a Catholic.⁶¹

The Movement was one of the leading groups or societies at Oriel at that time, and its foundation was largely due to the ambitions or desires of certain High Churchmen to reassert the hidden riches of Catholic theology and practice within the Anglican Church. These members wanted to highlight the Catholic heritage of the Anglican Church, at the same time preserving and protecting Anglicanism in a renewed way. It was for this reason that advocates of the Movement, as already noted, began to write and publish *Tracts for the Times*, a series of tracts or pamphlets that focused on different religious subjects. Consequently, members of the Oxford Movement became known as *Tractarians*.⁶²

With reference to the foundation of the Movement, Newman wrote: “Mr. Keble preached the Assize Sermon in the University Pulpit. It was published under the title of ‘National Apostasy.’ I have ever considered and kept the day, as the start of the religious movement of 1833.”⁶³ Little did Newman realise that it was also to prove to be the day that would be an important stepping stone, his transition from Anglicanism to Catholicism. Whereas the foundation of the Oxford Movement instigated Newman’s shift in allegiance, it

⁶⁰ Newman’s Calvinist influence was specifically due to his association with Walter Mayers who gave him books, which were “*all of the school of Calvin*.” However, he was able to finish with Calvinism as a result of his contact with Dr. Richard Whately (*Apologia*, 4-9). Subsequently, it was to be through Whately’s influence that Newman drifted towards the Liberal philosophical movement of his time, (*Apologia*, 14). Concerning his Evangelical views see Christopher Dawson, *The Spirit of the Oxford Movement: and Newman’s Place in History* (London: St. Austen Press, 1933), 31-32.

⁶¹ S. L. Ollard, *A Short History of the Oxford Movement* (London: Faith Press, 1963), see especially chapter 1 and 2.

⁶² *Ibid.*, 43.

⁶³ John Henry Newman, *Apologia*, 35.

was the publication of Tract 90 which would eventually trigger the actual shift.⁶⁴ In this Tract, Newman critically examined the 39 Articles of The Church of England, which are considered to contain the key doctrinal teachings of the Anglican Church on such matters as: the rule of faith (Articles 6-8), individual religion (Articles 9-18), corporate religion (Articles 19-36), and national religion (Articles 37-39).⁶⁵

Newman, within the Tract, controversially highlighted the Catholic roots of the Anglican Church itself. The Tract's opening remarks alone were guaranteed to instantaneously gain the undivided attention of most committed Anglicans (and Catholics). Wild assumptions were made about Newman and Tract 90 when it was first published. For instance, A.C. Tait, who later became the Archbishop of Canterbury, expressed concern over its effect on young people. He believed that the tract when read would persuade them to leave the Church of England for the Roman Catholic Church.⁶⁶

Such is one example of the reactions that the publication of Tract 90 generated. Thus, Newman's work was banned and was given Episcopal Charges over the erroneous theology allegedly contained in Tract. After being harassed by Bishops and the leaders of the Church of England, Newman resigned his appointment as vicar of St. Mary's University Church and took domicile at Littlemore.

Converting to the Catholic Church required some bold practical actions on Newman's part, actions from which he did not shirk, as evidenced in his account of two significant steps he undertook. He writes:

⁶⁴ See S. L. Ollard, *A Short History of the Oxford Movement*, 69; Owen Chadwick, *The Spirit of the Oxford Movement: Tractarian Essays* (Cambridge: Cambridge University Press, 1990), 15.

⁶⁵ See details in Kenneth N. Ross, *The Thirty Nine Articles* (London: Mowbray, 1960).

⁶⁶ See S. L. Ollard, *A Short History of the Oxford Movement*, 69; Michael Chandler, *An Introduction to the Oxford Movement* (New York: Church Publishing, 2003), 1-16; See also J. Lewis May, *The Oxford Movement: Its History and its Future A Layman's Estimate* (New York: John Lane the Bodley Head, 1933), 127-8.

In 1843, I took two very important and significant steps:—1. In February, I made a formal retraction of all the hard things which I had said against the Church of Rome. 2. In September, I resigned the living of St. Mary’s, Littlemore inclusive.⁶⁷

These were no small steps for someone, who valued security and reputation so much, as noted from his Oriel days. On June 4, 1845, he wrote to John More Capes and told him:

It is now near six years since I came to a clear conviction that our Church was a schism, and the Roman Church the true Church. I thought it a duty to set myself against the conviction, (and think so still—) I wrote against it, and went on as usual except that I did not speak as I had done about the Church of Rome and I told no one but two friends who were about me at the time. In this way I managed to overcome the feeling—i.e. by argument on the other side—there was much which I could not receive in the Roman system and much that was good and holy among ourselves. At the end of 1841 my conviction returned strongly—and has been on me without interruption ever since.⁶⁸

These words testify to the convinced and reasoning mind of Newman, a Newman far removed, as it were, from the “fever pitch” emotive tirades that followed the publication of Tract 90. Having reached a conclusion or “conviction” and “dwelt” with it for six years, Newman eventually feels it is time to both follow up on the results of his reasoning and on the consequent dictates of his conscience. However, as demonstrated from the following passage, not only did Newman “reason” his way out of Anglicanism and into Catholicism, but he went on to support his case intellectually through evidence gained from his study of Church history. His meditations on Church history led him to elaborate on any seeming differences “in doctrine and discipline” between the “Early Church” and the current “Roman Church” in terms of maturing or growth as in the ongoing maturing of a child into a grown man. He wrote thus, to Westmacott:

I suppose I may now tell you, that it is morally certain I shall join the R C. Church, though I don’t wish this *told* from me. It has been the conviction of six years—from which I have never receded . . . My conviction has nothing whatever to do with events of the day. It is

⁶⁷ John Henry Newman, *Apologia*, 200.

⁶⁸ John Henry Newman, *LD X*, 690.

founded on my study of early Church history. I think the Church of Rome in every respect the continuation of the early Church. I think she is the early Church *in* these times, and the Church is she *in* these times. They differ in doctrine and discipline as child and grown man differ, not otherwise. I do not see any medium between disowning Christianity, and taking the Church of Rome.⁶⁹

Newman also broke the news of his impending conversion to members of his family. Writing to his brother, Frank, on August 7, 1845, he left him in no doubt as to the moral and theological correctness of the action he was about to undertake: “My reason for going to Rome is this: I think the English Church in schism. I think the faith of the Roman Church the only true religion. I do not think there is salvation out of the Church of Rome.”⁷⁰ He left it until the day before his reception into the Catholic Church to inform his sister, Jemima, of his impending conversion. Again, he is unequivocal in the outlining of his ‘intentions’ to be received into the Catholic Church: “This night Father Dominic the Passionist, sleeps here. He does not know my intentions, but I shall ask him to receive me into what I believe to be the One Fold of the Redeemer.”⁷¹ Though open and candid with his family, some of them were never to speak with him again, subsequent to his conversion.

Newman’s commitment to the teachings of the Catholic Church, as well as his unambiguous acknowledgement of it as being the One, True Church, is well attested to in his treatise, written in 1845, the same year he converted to Catholicism.⁷² Newman used the notion of “development of doctrine” to defend Catholic teaching from attacks by some Anglicans who viewed certain elements of Catholic teaching as distortions or actual innovations. He utilised an extensive and in-depth study of early Church Fathers to demonstrate that, although they were in a constant state of development, Catholic Church doctrines which were present from the beginnings of the Church, were still found to be

⁶⁹ Ibid., 729.

⁷⁰ Ibid., 745.

⁷¹ John Henry Newman, *LD XI*, 8.

⁷² John Henry Newman, *An Essay on the Development of Christian Doctrine* (London: Longman, Green, and Co., 1890), [hereafter *Development of Christian Doctrine*].

present in the Divine Revelation as filtered through the medium of Sacred Scripture and Tradition.⁷³

In the work, Newman draws attention to the reality of conscience, declaring: “conscience, the existence of which we cannot deny, is a proof of the doctrine of a Moral Governor, which alone gives it a meaning and a scope; that is, the doctrine of a Judge and Judgment to come is a development of the phenomenon of conscience.”⁷⁴ Here, Newman affirms the existence of conscience and its link to God. For him, the existence of conscience is a proof of the existence of God, who is the Moral Governor and Judge who delivers Judgements. This fundamental connecting of conscience to God-Judge is one of Newman’s most striking insights into the nature of conscience.

Still writing in *Development of Christian Doctrine*, Newman elaborates on the concept of conscience in terms of a comparison between natural and revealed religion, both of which demand obedience to their respective authorities:

Moreover, it must be borne in mind that . . . the distinction between natural religion and revealed lies in this, that the one has a subjective authority, and the other an objective . . . The supremacy of conscience is the essence of natural religion; the supremacy of Apostle, or Pope, or Church, or Bishop, is the essence of revealed; and when such external authority is taken away, the mind falls back again of necessity upon that inward guide which it possessed even before Revelation was vouchsafed. Thus, what conscience is in the system of nature, such is the voice of Scripture, or of the Church, or of the Holy See, as we may determine it, in the system of Revelation. It may be objected, indeed, that conscience is not infallible; it is true, but still it is ever to be obeyed. And this is just the prerogative which controversialists assign to the See of St. Peter; it is not in all cases infallible, it may err beyond its special province, but it has in all cases a claim on our obedience.⁷⁵

Newman posits the “supremacy of conscience” as the essence of natural religion, while “the supremacy of Apostle or Pope,” for example, as the essence of revealed religion. He assigns

⁷³ See his Introduction to the work, 3-32.

⁷⁴ John Henry Newman, *Development of Christian Doctrine*, 48.

⁷⁵ *Ibid.*, 86.

an inherent or “subjective authority” to the supremacy of conscience, while the supremacy of the Pope is assigned an externally imposed authority, an authority that is derived from ‘Revelation’. In the absence of external authority and, at times, even in its presence, Newman leaves no doubt as to which voice must always be heard and heeded, that is, which voice has primacy. Even when in error, the voice of conscience, in Newman’s estimation, does not yield primacy to any other voice. He makes it unequivocally clear from the above excerpt, that in the event of an individual having to choose between the voice of an erroneous conscience or that of an erroneous Pope the former must ever be obeyed, while the latter merely has a claim on the obedience of his flock.

1.1.3 The Roman Catholic Newman

Newman was received into the Catholic Church by Dominic Barberi, an Italian Passionist priest on October 9, 1845 at the village of Littlemore, a neglected “outpost” of his Anglican Parish of St Mary. Newman speaks of his new faith thus: “the Catholic religion is given from God for the salvation of mankind, and all other religions are but mockeries.”⁷⁶ In the *Apologia*, he describes his experience of becoming a Catholic as “coming into port after a rough sea.”⁷⁷ Avery Dulles described his conversion as follows:

Newman became a Roman Catholic because deep study had convinced him that it was impossible to be in the one, holy, Catholic Church without being in communion with Rome. This remained his position for the rest of his life. He frequently spoke of the Roman communion as ‘the only true Church, the ark of salvation,’ as the ‘One Fold of Christ,’ and as ‘the only religious body . . . in which is salvation.’ The true Church, for Newman, must necessarily be a single communion and could not contain elements that were ‘independent of the whole, discordant with one another in doctrine and in ritual, destitute of mutual intercommunion.’⁷⁸

⁷⁶ John Henry Newman, *Discourses Addressed to Mixed Congregations* (London: Longman, Green and Co., 1892), 20, [hereafter *Discourse*].

⁷⁷ John Henry Newman, *Apologia*, 238.

⁷⁸ Avery Dulles, “Newman, Conversion and Ecumenism,” *Theological Studies* 51 (1990): 718.

Dulles points to “deep study” as the key to understanding Newman’s decision to convert. We may conclude that it was reason, conscience, emotion and the quest for truth that led him to the Catholic Church. Dulles makes clear that this was also a conversion characterised by total submission and unqualified acceptance of the principles of Roman Catholicism. This was the only approach that Newman could have honestly adopted, because, as noted by Dulles, many of Newman’s publications treated religious certitudes as normally being irreversible. However, subsequent to Newman’s reception into the Roman Catholic Church, there was no repudiation of previously held Evangelical or Anglican beliefs; rather, as Dulles explains, they were affirmed, not as static entities, but as dynamic creedal entities that were continuously evolving and developing:

We have already seen that Newman as a Catholic continued to affirm what he had previously believed as an Evangelical Christian. He also retained the convictions he acquired as an Anglican regarding the existence of a visible Church, the sacramental system, and the dogmatic decrees of the early councils. His conversion was therefore not a repudiation but an affirmation of his past; it was continuous, progressive, and incremental.⁷⁹

On becoming a Catholic, Newman was ordained a Catholic priest in 1847 after which he founded the English Oratory of St. Philip Neri, in Birmingham and spent the rest of his life as an Oratorian till his death in 1890.

In 1851, Paul Cullen, Archbishop of Armagh proposed to Newman the plan to establish a Catholic University in Dublin, Ireland, which opened to the first students in 1854 at 86 St. Stephen’s Green with Newman as Rector.⁸⁰ In 1859, he founded the Catholic school in Birmingham. Thus, Newman was involved and devoted to the education of people.

As a Catholic, Newman dedicated much time defending, discussing and elaborating issues of the Catholic faith and truths. He also continued to examine the nature of conscience

⁷⁹ Ibid., 723.

⁸⁰ Newman’s university discourses, lectures and some articles he wrote while in Dublin constitute the content of his book *The Idea of University*, (London: Longman, Green and Co., 1907).

and its role in the lives of human beings. Of himself, he paid particular attention to the concept of conscience and declared:

I am a Catholic by virtue of my believing in a God; and if I am asked why I believe in a God, I answer that it is because I believe in myself, for I feel it impossible to believe in my own existence . . . without believing also in the existence of Him, who lives as a Personal, All-seeing, All-judging Being in my conscience.⁸¹

Newman's homilies and post-conversion writings such as *An Essay in Aid of a Grammar of Assent*⁸² and "A Letter to the Duke of Norfolk,"⁸³ discuss the essential notion of conscience. Although the *Grammar of Assent* is not about conscience per se, S. A. Grave believes it still contains Newman's "most extensive treatment of its nature."⁸⁴ In the work, Newman presents and explains diverse characteristics of the conscience. He refers to it for instance as the "voice", "teacher" and "guide" of the moral Governor in the human person.⁸⁵ Joseph Ratzinger affirms this, as he stated that for Newman, conscience signified "the perceptible and demanding presence of the voice of truth in the subject himself."⁸⁶

The *Grammar of Assent* which took Newman about twenty years to complete is considered to be his seminal epistemological work.⁸⁷ Hugo Maynell asserts that it "is arguably Newman's most solid intellectual achievement."⁸⁸ The book⁸⁹ is in two parts, with each part consisting of five chapters. Part I is titled "Assent and Apprehension," while Part II

⁸¹ John Henry Newman, *Apologia*, 198.

⁸² Published (London: Longman, Green and Co, 1903), [hereafter *Grammar of Assent*].

⁸³ John Henry Newman, "A Letter Addressed to his Grace the Duke of Norfolk on Occasion of Mr. Gladstone's Recent Expostulation," in *Certain Difficulties Felt by Anglicans in Catholic Teaching*, vol. 2 (London: Longmans, Green, and Co., 1900), 179 [hereafter *Letter to the Duke of Norfolk*]

⁸⁴ S. A. Grave, *Conscience in Newman's Thought* (Oxford: Clarendon Press, 1989), 30.

⁸⁵ See Edward A. Sillem, "Cardinal Newman's *Grammar of Assent* on Conscience as a Way to God," *The Heythrop Journal* 5 (1964). Sillem provides a brief background to the book and then addresses Newman's teaching on conscience as way of knowing God.

⁸⁶ Joseph Cardinal Ratzinger, "Conscience and Truth," in *Crisis of Conscience*, ed. John M. Haas (New York: The Crossroads, 1996), 9.

⁸⁷ Wilfrid Ward, *The Life of John Henry Cardinal Newman*, 242-278. Ward gives details of Newman's correspondences about the book with regards to its title and content.

⁸⁸ Hugo Maynell, "Newman's Vindication of Faith in the *Grammar of Assent*," in *Newman after a Hundred Years*, eds. Ian Ker and Alan G. Hill (Oxford: Clarendon Press, 1990), 246.

⁸⁹ For further details on the book see Stanley L. Jaki, *Newman's Challenge* (Grand Rapids: Eerdmans, 2000), 197-243.

is titled “Assent and Inference.” While the *Grammar of Assent* was written in the context of Newman’s efforts at grappling with the foundational questions of Christian apologetics, it was also written during the height of British empiricism, during which period Newman battled for the legitimacy and necessity of faith as a major component to the human intellect. Empiricism posits that knowledge is gained only through experiential data, and, in its extreme form, rejects rationalism. Empiricists maintain that it is only through the possession of factual data that a person can give assent to a proposition. Knowledge, they assert, is granted only on the basis of the evidence presented before it. In this way, its proponents deny the existence of any form of innate or universal knowledge or truth.⁹⁰ It was in this way, also, that the Empiricist world of Newman’s day tried to totally exclude what could not be proven as fact, thereby making faith an increasingly irrelevant non-entity in an empirically scientific world. Against such claims, Newman argued that assent can be given to a proposition that has no material evidence, and that this is especially so in the case of propositions with religious emphases. To this effect, Newman explained that we can assent to the knowledge of the existence of God through the concept of conscience.⁹¹

The *Grammar of Assent* is Newman’s attempts to explain how we assent to both ideas and realities in particular the idea of God and religious certainty. He therefore propounds a theory of human judgment which he called the “Illative Sense.”⁹² He describes the term thus:

⁹⁰ See *New Catholic Encyclopedia*, s.v. “Empiricism.” *Encyclopaedia of Philosophy*, s.v. “Empiricism.”

⁹¹ John Henry Newman, *Grammar of Assent*, 105.

⁹² See Avery Dulles, *John Henry Newman* where he remarks that Newman “coined the term ‘illative sense’ to describe the capacity to appraise the force of the evidence and to identify the point at which it suffices to warrant a firm conviction” 39-40. The Illative Sense is therefore Newman’s original term which refers to “informal reasoning” 150. Gerard J. Hughes in “Conscience” explains how the concept of the “illative sense” explicates on Newman’s notion of conscience. Hughes presents Newman’s meaning of the term “illative sense” and refutes what he believes as Newman’s critics. See *The Cambridge Companion to John Henry Newman*, eds. Ian Ker and Terrence Merrigan (Cambridge: Cambridge University Press, 2009), 197-.207.

“Judgment then in all concrete matter is the architectonic faculty; and what may be called the Illative Sense, or right judgment in ratiocination, is one branch of it.”⁹³ He states further:

I have already said that the sole and final judgment on the validity of an inference in concrete matter is committed to the personal action of the ratiocinative faculty, the perfection or virtue of which I have called the Illative Sense, a use of the word ‘sense’ parallel to our use of it in ‘good sense,’ ‘common sense,’ a ‘sense of beauty.’⁹⁴

Explicating on the concept, Newman contends that the Illative Sense is “the power of judging and concluding, when in its perfection,”⁹⁵ “it is, the reasoning faculty, as exercised by gifted, or by educated or otherwise well-prepared minds.”⁹⁶ Newman examined the concept from four respective ways namely: “in itself, in its subject-matter, in the process it uses, and in its function and scope.”⁹⁷ Upon this he writes:

First, viewed in its exercise, it is one and the same in all concrete matters, though employed in them in different measures. We do not reason in one way in chemistry or law, in another in morals or religion; but in reasoning on any subject whatever, which is concrete, we proceed, as far as we can, by the logic of language, but we are obliged to supplement it by the more subtle and elastic logic of thought; for forms by themselves prove nothing. Secondly, it is in fact attached to definite subject-matters, so that a given individual may possess it in one department of thought, for instance, history, and another, for instance, philosophy. Thirdly, in coming to its conclusion, it proceeds always in the same way, by a method of reasoning . . . Fourthly, in no class of concrete reasoning, whether in experimental science, historical research, or technology, is there any ultimate test of truth and error in our inferences besides the trustworthiness of the Illative Sense that gives them its sanctions.⁹⁸

⁹³ John Henry Newman, *Grammar of Assent*, 342.

⁹⁴ *Ibid.*, 345.

⁹⁵ *Ibid.*, 353.

⁹⁶ *Ibid.*, 361.

⁹⁷ *Ibid.*, 358.

⁹⁸ *Ibid.*, 358-359.

Bernard Mahoney believes that the “Illative sense” seeks to accumulate the observations of the five senses in order to arrive at highly probable conclusions, thereby guiding human beings toward the conclusions their consciences will form.⁹⁹

According to Mahoney, the Illative sense is Newman’s response to the then Utilitarian notion of “moral sense,”¹⁰⁰ which, in the theorising of Jeremy Bentham, posited that all human choices “would be based on quantitative amounts of pleasure or pain,” as assessed by a mathematically-based Pleasure-Pain Calculus.¹⁰¹

Mahoney explains that Newman’s Illative sense is also the intellectual counterpart of Aristotle’s *Phronesis*,¹⁰² In Aristotelian philosophy; this is the faculty of the human mind that closes the logic-gap in concrete situations, thus allowing for assent or acquiescence. Newman explained that in concrete life situations attaining indisputable proof in favour of a decision is not possible, and the best one could hope to achieve was a series of converging probabilities that pointed towards a conclusion.¹⁰³ Newman concluded that the Illative sense, as he theorised it, functioned to close that gap, which must necessarily exist between converging probabilities and incontrovertible proof, in order to attain certitude in specific situations.¹⁰⁴ He also concluded that it is through the functioning of the Illative process that human beings can be certain that the voice of Conscience is really speaking to them.¹⁰⁵ It must be noted, however, that the exercise of Newman’s Illative sense apparently depends on the level of sagacity, skill or prudence cultivated by a person, facilitated through practice and experience, both of which are also seen to be crucially important for reasoning well and making apt

⁹⁹ See Bernard Mahoney, “Newman and Moral Liberalism,” in *John Henry Newman: Doctor of the Church*, ed. Philippe Lefebvre and Colin Mason (Oxford: Family Publications, 2007), 224.

¹⁰⁰ Ibid.

¹⁰¹ Ibid. See Jeremy Bentham, *An Introduction to the Principles of Morals and Legislation* (New York: Hafner, 1965), 1.

¹⁰² See Aristotle, *Nicomachean Ethics*, Bk. VI.

¹⁰³ Bernard Mahoney, “Newman and Moral Liberalism,” 232-33.

¹⁰⁴ Ibid., 233.

¹⁰⁵ Ibid., 232.

judgments.¹⁰⁶ Such an implication cannot but have ramifications in such areas as ‘formation of conscience’ and ‘the erroneous conscience’ for example.

In terms of the above description, Newman’s Illative sense can be best described as a natural faculty of judgement, an informal and tacit ability for reasoning, developing intellectual skills and making apt judgements.¹⁰⁷ It is also depicted as governing a natural process of reasoning by which a person arrives at the truth of a proposition without explicit investigation.¹⁰⁸ This is comparable to Newman’s understanding of how the natural conscience functions; he theorised that it can arrive at the truth of a proposition that certain behaviours are right or wrong, in the absence of any apparent investigation.¹⁰⁹ It seemed to Newman that the natural conscience had unconsciously combined various phenomena to form a judgement of this or that behaviour. It is in such a manner that Newman sees the Illative sense guiding individuals to conclusions that their consciences will go on to form.¹¹⁰ In this perspective, it will not be wrong for Henri Bremond to state that the Illative Sense is “the name taken by the conscience when in quest of religious truth.”¹¹¹

In the *Letter to the Duke of Norfolk* also, Newman looks at the nature and role of conscience. The *Letter* is specifically addressed to the Duke in acknowledgement of his social position as the leading Catholic layman in England. In the ten chapter write up, Newman discusses the evolution of the Papacy and the concept of conscience, amongst other matters, for the ‘enlightenment’ of the then British Prime Minister, William E. Gladstone, who had just virulently attacked Catholic teaching on papal infallibility enunciated at The First Vatican Council (1868-1870). With reference to Council’s teaching, Gladstone bitterly

¹⁰⁶ Frederick D. Aquino, *Community of Informed Judgement: Newman’s Illative Sense and Account of Rationality* (Washington, D.C.: The Catholic University of America Press, 2004), 71.

¹⁰⁷ *Ibid.*, 70.

¹⁰⁸ *Ibid.*

¹⁰⁹ *Ibid.*

¹¹⁰ Bernard Mahoney, “Newman and Moral Liberalism,” 224.

¹¹¹ Cited by Gabriel Daly, See “The Legacy of John Henry Newman: 2 Breaking the Mould,” *The Tablet*, March 3, 2001, 304.

complained about the effort to *Romanise* the Church of England as well as the people of England in his article “*Ritual and Ritualism*” published in *Contemporary Review* 24 (1874): 663-81. He unashamedly sensationalised this allegation by questioning the patriotism of English Catholics in the context of the teaching of Vatican I as contained in *Pastor Aeternus*¹¹². This Vatican 1 document promulgated as infallible the teaching authority of the Pope, when he taught *ex cathedra*, thereby indicating to Catholics that they would be expected to acknowledge and submit to Papal teaching authority.

Gladstone angrily remonstrated that English Catholics could not, therefore, be loyal to their country, on the one hand, and to the Church and the Pope, on the other.¹¹³ In an anti-Catholic pamphlet entitled “*The Vatican Decrees in their bearing on Civil Allegiance: A Political Expostulation*” (1874), Gladstone blatantly called on English Catholics to reject papal infallibility just as they had patriotically opposed the Spanish Armada of 1588.¹¹⁴ Within the same pamphlet, however, he rounded on the Church of these potential Catholic patriots; in a sectarian pique, deridingly equating their Church as “*an Asian monarchy: nothing but one giddy height of despotism, and one dead level of religious subservience*”, led by a Pope who wants to replace the rule of law with arbitrary tyranny, and then hide these “*crimes against liberty beneath a suffocating cloud of incense.*”¹¹⁵

In making his response, Newman used his *Letter*, in particular Chapters 4 and 5, to defend Catholics and the Pope, but, crucially, he used the opportunity to assert the primacy of conscience. What was crucial about asserting the Catholic position of the primacy of conscience was that it went directly to the core of Gladstone’s attack, namely the alleged

¹¹² Vatican I, “First Dogmatic Constitution on the Church of Christ,” in *The Decrees of the Vatican Council* ed. Vincent McNabb (London: Burns and Oates, 1907).

¹¹³ For more details see John R. Page, *What will Dr. Newman Do? John Henry Newman and Papal Infallibility 1865-1875* (Collegeville: Liturgical Press, 1994); Alvan Ryan ed., *Newman and Gladstone: The Vatican Decrees* (Notre Dame: University of Notre Dame Press, 1962).

¹¹⁴ See Philip Magnus, *Gladstone: A Biography* (London: John Murray, 1954), 235.

¹¹⁵ *Ibid.*, 235-6.

Papal interference with the supremacy of the individual conscience. Phrases such as “no mental freedom”, “a hold over their consciences”, “loss of mental and moral freedom” and “our state of bondage” used by Gladstone left Newman in no doubt as to the focal point of Gladstone’s sharp attack. In his pamphlet, Gladstone had not been slow to point out that if someone hands over control of their conscience to another, or if this control is taken from them, they will suffer a loss of mental and moral freedom, and will exist in a state of bondage to their controller. In Gladstone’s view, whosoever controls the conscience controls its owner. Such assumptions by Gladstone did not escape Newman’s attention, and so he situated the content of Gladstone’s emotive “vituperation” within the context of his own reasoned debate on conscience, pointing out that:

The main question which Mr. Gladstone has started I consider to be this:—Can Catholics be trustworthy subjects of the State? Has not a foreign Power a hold over their consciences such, that it may at any time be used to the serious perplexity and injury of the civil government under which they live? Not that Mr. Gladstone confines himself to these questions, for he goes out of his way, I am sorry to say, to taunt us with our loss of mental and moral freedom, a vituperation which is not necessary for his purpose at all. He informs us too that we have “repudiated ancient history,” and are rejecting modern “thought,” and that our Church has been “refurbishing her rusty tools,” and has been lately aggravating, and is likely still more to aggravate, our state of bondage.¹¹⁶

That Newman had hit the proverbial nail on the head, despite the fact that Gladstone rarely used the word “conscience” is evident from the fact that Bismarck, the “Iron Chancellor” himself, joined in the debate on the side of Gladstone. John Finnis notes Bismarck’s “welcome on board” to Gladstone, in what he saw as their joint task of standing shoulder to shoulder in defending “liberty of conscience.” Finnis, himself, finds Bismarck’s use of such a phrase ironic in the light of subsequent bellicose events that occurred both within and between both countries. John Finnis continues:

¹¹⁶John Henry Newman, *Letter to the Duke of Norfolk*, 179.

Gladstone's *Expostulation* made little use of the word 'conscience'. But others besides Newman saw that conscience was the pamphlet's theme. Bismarck wrote personally to Gladstone to express his 'deep and hopeful gratification to see the two nations, which in Europe are the champions of the liberty of conscience encountering the same foe, stand henceforth shoulder to shoulder in defending the highest interests of the human race. The Reich Chancellor's expression of favour for 'liberty of conscience' recalls for us the ambiguity of that phrase, and the experiences which now stand between us and Gladstone-Newman debate.¹¹⁷

Newman, however, maintained that there were reasons other than the defence of liberty of conscience underlying Gladstone's issuing of his *Expostulation*. He noted Gladstone's construal of acceptance of the *Syllabus of Erroneous Propositions* as being akin to placing one's civil loyalty and duty at the mercy of another, that other being a foreign Pope. This alarm at citizens having to export their civil loyalty and duty outside the state was further exacerbated by the promulgation of the *Definitions of Vatican I* concerning the universal jurisdiction and doctrinal infallibility of the Pope. Interestingly, Newman noted Gladstone's indignation at what he perceived as the Irish bishops' interference in political matters at that time. It seemed to Newman, then, that rather than being a defence of freedom of conscience, Gladstone's document was, in effect, a call for separation of Church and State, especially when that Church was the Roman Catholic Church. Thus, Newman notes some of Gladstone's negative and alarmist reactions to specified developments within the Catholic Church of that era:

He was alarmed, as a statesman, ten years ago by the Pope's Encyclical of December 8, and by the Syllabus of Erroneous Propositions which, by the Pope's authority, accompanied its transmission to the bishops. Then came the Definitions of the Vatican Council in 1870, upon the universal jurisdiction and doctrinal infallibility of the Pope. And lastly, as the event which turned alarm into indignation, and into the duty of public remonstrance, 'the Roman Catholic Prelacy of Ireland thought fit to procure the rejection of' the Irish University Bill of February, 1873, 'by the direct influence which

¹¹⁷ John Finnis, "Conscience in the *Letter to the Duke of Norfolk*," in *Newman after a Hundred Years*, eds. Ian Ker and Alan G. Hill (Oxford: Clarendon Press, 1990), 401.

they exercised over a certain number of Irish Members of Parliament.¹¹⁸

Newman's teaching on conscience, as outlined in his *Letter to the Duke of Norfolk* is lauded by John Finnis for its successful attempt at raising the profile of conscience from the domain of untutored, primitive irrationality to the level of an intellectual ability "endowment" that can serve to connect rational human beings with their God. Indeed, the opening to the following extract from Finnis, could be read as an expression of gratitude to Gladstone for triggering such a "brilliant exposition" in Newman:

It can be argued that Gladstone's *Expostulation* brought forth in Newman a brilliant exposition of the notion of *Conscience* . . . Indeed, the *Letter* has its peculiar power from its celebration of conscience precisely as an 'intellectual endowment' enabling the 'rational creature' to share in 'the Divine Light,' the Divine Law, 'Divine Reason or Will of God' as against the theories of 'the great world of philosophy now,' which dethrone conscience as 'but a twist in primitive and untutored man,' a 'simply irrational' product or manifestation of 'imagination.'¹¹⁹

Newman's concept of conscience in the *Letter to the Duke*, as we will see later, did elevate the essential nature of conscience from that of a "simply irrational product of imagination" to a level on a par with the Divine. The *Letter* is classic for championing the authority and primacy of conscience. In this regard, Newman had this to say:

I should look to see what theologians could do for me, what the Bishops and clergy around me, what my confessor; what friends whom I have revered: and if, after all, I could not take their view of the matter, then I must rule myself by my own judgement and my own conscience.¹²⁰

Newman was equally unequivocal when it came to the relationship between conscience and the authority of the Pope. The primacy of conscience could not be compromised. It is an invaluable principle of the human person. In the following extract, Newman shows

¹¹⁸ John Henry Newman, *Letter to the Duke of Norfolk*, 180-81.

¹¹⁹ John Finnis, "Conscience in the *Letter to the Duke of Norfolk*," 402.

¹²⁰ John Henry Newman, *Letter to the Duke of Norfolk*, 243.

commitment to this fundamental principle underpinning the inherent authority of the voice of conscience:

Was St. Peter infallible on that occasion at Antioch when St. Paul withstood him . . . And, to come to later times, was Gregory XIII, when he had a medal struck in honour of the Bartholomew massacre? . . . or Sextus V when he blessed the Armada? or Urban VIII when he persecuted Galileo? No Catholic ever pretends that these Popes were infallible in these acts . . . and the Pope is not infallible in that subject-matter in which conscience is of supreme authority, no dead-lock, such as implied in the objection which I am answering, can take place between conscience and the Pope.¹²¹

The *Letter to the Duke of Norfolk* as a scholarly and a capable response to Gladstone's attack presents a brilliant exposition on the nature of conscience and at the same time points out mistaken views.¹²²

2. The Specific Nature and Role of Conscience in Newman's Thought

Newman's teaching on conscience is very much God-centred.¹²³ He believes it originates in God and leads to the knowledge of God. His teaching is founded on his faith. Amongst his homilies, we find his initial treatment of the origin of conscience. In his preaching, he maintains that conscience has been part of human nature from the outset of creation, having been placed there by God. In his *Parochial and Plain Sermons*, in particular, he situates the origin of conscience within the context of the Fall of Adam and Eve, a sin that involved their original disobedience to a Divine Injunction. Newman narrates:

If there be this sort of connexion between God's knowledge and sufferance of evil, see what an ambition it was in our first parents to desire to know it without experiencing it; it was, indeed, to desire to be as gods,—to know the secrets of the prison-house, and to see the worm that dieth not, yet remain innocent and happy. This they

¹²¹ Ibid., 258.

¹²² See Gerard J. Hughes, "Conscience" 190-194 where Hughes posits that "Newman's view of conscience 'truly so called' is very close to Aristotle's notion of *phronēsis*, practical wisdom" [citation from 194].

¹²³ Ian Ker confirms this as he states: "Newman has no truck with any attempt to secularize conscience. Conscience is the 'voice of God' not 'a creation of man.'" See "Newman and the 'Orphans of Vatican II,'" *Louvain Studies* 15 (1990): 132.

understood not; they desired something which they knew not that they could not have, remaining as they were; they did not see how knowledge and experience went together in the case of human nature; and Satan did not undeceive them. They ate of the tree which was to make them wise, and, alas! they saw clearly what sin was, what shame, what death, what hell, what despair. They lost God's presence, and they gained the knowledge of evil. They lost Eden, and they gained a conscience. This, in fact, is the knowledge of good and evil.¹²⁴

This citation indicates that the story of the Fall in the mystery of creation is the first negative human response to the voice of God, a voice which told its original listeners what they could or could not do. Newman declared unambiguously that the experience of the couple gained them conscience which he defined as “the knowledge of good and evil.” That “they gained conscience” could mean that they became aware of a specific way of reasoning, a way to distinguish between right and wrong.

Newman elaborates on the Divine origin of conscience in another early sermon in which he taught that:

We obey God primarily because we actually feel His presence in our consciences bidding us obey Him. And this, I say, confutes these objectors on their own ground; because the very reason they give for their unbelief is, that they trust their own sight and reason . . . more than the words of God's Ministers. Now, let me ask, if they trust their senses and their reason, why do they not trust their conscience too? Is not conscience their own? Their conscience is as much a part of themselves as their reason is; and it is placed within them by Almighty God in order to balance the influence of sight and reason; and yet they will not attend to it; for a plain reason . . . they love to be their own masters, and therefore they will not *attend to that secret whisper of their hearts*, which tells them they are *not* their own masters, and that sin is hateful and ruinous.¹²⁵

Newman maintains here in vehement words that God Himself placed conscience within the individual, not for His own delectation, but to moderate, monitor and executively direct the functions of his other human endowments, reason, and the senses. Newman pointedly contrasts the ease with which individuals are prepared to claim personal ownership of, and

¹²⁴ John Henry Newman, *PPS VIII*: 18, 258-259.

¹²⁵ *Ibid.*, I:15, 199-200 [Italics mine].

lordship over, their capacity to reason and to sense, with their reluctance to “attend to that secret whisper of their hearts.” He explicitly attributes such reluctance to the human being’s desire to be his or her own master. The words of Satan to Eve, as he induced her to follow her own desires: “you will become like God, knowing good and evil” (Gen. 3:5), could not have been far from Newman’s mind as he penned the above conclusion. In other sermons, Newman expressed on the origin of conscience in phrases such as “God’s original gift”,¹²⁶ “a divinely-sanctioned informant”,¹²⁷ “an original endowment”¹²⁸ or “a guide from God.”¹²⁹

Newman’s sermons are a reminder that a human endowment whether it be reason, the senses or conscience is inherent. All such endowments have a Divine origin, having been implanted within the individual by God Himself. His striking depiction of conscience as “that secret whisper of their hearts” is meant to convey that human beings “are not their own masters” since exercising any form of serious control over something that is “secret” and conveyed by a “whisper” must be considered quite a difficult undertaking.

In another of his sermons, Newman uses the mystery of the incarnation to elucidate on the origin of conscience. To understand his theological interconnecting will naturally require some insight into his perception of this Christian mystery. A straightforward account of his perception is to be found in his *Parochial and Plain Sermons*. Characteristically, Newman’s account leaves little room for speculation or second-guessing, as he pinpoints the notion central to this mystery: Jesus Christ, as Son of God and Son of Mary, has two natures, divine and human, united in his Person. Elaborating on this, Newman asserts:

Before He (Jesus Christ) came on earth, he had but the perfections of God, but afterwards he had also the virtues of a creature, such as faith, meekness, self denial. Before he came on earth he could not be tempted to evil; but afterwards he had a man’s heart, and a man’s

¹²⁶ Ibid., I:23, 305.

¹²⁷ Ibid., I:17, 219; VII:15, 204.

¹²⁸ Ibid., II:6, 65.

¹²⁹ Ibid., 66.

wants and infirmities. His Divine Nature indeed pervaded his manhood, so that every deed and word of his in the flesh savoured of eternity and infinity; but on the other hand, from the time he was born of the Virgin Mary, he had a natural fear of danger, a natural shrinking from pain, though ever subject to the ruling influence of that holy and eternal Essence which was in him.¹³⁰

Having presented an explicit answer as to the nature of the mystery, Newman gave his listeners an understanding as to the purpose underlying such Divine-Human intermingling within the Person of Jesus. For Newman, Jesus Christ was primarily the “Word of God” whose incarnation was intended as God’s answer to mankind’s restless search for happiness, a search which commenced (as noted earlier) after it had lost Paradise, when it had lost His Presence. Therefore, according to Newman:

Christ then took on our nature, when he would redeem it; He redeemed it by making it suffer in His own Person; He purified it, by making it pure in His own Person. He first sanctified it in Himself, made it righteous, made it acceptable to God, submitted it to an expiatory passion, and then He imparted it to us. He took it, consecrated it, broke it, and said, ‘Take, and divide it among yourselves.’¹³¹

In Newman’s view, Jesus Christ could only achieve his mission of redeeming human nature and rendering it righteous and acceptable to his Father by incarnating his Trinitarian role of the “Word of God.” Newman, as a writer, preacher, and teacher, was aware, more than most, of the power of words to mediate information, meaning, expectation, counsel and advice, for example, at all levels from the very general to the finely nuanced. It is for this reason that, when dealing with the notion of conscience, Newman specifically identifies Christ as the Incarnated “Word of God”. It is Newman’s understanding that, when “The Word of God” imparts to humankind his Universal Law of Love, and His reasoned expectations as to how human beings should treat one another, for example, He is not only mediating between

¹³⁰ Ibid., III:12, 166.

¹³¹ Ibid., V:9, 117.

God the Father and Humankind, but He is also providing each human being with his or her own unique, Divine-Human mediating tool namely, conscience. Newman elaborates thus:

As it is said in the opening of the Gospel: ‘In the beginning was the Word, and the Word was with God, and the Word was God.’ If we may dare conjecture, He is called the Word of God, as mediating between the Father and all creatures; bringing them into being, fashioning them, giving the world its laws, imparting reason and conscience to creatures of a higher order, and revealing to them in due season the knowledge of God's will.¹³²

It is in this manner that Newman clarifies that Christ, as Word of God incarnate endowed human beings with a conscience to reveal the requirements of God's will to them.

Newman's teaching on the divine origin of conscience enables him to take his teaching further and assert that

obedience to our conscience, in all things, great and small, is the way to know the Truth; that pride hardens the heart, and sensuality debases it; and that all those who live in pride and sensual indulgence can no more comprehend the way of the Holy Spirit, or know the voice of Christ than the devils who believe with a dead faith and tremble.¹³³

At this stage, it should be obvious that, irrespective of his intentions, Newman has succeeded in situating the nature and function of conscience within an all-encompassing Trinitarian embrace.

2.1 Conscience: Representative and Intermediary of God in the Human Person

In Newman's eyes, as stated in the introduction to this chapter, there are only two unconditional realities in this world, personal existence of the self and that of God. The importance that Newman attached to human friendship has already been noted, and yet of friends in general, he suggests that they can only scratch at the surface of his personal reality. When it comes to a person's deep and innermost self, according to Newman, friends cannot

¹³² Ibid., II:3, 30.

¹³³ Ibid., I:17, 227.

get at his or her soul, or enter into their thoughts, or really be companion to them. He wryly suggests that human beings will have to wait till the next life for such in-depth relating. He goes on to conclude, therefore, that all that is then left for human beings is the acknowledgment of the reality of their own existence and that of the Presence of God within them. This God, however, is both Governor and Judge over each individual, is permanently represented within that individual by the presence and functioning of his or her conscience. Newman's teaching in this regard is presented in the following extract, which indeed is classic for its structure as well as its unambiguous content:

Sublime, unlooked-for doctrine, yet most true! To every one of us there are but two beings in the whole world, himself and God; for, as to this outward scene, its pleasures and pursuits, its honours and cares, its contrivances, its personages, its kingdoms, its multitude of busy slaves, what are they to us? nothing—no more than a show:—‘The world passeth away and the lust thereof.’ And as to those others nearer to us, who are not to be classed with the vain world, I mean our friends and relations, whom we are right in loving, these, too, after all, are nothing to us here. They cannot really help or profit us; we see them, and they act upon us, only (as it were) at a distance, through the medium of sense; they cannot get at our souls; they cannot enter into our thoughts, or really be companions to us. In the next world it will, through God's mercy, be otherwise; but here we enjoy, not their presence, but the anticipation of what one day shall be; so that, after all, they vanish before the clear vision we have, first, of our own existence, next of the presence of the great God in us, and over us, as our Governor and Judge, who dwells in us by our conscience, which is His representative.¹³⁴

In the previous section we stressed Newman's teaching on the divine origin of conscience but in the extract above, he considers conscience as an indwelling Divine Representative, and elaborates on the assumptions and expectations out of which this representative operates. As God's representative; Newman's teaching serves as an important foundation for theological personalism, which, in general terms, emphasizes the significance, uniqueness and inviolability of the person, as well as his or her inherently relational and communal nature.

¹³⁴ Ibid., I.2, 20-21.

Geissler elaborates what happens for individuals when they operate out of such assumptions. For example, obedience to this Divine Representative will dispose people for knowledge-with (con-scientia) someone else. Loyal supporters of this Divine Representative will not allow themselves to be misused, and will choose not to remain imprisoned in an egocentric world.¹³⁵ Obedience to the voice of this Divine Representative will serve to cultivate in the conscientious person an open heart for others and for Truth and Love. Consistent obedience to this voice will fashion conscience into an advocate of truth in the innermost part of the human person. It can be said that Newman's own life was an impressive endorsement of this fundamental conviction.¹³⁶ In substantiating such a claim, in terms of Newman's conversion to Catholicism, Benedict XVI also made explicit what conscience, as the Indwelling Divine Representative, expects of its human host:

Newman's conversion to Catholicism was not for him a matter of personal taste or of subjective, spiritual need . . . Newman was much more taken by the necessity to obey recognized truth than his own preferences, that is to say, even against his own sensitivity and bonds of friendship and ties due to similar backgrounds . . . he emphasized truth's priority over consensus, over the accommodation of groups.¹³⁷

2.1.1 Conscience: The Aboriginal Vicar of Christ

In Newman's thinking, conscience is not what the philosophical theories of his time projected. Conscience is not the "self" speaking; rather it is the literal voice of God. As stated earlier in this thesis, the "voice of God" was "Incarnated" for the benefit of all humankind, for Newman; therefore, conscience not only represents the "voice of God" but also that of the Incarnate Son. In recognition of this Christ-centred attribute, Newman explains the nature of

¹³⁵ Hermann Geissler, "Teacher of Conscience," 6.

¹³⁶ *Ibid.*, 8.

¹³⁷ Joseph Cardinal Ratzinger, "Conscience and Truth," 9.

conscience and calls it “the aboriginal Vicar of Christ,”¹³⁸ with consequent role in the *tria munera Christi*:

Conscience is not a long-sighted selfishness, nor a desire to be consistent with oneself; but it is a messenger from Him, who, both in nature and in grace, speaks to us behind a veil, and teaches and rules us by His representatives. Conscience is the aboriginal Vicar of Christ, a prophet in its informations, a monarch in its peremptoriness, a priest in its blessings and anathemas, and, even though the eternal priesthood throughout the Church could cease to be, in it the sacerdotal principle would remain and would have a sway.¹³⁹

As with all of Newman’s writings, he characteristically leaves very little to chance or accident, when it comes to utilising his superb mastery of the English language in order to effectively transmit his message to his readers or listeners. So, he refutes what he views as wrong understanding of conscience and indicates that it is “a messenger of God.” Norris expounding on Newman declared:

This appellation sets up what may be called ‘the Christological context of conscience’ which, as a component of human nature, belongs to creation, but belongs to Christ in virtue of the incarnation and resurrection. He who speaks in nature and creation by way of conscience is the same person who will speak in revelation, ‘the initial and essential idea of Christianity.’¹⁴⁰

Geissler on the other hand explicates on the *tria munera Christi* thus:

Conscience is a *prophet* because it tells us in advance whether the act is good or bad. It is a *king* because it exhorts us with authority: ‘Do this, avoid that.’ It is a *priest* because it blesses us after a good deed - this means not only the delightful experience of a good conscience, but also the blessing which goodness brings in any case to people and

¹³⁸ The term “Vicar of Christ” in Latin *Vicarius Christi* refers to the Pope. It is his official title as the visible representative of Christ on earth. The title implies his supreme and universal primacy, both of honour and of jurisdiction, over the Church of Christ. It is founded on the words of the Divine Shepherd to St. Peter: “Feed my lambs . . . Feed my sheep” (John 21:16-17), by which He constituted the Prince of the Apostles guardian of His entire flock in His own place, thus making him His Vicar and fulfilling the promise made in Matthew 16:18-19. There are other titles used for the Pope, such as, Vicar of St. Peter, Vicar of the Apostolic See or Vicar of Rome. But, the title Vicar of Christ is more significant of his supreme headship of the Church on earth, which he bears in virtue of the commission of Christ and with vicarial power derived from Him. See *New Catholic Encyclopedia*, s.v. “Vicar of Christ.” Newman being aware of this term describes conscience as the archetypical Christ.

¹³⁹ John Henry Newman, *Letter to the Duke of Norfolk*, 248.

¹⁴⁰ Thomas J. Norris, *Cardinal Newman Today*, 151.

to the world - and likewise 'condemns' after an evil deed, as an expression of the gnawing bad conscience and of the negative effects of sin on men and their surroundings. [Conscience] is a principle that is written in the being of every person. It asks for obedience and refers to one outside of itself: to God - for one's own sake and the sake of others.¹⁴¹

Geissler in concluding from Newman's use of those Biblical metaphors that conscience is a principle written into the very being of every person, is merely reiterating Newman's claim that the basic principles of the Natural Law are a part of the mind and heart of the very person.¹⁴² Since conscience is deemed an essential part of the Natural Law, which prefigured the New Law of Christ,¹⁴³ Newman's description of conscience as the Aboriginal Vicar of Christ, is due to his conviction that conscience is the Divine Law "as apprehended in the mind of individuals."¹⁴⁴ So Newman demands a dutiful obedience to that divine voice that speaks within us as he maintains:

[O]bedience to conscience leads to obedience to the Gospel, which, instead of being something different altogether, is but the completion and perfection of that religion which natural conscience teaches. Indeed, it would have been strange if the God of nature had said one thing, and the God of grace another; if the truths which our conscience taught us without the information of Scripture, were contradicted by that information when obtained. But it is not so; there are not two ways of pleasing God; what conscience suggests, Christ has sanctioned and explained; to love God and our neighbour are the great duties of the Gospel as well as of the Law; he who endeavours to fulfil them by the light of nature is in the way towards, as our Lord said, 'not far from Christ's kingdom;' for to him that hath more shall be given.¹⁴⁵

Newman is quite explicit in his assertion that obedience to conscience is equivalent to obedience to the Gospels and to obedience to the sanctions of Christ, especially His primary sanctions concerning the Love of God and of one's neighbour.

¹⁴¹ Hermann Geissler, "Teacher of Conscience," 6-7.

¹⁴² See Bernard Mahoney, "Newman and Moral Liberalism," 231.

¹⁴³ Ibid.

¹⁴⁴ John Henry Newman, *Letter to the Duke of Norfolk*, 247.

¹⁴⁵ John Henry Newman, *PPS VIII:14*, 202.

In his treatment of conscience as divine-representative and especially of Christ, Newman has, in a way, bestowed on natural conscience a Christian aura. While the ultimate demands of a Christian conscience focus on love of God and Neighbour, Newman reminds his us that anyone seeking to fulfil those demands “by the light of nature” only is, in the words of Christ “not far from the Kingdom.”

2.2 Conscience: A Christian-Religious Construct with Multiple Philosophical Undertones

Newman’s argument for the existence of conscience is very much connected with God. His method of presenting his argument is however very philosophical. In a sermon preached before the Catholic University of Dublin he proclaimed:

What is the main guide of the soul, given to the whole race of Adam, outside the true fold of Christ as well as within it, given from the first dawn of reason, given to it in spite of that grievous penalty of ignorance, which is one of the chief miseries of our fallen state? It is the light of conscience, ‘the true Light,’ as the same Evangelist says, in the same passage, ‘which enlighteneth every man that cometh into this world.’ Whether a man be born in pagan darkness, or in some corruption of revealed religion,—whether he has heard the name of the Saviour of the world or not,—whether he be the slave of some superstition, or is in possession of some portions of Scripture, and treats the inspired word as a sort of philosophical book, which he interprets for himself, and comes to certain conclusions about its teaching,—in any case, he has within his breast a certain commanding dictate, not a mere sentiment, not a mere opinion, or impression, or view of things, but a law, an authoritative voice, bidding him do certain things and avoid others. I do not say that its particular injunctions are always clear, or that they are always consistent with each other; but what I am insisting on here is this, that it *commands*,—that it praises, it blames, it promises, it threatens, it implies a future, and it witnesses the unseen. It is more than a man's own self. The man himself has not power over it, or only with extreme difficulty; he did not make it, he cannot destroy it. He may silence it in particular cases or directions, he may distort its enunciations, but he cannot, or it is quite the exception if he can, he cannot emancipate himself from it. He can disobey it, he may refuse to use it; but it remains. This is Conscience.¹⁴⁶

¹⁴⁶ John Henry Newman, *Sermons Preached on Various Occasions* (London: Longmans, Green and Co., 1908), 64-65. [Hereafter *SVO*].

Newman argues here for the universality of conscience, he sees it not as an exclusive of Christians but of everybody. He describes it in the language of the Gospel of John as: “the true light.” Newman, however, indicates conscience’s special role by which in “its very existence carries on our minds to a Being exterior to ourselves . . . and to a Being superior to ourselves.”¹⁴⁷

Newman’s perception of conscience demonstrates an assuredness that his teaching is the hallmark of a personal deep-seated faith conviction. Conscience suggested many things for Newman; but his certainty that it carries our mind to truth about God enabled him to contend:¹⁴⁸

Conscience suggests to us many things about that Master, whom by means of it we perceive, but its most prominent teaching, and its cardinal and distinguishing truth, is that he is our Judge. In consequence, the special Attribute under which it brings Him before us, to which it subordinates all other Attributes, is that of justice—retributive justice. We learn from its informations to conceive of the Almighty, primarily, not as a God of Wisdom, of Knowledge, of Power, of Benevolence, but as a God of Judgment and Justice; as One, who, not simply for the good of the offender, but as an end good in itself, and as a principle of government, ordains that the offender should suffer for his offence. If it tells us anything at all of the characteristics of the Divine Mind, it certainly tells us this; and, considering that our shortcomings are far more frequent and important than our fulfilment of the duties enjoined upon us, and that of this point we are fully aware ourselves, it follows that the aspect under which Almighty God is presented to us by Nature, is (to use a figure) of One who is angry with us, and threatens evil.¹⁴⁹

From the above quotation, Newman brings out his basic teaching concerning conscience and God: “a God of Judgment and Justice.”

The quality and nature of Newman’s ‘pronouncements’ and ‘declarations’ concerning the inherent capacity of conscience to reveal the actual existence of God are indicative of “real assent”, which, according to Mahoney, one gives “to choices that we must make

¹⁴⁷ Ibid., 65.

¹⁴⁸ John Henry Newman, *Grammar of Assent*, 389-390.

¹⁴⁹ Ibid., 390-91

immediately in our daily lives,” in contrast to “the notional assent”, which, he suggests, we reserve for “intellectual and scientific concepts that might take time to comprehend and understand fully.”¹⁵⁰ In the words of S. A. Grave, when Newman undertakes to show “how we can come by the way of our conscience to a realisation that God exists . . . we shall find, he there works with an everyday conception of conscience.”¹⁵¹ This means that Newman applies the notion of conscience as a specific knowledge or reason.

Newman’s real philosophical description of conscience comes from the phrases he used to describe conscience. For instance, he states:

The feeling of conscience (being, I repeat, a certain keen sensibility, pleasant or painful,—self-approval and hope, or compunction and fear,—attendant on certain of our actions, which in consequence we call right or wrong) is twofold:—it is a moral sense, and a sense of duty; a judgment of the reason and a magisterial dictate. Of course its act is indivisible; still it has these two aspects, distinct from each other, and admitting of a separate consideration.¹⁵²

Grave seems to suggest that Newman represented these four philosophical constructs as forming a “double aspect” of conscience.¹⁵³ Conscience as a “Moral Sense” or a “Sense of Duty” comprises apparently contrasting components of one aspect, while conscience as a “Judgement of Reason” or a “Magisterial Dictate” comprises apparently contrasting components of the other.

In dealing with these distinctions within distinctions, we are able to access the complexity and sophistication of Newman’s thought; which sometimes seems to re-interpret, further refine or even ignore previous stances or assertions. To this effect, we will focus mainly on outlining the role of each construct within Newman’s indivisible conscience.

¹⁵⁰ Bernard Mahoney, *Newman and Moral Liberalism*, 232.

¹⁵¹ S. A. Grave, *Conscience in Newman’s Thought*, 41.

¹⁵² John Henry Newman, *Grammar of Assent*, 105-106. Herman Geissler elaborates on Newman’s distinction of both terms thus: “By moral sense, he means the judgment of reason of whether an act is good or evil. By sense of duty, he means the authoritative command to follow good or to avoid evil. Newman bases his reflections particularly on the second aspect of the experience of conscience.” See “Teacher of Conscience,” 7.

¹⁵³ S. A. Grave, *Conscience in Newman’s Thought*, 32.

2.2.1 Conscience: A Moral Sense

Newman's philosophical discussion on conscience can be said to start with his recognition of conscience among our mental acts such as the action of memory, of reasoning, of imagination or the sense of the beautiful.¹⁵⁴ According to Grave, Newman is making the point that conscience is as much an endowment of our nature as these other acts are, although Newman does clearly distinguish between the nature of their existence and that of conscience.¹⁵⁵ Why does Newman identify conscience with the term "moral sense"?

Grave notes that "moral sense" as used in the *Grammar of Assent* reflects its philosophical history.¹⁵⁶ Terlinden tracing the history of the term states that moral sense was a prevalent theory in the eighteenth century and Newman adopted the notion from there.¹⁵⁷ While referring to Newman's *Oxford University Sermon*, Terlinden notes that Newman defines moral sense as "the act of the mind which enables it to distinguish between good and evil but also able to perceive certain principles which underlie reasoning in matters of morals and religion."¹⁵⁸ Terlinden goes on to identify three qualities which Newman ascribed to the Moral Sense: (i) it perceives in a spontaneous and immediate manner; (ii) it is always placed under the control of reason, and, most importantly for Newman (iii) its perception of good and evil, as elaborated below, is not simply a matter of taste or personal feelings, but is rooted in human nature:

The cultivated moral perception ... is sometimes improperly termed, 'feeling' – improperly, because feeling comes and goes, and, having no roots in our nature, speaks with no divine authority; but the moral

¹⁵⁴ John Henry Newman, *Grammar of Assent*, 105; See Jouett L. Powell, "Cardinal Newman on Faith and Doubt: the Role of Conscience," *The Downside Review* 99 (1981): 137. Powell expatiates upon Newman's understanding of conscience as a mental act. Powell identifies and describes the two mental acts which Newman associates with conscience namely: Moral sense and Sense of obligation.

¹⁵⁵ S. A. Grave, *Conscience in Newman's Thought*, 30-31; See Bernard Mahoney, "Newman and Moral Liberalism," 231.

¹⁵⁶ S. A. Grave, *Conscience in Newman's Thought*, 32.

¹⁵⁷ Luc Terlinden, "Newman and Conscience," 208; See also S. A. Grave, *Conscience in Newman's Thought*, 33-35.

¹⁵⁸ Luc Terlinden, "Newman and Conscience," 208.

perception, though varying in the mass of men, is fixed in each individual, and is an original element within us.¹⁵⁹

However, Grave points out that Newman not only elaborates on the main characteristics of conscience as moral sense, but explains in detail how right and wrong is brought to an individual's knowledge and awareness by the conscience operating in such a moral capacity

as there are objects which, when presented to the mind, cause it to feel grief, regret, joy, or desire, so there are things which excite in us approbation or blame, and which we in consequence call right or wrong; and which, experienced in ourselves, kindle in us that specific sense of pleasure or pain, which goes by the name of a good or bad conscience.¹⁶⁰

Newman re-iterates his representation of "Conscience as Moral Sense" by suggesting that following upon their performance of certain actions, human beings can experience feelings of self-approval or disapproval.¹⁶¹ As a consequence of such self-assessments, human beings will call things, actions or behaviours right or wrong, based on their experiencing either feelings of self-approval or self-condemnation. Interestingly, Grave notes that such feelings arise out of conscience, understood as either a "Moral Sense" or as "Sense of Duty" on the one hand, or as a "Judgment of Reason" or "Magisterial dictate," on the other.¹⁶²

In the light of Newman's attempts at integrating the concept of Moral Sense into his philosophising on conscience, it is surprising, then, to witness him criticise the former for the haziness with which it is perceived by "half the world." Indeed, Bernard Mahoney cites an

¹⁵⁹ See Ibid.

¹⁶⁰ S. A. Grave, *Conscience in Newman's Thought*, 37.

¹⁶¹ Ibid..

¹⁶² Ibid; Gerard Magill, in his "Imaginative Moral Discernment: Newman on the Tension between Reason and Religion," *The Heythrop Journal* 32 (1991): 500, criticises Grave's interpretations of Newman's view of conscience as moral sense and rejects Grave's claim "that Newman does not use 'a moral sense' and 'a judgement of reason' synonymously." Like Magill, Edward A. Sillem in "Cardinal Newman's *Grammar of Assent*," 387, attests to Newman's synonymous use of the terms by defining conscience thus: "Conscience is a moral sense, or more precisely, a judgement of the mind giving a rule of right conduct to be followed here and now." Hence conscience plays a critical role in the human person. See also Jouett L. Powell, "Cardinal Newman on Faith and Doubt," where conscience understood as moral sense is synonymous to *phronesis*, *prudential*, or judgment. 138; Arthur Burton Calkins, in "John Henry Newman on Conscience and the Magisterium," *The Downside Review* 87 (1969) equally presents clarifications over Newman's use of the different terms in his understanding of conscience. 362-363.

extract from the *Grammar of Assent* in support of a claim he makes that Newman actually rejected the concept altogether:

Half the world would be puzzled to know what was meant by the moral sense; but every one knows what is meant by a good or bad conscience. Conscience is ever forcing on us by threats and by promises that we must follow the right and avoid the wrong; so far it is one and the same in the mind of every one, whatever be its particular errors in particular minds as to the acts which it orders to be done or to be avoided; and in this respect it corresponds to our perception of the beautiful and deformed. As we have naturally a sense of the beautiful and graceful in nature and art, though tastes proverbially differ, so we have a sense of duty and obligation, whether we all associate it with the same certain actions in particular or not. Here, however, Taste and Conscience part company: for the sense of beautifulness, as indeed the Moral Sense, has no special relations to persons, but contemplates objects in themselves; conscience, on the other hand, is concerned with persons primarily, and with actions mainly as viewed in their doers, or rather with self alone and one's own actions, and with others only indirectly and as if in association with self. And further, taste is its own evidence, appealing to nothing beyond its own sense of the beautiful or the ugly, and enjoying the specimens of the beautiful simply for their own sake; but conscience does not repose on itself, but vaguely reaches forward to something beyond self, and dimly discerns a sanction higher than self for its decisions, as is evidenced in that keen sense of obligation and responsibility which informs them. And hence it is that we are accustomed to speak of conscience as a voice, a term which we should never think of applying to the sense of the beautiful; and moreover a voice, or the echo of a voice, imperative and constraining, like no other dictate in the whole of our experience. And again, in consequence of this prerogative of dictating and commanding, which is of its essence, Conscience has an intimate bearing on our affections and emotions, leading us to reverence and awe, hope and fear, especially fear, a feeling which is foreign for the most part, not only to Taste, but even to the Moral Sense, except in consequence of accidental associations.¹⁶³

A perusal of the above extract shows Newman attributing an essential role to the concepts of “dictating and commanding” in the effective functioning of conscience. In contrast, the moral sense is accorded a function similar to that of the individual’s sense of “beautifulness,” namely, the contemplation of “objects in themselves.” It would appear that after all of Newman’s efforts at integrating the moral sense into his philosophy of conscience, he ends up

¹⁶³ John Henry Newman, *Grammar of Assent*, 106-108.

rejecting it as a useful “component” in favour of an understanding of conscience as a “Magisterial Dictate.” In fact, so determined does he appear to reject the notion of a role of the moral sense in the functioning of conscience that he proposes a role for his very own “Illative Sense” to replace it.¹⁶⁴

How are we to interpret Newman’s actions and seeming reactions in this matter? On the one hand, we find him detailing the nature and functioning of the moral sense; on the other hand, we find him simply rejecting it as a concept. As a concept, “Moral Sense” which was prevalent in the eighteenth century, as cited earlier in Terlinden originated in the writings of one of the main proponents of Moral Liberalism, Anthony Ashley Cooper, Third Earl of Shaftesbury (1671-1713). According to Mahoney, the concept subsequently “went through a series of definitions by philosophers and theologians who both agreed and disagreed with one another, or amended and corrected one another.”¹⁶⁵ Newman was keenly aware, however, that no matter how they differed philosophically from one another, or amended or corrected each other’s views on moral–sense theory, Moral Liberalists of all hues were united in their belief that all moral judgements represented subjective solutions to human situations, and resulted specifically from the individual’s deferring to his or her personal preferences or to public opinion.¹⁶⁶

The fact that the concept of moral sense originated from within Moral Liberalism, and continued to dynamically exercise the minds of Moral Liberalists, may well have triggered a deep-seated wariness in Newman in terms of his managing this concept. Could such wariness have led him to expunge moral sense from his philosophising on conscience and replace it with a *Sense* contrived by him? Gerard Magill makes clear that Newman deviated from the

¹⁶⁴ See Bernard Mahoney, “Newman and Moral Liberalism,” 232-234.

¹⁶⁵ *Ibid.*, 221-222; See also S. A. Grave, *Conscience in Newman’s Thought*, where an account of the two types of Moral-sense theory is presented, 33-35.

¹⁶⁶ Bernard Mahoney, “Newman and Moral Liberalism,” 220-21.

moral sense theory of Shaftesbury because it excluded a religious dimension from moral discernment and depended upon “discursive reason and aesthetics. . . . The reason why Newman rejected the moral sense theory of Shaftesbury was to associate the moral sense with autonomous reason in its non-discursive form.”¹⁶⁷ Certainly, Newman’s rejection of the Moral Liberalist philosophy and of any of its selfish concepts that, in his estimation, could be used to enable its promotion was forthright and unequivocal in these words: “Conscience is not a long-sighted selfishness, nor a desire to be consistent with oneself.”¹⁶⁸

Again, although administered in a different context, in justifying obedience to the Pope, Newman’s advice is infused with disparaging description that he unapologetically ascribes to the nature of any individual who has embraced a Moral Liberalist philosophy of life: “He must vanquish that mean, ungenerous, selfish, vulgar spirit of his nature, which, at the very first rumour of a command, places itself in opposition to the Superior who gives it.”¹⁶⁹

Newman reminds us that we actually know where to look in search for “the standard by which to measure thoughts and actions”:

You know very well, my brethren . . . that in the breast of every one there dwells a feeling or perception, which tells him the difference between right and wrong, and is the standard by which to measure thoughts and actions. It is called conscience; and even though it be not at all times powerful enough to rule us, still it is distinct and decisive enough to influence our views and form our judgments in the various matters which come before us.¹⁷⁰

As a contrast to the apparent philosophical disarray of the proponents of Moral Liberalism, however, Newman claims that the representation of conscience as the “voice of God” is acknowledged across history and literature, and remains unaffected by an individual’s age,

¹⁶⁷ Gerard Magill, believes that Grave’s interpretations moral sense within Shaftesbury’s theory emanates from mistaken reading of Newman. See 500.

¹⁶⁸ John Henry Newman, *Letter to the Duke of Norfolk*, 248.

¹⁶⁹ *Ibid.*, 252.

¹⁷⁰ John Henry Newman, *Discourse V*, 83.

level of education, creedal beliefs, or status in society. Tongue-in-cheek, he notes that even philosophers, who otherwise disagree with one another, have been found to agree on this representation. In the *Grammar of Assent* he maintained:

—that conscience is the voice of God has almost grown into a proverb. This solemn dogma is recognized as such by the great mass both of the young and of the uneducated, by the religious few and the irreligious many. It is proclaimed in the history and literature of nations; it has had supporters in all ages, places, creeds, forms of social life, professions, and classes. It has held its ground under great intellectual and moral disadvantages; it has recovered its supremacy, and ultimately triumphed in the minds of those who had rebelled against it. Even philosophers, who have been antagonists on other points, agree in recognizing the inward voice of that solemn Monitor, personal, peremptory, unargumentative, irresponsible, minatory, definitive.¹⁷¹

Newman's assessment of the role that the moral sense plays in shaping the voice of God for the benefit of the individual recipient, has not been as accepting or as sympathetic towards that construct as may have been expected. Given Newman's support for the need for an objective morality independent of public support, reasons have already been offered for this, but cognisance needs also to be taken of Newman's belief that conscience cannot be reduced to a moral sense, since, in his view, it does not limit itself to simply pointing the moral way, that there is right and wrong action, but also commands, dictates and sanctions. It is in this direction that conscience as sense of duty becomes primary.

2.2.2 Conscience: A Sense of Duty

Edward A. Sillem holds that Newman's teaching on conscience as sense of duty reveals its juridical role in our lives. He affirms that Newman's argument for conscience proceeds from understanding it as a sense of duty and not from its consideration as moral sense. Sillem explains that as a sense of duty conscience imposes an absolute law and

¹⁷¹ John Henry Newman, *Grammar of Assent*, 122-123.

obligation on each and every person, and a law that is one and the same in everyone.¹⁷² In this regard, conscience as a sense of duty is concerned with *persons* primarily.¹⁷³ According to Terlinden, Newman's notion of conscience as a "Sense of Duty" implies a relationship between the "self" and a "Superior Somebody" who commands or dictates it.¹⁷⁴ Terlinden explains that Newman, himself, draws on experience rather than on theorising to validate his claim. Specifically, the experiences he draws on are the individual's experiences of such contrasting feelings as pleasure, grief, hope, fear, serenity, and remorse, feelings which, he contends, are indicators of a good or bad conscience.¹⁷⁵ For Newman, such feelings, which he reduces to feelings of inner peace versus feelings of confusion, suggest to the individuals experiencing them that they are not alone in this experience, but are in the presence of someone to whom they feel responsible. In the following extract from the *Grammar of Assent*, he identifies the Divine Nature of that someone who generates such feelings of responsibility within the individual. He also makes it quite clear that while such feelings may be reminiscent of the feelings experienced as a child on pleasing or displeasing its parents, for example, they are qualitatively different because "the cause of these emotions does not belong to this visible world." Newman clarifies the contrasts and distinctions with regard to conscience as a "Sense of Duty":

If, as is the case, we feel responsibility, are ashamed, are frightened, at transgressing the voice of conscience, this implies that there is One to whom we are responsible, before whom we are ashamed, whose claims upon us we fear. If, on doing wrong, we feel the same tearful, broken-hearted sorrow which overwhelms us on hurting a mother; if, on doing right, we enjoy the same sunny serenity of mind, the same soothing, satisfactory delight which follows on our receiving praise from a father, we certainly have within us the image of some person, to whom our love and veneration look, in whose smile we find our

¹⁷² Edward A. Sillem, "Cardinal Newman's *Grammar of Assent*," 388.

¹⁷³ *Ibid.*, 389.

¹⁷⁴ Luc Terlinden, "Newman and Conscience," 210; See also Edward A. Sillem, "Cardinal Newman's *Grammar of Assent*," 389.

¹⁷⁵ Luc Terlinden, "Newman and Conscience," 210; See Jouett L. Powell, "Cardinal Newman on Faith and Doubt," 138.

happiness, for whom we yearn, towards whom we direct our pleadings, in whose anger we are troubled and waste away. These feelings in us are such as require for their exciting cause an intelligent being: we are not affectionate towards a stone, nor do we feel shame before a horse or a dog; we have no remorse or compunction on breaking mere human law: yet, so it is, conscience excites all these painful emotions, confusion, foreboding, self-condemnation; and on the other hand it sheds upon us a deep peace, a sense of security, a resignation, and a hope, which there is no sensible, no earthly object to elicit. . . . If the cause of these emotions does not belong to this visible world, the Object to which his perception is directed must be Supernatural and Divine; and thus the phenomena of Conscience, as a dictate, avail to impress the imagination with the picture of a Supreme Governor, a Judge, holy, just, powerful, all-seeing, retributive, and is the creative principle of religion.¹⁷⁶

Terlinden notes that, in the above extract, Newman demonstrates how specific emotions can contribute to imprinting the image of conscience as a supreme Governor and a just Judge on each individual.¹⁷⁷ Furthermore, in Newman's view, the experiencing of Conscience as an instigator of such contrasting feelings makes a real and concrete experience of God possible for the conscientious individual.¹⁷⁸

Terlinden explains further that Newman's equating of the voice of God with conscience, operates as a "Sense of Duty," as evident in his novel *Callista*:

I feel that God within my heart. I feel myself in His presence. He says to me, 'Do this: don't do that.' You may tell me that this dictate is a mere law of my nature, as is to joy or to grieve. I cannot understand this. No, it is the echo of a person speaking to me. Nothing shall persuade me that it does not ultimately proceed from a person external to me. It carries with it its proof of its divine origin. My nature feels towards it as towards a person. When I obey it, I feel a satisfaction; when I disobey, a soreness—just like that which I feel in pleasing or offending some revered friend. So you see, Polemo, I believe in what is more than a mere 'something.' I believe in what is more real to me than sun, moon, stars, and the fair earth, and the voice of friends. You will say, Who is He? Has He ever told you anything about Himself? Alas! no!—the more's the pity! But I will not give up what I have,

¹⁷⁶ John Henry Newman, *Grammar of Assent*, 108-110.

¹⁷⁷ Luc Terlinden, "Newman and Conscience," 210-211.

¹⁷⁸ *Ibid.*, 211.

because I have not more. An echo implies a voice; a voice a speaker.
That speaker I love and I fear.¹⁷⁹

While Callista's contribution to the dialogue reiterates the claim, already made in the preceding extract, that the specific emotions of conscience should not be mistaken for ordinary feelings, the God Callista presents is a very personal God who speaks intimately in the voice of conscience. The feelings that this voice arouse in her are similar to the feelings she experiences when she is "pleasing or offending some revered friend." However, Callista knows that this is not just the voice of a "revered friend." This voice is more real to her "than sun, moon, stars, and the fair earth, and the voice of friends." In fact, for Callista, that voice is the voice of God, who, in her own words, is to be found "within my heart." It is obvious, therefore, that to characterise the extract from Callista as simply depicting the informative, guiding and imperative nature of conscience, would be to reduce an intimate account of the role of the voice of God in human-divine relationships to a cold, clinical exposé of conscience as a "Sense of Duty."

Callista's words which highlight conscience as sense of duty, validate the obligation on every individual to treat all authoritative commands to do good and avoid evil as Divinely inspired personal and intimate communications. A transcendental interpretation of this nature clearly indicates that Newman considers conscience to be fundamentally a God-centred or theonomous reality as distinct from an autonomous, self-centring one. Furthermore, Newman assigns to the theonomous authority, which the dutiful conscience draws on to validate its commands and requirement, the enduring quality of permanence.¹⁸⁰ This is obvious from Newman's declaration:

This law . . . though it may suffer refraction in passing into the intellectual medium of each, it is not therefore so affected as to lose its

¹⁷⁹ John Henry Newman, *Callista: A Tale of the Third Century* (London: Longmans, Green and Co., 1890), 314-315; See also Luc Terlinden, "Newman and Conscience," 210.

¹⁸⁰ See Gerard Magill, "Imaginative Moral Discernment," 500-509.

character of being the Divine Law, but still has, as such, the prerogative of commanding obedience.¹⁸¹

By not losing its character, the quality of enduring permanence is further reinforced in individuals who repeatedly and dutifully respond to the authoritative commands of conscience. Indeed, consistent repetition of acts of obedience by the dutiful conscience serves to enhance the very nature of that conscience, to the extent that, in the words of Newman it will be deemed as being “fully furnished for its office”:

Conscience, too, teaches us, not only that God is, but what He is; it provides for the mind a real image of Him, as a medium of worship; it gives us a rule of right and wrong, as being His rule, and a code of moral duties. Moreover, it is so constituted that, if obeyed, it becomes clearer in its injunctions, and wider in their range, and corrects and completes the accidental feebleness of its initial teachings. Conscience, then, considered as our guide, is fully furnished for its office.¹⁸²

Conscience understood as sense of duty is therefore fully furnished for its juridical office with an enduring theonomous prerogative of commanding obedience in us. But with the perception of good and evil varying greatly from one individual to the next, Newman was keenly aware that English society was finding it more and more difficult to reach agreement on what constituted an objective order of moral good and moral values, something which still persists in Western society to this day. Given the penchant for relativism in the Liberal society of his day, however, Newman had no difficulty in detailing what exactly happens for the human individual, in terms of individual’s duty to respond to the authoritative voice of conscience, when the interpretation of conscience is restricted solely to the values of the material world:

When men advocate the rights of conscience, they in no sense mean the rights of the Creator, nor the duty to Him, in thought and deed, of the creature; but the right of thinking, speaking, writing, and acting,

¹⁸¹ John Henry Newman, *Letter to the Duke of Norfolk*, 247.

¹⁸² John Henry Newman, *Grammar of Assent*, 390-391.

according to their judgment or their humour, without any thought of God at all . . . Conscience has rights because it has duties; but in this age, with a large portion of the public, it is the very right and freedom of conscience to dispense with conscience, to ignore a Lawgiver and Judge, to be independent of unseen obligations. It becomes a licence to take up any or no religion, to take up this or that and let it go again . . . Conscience is a stern monitor, but in this century it has been superseded by a counterfeit, which the eighteen centuries prior to it never heard of, and could not have mistaken for it, if they had. It is the right of self-will.¹⁸³

That the world continues to grow ever more relativist in relation to its interpretation of the nature and authoritative requirements of the dutiful conscience is evident in the words of Benedict XVI cited by Geissler. The Holy Father declared that, in contemporary thought, the word conscience: “for moral and religious questions, it is the subjective dimension, the individual that constitutes the final authority for decision.”¹⁸⁴ The Pope went on to point out that such an interpretation was diametrically opposed to Newman who understood conscience as:

man’s capacity for truth: the capacity to recognize precisely in the decision-making areas of his life — religion and morals — a truth, *the* truth. At the same time, conscience . . . imposes on him the obligation to set out along the path towards truth, to seek it and to submit to it wherever he finds it. Conscience is both capacity for truth and obedience to the truth which manifests itself to anyone who seeks it with an open heart. The path of Newman's conversions is a path of conscience — not a path of self-asserting subjectivity but, on the contrary, a path of obedience to the truth that was gradually opening up to him.¹⁸⁵

Newman, himself, admits that his understanding of conscience, with emphasis on a dutiful sense of obedience would certainly not find favour at a scientific, literary or even populist level. He declared:

This view of conscience, I know, is very different from that ordinarily taken of it, both by the science and literature, and by the public

¹⁸³ John Henry Newman, *Letter to the Duke of Norfolk*, 249-250.

¹⁸⁴ Hermann Geissler, “Teacher of Conscience,” 6.

¹⁸⁵ *Ibid.*

opinion, of this day. It is founded on the doctrine that conscience is the voice of God.¹⁸⁶

Indeed, were Newman alive today, he would immediately notice that God continues to remain “banned from conscience.” The painful consequences of living one’s life based on such a godless notion of conscience Geissler affirms has quickly become apparent. The human person operating out of a God-free conscience is

inclined to separate himself from his neighbour. He lives in his egocentric world often without caring for others, without being interested in them, without feeling responsible for them. Individualism, the pursuit of pleasure, honour, and power, and unbounded unpredictability make the world dark and the ability of people to live together in society ever more difficult.¹⁸⁷

In all, however, Newman is more comfortable within himself, when dealing with a notion of conscience that identifies one of its primary functions as inducing in the individual a dutiful sense of obedience towards that “One to whom we are responsible.”¹⁸⁸ Such easiness contrasts with his marked ambivalence towards the reduction of conscience to a more abstract “intellectual sentiment,” tasked with supplying its human host “with the elements of morals, such as may be developed by the intellect into an ethical code.”¹⁸⁹ The difference in Newman’s responses may possibly derive from the fact, that the latter concept was intellectually theorised from a philosophical perspective. Abstract in its conception, it was abstractly dealt with. The former notion, however, is demonstrably a product derived and elaborated from within Newman’s own personal life experiences. For Newman, this dutiful perception of conscience was personal in its origins, sensitive by its very nature, and cried out for a God that

has a personal relationship with every person, who addresses him, who directs and guides him, who rebukes and reprimands, who shows

¹⁸⁶ John Henry Newman, *Letter to the Duke of Norfolk*, 247.

¹⁸⁷ Hermann Geissler, “Teacher of Conscience,” 6.

¹⁸⁸ John Henry Newman, *Grammar of Assent*, 109.

¹⁸⁹ *Ibid.*, 106.

him his mistakes and calls him to conversion, who leads him to the perception of the truth and who spurs him on to do good, who is his supreme Lord and Judge.¹⁹⁰

Such a dutiful conscience, would necessarily demand to be actively involved in an individual's emotions, affections, relationships and feelings, but, most especially, in his or her sense of that One before whom they feel responsible. Newman elaborates on the existence, nature and functions of such a dynamic conscience, as well as on its relationship with its creator:

Conscience . . . is something more than a moral sense; it is always, what the sense of the beautiful is only in certain cases; it is always emotional. No wonder then that it always implies what that [moral] sense only sometimes implies; that it always involves the recognition of a living object, towards which it is directed. Inanimate things cannot stir our affections; these are correlative with persons. If, as is the case, we feel responsibility, are ashamed, are frightened, at transgressing the voice of conscience, this implies that there is One to whom we are responsible, before whom we are ashamed, whose claims upon us we fear . . . These feelings in us are such as require for their exciting cause an intelligent being: we are not affectionate towards a stone, nor do we feel shame before a horse or a dog; we have no remorse or compunction on breaking mere human law: yet, so it is, conscience excites all these painful emotions, confusion, foreboding, self-condemnation; and on the other hand it sheds upon us a deep peace, a sense of security, a resignation, and a hope, which there is no sensible, no earthly object to elicit. 'The wicked flees, when no one pursueth;' then why does he flee? whence his terror? Who is it that he sees in solitude, in darkness, in the hidden chambers of his heart?¹⁹¹

2.2.3 Conscience: A Magisterial Dictate

Having looked at conscience in terms of its function as “a moral sense” and as “a sense of duty”, Newman's teaching on conscience as a “magisterial dictate” brings out its imperial role, whereby it commands or prohibits the doing of things it sees as right or wrong.¹⁹² According to Newman, conscience in this nous is not only “the ordinary sense of

¹⁹⁰ Hermann Geissler, “Teacher of Conscience,” 7.

¹⁹¹ John Henry Newman, *Grammar of Assent*, 109-110.

¹⁹² S. A. Grave, *Conscience in Newman's Thought*, 61.

the word” but it is “its primary and most authoritative aspect.”¹⁹³ Indeed, Grave, notes that: “To the description of conscience as a Magisterial Dictate, the other two make a contribution.”¹⁹⁴ Such claim corroborates with Newman, who, in the context of elaborating the magisterial role, identifies the contributory role of its critical and dutiful aspects in terms of their capacity to highlight or even validate its imperatival function.

Newman, for example, clearly distinguishes between the faculty of conscience that commands and its critical faculty as a supplier of elements of morals:

Here I have to speak of conscience . . . not as supplying us, by means of its various acts, with the elements of morals, such as may be developed by the intellect into an ethical code, but simply as the dictate of an authoritative monitor bearing upon the details of conduct as they come before us, and complete in its several acts, one by one . . . Let us then thus consider conscience, not as a rule of right conduct, but as a sanction of right conduct.¹⁹⁵

Further elaboration of the critical and magisterial roles of conscience demonstrates the conditionality of the former role in contrast to the consistency of the latter. In Newman’s estimation, when conscience exercises its critical faculty, it functions as an overseer of moral rules, making judgements concerning the content of morality by determining what is really right and what is really wrong.¹⁹⁶ Newman, however, stops short of identifying conscience “as an absolute determining factor of the content of morality.”¹⁹⁷ For example, when speaking of conscience as “the rule of morals,” Newman points out that it only becomes the rule when it is “refined and strengthened” in individuals. Furthermore, he also notes of

¹⁹³ See John Henry Newman, *Grammar of Assent*, 105-108; Thomas J. Norris, *Cardinal Newman for Today*, 144.

¹⁹⁴ S. A. Grave, *Conscience in Newman’s Thought*, 61.

¹⁹⁵ John Henry Newman, *Grammar of Assent*, 105-108.

¹⁹⁶ See David L. Lipe, “The Foundations of Morality” in

<http://www.apologeticspress.org/rr/reprints/Foundations-of-Morality.pdf> [accessed 15 February, 2012], 7.

¹⁹⁷ *Ibid.*

conscience that: “its promptings in the breasts of the millions of human beings to whom it is given, are not in all cases correct.”¹⁹⁸

In an attempt to identify what actually causes the conscience to “prompt” incorrectly, Lipe distinguishes between it and the intellect. Specifically, he points out that, since the intellect can be educated concerning the content of morality, moral right and wrong will often be viewed differently by different cultures; false beliefs may be formed by individuals concerning the content of morality; in turn, this could lead to individuals doing what is wrong, although sincerely believing that they are following their consciences.¹⁹⁹ In summary, such an interpretation of Newman’s view of conscience as “the rule of morals” represents it as a “critical faculty” which stands in constant need of refining, strengthening, modulating, and even of correcting.

The assigning of such conditionality to the “critical faculty” of conscience, serves only to highlight the qualities of universality and consistency, which are represented as underpinning its magisterial role. Grave, contrasts the variable nature of the former with the universal consistency of the latter:

In its magisterial office, Conscience has a universality which it does not have in the conjoint office Newman assigned to it, that of determining right and wrong in the actual situations in which we find ourselves. Its imperatival dictates are ‘one and the same in the mind of every one’ its determinations of right and wrong are subject to individual variation.²⁰⁰

The consistency of the magisterial conscience, therefore, rests on the perception that it will always urge the right and discourage the wrong. Even when an individual is mistaken in his

¹⁹⁸ Ibid.

¹⁹⁹ Ibid., 7-8.

²⁰⁰ S. A. Grave, *Conscience in Newman’s Thought*, 61.

or her moral judgement, it remains the universal experience that the magisterial conscience will consistently urge the doing of right and the avoidance of wrong.²⁰¹

Lipe considered objections by which some have argued that the moral sanctions of the magisterial conscience can differ radically. In response to such a claim, Lipe notes C.S. Lewis' point that any such difference has not "amounted to anything like a total difference."²⁰² While T.C. Mayberry agrees that there are some universally accepted norms for example, that "lying, promise breaking, killing and so on, are generally wrong," Lipe cites A.E. Taylor who situates any perceived difference firmly in the domain of moral content rather than in moral sanctioning. He asserts that while people may disagree with regards to moral content, there is universal acceptance of the essential role of conscience in sanctioning moral insight, specifically the insight that one is morally obligated to do or to avoid certain actions.²⁰³ Taylor argues thus:

But it is an undeniable fact that men . . . also hold that there is a difference between right and wrong; there are things which they ought to do and other things which they ought not to do. Different groups of men, living under different conditions and in different ages, may disagree widely on the question whether a certain thing belongs to the first or the second of these classes. They may draw the line between right and wrong in a different place, *but at least they all agree that there in such a line to be drawn.*²⁰⁴

While Lewis', Mayberry's and Taylor's arguments around the whole question of difference derive solely from philosophical and ethical insights, and thereby possibly appeal to secularist opinion, Newman, naturally, argues from a religious or theological perspective. He asserts that the difference between conscience as a "Moral Sense" and conscience as a "Magisterial Dictate" is so great, that he designates the former "the principle of ethics" and

²⁰¹ David L. Lipe, "The Foundations of Morality," 8.

²⁰² Ibid., 9.

²⁰³ Ibid.

²⁰⁴ Ibid. [Italics are mine].

the latter “the creative principle of religion.”²⁰⁵ Thus, in Newman’s opinion, it is not conscience as a “Moral Sense” in any meaning of the term, but conscience as a “Moral Dictate” that is foundational to religion.²⁰⁶ The creativity of the magisterial conscience is seen to derive from the potential of its phenomena “to impress the imagination with the picture of a Supreme Governor, a Judge, holy, just, powerful, all seeing, retributive.”²⁰⁷ The phenomena, to which Newman refers, are “states of mind.”²⁰⁸ These can be dark, fearful, foreboding and shame-filled, when the conscience is bad, or peaceful, hopeful and light-hearted, when that conscience is good.²⁰⁹ Bright or dark, however, all these phenomena share one quality; according to Grave their existence implies the existence of “another personal being.”²¹⁰ It is this potential to creatively function as a “proof of theism,” that commends conscience as a “magisterial conscience” to Newman as foundational to religion.²¹¹

We now come to the relationship between conscience as “Sense of Duty” and conscience in its “Magisterial” role. When Newman contrasts the magisterial sense of conscience with its role as an instigator of sentiments or feelings of obligation, he equates the former role with that of an authoritative voice with an inherent and universal capacity to impose certain sanctions.²¹² Relative to the concept of conscience as a sense of duty, therefore, Newman’s magisterial conscience functions within the human being as: a certain commanding dictate, not a mere sentiment, not a mere opinion, or impression, or view of things, but [as] a law, an authoritative voice, bidding him do certain things and avoid others.²¹³

²⁰⁵ John Henry Newman, *Grammar of Assent*, 110.

²⁰⁶ S. A. Grave, *Conscience in Newman’s Thought*, 66.

²⁰⁷ John Henry Newman, *Grammar of Assent*, 110.

²⁰⁸ S. A. Grave, *Conscience in Newman’s Thought*, 67.

²⁰⁹ John Henry Newman, *Grammar of Assent*, 108-110.

²¹⁰ S. A. Grave, *Conscience in Newman’s Thought*, 67.

²¹¹ *Ibid.*

²¹² See David L. Lipe, “The Foundations of Morality,” 7; S. A. Grave, *Conscience in Newman’s Thought*, 61.

²¹³ John Henry Newman, *SVO*, 64-65. [Cited earlier as part of a larger quote].

Lipe, for example, is convinced that all human beings experience feeling morally obligated in certain ways, and that such a sense of duty is connected with God.²¹⁴ He also points out that this sense of duty or obligation ties in with the meaning of religion itself, in that the word “religion” is a compound of the Latin *re* and *ligare* meaning “to bind back.”²¹⁵ It should be noted, however, that the claim that human beings can ordinarily expect to experience feelings of moral obligation or duty enjoys significant secularist as well as religious support. Lipe citing the secularist philosopher, Richard Robinson’s (1902-1996) seminal work, *An Atheist Values*, enunciated his understanding of the principle of moral obligation, as follows:

No kind of act may be forbidden unless its discontinuance would lessen misery upon the whole. This principle may be translated to read either of two ways: (1) If an act increases misery upon the whole, then one ought to stop doing the act; or (2) If an act increases misery on the whole, then one ought not to do the act.²¹⁶

Although Robinson defines the principle of moral obligation from the negative perspective of non-maleficence, his elaboration of that principle is not modulated in terms of its universality or inherency. Newman, however, situates the principle of moral duty or obligation within a “Divine” context, by elevating it from a sentiment or feeling to actual magisterial dictates or commands, which demand unconditional compliance on the part of the recipients of those commands. In practical terms, the magisterial dimension of conscience, as the authoritative voice of conscience, actually imposes the obligations in the expectation that they will be met, unconditionally.

At this point, it is not an exaggeration to assert that, not only does Newman’s teaching in the area of conscience as a magisterial dictate draw from experience and scriptures, but it is also reflected in the teachings of the modern Catholic Church. At Vatican II, for example,

²¹⁴ David L. Lipe, “The Foundations of Morality,” 6.

²¹⁵ Ibid.

²¹⁶ Ibid.

the Fathers of the Council obviously allude to Newman when they state that “conscience is the most secret core and the sanctuary of the human person. There they are alone with God whose voice echoes in their depths” (*GS*, n.16).

2.3 “Reason” and the “Operations of Conscience” in Newman’s Thought

Thus far, we have examined Newman’s elaboration and representations of conscience as “a moral sense”, “a sense of duty” and as “a magisterial dictate.” As examined, Newman portrayed these three functions as being intrinsic to the nature of conscience. However, his elaboration of “reason” differs from these three in that it seeks to describe something external to conscience, but essential to its proper functioning, namely the relationship between conscience and reason, what Newman understands to be “divinely-given informant.”²¹⁷ Specifically, Newman attempts to demonstrate that this relationship is dualist but complementary, as is the case with Thomas Aquinas’ representation of a conscience-reason relationship, wherein the former is unequivocally portrayed as an activity of the latter.²¹⁸ For Newman, however, not only is the conscience-reason relationship essentially dualist, but when it comes to their respective roles in the search for moral or religious truth, he depicts that search as being “led by conscience,” with a secondary, accidental, useful role being assigned to reason.²¹⁹

While Newman acknowledges that possession of the rational faculty “stands for all in which man differs from the brutes,”²²⁰ and has a role to play in “distinguishing between right and wrong, and [as] a directing principle in conduct,”²²¹ he is also extremely keen to assign to reason: “that narrower signification . . . it usually bears, as representing or synonymous with

²¹⁷ John Henry Newman, *PPS* VII:15, 204.

²¹⁸ See Thomas Aquinas, *ST* Ia IIe, q.19, a.5.

²¹⁹ See John Henry Newman, *US* IV, 55-67.

²²⁰ *Ibid.*, IV, 58.

²²¹ *Ibid.*

the intellectual powers, and as opposed as such to the moral qualities, and to Faith.”²²² Here, Newman is making it quite clear that while reason may be of assistance in the individual’s dealing with matters of morals, religion or of faith, its role is that of an auxiliary or secondary agent to that of the “Ultimate Manager” in all such matters that is the individual conscience.

As noted elsewhere in this work, Newman’s elaboration of conscience as “the Aboriginal Vicar of Christ” highlights his conviction that following its Divinely inspired dictates will lead to objective truth, since Christ himself is “The Way, the Truth and the Life” (John 14:6). For this reason alone, Newman would refute any suggestion that reason could be substituted, in any way or at any level, for conscience, a refutation eloquently elaborated in the following extract:

No one will say that Conscience is against Reason, or that its dictates cannot be thrown into an argumentative form; yet who will, therefore, maintain that it is not an original principle, but must depend, before it acts, upon some previous processes of Reason? Reason analyzes the grounds and motives of action: a reason is an analysis, but is not the motive itself. As, then, Conscience is a simple element in our nature, yet its operations admit of being surveyed and scrutinized by Reason; so may Faith be cognizable, and its acts be justified, by Reason, without therefore being, in matter of fact, dependent upon it; and as we reprobate, under the name of Utilitarianism, the substitution of Reason for Conscience, so perchance it is a parallel error to teach that a process of Reason is the *sine quâ non* for true religious Faith. When the Gospel is said to require a rational Faith, this need not mean more than that Faith is accordant to right Reason in the abstract, not that it results from it in the particular case.²²³

Newman repeatedly asserts the independent nature of conscience. He points out that although reason may through analysis identify the motive for an action, that is not, in fact, the actual motive itself. Again, he asserts that while the operations of conscience may be surveyed, scrutinised, and, as with faith, even cognisable and justified by reason, they are not dependent on its processes. Finally, he declares that proclaiming that the processes of reason are

²²² John Henry Newman, *US IV*, 58.

²²³ *Ibid.*, X, 183-184.

essential for true religious faith is as erroneous as the Utilitarian attempts to substitute reason for conscience. In Newman's view, while the dictates of conscience may need to be in accord with right reason, they do not necessarily result from it. As Terlinden noted, with reference to the Fathers of the Church, "moral rectitude leads to intellectual rectitude and *not vice versa*."²²⁴

What is the basis for Newman's apparent relegation of the process of reason to a second-class or even superfluous status with reference to conscience? It can be noted, for example, in the following extract on the essential nature of prayer for the proper living of life, that Newman co-designates both faculties as "these divinely-given informants" and appears to assign them roles of equal importance in the promotion of prayerful living:

[There] are two modes of praying mentioned in Scripture; the one is prayer at set times and places, and in set forms; the other is what the text speaks of,—continual or habitual prayer . . . These two kinds of praying are also natural duties. I mean, we should in a way be bound to attend to them, even if we were born in a heathen country and had never heard of the Bible. For our conscience and reason would lead us to practise them, if we did but attend to these divinely-given informants.²²⁵

Elsewhere, Newman extols reason as "our ultimate informant concerning all knowledge,"²²⁶ Yet, he continued to maintain that "moral and religious truths . . . fall under the province of *Conscience* far more than of the intellect."²²⁷ Indeed, Luc Terlinden himself seems somewhat bemused at the fact that Newman "often sought to distinguish conscience and reason, rather than to draw them closer to one another."²²⁸ The explanation underlying Newman's determination to confine reason and its capacities within its own intellectual parameters, and at a distance from the domains of faith and morals, may be deduced from a closer examination of his writings on the conscience-reason relationship in the context of the

²²⁴ Luc Terlinden, "Newman and Conscience," 216-217. [Italics mine.]

²²⁵ John Henry Newman, *PPS VII*: 15, 204.

²²⁶ John Henry Newman, *US X*, 181.

²²⁷ John Henry Newman, *PPS I*: 17, 224.

²²⁸ Luc Terlinden, "Newman and Conscience," 213.

following extract wherein he outlines the varied capacities of the faculty of reason, euphoric in tone, and which could well be called an ode to reason. Newman proclaims:

Reason is that faculty of the mind . . . by which knowledge of things external to us, of beings, facts, and events, is attained beyond the range of sense. It ascertains for us not natural things only, or immaterial only, or present only, or past, or future; but, even if limited in its power, it is unlimited in its range, viewed as a faculty, though, of course, in individuals it varies in range also. It reaches to the ends of the universe, and to the throne of God beyond them; it brings us knowledge, whether clear or uncertain, still knowledge, in whatever degree of perfection, from every side; *but, at the same time, with this characteristic, that it obtains it indirectly, not directly . . . it is a faculty of proceeding from things that are perceived to things which are not; the existence of which it certifies to us on the hypothesis of something else being known to exist, in other words, being assumed to be true.*²²⁹

As can be seen, Newman encapsulates the capacities of reason in the observation that “*it brings us knowledge . . . in whatever degree of perfection from every side.*” Crucially, however, Newman noted that all such knowledge, whether of external things or of facts beyond the range of sense and so on, is obtained “*indirectly, not directly.*” Such indirectness in its acquisition of knowledge, according to Newman, derives from the fact that it is in the nature of reason to proceed from things which are perceived to things which are not, with the latter thereby being assumed to be true. Hence, it is not surprising that he observed that reason was not so much a faculty that perceives, but rather one that infers.²³⁰ Furthermore, the validity and truthfulness of all knowledge obtained by such a rationalist process will depend “on premises which reason does not give itself, but which it receives from elsewhere.”²³¹

For Newman, “elsewhere” could be internal or external, relative to the individual, with quite negative implications for the true functioning of conscience, in particular. Elaborating on Newman’s insight into conscience, Ratzinger specified the nature of the internal and

²²⁹ John Henry Newman, *US XI*, 206. [Italics mine]

²³⁰ *Ibid.*

²³¹ Luc Terlinden, “Newman and Conscience,” 216.

external knowledge from elsewhere. From an internal perspective, Ratzinger noted that the unexamined adoption of some subjectively constructed premises could result in conscience being equated with the individual's personal wishes or tastes.²³² From an external perspective, on the other hand, unexamined societal premises could result in conscience being reduced to social advantage, to group consensus or to the demands of political or social power.²³³

In Newman's estimation, the reduction of the concept of reason to its formalised, explicit and conscious component, when managing issues of moral value and religious truth, resulted in a total disregard of that faculty's instinctive and implicit component, the Illative sense, wherein, in his view, much of the reasoning in practical matters is actually performed.²³⁴ Newman's refusal to acknowledge that such an emasculated concept of reason could serve any ethical role in the management of a religious conscience was indicative of a far wider consequence and, one could claim, a more intimidating mission that he had undertaken as a protagonist of Catholic morals and religious beliefs. This self-imposed mission took the form of a relentless campaign against the philosophy of his day, Rationalism,²³⁵ whose tenets, he argued, were designed to undermine the religious notion of conscience.²³⁶ The daunting nature of such an undertaking by Newman is well summarised by John Paul II, who, in a letter on the Bicentenary of Newman's birth, offers a flavour of the context in which Newman 'campaigned'. John Paul writes:

Newman was born in troubled times which knew not only political and military upheaval but also turbulence of soul. Old certitudes were shaken, and believers were faced with the threat of rationalism on the one hand and fideism on the other. Rationalism brought with it a rejection of both authority and transcendence, while fideism turned

²³² Joseph Cardinal Ratzinger, "Conscience and Truth," 10.

²³³ Ibid.

²³⁴ Luc Terlinden, "Newman and Conscience," 216-217.

²³⁵ Avery Dulles, *John Henry Newman*, 36.

²³⁶ Luc Terlinden, "Newman and Conscience," 215.

from the challenges of history and the tasks of this world to a distorted dependence upon authority and the supernatural.²³⁷

Although, John Paul II went on to acclaim Newman for eventually coming “to a remarkable synthesis of faith and reason which were for him ‘like two wings on which the human spirit rises to the contemplation of the truth,’”²³⁸ the fact that such a synthesis was eventually achieved despite Newman’s deeply felt hostility towards Rationalism, in particular, is all the more remarkable. The intensity of his hostility towards this philosophy of his day can be gauged from the fact that Newman branded it “a counterfeit, which eighteen centuries prior to it never heard of.”²³⁹ The source of this hostility is twofold for Newman. It derives, firstly, from the absolute rejection by adherents of Rationalism of any notion of “the rights of the Creator, [or] of the duty to him . . . of the creature.”²⁴⁰ Secondly, it derives from Rationalism’s unconditional promotion of the notion that all human beings have “the right of thinking, speaking, writing and acting according to their judgement and humour, without any thought of God.”²⁴¹ In Newman’s view, such Rationalist propositions are nothing more than a usurpation of the true nature of Reason.

2.3.1 Newman’s Religious Conscience versus Post-Thomist “Reason”

Aquinas theorised a substantive concept of Reason, which linked it to the perception of a moral order. He taught that “a law is nothing else but a dictate of practical reason emanating from the ruler who governs a perfect community.”²⁴² But “the whole universe is governed by Divine Reason. Wherefore the very Idea of the government of things in God the Ruler of the universe, has the nature of a law . . . called eternal.”²⁴³ Rational creature, Aquinas

²³⁷ John Paul II, “Letter on the Occasion of the 2nd Centenary of the Birth of Cardinal John Henry Newman,” *L’Osservatore Romano*, English ed., March 7, 2001.

²³⁸ Ibid.

²³⁹ John Henry Newman, *Letter to the Duke of Norfolk*, 250.

²⁴⁰ Ibid.

²⁴¹ Ibid.

²⁴² Thomas Aquinas, *ST Ia IIae*, q.91, a.1.

²⁴³ Ibid.

posits further “has a share of the Eternal Reason whereby it has a natural inclination to its proper act and end: and this participation of the eternal in the rational creature is called the natural law.” The function to discern what is good and evil pertains to this law or natural reason.²⁴⁴

Far from being abstract in nature, the language used by Aquinas to describe the relationship between the moral order and reason is real, tangible and concrete. The moral order is a “dictate of reason.” However, not only does this order reside in the reason or intellect of the ruler, but it is also “in that which is ruled.”²⁴⁵ To be rational, in Aquinas’ terms, therefore, is to have a correct and substantial understanding of the moral order and to conform to that substantial understanding.²⁴⁶ Hence, in order to act rationally, one had to possess a true vision of the order of the good, or in Aristotelian terms, to possess an ability to discern moral matters well.²⁴⁷ Aquinas’ concept of reason, as that intellectual place where a substantial moral law resides, would certainly have been afforded a prominent role in the activities of Newman’s religious conscience.

The advent of Modernism, however, saw Aquinas’ substantial conception of reason being superseded by a procedural one. Reason then came to be defined, not in terms of its ability to discern moral matters well, but in terms of a procedure or method, which was more usually utilised in the constructing of the orders or the natural sciences.²⁴⁸ In 19th century England, according to Terlinden, this new concept of reason initiated an increasingly influential trend, whereby questions pertaining to morals or religion came to be dealt with in

²⁴⁴ Thomas Aquinas, *ST Ia IIae*, q.91, a.2.

²⁴⁵ *Ibid.*

²⁴⁶ Luc Terlinden, “Newman and conscience,” 214.

²⁴⁷ *Ibid.*

²⁴⁸ *Ibid.*

the same manner as questions pertaining to the natural sciences through undergoing the procedures or methods of empirical rationalism.²⁴⁹

More than anything else, Newman's attempt at establishing a clear distinction between conscience and reason can be said to derive from this modernist shift from the substantial to the procedural conceptualisation of reason. He believed, for example, that not only would the moral order remain ignored and undiscovered by a procedural form of reason, but that such a conceptualised reason would function to construct its own order, according to its own norms.²⁵⁰ It was also obvious to Newman that acceptance of such a procedural understanding of Reason would ensure that "it would only be possible to believe on the basis of evidence, and all that cannot be demonstrated by reason would have to be left aside."²⁵¹

Newman was dismayed that a procedurally-based faculty, whose method of "gaining knowledge . . . lies in asserting one thing, because of some other thing,"²⁵² could undermine the very foundation of religion. He believed that it could do this by persistently "challenging the dogmatic principle according to which revealed truth is one and definitive"²⁵³ and must be accepted as it is, rather than constructed or reconstructed to suit the needs or tastes of the individual or of society. For Newman, the source of such persistent challenging would have derived from the conceptualising of procedural reason as

a process, which, of course, a progress of thought from one idea to the other must be; an exercise of mind, which perception through the senses can hardly be called; or, again, an investigation, or an analysis; or it is said to compare, discriminate, judge, and decide: all which words imply, not simply assent to the reality of certain external facts, but a search into grounds, and an assent upon grounds.²⁵⁴

²⁴⁹ Ibid., 215.

²⁵⁰ See John Henry Newman, *Letter to the Duke of Norfolk*, 249-250; Terlinden, "Newman and Conscience," 214; *New Catholic Encyclopedia*, s.v. "Empiricism"; *Encyclopaedia of Philosophy*, s.v. "Empiricism."

²⁵¹ Luc Terlinden, "Newman and conscience," 215.

²⁵² John Henry Newman, *US XI*, 207.

²⁵³ Luc Terlinden, "Newman and conscience," 215.

²⁵⁴ John Henry Newman, *US XI*, 207.

Aquinas' substantial moral and religious truths are no longer divinely installed residents of such a conceptualised intellect. Instead, they have been transformed into empirical data to be progressed from one subjective or socially amenable interpretation to the next, through a process of the mind that seeks to compare, discriminate, judge, decide, and even appease. In such an ongoing intellectual maelstrom, truth itself will never be afforded the opportunity to settle. Neither will any inputs from feelings, emotions or senses, which Newman regarded as essential elements in the true functioning of the religious conscience,²⁵⁵ be acknowledged in this new order of objective empirical rationalism.

Since the existence of a Creator can never be quantified, measured or analysed, all alleged divine inputs to the management of conscience will be deemed to be outside the remit of the processes of procedural reason and therefore discounted. When Newman opposed the rationalist conceptualisation of reason and its subjectivist/societal implications for the teachings of the Catholic Church on matters of conscience, he set in motion an ongoing confrontation to the tenets of that secular philosophy, which is as vocal today in its resistance as when he commenced that campaign in the 19th century. The influence of his teachings in this particular area may be detected in modern day Church documents, the admonitions of theologians, and even in the advice of Christian psychologists to their peers.

3. Conscience: Voice of God nevertheless to be Educated

We have addressed many aspects of Newman's teachings on conscience but the key notion to which Newman repeatedly returns in the course of his theorising and teaching is that of "conscience as the authoritative Voice of God."²⁵⁶ For him, conscience as an "inward

²⁵⁵ John Henry Newman, *Grammar of Assent*, 105-108.

²⁵⁶ See John Henry Newman, *PPS VIII*: 14, 203; *PPS I*: 14, 188; *Callista: A Tale of the Third Century*, 315; *Grammar of Assent*, 122-123; *Letter to the Duke of Norfolk*, 247-248.

voice,”²⁵⁷ is planted “in the heart and nature of man”²⁵⁸ to teach, lead, guide, and monitor the human person.²⁵⁹

Referring specifically to Christian believers, Newman holds that the notion of conscience as the authoritative voice of God is intrinsic to the credal beliefs of many denominations.²⁶⁰ For him, while these Christians consider conscience to be “a constituent element of the mind,” they also hold that it is more than “a law of the mind.”²⁶¹ They sincerely see it as “a connecting principle between the creature and his Creator.”²⁶² Furthermore, Newman points out that these Christians are aware that the voice which speaks to them during the course of this “connecting” is essentially distinctive from the “Voice of Revelation.”²⁶³ It is a voice that seeks to “enlighten, strengthen and refine” the human person,²⁶⁴ but speaks especially through Scripture and Tradition, but also through the teachings of their respective denominations.

Newman is quite explicit as to the distinctive aspect of God that the voice of his religiously constructed conscience will represent to the ‘conscientious’ listener. He is also quite clear as to the “tone” that this Voice will necessarily adopt as it communicates with those who are willing to listen. In his opinion, not only does the Transcendental Voice that emanates from conscience teach the individual about God,²⁶⁵ but more specifically, and strongly “its most prominent teaching, and its most cardinal and distinguishing truth, is that He is our Judge.”²⁶⁶ Newman then proceeds to elaborate what the religious or Christian mind may expect from such a Judge, and to describe the emotions which His judgements will

²⁵⁷ John Henry Newman, *Grammar of Assent*, 122.

²⁵⁸ John Henry Newman, *Letter to the Duke of Norfolk*, 247.

²⁵⁹ John Henry Newman, *Grammar of Assent*, 389-392.

²⁶⁰ John Henry Newman, *Letter to the Duke of Norfolk*, 247-8.

²⁶¹ Ibid.

²⁶² John Henry Newman, *Grammar of Assent*, 117.

²⁶³ John Henry Newman, *Letter to the Duke of Norfolk*, 247-8.

²⁶⁴ John Henry Newman, *Historical Sketches* (London: Longmans, Green, and Co., 1909), III: 79.

²⁶⁵ John Henry Newman, *Grammar of Assent*, 390.

²⁶⁶ Ibid.

generate. With reference to conscience as the authoritative voice of God, therefore, Newman cautions that

the special Attribute under which it brings Him before us, to which it subordinates all other Attributes, is that of justice—retributive justice. We learn from its informations to conceive of the Almighty, primarily, not as a God of Wisdom, of Knowledge, of Power, of Benevolence, but as a God of Judgment and Justice; as One, who, not simply for the good of the offender, but as an end good in itself, and as a principle of government, ordains that the offender should suffer for his offence.²⁶⁷

As for the tone which this authoritative voice adopts in its communication with the individual listener, Newman makes it absolutely clear that there is “nothing gentle, nothing of mercy” to be found in its tone.²⁶⁸ In fact, he points to terms such as: “personal, peremptory, unargumentative, irresponsible (sic), minatory, definitive” as the echoe of the voice of conscience.²⁶⁹ From Newman’s description, it is obvious that the “tone” of that voice does not suggest a willingness to negotiate, or overlook anything. Rather, in any conscientious encounter with this voice, the listener will find that its tone is: severe and even stern. It does not speak of forgiveness, but of punishment. It suggests to him a future judgement; it does not tell him how he can avoid it.²⁷⁰ If anyone is hoping to find words of support or consolation in the content or tone of this critical, judicial voice, Newman had this sobering observation to offer:

Hence its effect is to burden and sadden the religious mind, and is in contrast with the enjoyment derivable from the exercise of the affections, and from the perception of beauty, whether in the material universe or in the creations of the intellect.²⁷¹

Newman’s sombre description of this uncompromising relationship between the human listener and this relentlessly commanding Voice²⁷² is captured and reiterated in

²⁶⁷ John Henry Newman, *Grammar of Assent*, 390-391

²⁶⁸ John Henry Newman, *SVO*, 67.

²⁶⁹ John Henry Newman, *Grammar of Assent*, 123; *PPS VIII*: 14, 202.

²⁷⁰ John Henry Newman, *SVO*, 67.

²⁷¹ John Henry Newman, *Grammar of Assent*, 391.

²⁷² John Henry Newman, *SVO*, 65-66.

Vatican II's account which describes conscience as "the most secret core and sanctuary of the human person. There they are alone with God whose voice echoes in their depths" (GS.16).

What Newman and subsequent commentators are seeking to emphasise by metaphorically consigning the individual to the isolation of a judicial "dock" is that conscience is that place where a conversation of responsible accountability takes place, a conversation exclusively between two voices, that of the Judicial and Authoritative Voice of God and that of an arraigned defendant. As the following words from the *Grammar of Assent* point out, Newman is in no doubt that conscience is that place where the individual is constrained to stand in and by oneself and bear one's "own burden":

If there is any truth brought home to us by conscience, it is this, that we are personally responsible for what we do, that we have no means of shifting our responsibility, and that dereliction of duty involves punishment; . . . and that, when the time comes, which conscience forebodes, of our being called to judgment, then, at least, we shall have to stand in and by ourselves, whatever we shall have by that time become, and must bear our own burden.²⁷³

Since conscience, in its designated role as the authoritative Voice of God, possesses and has the undoubted capacity to wield such in-depth and pervasive control of an individual's reasoning and behaviour in Newman's estimation, it distinguishes right from wrong.²⁷⁴

We may ask at this point in terms of Newman's own capacity-laden description of conscience that: If conscience is the "voice of God," "aboriginal vicar of Christ" "discriminating right from wrong" and as a result "a prophet in its informations, a monarch in its peremptoriness, a priest in its blessings and anathemas," and would continue to function effectively "even though the eternal priesthood throughout the Church could cease to be,"

²⁷³ John Henry Newman, *Grammar of Assent*, 394-395.

²⁷⁴ See John Henry Newman, *Grammar of Assent*, 106, 390; *Historical Sketches* III: 79; *Discourse V*, 83.

why the need to add-to or subtract-from the potential of this “great internal teacher of religion”?

3.1 The Need for Informing Conscience

Newman admits that conscience

cannot perform [its office] adequately without external assistance. It needs to be regulated and sustained. Left to itself, though it tells truly at first, it soon becomes wavering, ambiguous, false; it needs good teachers and good examples to keep it up to the mark and line of duty; and the misery is, that these external helps, teachers and examples are in many instances wanting.²⁷⁵

Newman’s vigorous promotion of the need to form, inform or educate conscience besides some points enumerated above appears to be driven by other concerns, concerns that may be deduced in the course of his studies in this area. The first concern centres on his awareness of the growing popularity of what he perceived to be a Godless conscience, which advocated “complete independence, total autonomy, overall subjectivity and arbitrariness.” In Newman’s view this autonomous rather than theonomous phenomenon needed to be confronted by the notion of well formed religious conscience, understood as “a Divine Law” that continues to retain “the prerogative of commanding obedience.”²⁷⁶

The second area of concern regards the notion of erroneous conscience, a phenomenon which Newman personally experienced in his pre-conversion Anglican career vis-à-vis his attitude towards the Roman Catholic Church and some of its more traditional teachings and practices. Hence, he was personally aware that because conscience constitutes the use of human reason, it is fragile, fallible and prone to error. In this context, however, Newman was anxious to establish that every person is obliged and unconditionally entitled to follow his or her conscience, even if that conscience be erroneous, and in apparent opposition to certain

²⁷⁵ John Henry Newman, *Discourse V*, 83.

²⁷⁶ John Henry Newman, *Letter to the Duke of Norfolk*, 247.

teachings of the Church. However, rather than being confrontational in an area of fundamental importance to him, that is the Primacy of conscience, even an erroneous conscience, Newman seeks to demonstrate that “Conscience and the Church coexist in harmony and tension not in conflict and opposition.”²⁷⁷

The third area of concern is the actual manner in which conscience, as the Voice of God, is perceived to communicate with us. Newman is here anxious to persuade his readers and listeners, particularly the Christians of their need to be sensitive to the nuances of this Voice, and to the context in which it is heard. Crucially, however, he seeks to establish that the more this Voice is obeyed the clearer it will become “in its injunctions [and] the wider in their range” such that it will correct and complete “the accidental feebleness of its initial teachings.”²⁷⁸ Rather than obeyed, conscience is however often dispensed. Newman therefore observed:

man,—not being divine, nor over partial to so stern a reprover within his breast . . . as soon as he has secured for himself some little cultivation of intellect, looks about him how he can manage to dispense with Conscience, and find some other principle to do its work. The most plausible and obvious and ordinary of these expedients, is the Law of the State, human law . . . when the two come into collision, it follows of course that Conscience is to give way, and the Law to prevail.²⁷⁹

Given these circumstances, conscience needs to be informed in order to retain its value and dignity.

²⁷⁷ Michael E. Allsopp, “Conscience, the Church and Moral Truth: John Henry Newman, Vatican II, Today,” *Irish Theological Quarterly* 58 (1992): 204.

²⁷⁸ John Henry Newman, *Grammar of Assent*, 390.

²⁷⁹ John Henry Newman, *Historical Sketches*, III: 79. Newman mentions “rule of Expediency” and “the principle of Beauty” and concludes that Law, Expediency and Propriety are three principles of conduct which may be plausibly made use of as substitute for conscience.

3.1.1 The Religious in Opposition to the Godless Conscience

As we have seen, the concept of conscience that Newman presented to his readers and listeners is a religious conscience that articulates both natural and religious laws to all, but especially to religious-minded people. Not surprisingly then, the notion of conscience that Newman favours, preaches and is intellectually and spiritually comfortable with, is one that “retains the old, true, Catholic meaning of the word.”²⁸⁰ Intrinsic to the Catholic meaning is an unconditional belief in the tenet that “It is One God, and none other but He, who speaks first in our consciences.”²⁸¹ He maintains, for example, that the fundamental moral attitudes brought about by obedience to such a conscience form an “*organum investigandi* given us for gaining religious truth, and which would lead the mind by an infallible succession from the rejection of atheism to theism, and from theism to Christianity, and from Christianity to Evangelical Religion, and from these to Catholicity.”²⁸²

Elaborating on Newman’s understanding of the all-embracing nature of the Catholic connection with conscience, Michael E. Allsop claims that, in the learned philosopher’s estimation:

God’s voice is heard in conscience *and* in the Magisterium. It is also heard in scripture, in the fathers *and in the sensus fidelium* – which do not fall outside the Church, but are under the Church’s authority. Moreover . . . conscience hears *God’s voice* within its depths, not its own voice.²⁸³

Newman, himself, explicates his views on the relationship between conscience and the Church in terms of his own understanding of the role of conscience *vis-à-vis* the Papacy.²⁸⁴ Emphasising the intimate nature of the relationship between the Pope’s office and the religious notion of conscience, for example, Newman observed that if the Pope spoke “against

²⁸⁰ John Henry Newman, *Letter to the Duke of Norfolk*, 249.

²⁸¹ John Henry Newman, *PPS VII*: 14, 203.

²⁸² John Henry Newman, *Grammar of Assent*, 499.

²⁸³ Michael E. Allsopp, “Conscience, the Church and Moral Truth,” 202.

²⁸⁴ *Ibid.*, 203.

Conscience in the true sense of the word, he would commit a suicidal act. He would be cutting the ground from under his feet.”²⁸⁵ Newman did not confine the Catholic connection to the Pope’s Office, however, but also included the Church and the hierarchy as participants in a divine plan for the supply of urgent demand to protect and articulate the dictates of conscience.²⁸⁶

It is obvious that, by promoting such a broad, faith-based understanding of conscience, Newman had in fact enrolled a wide-ranging and formidable array of potential contributors to the task of the ongoing formation and education of that conscience constituting the Church, the Papal office, the magisterium and *schola theologorum*, the laity, the Scriptures, tradition and the Church Fathers. Newman had no doubt as to the crucial role these potential contributors must necessarily play, both individually and collectively, in the formation of the religious conscience in an age when “for a large portion of the public . . . it had been superseded by a counterfeit, which the eighteen centuries prior to it had never heard of, and could not have mistaken for it, if they had. It is the Right of self-will.”²⁸⁷ In Newman’s opinion, therefore, the religious conscience needed to be well-formed, informed and educated if it were not only to survive, but actually thrive in a world where there were now

two ways of regarding conscience; *one* as a mere sort of sense of propriety, a taste teaching us to do this or that, the *other* as the echo of God's voice. Now all depends on this distinction—the first way is not of faith, and the second is of faith.²⁸⁸

Newman was not surprised that an understanding of a Godless notion of conscience proved to be so popular with ‘a large portion of the public’ since he saw that it allowed personal opinion, individual taste, subjective feelings and self-will to masquerade as conscience in their daily lives. Indeed, the popularity of this Godless notion of conscience

²⁸⁵ John Henry Newman, *Letter to the Duke of Norfolk*, 252.

²⁸⁶ Michael E. Allsopp, “Conscience, the Church and Moral Truth,” 203.

²⁸⁷ John Henry Newman, *Letter to the Duke of Norfolk*, 249-250.

²⁸⁸ John Henry Newman, *Sermon Notes of John Henry Cardinal Newman 1849-1878*, ed. Fathers of the Birmingham Oratory (London: Longmans, Green and Co., 1913), 327.

was further enhanced, in Newman's opinion, by the fact that it actively promoted independence, autonomy, subjectivity and arbitrariness for individuals in their management of their moral affairs. This is very modern also. In words that could just as easily have been uttered by Newman, the Australian Cardinal George Pell strongly advised against such desacralizing and subjectivist understanding of conscience on the basis that

no person can guide his conduct purely by taste—for the simple reason that there are no infallible tastes. Everyone is affected by sin. Even non-believers must accept the human propensity to self-deceit, selfishness, and evil. We cannot rely on our tastes in moral matters because we are all vulnerable to acquiring the taste for immorality and egoism. This means that while we should follow a well-formed conscience, a well-formed conscience is hard to achieve.²⁸⁹

Pell's awareness of how difficult it could prove to achieve a well-formed conscience led him to advise Catholics who suspected that their consciences were "under-formed or malformed" to temporarily follow a reliable authority, namely that of their Church. This is a somewhat understated reiteration of the advice offered by Newman to Christians who, on the one hand, suspected that their consciences could be "ill-informed" and, on the other, were concerned as to what could befall them as a result of following potentially "extreme or inexpedient" advice, offered by ecclesiastical superiors possibly teaching beyond their "legitimate province."

And as obedience to conscience, even supposing conscience ill-informed, tends to the improvement of our moral nature, and ultimately of our knowledge, so obedience to our ecclesiastical superior may subserve our growth in illumination and sanctity, even though he should command what is extreme or inexpedient, or teach what is external to his legitimate province.²⁹⁰

It could be argued from the above extract that, in Newman's view, some effort at religious conscience formation, no matter how suspect (within reason) the ecclesiastical involvement was better than no effort at all. This is indicative of the importance that Newman

²⁸⁹ George Cardinal Pell, "The Inconvenient Conscience," *First Things*, n. 153 (May 2005): 24.

²⁹⁰ John Henry Newman, *Development of Christian Doctrine*, 87.

attached to this process and to the involvement of the Church therein, especially in light of the Godless context in which, in his opinion, it must necessarily function. Pope John Paul II has noted, for example, that Newman taught and was convinced that, although conscience was within the human heart before it received any training, it was nevertheless the duty of a Christian to inform and educate that conscience through the guidance of the Church, in order to bring it to maturity.²⁹¹

Newman's teaching on the need to form, inform and educate the conscience, was not driven solely by a desire to counteract the influence and spread of a desacralized and Godless notion of conscience. Rather, he was convinced that it was of the very nature of conscience to stand in need of external assistance, good teachers and examples, as well as regulation and support, in order "to keep it up to the mark and line of duty."²⁹² Using the analogy of a clock, Newman perceptively demonstrated that "training and experience are necessary for [the] strength, growth and the formation" of conscience.²⁹³ He observed that:

A clock, organically considered, may be perfect, yet it may require regulating. . . . [it] may be said to strike the hours, and will strike them wrongly, unless it be duly regulated for the performance of its proper function . . . [and] as the hammer of a clock may tell untruly, so may my conscience and my sense of certitude be attached to mental acts, whether of consent or of assent, which have no claim to be thus sanctioned. Both the moral and the intellectual sanction are liable to be biased by personal inclinations and motives; both require and admit of discipline.²⁹⁴

Hence, Newman firmly believes that although a conscience will tell truly at first, when left to its own devices "it soon becomes wavering, ambiguous, and false . . . loses its way and guides the soul in its journey heavenward but indirectly and circuitously."²⁹⁵ Newman also draws on the metaphor of an "inward light" which "grows dim" or "is removed out of sight" or

²⁹¹ John Paul II, Letter to the Archbishop of Birmingham on the first centenary of the death of John Henry Newman, 18 June 1990, n.4

²⁹² John Henry Newman, *Discourse V*: 83.

²⁹³ John Henry Newman, *Letter to the Duke of Norfolk*, 248.

²⁹⁴ John Henry Newman, *Grammar of Assent*, 233-234.

²⁹⁵ John Henry Newman, *Discourse V*: 83.

becomes “so eclipsed that [it] can catch and reflect few rays” to illustrate how an ill-formed or malformed conscience can become “powerless to illuminate the horizon, to mark out for us our direction, and to comfort us with the certainty that we are making for our Eternal Home.”²⁹⁶ Sustaining this metaphor of a poorly formed conscience as a problematic “inward light” that can dim, fade or be eclipsed, Newman concludes that a conscience with such untreated “lighting problems” will inevitably fail to achieve the ethical purposes for which it was intended and outlines as follows:

That light was intended to set up within us a standard of right and of truth; to tell us our duty on every emergency, to instruct us in detail what sin is, to judge between all things which come before us, to discriminate the precious from the vile, to hinder us from being seduced by what is pleasant and agreeable, and to dissipate the sophisms of our reason.²⁹⁷

3.1.2 Erroneous Conscience: Requisite for Formation

While Newman is unequivocal in his assertion that conscience must be obeyed whether erroneous or not²⁹⁸ because it is “the echo of the voice of God,”²⁹⁹ he is equally adamant that all rational creatures have a duty to form that conscience so that it will allow God’s Law to shine through as purely as possible, and without refraction. Cardinal Ratzinger not only reiterates Newman’s assertion about conscience, but demonstrates how erroneous conscience dispenses with truth. Thus, formation of conscience should be about our capacity to attain truth.³⁰⁰ Ratzinger acknowledges that he is following in the philosophical footsteps of Newman for whom “the centrality of the concept of conscience is linked to the prior centrality of the concept of truth.”³⁰¹ Hence truth and conscience dovetail.

²⁹⁶ John Henry Newman, *Discourse V*: 84.

²⁹⁷ *Ibid.*

²⁹⁸ See John Henry Newman, *Letter to the Duke of Norfolk*, 259; *Development of Christian Doctrine* 86.

²⁹⁹ See John Henry Newman, *Sermon Notes*, 327.

³⁰⁰ Joseph Cardinal Ratzinger, “Conscience and Truth,” 11-12.

³⁰¹ *Ibid.*, 8.

For Ratzinger, an individual's commitment to the pursuit of truth and goodness will be demonstrated by the diligence with which he or she will search out ethical answers to moral choices from resources that are credible. High on the list of such credibility is *anamnesis* (memory) which Ratzinger describes as our "inner sense, a capacity to recall."³⁰² This capacity allows us to recollect eternal truth imbued within us. So paying attention to this *anamnesis* brings to the fore Christian memory. Besides *anamnesis*, there is assistance "from without." It "is not something set in opposition to *anamnesis* but ordered to it. It has a maieutic function, imposes nothing foreign, but brings to fruition what is proper to *anamnesis*, namely, its interior openness to truth."³⁰³ In this regard, it suffices to acknowledge that the office of the Pope is assistance from without. While Newman himself was consistently careful to stress the primacy of a true conscience over Papal teachings, he did point out that "when he speaks *ex cathedra* . . . he is simply protected from saying what is untrue."³⁰⁴ As such, as Ratzinger said:

The pope does not impose from without. Rather he elucidates the Christian memory and defends it. For this reason, the toast to conscience indeed must precede the toast to the pope because without conscience there would not be a papacy. All power that the papacy has is power of conscience.³⁰⁵

Much of what Ratzinger proposed is both a reiteration and an elaboration of Newman's teaching, who pointed out, for example, that:

The natural conscience of man, if cultivated from within, if enlightened by those external aids, which are given him in every place and time, would teach him much of his duty to God and man and would lead him on by the guidance both of Providence and grace into the fullness of religious knowledge.³⁰⁶

³⁰² Ibid., 13.

³⁰³ Ibid., 14.

³⁰⁴ See Newman's letter to Mrs William Froude March 5th in *LD*, XXV: 299.

³⁰⁵ Joseph Cardinal Ratzinger, "Conscience and Truth," 15.

³⁰⁶ John Henry Newman, *SVO*, 21-22.

In calling on all rational creatures to cultivate their consciences by drawing on internal and external aids, Newman himself was drawing on the teachings of Scripture, particularly as found in St Paul, who pointed out, for example, that in order to have a “good Conscience man must seek the truth and must make judgements in accordance with that same truth” (1 Timothy 1:5). Paul further advised that the individual conscience must be “confirmed by the Holy Spirit” (Romans 9:1); it must be “clear” (2 Timothy 1:3); and it must not “practise cunning and tamper with God’s word,” but “openly state the truth” (2 Corinthians 4:2). Above all, Paul urged his readers not to be conformed to the mentality of the world, but to be transformed by the renewal of their minds (Roman 12:2), since he was doubtlessly convinced that it is the “heart” converted to the Lord and to the love of what is good which is, really the source of true judgments of conscience.³⁰⁷

Crucially, however, no matter how committed any sincere, rational individual is to the process of the formation of a true conscience, its judgements will never be exempt from the possibility of error because they are, in fact, the judgements of human actions.³⁰⁸ Newman, himself, was aware that because conscience is an exercise that involves reason “it may suffer refraction in passing into the intellectual medium of each.” Thus for Newman, the possibility of conscience arriving at an erroneous conclusion may also be a function of the manner in which it actually communicates. He pointed out, for example, that while the voice of conscience is peremptory and commanding, it may often speak softly and unclearly “as if behind a veil” thereby making it difficult for people to discern the appeals of conscience from those which come from the passions, from pride and self-love, from a mistaken notion of the autonomy of conscience and so on. The potential for conscience to be mistaken, therefore, derives not only from its function as a rational discriminator of the ethical nature of specific behaviours, but also from the secretive, even furtive manner in which it is perceived as

³⁰⁷ John Paul II, *Veritatis Splendor*, 64.

³⁰⁸ *Ibid.*, 62.

communicating with its receiving hosts. Newman describes the actual manner of communication between conscience and the human person as that between “[an] Unseen Lord, and Governor, and Judge, who as yet speaks to them only secretly, who whispers in their hearts, who tells them something, but not nearly so much as they wish and as they need.”³⁰⁹ Having clearly identified the aetiology of the erroneous conscience, Newman was then left with the task of outlining how its discordant judgements should be treated.

In his teachings and philosophising on the issue of the erroneous conscience, Newman had the advantage of being able to speak from his own personal experience in this area. Specifically, in 1843, and solely out of his concern to remain true and obedient to the voice of his own conscience, Newman retracted all his accusations against the Roman Catholic Church, which up to that point he had believed to be a community in allegiance to the Anti-Christ.³¹⁰ That Newman had lived a substantial portion of his early Christian life “in error” might appear ironic to some, particularly in light of his effusive profession that, “My desire hath been to have truth for my chiefest friend, and no enemy but error.”³¹¹

Newman’s personal encounter with an erroneous conscience, coupled with the truthful and courageous manner in which he dealt with it, far from being ironic, suggest an individual with a profound understanding of, and a deep respect for conscience. It also points to an individual who believes that “conscience hears God’s voice within its depths, not its own voice.”³¹² This is most definitely the view of Ratzinger, who maintains that, for Newman, “conscience signifies the perceptible and demanding presence of the voice of truth in the subject himself. It is the overcoming of mere subjectivity in the encounter of the

³⁰⁹ John Henry Newman, *SVO*, 66.

³¹⁰ See John Henry Newman, *Essay Critical and Historical*, vol. II (London: Longmans, Green and Co., 1907).

³¹¹ John Henry Newman, *The Via Media of the Anglican Church*, vol. I (London: Longmans, Green and Co., 1901), xii-xiii.

³¹² Michael E. Allsopp, “Conscience, the Church and Moral Truth,” 202.

interiority of man with the truth from God.”³¹³ It is for this reason that Ratzinger characterises Newman’s journey in terms of a verse composed by Newman himself: “I loved to choose and see my path but now, lead Thou me on!”³¹⁴ Furthermore, it is also the reason Ratzinger went on to designate Newman as a man of conscience, equating him with Thomas More, another great witness of conscience.³¹⁵

4. Conclusion

The representation of Newman’s notion of conscience in this chapter leaves little room for doubt that John Henry Newman is a highly original and nuanced thinker. His theological and ecclesiological views defy any simple characterisation. His literary output in the form of essays, sermons, pamphlets, and letters can only be regarded as phenomenal. The originality and prolificacy of his didactic contributions to successive generations of Catholics and Christians is only matched by the sheer range of Church-related topics that became the object of his ceaselessly probing and in-depth scrutiny. These topics can be broadly categorised as those dealing with such long-standing, traditional Church teachings as infallibility, the role of the laity, development of doctrine, and relevant to this Chapter, the topic of conscience. It must also be noted that rather than being deferential to the views of academic, civil or ecclesiastical authorities, Newman’s treatment of aspects of these topics proved to be just as controversial, just as personally exacting, but as always, just as truth-seeking, as those he presented when dealing with the notion of conscience. Not only is such a claim concerning topics other than “conscience” easily validated by numerous examples available in Newman’s vast literature, they, in turn, serve as a sort of external validation of his treatment of the notion of conscience.

³¹³ Joseph Cardinal Ratzinger, “Conscience and Truth,” 9.

³¹⁴ *Ibid.*

³¹⁵ *Ibid.*

In his theology of conscience, he presented his thought using different methods, but the most characteristic was his emphasis on the Christian approach. Newman's teaching is very emphatic as elucidated. As a nineteenth century theologian and scholar, Newman's life both as an Anglican and Catholic testify to his teaching on conscience. His belief that conscience is the voice of God is primary and it leads to the summit of his belief that God is our moral governor. Consequently, Newman challenged false notions of conscience in his time. His specific Christian account of conscience as "the aboriginal Vicar of Christ" points to the value of objectivity since Christ is "the Way, the Truth and the Life."³¹⁶

Besides the fact that his teaching on conscience is rooted in Christianity, Newman still taught it to be judicial, critical, emotional, thus needing to be informed. To sum up therefore, Newman's teaching and explanation of conscience are in line with Aquinas'. Like Aquinas, Newman affirms and upholds the primacy of conscience and draws the relationship between conscience and authority without giving in to subjectivity or relativity.

In dealing with Newman's teaching on conscience, we referred to and mentioned his objection to false understanding of conscience but did not go into detailed discussion of false notions. In the next chapter, as we will be discussing the thoughts of Germain Grisez on conscience, we will examine his thought alongside some prominent twentieth century secularization of conscience.

³¹⁶ John 14:6.

Chapter Three

Germain Grisez: An Epistemological Theory of Conscience

1. Introduction

In his “Introduction” to a collection of essays centred on the thoughts and writings of Germain Grisez (1929-),¹ Robert P. George observed:

For more than thirty years, Germain Grisez’s writings have generated intense controversy among Catholic moral theologians. Grisez’s theory of practical reasoning and morality has won the allegiance of a number of influential Catholic moralists . . . At the same time, it has drawn criticism from natural law theorists committed to neo-scholastic methods . . . on the one hand, and from proportionalist critics of traditional approaches to Catholic moral theology . . . on the other. . . Even Grisez’s most vigorous critics, however, acknowledge the significance of his philosophical achievement and the centrality of his thinking to contemporary debate among Catholic moralists.²

Such an introduction suggests an individual scholar so prominent and pivotal in his academic field that his thoughts and writings seem capable of generating either intense collaboration or criticism from a range of philosophers or moralists. But in stark contrast with the high profile status of John Henry Newman discussed in chapter two, and the universal recognition and attention, which his actual life and works continue to command, Grisez’s life and works is comparatively limited, except, for the immediate academic and religious circles within which he himself works. In fact, he appears to be referring to this relative anonymity and obscurity when, in the context of his struggle against what he regarded as “the institutionalisation of theological dissent” in the field of morals within the Catholic Church,³ he pointed out that:

¹ There is a broad biography on Germain Grisez by Russell Shaw in “Pioneering the Renewal in Moral Theology,” in *Natural Law and Moral Inquiry: Ethics, Metaphysics and Politics in the Work of Germain Grisez*, ed. Robert P. George (Washington, D.C.: Georgetown University Press, 1998), 247-269; Joseph H. Casey, *Guiding Your Own Life of the Way of the Lord Jesus: Liberated by the Profound Theologian, Germain Grisez* (Bloomington, IN: Author-House, 2012), Ch. 1.

² Robert P. George ed., *Natural Law and Moral Inquiry: Ethics, Metaphysics and Politics in the Work of Germain Grisez* (Washington, D.C.: Georgetown University Press, 1998), vii.

³ Russell Shaw, “Pioneering the Renewal in Moral Theology,” 243.

What I am doing is coming along and getting picked up in a few places. If I had been thinking about fighting and winning some kind of war, the whole thing would be completely impossible. You couldn't do it. I don't have the status. I don't have the power. I haven't accomplished that much.⁴

Although Grisez acknowledges his inability to accomplish much, this chapter will endeavour to examine his theological pedagogy on the nature of conscience.

2. Grisez's Moral Thought and Method

Grisez's thoughts are to be found in numerous articles and books, which he authored or co-authored with his colleagues. He has made significant contributions to everyday popular concerns especially about human sexuality and human life on issues like **contraception, abortion, nuclear deterrence, Euthanasia** and **death penalty**. His earlier work: *Abortion: The Myths, the Realities, and the Arguments*, (1970) was reviewed accordingly: "Professor Grisez has exhaustively analysed the problem in all its significant facets. . . . It is a mine of soundly penetrating analysis."⁵ In *Life and Death with Liberty and Justice: A Contribution to the Euthanasia Debate*, (1979) co-authored with Joseph M. Boyle, they made significant contributions to the life and death debate in consonance with consent and conscience. They argued that "the conscience of the patient—even if it is sincere and the patient's choice is in accord with it—is not sufficient to justify the action of helping"⁶ the patient to die. *Nuclear Deterrence, Morality and Realism*, co-authored with John Finnis and Joseph Boyle, (1987) was described as "the most important contribution so far to the debate over the ethics of nuclear deterrence."⁷ In view of the death penalty, Grisez argues against capital punishment declaring that Thomas Aquinas' "common good" justification of the death

⁴ Russell Shaw, "Pioneering the Renewal in Moral Theology," 268.

⁵ See Charles E. Rice, *Notre Dame Lawyer* 6, no. 4 (1971): cited in Russell Shaw, 260.

⁶ Germain Grisez and Joseph M. Boyle, *Life and Death with Liberty and Justice: A Contribution to the Euthanasia Debate* (Notre Dame: Notre Dame University Press, 1979), 426.

⁷ See Russell Shaw, "Pioneering the Renewal in Moral Theology," 252.

penalty “is not really essential to protect the common good from injury by wicked persons. What may be necessary is their effective separation from society.”⁸

Grisez’s major theological output however is: *The Way of the Lord Jesus*, a four volume treatise.⁹ The fourth volume is still in progress. These volumes constitute his success or achievements in the eyes of his admirers. When Grisez was asked about what he had in mind in writing the *The Way of the Lord Jesus*, he simply responded: “Essentially, what I’m doing is trying to do moral theology the way I think it ought to be done.” Shaw then asked: “Hasn’t moral theology up to now *ever* been done as it should? “No” he replied, “it hasn’t been very adequate.”¹⁰ Grisez seeks therefore to articulate concepts such as “Freedom,” “Conscience,” “Basic Human Goods,” “Natural Law Theory” and address specific moral problems in consonance with the teachings of the Catholic Magisterium and respond to the renewal in moral theology called for by the Second Vatican Council.¹¹ Reviewing Volume 2, in *New Blackfriars*, Anthony Fisher referred to *Christian Moral Principles* as “the greatest book since Vatican II NOT reviewed” by the *New Blackfriars*.¹² David Novak while concluding his review of the third volume writes: “In the book as a whole, Germain Grisez has once again shown how faith seeking understanding, when done by someone of great faith and great understanding, is the most impressive of all human efforts.”¹³ John R. Connery designated *The Way of the Lord Jesus* “a monumental work,”¹⁴ and Benedict Ashley maintained that the completed four-volume treatise “promises to be the most important work

⁸ Germain Grisez, “Toward a Consistent Natural-Law Ethics of Killing,” *American Journal of Jurisprudence* 15 (1970): 67.

⁹ Germain Grisez, *Christian Moral Principles*, vol. 1 of *The Way of the Lord Jesus* (Quincy, IL: Franciscan Press, 1983); *Living a Christian Life*, vol. 2 of *The Way of the Lord Jesus* (Quincy, IL: Franciscan Press, 1993); *Difficult Moral Questions*, vol. 3 of *The Way of the Lord Jesus* (Quincy, IL: Franciscan Press, 1997).

¹⁰ Russell Shaw, “Pioneering the Renewal in Moral Theology,” 242.

¹¹ See User’s Guide and Preface to *Christian Moral Principles*, xxix.

¹² Cited in Russell Shaw, “Pioneering the Renewal in Moral Theology,” 245.

¹³ David Novak, review of *Difficult Moral Questions*, vol. 3 of *The Way of the Lord Jesus* by Germain Grisez, *First Things* n. 88 (December 1998): 61.

¹⁴ Cited in Russell Shaw, “Pioneering the Renewal in Moral Theology,” 245.

in the field (at least in English) to appear since Vatican II.”¹⁵ These volumes therefore, elaborate Grisez’s essential ethical or moral thought particularly as it relates to his understanding of the concept of conscience. But before embarking on the task of searching out his thought on conscience, it is essential that we contextualize his moral thinking and method.

There are differing ethical theories or schools of moral theology among Catholic theologians and academia. Linda Hogan affirms this by declaring that: “Catholic moral theology today is characterised by deep divisions on a number of serious issues.”¹⁶ Upon this, she identified two main schools of thought. One is clustered around Grisez and his colleagues¹⁷ while the other is clustered around moral theologians such as Richard McCormick and Charles Curran. The description of McCormick as “a major figure in Catholic proportionalist dissent”¹⁸ leaves no doubt as to the essential nature of this cluster. Thus, those clustered around Grisez came to be identified as “traditionalists” or “non-revisionist” while those supporting the latter were to be designated “revisionists” or “proportionalists.”¹⁹

Interestingly, while Robert J. Smith situates Grisez within the “traditionalist,” “non-revisionist,” “man-in-relationship-to-law” model of conscience or school of thought,²⁰ Grisez,

¹⁵ Ibid., 245.

¹⁶ Linda Hogan, *Confronting the Truth: Conscience in the Catholic Tradition* (New York: Paulist Press, 2000), 1.

¹⁷ Ibid; Bernard Hoose, “Proportionalist, Deontologists and the Human Good,” *The Heythrop Journal* 33 (1992).

¹⁸ See Linda Hogan, *Confronting the Truth*, 1; Russell Shaw “Pioneering the Renewal in Moral Theology,” 256; Brian V. Johnstone, “The Revisionist Project in Roman Catholic Moral Theology,” *Studies in Christian Ethics* 5, no.2 (1992); Patrick Andrew Tully, *Refined Consequentialism: The Moral Theory of Richard A. McCormick* (New York: Peter Lang, 2006).

¹⁹ These appellations have come to signify the opposing stances or positions moral theologians have been perceived as adopting or promoting in their writings and debates on ethical issues that are topical in today’s world. See Robert J. Smith, *Conscience and Catholicism: The Nature and Function of Conscience in Contemporary Roman Catholic Moral Theology* (Lanham, Md.: University Press of America, 1998).

²⁰ Robert J. Smith, introduction to *Conscience and Catholicism*, xvi. Smith claims to try and demonstrate that “Grisez is more a ‘legalist’ and ‘rule maker’ and ‘rule enforcer’ than he admits.” 78.

as has been his wont, strongly resists any attempt at what may be regarded as facile pigeonholing. He and his colleagues argue thus, for example:

[S]ome wonder whether the theory we defend is teleological or deontological. The answer: Neither. Unlike teleological theories, this one shows why there are absolute moral norms. (We deal with this matter sufficiently in other works.) Moreover, unlike teleological and like deontological theories, the position we defend is that morally good free choices are intrinsic to the supreme good of human persons. But to assume that this theory must therefore be deontological is a mistake.²¹

What Grisez is postulating here is that, since the position that he and his collaborators defend is one where “morally good free choices are intrinsic to the supreme good of persons,”²² they are not teleological or deontological in their ethical outlook. More specifically, what he is claiming is that his ethical system is not one where actions are judged to be morally right based on how well they conform to some set of duties (deontological), or on the consequences of the actions (teleological). Grisez’s thoughts and writings make scholars postulate about his specific school of thought. However, since normative ethical systems deal with variant methods: virtue-ethics,²³ deontological, teleological, relational-responsibility methods,²⁴ there can be no doubt however that his opponents would place him outside these ethical niches due to his stance on conscience and morality. Whether Grisez has problems with being designated “deontological” or “teleological” or “virtue-ethical”, we might identify him as a “Contemporary Neo-Manualist” as James F. Keenan credits him.²⁵ On the other

²¹ Germain Grisez, Joseph Boyle and John Finnis, “Practical Principles, Moral Truth and Ultimate Ends,” *The American Journal of Jurisprudence* 32 (1987): 101. But Richard M. Gula categorically states that “The deontological method is commonly associated today with Germain Grisez and William E. May on the Catholic side.” See *Reason Informed by Faith: Foundations of Catholic Morality* (New York: Paulist Press, 1989).

²² *Ibid.*, 101.

²³ Richard M. Gula, *Reason Informed by Faith*, 7-8.

²⁴ *Ibid.*, 20-21; 300-306.

²⁵ See James F. Keenan, *A History of Catholic Moral Theology in the Twentieth Century: From Confessing Sins to Liberating Consciences* (London: Continuum, 2010). Keenan maintains: “If we were to consider a turn to contemporary expression of neo-manualism, the philosopher Germain Grisez’s (1929-) massive *The Way of the Lord* (1983) would be a worthy choice.”127.

hand however, what is clear is that his is a protagonist of “the morality of principles”²⁶ and a vehement antagonist of proportionalism.

2.1 An Unrelenting Challenger of Proportionalism

Grisez, described as a “non-Revisionist” or “Traditionalist” has displayed zero-tolerance for the proportionalist approach to moral decision-making, it should be noted that proportionalism actually shares certain fundamental characteristics with “morality of principle.” Steadfast “Traditionalists” as Ronald Lawler, Joseph Boyle and William May point out, for example, that:

Both of these approaches are attempts to carry out the renewal called for by Vatican II; both seek to escape every kind of legalism and extrinsicism to show that morality is not a set of arbitrary rules imposed without concern for what the human person is and longs to be. Both explain the moral teachings of Christianity in terms of love of persons, and of the great human goods that animate all moral striving-goods . . . Both seek to be faithful to the larger vision of Scripture and Christian tradition, understanding that man was made not simply to keep rules but to serve God creatively as his image, intelligently striving to do what is really good, what love requires.²⁷

In the light of such fundamental commonalities, Grisez’s virulent opposition to proportionalism would seem to be somewhat over-the-top to some. For example, he describes “unrestricted proportionalism,”²⁸ whether secular or Catholic in nature as being theologically

²⁶ This latter title for various reasons, it “is so called because of its concern for unfailing faithfulness to the first principles of morality, for faithfulness to every person and every good.” Ronald Lawler, Joseph Boyle and William E. May, *Catholic Sexual Ethics: A Summary, Explanation, and Defense Updated* (Huntington, IN: Our Sunday Visitor, 1985), 79.

²⁷ *Ibid.*, 78-79.

²⁸ According to Grisez, proportionalism has many forms and variations (*Christian Moral Principles*, 143). Thus, his use of the label “unrestricted proportionalism” suggests he is referring to the utilitarians who were deemed to be both proportionalists and hedonists, in that they reduced human good to pleasure, (*ibid.*, 143). In the case of “restricted proportionalism” the method is admitted in more or less restricted areas of life, whilst excluding its use in certain other areas. (*ibid.*, 142). Overall, however, Grisez notes that the essential problem with proportionalism is the notion of comparative evaluation, since none of its variations or limitations avoid it. (*ibid.*, 142).

inadequate because it “confuses human responsibility with God’s responsibility.”²⁹

Concerning this misappropriation of responsibility, he caustically observes that:

One who accepts both unrestricted proportionalism and the Christian doctrine of divine providence (God permits what is bad only to draw good from it) should also accept the following moral principle. If in doubt about what is right, try anything. For if one accomplishes what one attempts, one can be certain that on the whole it is best, since it must fit into the plan of providence.³⁰

Switching from the peremptorily derisive to the seriously didactic, however, Grisez proceeds to sternly remind supporters of both “restricted” and “unrestricted” proportionalism that: “We, however, are not responsible for the overall greater good and lesser evil—the good and evil of ‘generally and in the long run’— for only God knows what they are.”³¹

Even those proportionalists who tone down their approach by acknowledging that there are some moral absolutes, for example, “that one should never seek to lead another into sin”³² thereby admitting that there are serious limitations to the applicability of the proportionality principle, receive little or no philosophical or theological quarter from Grisez. Refined, reformed or restricted, the application of this method of moral decision-making can draw such a devastatingly critical observation from Grisez, as: “even in so restricted a form, proportionalism is rationally unworkable.”³³ All of this seemingly intransigent opposition to proportionalism on the part of Grisez begs the following questions: What precisely does this method of moral thinking entail? And what is it about this method that consistently draws such severe criticism from Grisez?

2.1.1 A Traditionalist Account of Proportionalism

Grisez outlines his understanding of the nature of proportionalism as follows:

²⁹ Germain Grisez, *Christian Moral Principles*, 151, (bold omitted).

³⁰ *Ibid.*

³¹ *Ibid.*

³² See Ronald Lawler et al., *Catholic Sexual Ethics*, 80.

³³ Germain Grisez, *Christian Moral Principles*, 152, (bold omitted).

According to a simple version of proportionalism, a moral judgment is a comparative evaluation of the possibilities available for choice. Each is examined to see what benefit and harm are likely to come about if it is chosen and the choice carried out. Suppose one possibility promises considerably more benefit than harm, while another promises less benefit than harm. One ought to choose the first possibility, according to proportionalists, because it gives a better proportion of good to bad.³⁴

Ronald Lawler et al., note that this method of moral thinking derives its title from its emphasis on the proportion of good and evil in actions, such that

an act which would otherwise be immoral can be justified morally if the overall good or evil involved in doing the action compares favourably with the overall good or evil which the available alternatives would bring about. Thus, its basic principle can be called the principle of the greater good, or more commonly, the principle of the lesser evil.³⁵

Accordingly, proportionalists postulate that “intelligent concern for the human goods requires an assessment of all the good and evil involved in alternative possibilities for action,”³⁶ in order to determine, prior to the making of any choice, which of the alternatives promises the greater good or lesser evil. It is the outcome of this determination which dictates to the individual which of the alternatives he or she ought to choose.³⁷ Hence, proportionalism is considered a form of utilitarianism or consequentialist theory.

Although, considered to be applicable to any moral problem, Lawler and colleagues do consider it to be somewhat ironic that

Catholic thinkers have adopted a method of moral thinking that has been for over a century the centrepiece of secular humanist thinking at the very time when many secular moralists were despairing of its ability to withstand the objections raised against it.³⁸

³⁴ Ibid., 141.

³⁵ Ronald Lawler et al., *Catholic Sexual Ethics*, 79.

³⁶ Ibid., 79.

³⁷ Ibid., 79-80.

³⁸ Ibid., 84.

Sir Bernard Williams (1929-2003), for example, who was regarded by some as the most brilliant and important British moral philosopher of his era³⁹ is credited with successfully undertaking the project of exploring how utilitarianism and those who uncritically embrace it have accepted an unworkable standard for defining right actions. Specifically, Williams postulated the following unique and in-depth thesis: to define right action only by reference to whether it produces a good “state of affairs” necessitates a fundamental clash between an agent’s moral character and that allegedly right action.⁴⁰

2.2 Proportionalism: A Plausible Alternative?

Despite such criticisms, however, there are dissenting theologians who are prepared to defend and promote proportionalism as a method of moral decision-making within the Catholic Church.⁴¹ As space precludes an in-depth account from such apologists for this ethical system, we will draw on two arguments favouring this method that would certainly have exercised Grisez’s thinking.

Grisez notes, for example that Catholic proportionalists claim to have found “instances of the use of proportionalism in theological tradition”⁴² referring specifically to Richard McCormick’s overt utilisation of the thinking of Thomas Aquinas to justify contraception.⁴³ McCormick is depicted as drawing on what he perceives to be a logical parallel between the act of contraception and Aquinas’s observation that, “whilst killing a person does involve a disorder, this can be made right by a particular circumstance,” namely

³⁹ See Professor, Sir Bernard Williams, *The Times* 14 June 2003.

⁴⁰ See J. J. C. Smart and Bernard Williams, *Utilitarianism: For and Against* (Cambridge: University Press, 1973) 82-117.

⁴¹ See Charles E. Curran and Richard A. McCormick, eds., *Readings in Moral Theology: No.1 Moral Norms and Catholic Tradition* (New York: Paulist Press, 1978).

⁴² Germain Grisez, *Christian Moral Principles*, 146 (bold omitted).

⁴³ *Ibid.*

capital punishment for the sake of justice.⁴⁴ Grisez sceptically observes, however, that the only evidence McCormick is presenting for concluding that Aquinas supports proportionalism is of the type where he equates the notion “By particular circumstances” with the notion of “by reason of the good of the person and persons.”⁴⁵ Not one for apologetics, however, Grisez baldly asserts in bold print: “**It is not true that the theological tradition endorses proportionalism,**”⁴⁶ before informing his readers that while some classical moral theologians may have occasionally proposed proportionalist-like arguments, that is very different from articulating and defending the method.⁴⁷

Grisez’s abhorrence of subjectivism and relativism surfaces pretty instantly when he finds himself responding to the notion that proportionalism actually provides a much needed role for flexibility in moral decision-making.⁴⁸ He firstly notes the argument that “many people find proportionalism’s flexibility attractive . . . [because] while moral absolutes could be maintained in an ideal universe, compromises are in order in the real universe broken by sin.”⁴⁹ Grisez also noted the proportionalist insistence that account must be taken of the dynamism of human nature, of its historical character and openness to real change.⁵⁰ Grisez’s response to what he perceived to be an attempt to justify the relativisation of Catholic teaching is, as usual, direct, uncompromising and unapologetic:

Part of proportionalists’ impatience with moral absolutes is rooted in their reaction to an inadequate conception of moral obligation. If God is not being simply arbitrary in stamping “forbidden” on acts, there must be some plausible reason for his doing so—such as that they cause more harm than good.⁵¹

⁴⁴ Ibid.; See also Richard A. McCormick, “Moral Theology Since Vatican II: Clarity or Chaos,” *Cross Currents* 29 (Spring 1979): 21.

⁴⁵ Germain Grisez, *Christian Moral Principles*, 146.

⁴⁶ Ibid., 148 (bold by Grisez).

⁴⁷ Ibid.

⁴⁸ Germain Grisez, *Christian Moral Principles*, 146.

⁴⁹ Ibid.

⁵⁰ Ibid.

⁵¹ Ibid.

2.2.1 Proportionalism: Nothing Plausible for Grisez “The Traditionalist or Non-Revisionist”

Much of Grisez’s intense challenging of proportionalism has been targeted at undermining its fundamental philosophical, logical and ethical rationale. To focus primarily on these arguments, however, would be to critically overlook what can only be described as his life-mission, his *raison d’être*, the targeting of his not-inconsiderable intellectual skills on neutralising any threat that any method of moral thinking could pose to the teaching authority of the Catholic Church’s Magisterium. In Grisez’s opinion, proportionalism had proved itself to be most definitely one such legitimate target, if for no other reason than by that time in Grisez’s career it had become “the dominant school among Catholic moralists in the United States and countries like it.”⁵² What Grisez found to be deeply troubling about this ethical “takeover” was that:

People who set aside the teaching authority of the Church as insufficiently reasonable on the basis of theological dissent grounded on proportionalism are making an act of faith in the untestable and rationally unsupportable intuitions of dissenting theologians.⁵³

Grisez unequivocally insisted that even where the Church’s teaching could be deemed to be rationally indefensible, at least in the eyes of such an eminent dissenting theologian as Richard McCormick:

It would at least make more sense to entrust oneself to the accumulated wisdom of the Church proposed with bad reasons by the Magisterium, than to the consensus of dissenting theologians, proposed with bad reasons by Richard McCormick.⁵⁴

What Grisez and his collaborators are deadly intent on bringing to the attention of Catholics, however, is their absolute conviction that proportionalism is far more radical than

⁵² Russell Shaw, “Pioneering the Renewal in Moral Theology,” 243.

⁵³ Germain Grisez, *Christian Moral Principles*, 159.

⁵⁴ *Ibid.*

its “dissenting” protagonists are prepared to acknowledge.⁵⁵ For “Traditionalists” however, the most radical and grievous proportionalist position of all is one which asserts that, because the most common moral absolutes traditionally and insistently taught by the Magisterium are not valid, since they are proposed by a fallible body, any individual who deems he or she has sufficient reasons, may rightfully dissent from these teachings in specific moral matters.⁵⁶ What specifically appals such “Traditionalists” is that even though “recent popes, synods and episcopal conferences have very frequently reaffirmed the validity and importance of moral absolutes in the Church’s traditional sense,”⁵⁷ dissenting proportionalist theologians continue to challenge received Church teaching by proclaiming that “not every act of contraception is immoral, that not every act of homosexuality or fornication is objectively wrong, that not every act of taking human life is absolutely prohibited.”⁵⁸

In the eyes of “Traditionalists”, such a denial of insistently taught moral absolutes not only involves a rejection of the basic moral principle that one must not do evil that good might prevail,⁵⁹ but most decidedly renders proportionalism inadequate as an approach to moral decision-making for thinking Catholics. This is particularly so, because “Traditionalists” see proportionalists as inventing the truth rather than embracing it, thereby denying the Christian belief that Jesus Christ, as “The Way, the Truth and the Life”⁶⁰ can provide Catholics, through his teachings, with “an objective set of requirements which are part of an objective reality ultimately knowable by all.”⁶¹ As such, “Traditionalists” therefore

⁵⁵ Ronald Lawler et al., *Catholic Sexual Ethics*, 86.

⁵⁶ *Ibid.*, 82.

⁵⁷ *Ibid.*

⁵⁸ *Ibid.*, 80.

⁵⁹ *Ibid.*, 86.

⁶⁰ John 14:6.

⁶¹ See Pontifical Council for Culture and Pontifical Council for Interreligious Dialogue, *Jesus Christ: The Bearer of the Water of Life: A Christian Reflection on the “New Age”* (2003), Chapter 4.

claim that proportionalism cannot be regarded as an authentic development of received Catholic morality, but rather as a radical rejection of its central positions.⁶²

In Grisez's opinion, dissenting proportionalist theologians have failed dismally in the very task he claims to have undertaken in his ongoing composition of the four-volume *The Way of the Lord Jesus*: "to reshape Catholic Moral theology in the light of the prescription of the Second Vatican Council."⁶³ According to Grisez, such a "reshaped" and renewed moral theology "Scripturally based, related to basic truths, and Christocentric, . . . strikes a proper balance between two ways of viewing Christian life—as oriented to fulfilment in heaven and as oriented to the betterment of this world."⁶⁴ As far as Grisez and his collaborators are concerned, proportionalism is "Utilitarian" based, rejects basic truths and denies a role for "The Way, the Truth and the Life" in the formation of objective truth

2.3 Grisez: "Traditionalist" Promoter of "The Morality of Principles"

Typically, Grisez makes it quite clear from the outset that the writing on Christian Morals that he outlines is intended solely for the committed Catholic, for that "clearheaded and faithful" Catholic who seeks to be informed rather than persuaded. In such a partisan spirit he boldly declares that:

In this book, I assume that the reader accepts everything the Catholic Church believes and teaches. This book is not apologetics aimed at nonbelievers nor is it an attempt to rescue the faith of those who have serious doubts. However, anyone who thinks has many difficulties with respect to the Church's teaching, and I try to help resolve some of these difficulties.⁶⁵

Implied in the above is the notion that committed Catholics are thinking beings, who, on occasion, may stand in need of having the Church's teachings clarified for them, a task

⁶² Ronald Lawler et al., *Catholic Sexual Ethics*, 86.

⁶³ Russell Shaw, "Pioneering the Renewal in Moral Theology," 241.

⁶⁴ *Ibid.*, 241-242.

⁶⁵ Germain Grisez, *Christian Moral Principles*, xxx.

Grisez would enthusiastically undertake. The extract also serves to implicitly represent Grisez as an upholder of all that the Catholic Church teaches, and as one whose sense of moral thinking is therefore seen to be deeply rooted in Catholic moral teaching. Such a moral stance is blatantly obvious in the following extract where he actually celebrates his submissiveness to the Magisterium of the Catholic Church. He asserts that: “In what I have written here, as in everything I write—everything I think—I submit gladly and wholeheartedly to the better judgment of the Catholic Church.”⁶⁶

His engagement with theorising the moral decision-making process also derives, as we have just seen, from his deep dissatisfaction with the response on the part of dissenting theologians whom he sees as being tainted by the influence of secular humanism to the call of Vatican II for a renewal and reshaping of moral theology within the Catholic Church. He decries the fact that

much that has been published by Catholics writing in moral theory since Vatican II is negative. The Council called for a Christ-centered moral theology. Too much of what has been published in recent years, far from being centered upon Jesus, is vitiated by substantial compromises with secular humanism.⁶⁷

Thus, among the factors Grisez sees as impacting negatively on moral theology, post-Vatican II, are a “certain kind of continuing legalism, subjectivism, and rationalisations for theological opinions at odds with Church teachings.”⁶⁸ As far as Grisez is concerned, the fundamental problem is that post-Vatican II moral theology, or the “new” moral theology

provides no account in Christian terms of why one should seek human fulfilment in this life, what the specifically Christian way of life is, and how living as a Christian is intrinsically related to fulfilment in everlasting life.⁶⁹

⁶⁶ Ibid.

⁶⁷ Ibid.

⁶⁸ Robert J. Smith. *Conscience and Catholicism*, 49.

⁶⁹ Germain Grisez, *Christian Moral Principles*, 15.

3. Moral Principle: Free Choice and the Moral Connection

Grisez contends that free choice is the most important presupposition⁷⁰ regarding humankind, and it is because of this belief that he is so meticulous in clarifying his understanding of this concept. For Grisez, therefore, free choice is concerned with “making up one’s mind to do this rather than that, or to do this rather than not doing that, when both alternatives are real possibilities for the one making the choice.”⁷¹ Thus, Grisez is simply pointing out how free choice is an experience that presents itself to individuals when they are confronted with alternatives. Specifically, he posits that: “The experience of free choice is a familiar one. It begins in conflict, the awareness that one is in a situation where it is not possible to pursue all the goods one is concerned with. This leads to conscious deliberation about the alternatives.”⁷² However, with observations such as: “There is a view that moral norms are in force only if they are adopted or accepted by choices,”⁷³ and “Moral truth in its full development . . . comes to bear only when there is some possibility of choice,”⁷⁴ Grisez takes his elaboration of free choice to another level by situating the concept in the moral realm.

Firstly, Grisez maintains that free choice is what actually places the human person in that realm.⁷⁵ Rather than representing such an assertion as a bald statement of fact, however, Grisez, in keeping with his commitment to philosophical argumentation, specifies the conditions under which free choice can enter the moral framework. He argues that such a transition can only take place when the following two conditions are met: firstly, the individual recognises that it is in his or her power to do what is good or bad; and secondly,

⁷⁰ Germain Grisez et al., “Practical Principles, Moral Truth and Ultimate Ends,” 100.

⁷¹ Germain Grisez and Russell Shaw, *Fulfilment in Christ*, 19.

⁷² Germain Grisez and Russell Shaw, *Beyond the New Morality: The Responsibilities of Freedom*, 3rd ed. (Notre Dame: University of Notre Dame Press, 1988), 17.

⁷³ Germain Grisez, *Christian Moral Principles*, 100.

⁷⁴ *Ibid.*, 75.

⁷⁵ Robert J. Smith, *Conscience and Catholicism*, 52.

that the individual not only perpetrates one or the other act by their own choice, but does so in a situation where that choice could have been otherwise.⁷⁶ Grisez’s succinct assertion that “What we do makes up our moral life only insofar as our choice is free, not something which happens to us as a result of factors outside us,”⁷⁷ not only summarises his understanding of the relationship between free choice and morality, but also explains why he is absolutely opposed to assigning the notions of determinism or coercion⁷⁸ any positive role in his theorising of that relationship. It would be Grisez’s view that any alleged involvement by such controlling and constraining mechanisms in the individual’s exercise of choice, would suggest that since “what we do [is] determined by something other than ourselves, [then] not we but that other something would be responsible for our lives.”⁷⁹ To argue for such an ethical or moral stance, would be to diametrically oppose Grisez’s pronouncement that: “Human persons are not simply subject to fate, to natural necessity, or to their heredity and environment. In what is most important, human persons are of themselves.”⁸⁰ Robert Smith, in his account of Grisez’s theorising on free choice echoes this sentiment when he notes that “the ability to make choices is a reflection of the radical freedom that is ours as human persons.”⁸¹

However, Grisez points out that “Free choice is not a normative principle—one which distinguishes right from wrong,” and can be considered to be a moral principle only in a wide sense.⁸² He makes the point that: “While the word “morality” is sometimes limited to moral

⁷⁶ Germain Grisez, *Christian Moral Principles*, 41.

⁷⁷ *Ibid.*, 41

⁷⁸ According to Russell Shaw, for example, Grisez maintains that the utilitarian form of psychological determinism, for example, which posits that what an individual chooses is determined by what looks most appealing, negates the notion of freedom of choice, since what is chosen has already been determined not by, but for, the selector. It is for this reason, that Grisez views the promotion of psychological determinism as a “strategy for socially controlling people” so that they would act in society’s best interests. (See Russell Shaw, “Pioneering the Renewal in Moral Theology,” 253-4); See also *The Encyclopaedia of Philosophy* s.v. “Determinism.”

⁷⁹ Germain Grisez, *Christian Moral Principles*, 41.

⁸⁰ *Ibid.*, 43.

⁸¹ Robert J Smith, *Conscience and Catholicism*, 50.

⁸² Germain Grisez, *Christian Moral Principles*, 41.

goodness, free choice underlies both goodness and badness.”⁸³ He points out elsewhere, for example, that “one can render moral norms ineffective in one’s life by *choosing* to be immoral.”⁸⁴ Thus, because free choice can ultimately prove to be “a source of both moral good and moral evil” it is, in Grisez’s view, “an existential principle.”⁸⁵

3.1 Basis of Free Choice

As is to be expected, Grisez is not satisfied to simply establish his own philosophical and ethical underpinning for the notion of free choice; characteristically, he seeks also to look for Biblical validation for his theorising on this concept. As an introduction to his teaching in this regard, he unequivocally asserts that: “The ability of human persons to make free choices is taken for granted throughout the Bible.”⁸⁶ Supporting this claim, he cites Yahweh’s offering of the covenant and Jesus’ announcement of the kingdom, as divine invitations issued to human mortals on the basis that those who hear them are expected to respond in one way or the other.⁸⁷ Grisez points to Sirach 15: 11-20 to illustrate what he believes is “a classic formulation of the sublime truth concerning the human power of free choice,” in terms of the human-divine relationship.⁸⁸ The author of Sirach preaching to Jews who, like their Greek contemporaries, were tempted to evade moral responsibility “by thinking of divine, creative causality as being like fate,”⁸⁹ taught that it was God “who created man in the beginning, and . . . left him in the power of his own inclination.”⁹⁰ In light of this Divine bestowal, the Old Testament reminds his listeners that:

If you will, you can keep the commandments, and to act faithfully is a matter of your own choice. He has placed before you fire and water:

⁸³ Ibid.

⁸⁴ Ibid., 101(italics mine).

⁸⁵ Ibid., 41.

⁸⁶ Ibid., 42.

⁸⁷ Ibid.

⁸⁸ Ibid., 43.

⁸⁹ Ibid.

⁹⁰ Ibid.

stretch out your hand for whichever you wish. Before a man are life and death, and whichever he chooses will be given him. For great is the wisdom of the Lord; he is mighty in power and sees everything; his eyes are on those who fear him, and he knows every deed of man.⁹¹

From Grisez’s biblically-based viewpoint, therefore, “There would be no free choices if God did not cause them. The free choice to believe in God and to keep his commandments is the work of God’s grace; sinners and saints alike can do nothing, without God.”⁹²

3.1.2 Free Choice as an Exercise in Co-Creation with God

Grisez identifies the ability to make choices as one particularly notable way in which human persons become somewhat like God.⁹³ He argues that just as God is not determined in any way by anything other than himself, so it is with a freely-choosing human person even though one as a creature remains dependent upon God while making free choices.⁹⁴ From this, Grisez reasons that “In choosing freely . . . one not only brings about things other than oneself, one is one’s self-maker under God.”⁹⁵ Thus, for Grisez, the power of free choice not only enables a form of self-creation as well as co-creation with God, but presents as “a necessary condition for moral responsibility,”⁹⁶ and as “the principle of human dignity insofar as human persons are like God in being of themselves what they morally are.”⁹⁷

From Grisez’s point of view, therefore, it is only fitting that this section concerning the relationship of morality to free choice, should conclude with his assertion that: “free choice and morality are not humankind’s burden, but humankind’s dignity—our natural similarity to God the creator and our natural power of sharing in the work of creation.”⁹⁸

Anxious, therefore, to demonstrate that his teaching on the free choice-morality relationship

⁹¹ Ibid.

⁹² Ibid.

⁹³ Ibid., 44.

⁹⁴ Ibid.

⁹⁵ Ibid (bold print omitted).

⁹⁶ Ibid.

⁹⁷ Ibid., 44-45.

⁹⁸ Ibid., 44.

derives from the teachings of the Catholic Magisterium, Grisez draws the attention of his readers to a single phrase in *Gaudium et Spes*, (n.17) a phrase which asserts that the power of free choice “is an exceptional sign of the divine image within man.”⁹⁹ Grisez’s readers, however, will be aware that he includes this succinct reference merely to give a flavour of the magisterial requirements that go with being the recipient of this special “dignity”. A more complete reference to Vatican II, for example, reveals how at one with the Church’s teaching on free choice, Grisez’s theorising actually is. Indeed, the following excerpt could quite easily be represented as a type of “jointly issued statement” on behalf of both Grisez and the magisterium:

It is . . . only in freedom that people can turn themselves toward what is good . . . genuine freedom is an exceptional sign of the image of God in humanity. For God willed that men and women should ‘be left free to make their own decisions’ so that they might of their own accord seek their creator and freely attain their full and blessed perfection by cleaving to God. Their dignity therefore requires them to act out of conscious and free choice, as moved and drawn in a personal way from within, and not by their own blind impulses or by external constraint. People gain such dignity when, freeing themselves of all slavery to the passions, they press forward towards their goal by freely choosing what is good, and, by their diligence and skill, effectively secure for themselves the means suited to this end. Since human freedom has been weakened by sin it is only by the help of God’s Grace that people can properly orientate their actions towards God. Before the judgment seat of God everybody will have to give an account of their life, according as they have done either good or evil.

100

As with much of his theorising and philosophising especially with regard to conscience, Grisez validates his points with Church teachings, thus showing that a “thousand ways lead men forever to Rome” (*Mille viae ducunt homines per saecula Romam*) or that “Rome has spoken, the cause is finished” (*Roma locuta est, causa finita est*) even if that journey originates in or is instigated by the use of a single concise phrase as he demonstrated. It could be usefully argued, therefore, that just as King Midas, of Greek Mythology, is

⁹⁹ Ibid.

¹⁰⁰ *Gaudium et Spes* 17.

renowned for his ability to turn everything he touched to gold, so it is with Grisez, of whom it can be claimed that he possesses the ability to turn everything he touches to “Roman Catholic teaching.” That said, however, it must be acknowledged that Grisez presented his readers with a rigorously reasoned account of the concept of free choice, both in terms of its foundational role in helping human persons make ethical sense of life’s events, on the one hand, and in terms of making judgements of morality possible, on the other.¹⁰¹

3.2 Free Choice: A Crucial Agent in Self-Determination and in the Realisation of Human Goods

While such free choice operational characteristics, as listed above, are quite obviously essential to the proper functioning of conscience, further elaboration of the former concept, by Grisez, serves to highlight other related connections, which seem to be just as equally important in arriving at true judgements of conscience. In particular, Grisez theorises: (a) that the exercise of free choice constitutes an Act of Self-Determination, as well as An Acknowledgment of Accountability¹⁰² and (b) that the Basic Human Goods can only be realised through a combination of free-choice and/or ‘effective action or good fortune.’¹⁰³

3.2.1 Free Choice: An Act of Self-Determination and an Acknowledgement of Accountability

Robert Smith asserts that a key aspect of Grisez’s thinking is that the ability to make choices reflects a radical freedom that is innate to the human person.¹⁰⁴ The profundity of this human capability, for Grisez, derives from his belief that, in the process of making and

¹⁰¹ See Robert J. Smith, *Conscience and Catholicism*, 55.

¹⁰² Robert J. Smith, *Conscience and Catholicism*, 50.

¹⁰³ William E. May, “Germain Grisez on Moral Principles and Moral Norms: Natural and Christian,” in *Natural Law and Moral: Ethics, Metaphysics, and Politics in the Work of Germain Grisez*, ed. Robert P. George (Washington, D.C.: Georgetown University Press, 1998), 28.

¹⁰⁴ Robert J. Smith, *Conscience and Catholicism*, 50.

enacting choices, a person literally determines and forms him or herself.¹⁰⁵ This self-determining characterisation of the exercise of free choice by Grisez, suggests, in the words of Robert Smith that “the choices that underlie the acts are of lasting significance and help to determine the self one is to become and is, in fact, becoming.”¹⁰⁶ This elaboration of the relationship between the exercise of free choice and the process of self-determination suggests a type of equivalence that prompts Grisez to maintain that “in making and carrying out choices, a person constitutes his or her own identity.”¹⁰⁷ Robert Smith outlines Grisez’s thinking on how such a process of self-determination emanates from the exercise of free choice. He claims on Grisez’s behalf that

the more we act in a particular way, the more we are likely to continue to act in the same fashion—for good or for ill. The more we make similar kinds of free choices, the more we are prone to continue to make similar types of free choices, and so on. Such is the process of character-building and self-determination in the moral sense when exercised in the process of authentic human freedom and choice.¹⁰⁸

In Grisez’s view, then, the ability to make free choices is a fundamental principle because it actually transforms the exercise of free choice itself, into an exercise in making “one’s actions *one’s own*, one’s life *one’s own*, one’s moral identity *one’s own*.”¹⁰⁹ For Grisez, it follows naturally from such reasoning that, “free choices build up persons and communities—morally speaking, that is, choice determines their identity.”¹¹⁰

It is no surprise, then, to observe that, while Grisez lists “six kinds of freedom,”¹¹¹ he argues that “the freedom to determine one’s self by one’s own choices is the freedom most

¹⁰⁵ Ibid., 50.

¹⁰⁶ Ibid., 53.

¹⁰⁷ Germain Grisez, *Christian Moral Principles*, 55.

¹⁰⁸ Robert Smith, *Conscience and Catholicism*, 55; see also Germain Grisez and Russell Shaw, *Beyond the New Morality*, 50-52.

¹⁰⁹ Germain Grisez and Russell Shaw, *Fulfilment in Christ*, 16.

¹¹⁰ Ibid., 21.

¹¹¹ According to Robert Smith in *Conscience and Catholicism* 51, Grisez suggests at least six kinds of freedom or meanings associated with the word “freedom”: 1) physical freedom in which one is not constrained in movement; 2) the kind of freedom that implies the individual ability to do as one wants or pleases; 3) ideal freedom in the sense of having the ability to work toward and live out of an “ideal”; 4) creative freedom

proper to a human being . . . [and as such] is the freedom with which ethics is most concerned.”¹¹² In Grisez’s view, therefore, since freedom as self-determination is concerned with the very “shaping of one’s life, one’s self, by one’s choices”,¹¹³ it is innately connected to questions of morality. Thus, he postulates that to the extent that human persons can determine for themselves who they shall be, they will be held responsible and accountable for their own lives.¹¹⁴ Continuing with the “Accountability” motif, Grisez teaches that: “To the extent that we can determine for ourselves who we shall be, we are responsible for our lives.”¹¹⁵ Indeed, with typical Grisez forthrightness, he reminds his readers that: “To be responsible ultimately means to be a self one cannot blame on heredity, environment, or anything other than one’s own free choices.”¹¹⁶ In Grisez’s opinion, therefore, human persons are ultimately and radically responsible not only for their own choices, but for the self they have become through those choices.

As is to be expected, however, Grisez is not content to present the concept of free choice in terms of its relevance to the Natural Law; he is naturally more interested in representing it as a principle of Christian morality. Hence, Grisez presents his Catholic understanding of the relationship between free choice, human responsibility, and self determination accordingly:

There are three important ways in which freedom of choice is a principle of Christian morality. It is a necessary condition for moral responsibility. It is the central subject matter which moral norms are about; in this respect the power of free choice is the principle of human dignity, insofar as human persons are like God in being of themselves what they morally are. And finally, free choice is that by

involves the emergence of something new-intellectual insight, artistic expression, and so on; 5) political freedom that involves freedom of groups and societies to do as they decide; and 6) the kind of freedom that is involved in individual and communal self-determination.

¹¹² Germain Grisez and Russell Shaw, *Beyond the New Morality*, 11.

¹¹³ *Ibid.*, 17.

¹¹⁴ *Ibid.*

¹¹⁵ Germain Grisez and Russell Shaw, *Beyond the New Morality*, 17; 25-29.

¹¹⁶ Germain Grisez, *Christian Moral Principles*, 42.

which we accept God in faith, and so enjoy his love and can live as his children.¹¹⁷

In this précis, Grisez is seen to envelop the entire relationship in an aura of Divinity. In terms of this Divine aura, free choice is firstly represented as an enabling gift from God in the area of morality. More crucially, however, with particular reference to the functioning of the Christian conscience, free choice is also represented as that which prompts us to accept “God in faith” in conjunction with the attendant responsibility of living “as his children,” which follows automatically from that acceptance.

3.3 Conscience, Free Choice and Accountability

According to Robert Smith, Grisez’s understanding of the notion of conscience is underpinned by the following two foundational tenets: (a) nothing will make ethical sense for human persons, nor will judgements of morality be possible, in the absence of freedom; and (b) individuals must be free if they are to be held responsible for their choices and action.¹¹⁸ Grisez maintains, however, that even with those underpinnings in place, “The ability to make free choices would be useless . . . if we could not know which choices are good ones.”¹¹⁹ The acquisition of such knowledge is possible, in Grisez’s opinion, if one avails of the “judgements distinguishing good choices from bad ones,” a distinction managed only by “conscience.”¹²⁰ In light of this fundamental capacity of the judgements of conscience to distinguish good choices from bad ones, Grisez considers conscience to be “a basic existential principle, just as free choice is.”¹²¹ Thus, in the context of free choice, Smith emphasises the significance of conscience in terms of its contribution towards “making moral truths known and available to persons in their exercise of free, self-determining choices.”¹²²

¹¹⁷ Ibid., 44-45.

¹¹⁸ Robert J. Smith, *Conscience and Catholicism*, 55.

¹¹⁹ Germain Grisez, *Christian Moral Principles*, 73.

¹²⁰ Ibid.

¹²¹ Ibid.

¹²² Robert J. Smith, *Conscience and Catholicism*, 55.

Here, Smith is simply echoing an alternative description of conscience by Grisez, wherein he notes that: “One’s conscience simply is what one judges to be moral truth considered insofar as one has tried to know that truth, thinks one knows it, and compares one’s prospective or past choices with it.”¹²³ Thus, it is obvious that Grisez sees the link between moral truths, free choice and judgements of conscience.

As for the relationship between the notion of accountability, moral truth and conscience, Grisez firstly maintains that while “Moral truth in its full development is not restricted to any area of behaviour . . . it comes to bear only when there is some possibility of free choice.”¹²⁴ Grisez clarifies this assertion in terms of the notion of “responsible commitment” whereby he reminds his readers that: “One’s responsibilities for what one is involved in are determined by what one personally chooses, freely accepts, and so on.”¹²⁵ More specifically, and relevant to responsibility and moral truth and judgements of conscience, he asserts that

for the mature, good person there is no free (that is, nonmoral) area; every act of one’s life is morally significant. One’s act of faith is a responsible commitment. Personal vocational commitments are made to carry out faith in one’s life. Fresh questions of commitment are settled by how well a new commitment comports with one’s already-articulated personal vocation. Finally, all particular questions are settled by reference to one’s own personal vocational commitments.

¹²⁶

Thus, whereas Grisez theorises free choice in terms of its capacity to generate self-determination, he theorises moral truth in terms of its capacity to generate responsibility, such that “the fulfilment of others and of oneself is seen to depend on oneself, and consistency

¹²³ Germain Grisez, “The Duty and Right to Follow One’s Judgement of Conscience,” *Homiletic and Pastoral Review* (April 1989): 10.

¹²⁴ Germain Grisez, *Christian Moral Principles*, 75.

¹²⁵ *Ibid.*, 302.

¹²⁶ *Ibid.*, 295.

with one's own care for fulfilment requires one to act reasonably for it."¹²⁷ In Grisez's view, therefore, moral truth, as identified through the judgements of conscience, "defines the self by commitments and communion—for example 'I am a Christian.'"¹²⁸

In conclusion, however, it must be noted that there is far more to Grisez's understanding of the notion of conscience than what has just been outlined above. This section has sought to give some insight into Grisez's view of this existential concept in terms of its relation to free choice as self-determination and accountability. In the following section, the study takes a look at the relationship between free choice, conscience and Grisez's own theoretical construct of "human goods." Later still, Grisez's concept of conscience will be compared and contrasted with notions of "superego" and "social convention." For now, however, this study has analytically expounded on Grisez's concept of conscience from the perspective of free choice to mean "judgments distinguishing good choices from bad ones."¹²⁹ Patrick Hannon makes this obvious, where he states: "If we are to choose between right and wrong we need to be able to distinguish between them, and the capacity to do this resides in the conscience."¹³⁰

4. Good of the Human Person

In the course of Grisez's writings on moral principles, moral norms and conscience, we see the significance he gives to the notion of "human goods." For example, he formulates the basic principle of morality accordingly:

In voluntarily acting for human goods and avoiding what is opposed to them, one ought to choose and otherwise will those and only those

¹²⁷ Ibid.

¹²⁸ Ibid.

¹²⁹ Ibid., 73.

¹³⁰ Patrick Hannon, *Moral Decision Making* (Dublin: Veritas, 2005), 46.

possibilities whose willing is compatible with a will toward integral human fulfilment.¹³¹

Elsewhere, he asserts that “there are goods for whose realisations one can act for their own sake, without reference to any other purpose . . . [these goods] serve as starting points for our choices and actions by providing us with reasons to consider some possibilities worthy of being chosen.”¹³² Not only are these goods “starting points” for “choices and actions,” but in Grisez’s view, they “are the fundamental reasons for which it is possible to act.”¹³³ Furthermore, his observation that human goods “provide reasons for intelligently wanting something and choosing to act for it as a goal”¹³⁴ indicates strongly that Grisez believes that practical human reflection begins from such goods. The significance of the concept of “human goods” in Grisez’s ethical theorising is evident in *The Way of the Lord Jesus*. An inspection of many of the references to “human goods” reveal evidence of attempts at inter-relating it with the notion of conscience which suggest that Grisez sees “human goods” as playing a key role in the areas of morality. For instance, he maintains that:

Indeed, nothing clarifies the force of moral norms except the relationship of morality to human goods . . . [and] moral principles are indeed grounded in human goods, since these principles generate judgements of conscience which direct action in line with the love of all such goods.¹³⁵

4.1 Goodness, Badness and Basic Human Goods

Grisez characterises “good” as whatever is “understood as fulfilling,”¹³⁶ and so, as a quality, he suggests that it stands “for something to be fully, to be all it should be-no lacks, no privations . . . [since a] good thing has all it is meant to be.”¹³⁷ Mindful of the fact that creatures innately lack absolute fullness of being, Grisez stipulates that they can only possess

¹³¹ See Germain Grisez and Russell Shaw, *Beyond the New Morality* 103; Germain Grisez, *Christian Moral Principles*, 184 (emphasis by Grisez) see also p. 605 where he developed this principle into a norm using the concept of Christian love.

¹³² Germain Grisez and Russell Shaw, *Beyond the New Morality*, 78-79.

¹³³ *Ibid.*, 89.

¹³⁴ Germain Grisez, *Christian Moral Principles*, 122.

¹³⁵ *Ibid.*, 115.

¹³⁶ *Ibid.*, 119.

¹³⁷ Germain Grisez and Russell Shaw, *Fulfilment in Christ*, 50 (italic print omitted).

“real fullness according to their kind and condition—according to their specific and actual possibilities for their becoming and being more.”¹³⁸ Grisez also cautions against the belief that “every realisation of potentialities is good,”¹³⁹ since, for example, people can desire a variety of things, for instance pleasure, wealth and power, the pursuit of which [rather than fulfilling the person] seem, in fact, to empty that person. “Goodness” for Grisez “lies in fulfilment of potentialities which leads to being and being more.”¹⁴⁰

In direct contrast with its central understanding of goodness, however, the Christian faith represents “badness as a privation, a real lack of something which should be present and perfect.”¹⁴¹ More specifically, Grisez maintains that: “The bad is present in what is distorted, damaged, and corrupted in creatures. The badness of what is bad is precisely the distorting, damaging, or corrupting factor.”¹⁴² However, because badness is “a real lack of something which should be present”¹⁴³ the Church teaches that “there is no such thing as a nature of evil, because every nature insofar as it is a nature is good.”¹⁴⁴ Thus, in Grisez’s eyes, “Badness is a gap in something which remains good to the extent that it remains the sort of thing it is.”¹⁴⁵

Grisez further elaborates his notion of “goodness in badness” when he notes that, while badness is real rather than apparent, “Even things touched by sin can be redeemed, for their original goodness is not wholly corrupted.”¹⁴⁶ He premised such a claim on the simple Old Testament assertion that: “God saw everything he had made, and behold, it was very good,”¹⁴⁷ and on the more elaborate New Testament one that: “everything created by God is

¹³⁸ Germain Grisez, *Christian Moral Principles*, 117.

¹³⁹ *Ibid* (bold print omitted).

¹⁴⁰ *Ibid* (bold print omitted).

¹⁴¹ *Ibid.*, 116 (italic print omitted) see also 133.

¹⁴² *Ibid.*

¹⁴³ *Ibid.*

¹⁴⁴ See Henricus Denzinger and Adolfus Schonmetzer, eds., *Enchiridion Symbolorum Definitionum et Declarationum de Rebus Fidei et Morum*, (Freiburg: Herder, 1967), 706.

¹⁴⁵ Germain Grisez, *Christian Moral Principles*, 117.

¹⁴⁶ Germain Grisez, *Christian Moral Principles*, 115.

¹⁴⁷ *Ibid.*

good, and nothing is to be rejected if it is received with thanksgiving; for then it is consecrated by the word of God and prayer.”¹⁴⁸ Such biblical teaching leads Grisez to conclude that: “Made in God’s image, human persons as created, fleshly beings are completely good.”¹⁴⁹

Such “redemptive” reasoning relative to the relationship between “goodness and badness” accords with much of what Grisez teaches about conscience. However, in the first place, what would be the point of possessing a conscience whose function is to distinguish good choices from bad ones¹⁵⁰ if the human person was left with no choice but to remain in that state of being “touched by sin” he or she had originally chosen, for whatever reason. In such an ethical scenario, the need for a conscience would obviously become redundant upon the commission of one’s first sin. It is because the human person possesses the ability to choose “differently” that, for example, Grisez can rationally argue that: “The will to live a good life is the indispensable foundation of an upright conscience,”¹⁵¹ and that a person of mature conscience will think of “morality as a matter of real human goodness and reasonableness.”¹⁵² Similarly, such a person will view doing what is wrong as “a kind of self-mutilation.”¹⁵³ When viewed in this overall “goodness-badness” light, moral norms, those immediate guides to the formation of actual judgements of conscience will be accepted as “truths about how to act in ways that are humanly good,” rather than, for example as “being arbitrary demands made upon us by God.”¹⁵⁴

It is obvious, then, that for Grisez, any good or combination of goods that genuinely fulfil the potential of the human person are, in fact, rooted in morality. In his view: “Things

¹⁴⁸ Ibid.

¹⁴⁹ Ibid.

¹⁵⁰ Ibid., 73.

¹⁵¹ Ibid., 82.

¹⁵² Ibid., 74.

¹⁵³ Ibid.

¹⁵⁴ Ibid., 107.

which do [this] are human goods in the central sense that is intelligible goods.”¹⁵⁵ Drawing on Aquinas to further explicate his notion of human goods, Grisez explains that: “**These goods are aspects of persons, not realities apart from persons.**”¹⁵⁶ By this, Grisez means that while “Property and other things extrinsic to persons can be valuable to persons . . . the basic human goods by which they enjoy self-fulfilment must be aspects of persons, not merely things they have.”¹⁵⁷

Grisez declared that “there are goods for whose realisations one can act for their own sake, without reference to any other purpose,” and, as just noted, “serve as starting points of our choices and actions by providing us with reasons to consider some possibilities as worthy of being chosen.”¹⁵⁸ “Goods like these are real parts of the integral fulfilment of persons. We call them ‘basic human goods’ – basic not to survival but to fulfilment.”¹⁵⁹ Grisez believes that such “goods” are the fundamental reasons which potentially propel human persons into action; human practical reflection begins from them.¹⁶⁰ In fact, “They are expanding fields of possibility which underlie all the reasons one has for choosing and carrying out one’s choices.”¹⁶¹ Grisez observes that “Scripture and reflection both point to the same basic goods”¹⁶² and lists out seven categories of these goods, which according to him are “intrinsic to personal fulfilment,”¹⁶³ and “perfect persons and contribute to their fulfilment both as

¹⁵⁵ Ibid., 121.

¹⁵⁶ Ibid (bold print by Grisez). See also Ronald Lawler et al., *Catholic Sexual Ethics*, where they maintained also that “Human goods are not ideals that dwell apart; they are the fulfilment of human persons, and flourish only in persons” 90.

¹⁵⁷ Ibid., 121.

¹⁵⁸ Germain Grisez and Russell Shaw, *Beyond the New Morality*, 78-9.

¹⁵⁹ Germain Grisez, “A Contemporary Natural-Law Ethics,” in *Normative Ethics and Objective Reason*, vol. I of *Ethics at the Crossroads*, ed. George F. McLean (Washington, D.C., 1996), 242.

¹⁶⁰ Germain Grisez and Russell Shaw, *Beyond the New Morality*, 89; Germain Grisez, “A Contemporary Natural-Law Ethics,” 242.

¹⁶¹ Germain Grisez, “A Contemporary Natural-Law Ethics,” 242.

¹⁶² Germain Grisez, *Christian Moral Principles*, 133.

¹⁶³ Germain Grisez, “A Contemporary Natural-Law Ethics,” 242; John Finnis et al., *Nuclear Deterrence*, 277.

individuals and in communities.”¹⁶⁴ Within these seven, he designates four as being both “reflexive” and “existential” or “moral”¹⁶⁵ consisting of:

(1) self-integration which is harmony among all the parts of a person which can be engaged in freely chosen action; (2) practical reasonableness or authenticity, which is harmony among moral reflection, free choices, and their executions; (3) justice and friendship, which are aspects of the interpersonal communion of good persons freely choosing to act in harmony with one another, and (4) religion or holiness, which is harmony with God, found in agreement of human individual and communal free choices with God’s will.¹⁶⁶

Grisez categorises these four human goods as “reflexive” because he sees them as being both the reason for choosing, and also as being defined, in part, by choosing.¹⁶⁷ In other words, these basic human goods can be regarded as being “reflexive” because choice is innate to their very definition.¹⁶⁸ Grisez also regards these goods as being “existential” or “moral” because, he maintains, “they fulfil human subjects and interpersonal groups in the existential dimension of their being.”¹⁶⁹ More specifically, these four human goods can be said to “fulfil persons insofar as persons make free choices and are [innately] capable of moral good and evil.”¹⁷⁰

The notion of harmony is also a theme common to these four basic human goods. Thus, for example, self-integration is shown to be concerned with establishing harmony among aspects of the self; practical reasonableness and authenticity, with seeking harmony among moral reflection, free choices and their execution; justice and friendship with seeking harmony among human persons; and religion with establishing harmony between humankind

¹⁶⁴ Germain Grisez, *Christian Moral Principles*, 124.

¹⁶⁵ *Ibid.*, 124.

¹⁶⁶ *Ibid.*

¹⁶⁷ *Ibid.*

¹⁶⁸ *Ibid.*; See also William E. May, “Germain Grisez on Moral Principles,” 28.

¹⁶⁹ Germain Grisez, *Christian Moral Principles*, 124.

¹⁷⁰ Germain Grisez, *Christian Moral Principles*, 123-124; 135-136; See William E. May, “Germain Grisez on Moral Principles,” 28.

and God.¹⁷¹ Furthermore, Grisez makes the point that “One can infer [these] basic human goods from the privations which mutilate them,”¹⁷² a situation, which he characterises in terms of a striving or struggle for the establishment or re-establishment of inner harmony in response to the experience of inner tension by the individual.¹⁷³ Thus, he notes that in a situation where the human person experiences “strained relationships and conflict with others,” they will be “propelled” towards seeking to redress the imbalance in harmony within the context of the human goods of justice and friendship.¹⁷⁴ Similarly, where the human person experiences “sin and alienation from God” the goods drawn on to re-establish harmony will be “the peace and friendship with God, which are the concern of all true religion.”¹⁷⁵ And so it would be with the remaining pair of human goods the re-establishment of inner harmony in the response to the experience of inner tension.

Of the remaining three basic human goods, Grisez observes that they can be designated “nonreflexive” or “substantive”, because “they are not defined in terms of choosing,” but, in fact, “provide reasons for choosing which can stand by themselves.”¹⁷⁶ He lists the three remaining human goods thus:

- (1) life itself, including health, physical integrity, safety, and the handing on of life to new persons;
- (2) knowledge of various forms of truth and appreciation of various form of beauty or excellence; and
- (3) activities of skilful work and of play; which in their very performance enrich those who do them.¹⁷⁷

William May explains that Grisez calls these goods “substantive” because they “fulfil persons not as agents through deliberation and choice, but as intelligent, animate beings.”¹⁷⁸

¹⁷¹ Germain Grisez, *Christian Moral Principles*, 133.

¹⁷² *Ibid.*, 123.

¹⁷³ *Ibid.*

¹⁷⁴ *Ibid.*

¹⁷⁵ *Ibid.*

¹⁷⁶ *Ibid.*, 124.

¹⁷⁷ *Ibid.*

¹⁷⁸ Germain Grisez, *Christian Moral Principles*, 124-125; 136-138; See William E. May, “Germain Grisez on Moral Principles,” 29.

Thus, with regard to the fulfilment of persons in their bodily dimension, Grisez notes that such a potential state “is acclaimed as a great blessing throughout the Bible . . . [with] Procreative fruitfulness, good health, and bodily integrity [deemed to be] aspects of the human good of life.”¹⁷⁹ Anyone who would act against such a human good in whatever manner is advised by Vatican II that: “whatever is opposed to life itself or to bodily integrity is a great crime.”¹⁸⁰ In terms of human fulfilment in the intellectual dimension, Grisez maintains that although this is seldom directly addressed in Scripture in terms of fulfilment through “theoretical truth and aesthetic experience . . . It is implicitly recognised and commended in various contexts, including that of the praise of God, the Creator.”¹⁸¹ Relying on current Magisterial teaching relevant to this human good, Grisez notes that “Vatican II explicitly commends work in philosophy, history, mathematics, and the sciences, as well as cultivation of the arts.”¹⁸² It offers such support, in Grisez’s view, because, in the words of Vatican II itself, this effort “can do very much to elevate the human family to a more sublime understanding of truth, goodness, and beauty, and to the formation of judgements which embody universal values.”¹⁸³ Finally, with regard to activities of skilful work and play, Grisez once again draws on Scripture and the teachings of Vatican II to substantiate his assertion that “their very performance [can] enrich those who do them.”¹⁸⁴ For example, he cites specific Biblical references¹⁸⁵ as explicitly indicating that human work, insofar as it cooperates with the work of God represents an “important aspect of human dignity.”¹⁸⁶ He then draws on Vatican II’s explicit teaching that work is not merely instrumental, and that human

¹⁷⁹ Germain Grisez, *Christian Moral Principles*, 137; see also Genesis 1:22, 28; Genesis 9:1-7; Wisdom 1:12-16; 2 Kings 4:12-16; Psalms 127:3-4; 128: 3-4; and 144:12.

¹⁸⁰ Germain Grisez, *Christian Moral Principles*, 137.

¹⁸¹ *Ibid.*, 136; see also Psalm 104.

¹⁸² *Ibid.*

¹⁸³ *Ibid.*

¹⁸⁴ *Ibid.*, 124.

¹⁸⁵ Genesis 1:28; Psalm 8:6-8.

¹⁸⁶ Germain Grisez, *Christian Moral Principles*, 136.

fulfilment demands culture, including external activities (other than work),¹⁸⁷ because, in Grisez's view, "Activities which are merely playful reflect the utter gratuitousness of God's creative act, for such activities express a person and seek to acquire nothing."¹⁸⁸

Although the realisation of integral human goods is contingent on choosing rightly and serving all the human goods, reflexive and substantive, neither category can be perfectly realised during the brief span of a person's life. This is because according to Grisez, "basic human goods belong not merely to the passing world but to the heavenly communion of fulfilment in the Lord Jesus."¹⁸⁹ Moreover, it is only in such a "heavenly" context that Grisez could validly and realistically represent the "Christian Promise of fulfilment" as one

which includes the satisfaction of a great desire, unending joy, a noble life of individual excellence, a perfect community with interpersonal intimacy and personal liberty, and everlasting life after death. And this promise excludes—except during the brief span of this life—frustration, misery, failure, and loneliness.¹⁹⁰

Not surprisingly, then, Grisez points out that it is "in heaven [that] the upright will be happy."¹⁹¹ And, although he might be accused of explaining the obvious, Grisez does seek to justify his modulating of the potential of the capacity of human goods to completely fulfil or perfect dimensions of the human person during the term of their earthly existence. Thus, of existential goods, Grisez has this to say:

The existential goods primarily are realised in and through choice themselves. Since choice has a communal dimension, however existential goods cannot be perfectly realised in an imperfect community. Thus, given the imperfect character of the world, the world cannot give perfect peace.¹⁹²

¹⁸⁷ *Gaudium et Spes*, 53 and 67.

¹⁸⁸ Germain Grisez, *Christian Moral Principles*, 137.

¹⁸⁹ *Ibid.*, 132.

¹⁹⁰ *Ibid.*

¹⁹¹ *Ibid.*

¹⁹² *Ibid.*

As for substantive goods, William May, one of Grisez's collaborators draws from Grisez's own elaboration to point out that

The realisation or instantiation of these goods is contingent both on effective action and, at times, good fortune; effective action is not always possible for persons of good will, nor is good fortune under their dominion. Persons, therefore, can be *morally good*, by *rightly choosing* to realise the reflexive goods pertaining to the moral order and perfecting persons as moral agents, yet remain 'unfilled.'¹⁹³

Finally, it must be noted, however, that as well as providing his followers and readers with a detailed account of that state which can result from a total commitment to the realisation of all the basic goods in one's life, Grisez also presents them with a biblically substantiated account of what a life lived in direct contravention of these goods would entail. Such an account proves useful here, insofar as it provides an insight into Grisez's own understanding of what the refusal to follow the judgement of one's conscience entails in terms of the individual's relationship to him or herself, to their community and to God.

Pointing to the fact that the early chapters of Genesis have indicated what the basic human goods are, he baldly asserts that "sin is presented as making people worse in every aspect [of these goods]."¹⁹⁴ Here, in one short sentence, Grisez makes it abundantly clear that, in his view; the antithesis to living a life in harmony with the requirements of the basic human goods is to opt for life lived in a state of "sin." So, in outlining the consequences of contravening the demands of these basic human goods, Grisez is, in fact, detailing the consequences that will inevitably follow on from an individual's refusal to follow the dictates of his or her conscience. As can be seen from the following extract, these consequences are explicated in terms of their impact on the individual's "bodily reality", "intellectual life", "reality as a co-operator with God", and in terms of his or her loss of a sense of existing in "harmony with God and His Creation." In the following rather lengthy extract, Grisez, in true

¹⁹³ See William E. May, "Germain Grisez on Moral Principles," 29 (italics by May).

¹⁹⁴ Germain Grisez, *Christian Moral Principles*, 122-123.

neo-Manualist style, minutely details the dire consequences that follow from both contravening the requirements of basic human goods and the judgements of one's conscience:

The early chapters of Genesis suggest what the basic human goods are. Sin is presented as making people worse in every aspect. In their bodily reality, they are doomed to die—the great good of life is forfeited. In their intellectual life, they are ready to believe lies and think crookedly—the good of truth and knowledge is surrendered. In their reality as co-operators with God in the work of procreation and dominion over the earth, they are condemned to experience pain in their labor—fruitfulness now carries with it burdens as well as fulfilment. Moreover, harmony is lost on all levels in the existential domain. There is inner conflict, manifested by ashamed self-consciousness; there is discrepancy between the capacity for intelligent action and what is actually done, a discrepancy which issues in self-deception, rationalisation, and untruthfulness; there is interpersonal conflict, expressed in the shirking of responsibility, the hint of male-female tensions, and murder; and there is alienation from God.¹⁹⁵

In those early chapters from which Grisez draws to substantiate his ominous predictions, he portrays God, not so much as a lawmaker but as a lawgiver, with sin being seen as an act of choosing to disobey those laws. So, according to Grisez, the first and most crucial consequence of Adam and Eve's sin-filled act of disobedience was to disrupt their harmony with God.¹⁹⁶ From this initial sinful disruption there follows "its subsequent rationalisation [that] entail elements of self-deception and self-betrayal,"¹⁹⁷ which Grisez suggests is captured in the verse: "The woman saw that the tree was good for food, and that it was a delight to the eyes, and that the tree was to be desired to make one wise."¹⁹⁸ Grisez also draws from Genesis to illustrate: (I) how "The sin of man and woman leads to their loss of innocence and thus to an uneasy self-consciousness (see Genesis 3:7); (II) how "pain and frustration become part of the experience of the procreative and creative work of woman and

¹⁹⁵ Ibid.

¹⁹⁶ Ibid., 123; See Genesis 3:6.

¹⁹⁷ Ibid.

¹⁹⁸ Genesis 3:6.

man” (see Genesis 3:16-19); (III) how there will be no respite from such painful and frustrating labour until “you return to the ground, for out of it you were taken; you are dust, and to dust you shall return” (see Genesis 3:19); and (iv) how until that final day “there will be some disruption of the harmony between man and woman” (see Genesis 3:16), and more radical interpersonal conflicts, as exemplified in Cain’s killing of his brother Abel, due to the former’s disturbed relationship with God (see Genesis, 4:6-8).¹⁹⁹

Such a minute detailing of the consequences of failing to commit to the realisation of the basic human goods, or to the following of the judgements of one’s conscience, call to mind one of the characteristics of the manuals of the Manualist tradition, namely that

the manuals, from which this tradition derives its title, are characterised by meticulous attention to detail, in particular with the details needed in order to establish the answer to what manualists regarded as a key moral question: ‘Is it sin?’ and if so ‘Is it mortal or venial?’²⁰⁰

It is little wonder then that Grisez collaborator, should immediately follow his assertion that the whole point of the Christian moral life is that it be “a life in conformity with Christ’s”, with the Grisez admonition that Christians must not only avoid mortal sin, “since this is utterly incompatible with life in Christ. But they must also weed out of their lives deliberate venial sins and imperfections.”²⁰¹ That such an admonition is administered immediately prior to May’s assertion that the Christian’s call is “to holiness and sanctity,”²⁰² speaks of an innate mistrust of human nature on the part of Grisez and his followers, a

¹⁹⁹ Germain Grisez, *Christian Moral Principles*, 123.

²⁰⁰ Ronald P. Hamel and Kenneth R. Himes eds., *Introduction to Christian Ethics: A Reader* (New York: Paulist, 1989), 1.

²⁰¹ William E. May, “Germain Grisez on Moral Principles,” 23.

²⁰² *Ibid.*

mistrust that might be well captured in the following negative retake of the words of the English Poet, Shelly: “If *Holiness* comes, can *Sin* be far behind.”²⁰³

4.2 Basic Human Goods and Conscience

While the construct of human goods is by no means unique or peculiar to Grisez’s ethical theorising,²⁰⁴ his introduction of this notion into his works is obvious in his debate against contraception.²⁰⁵ About his work, *Contraception and the Natural Law*, John C. Ford writes: “In the modern controversy [over contraception], Grisez’s work is the first philosophical attempt I have seen which makes a substantial constructive contribution to the Church’s natural law position.”²⁰⁶ Russell Shaw contends that the main thrust of the book remains that: “The choice to contracept is a choice against the human good of procreation and as such can never be justified, since it is never morally right to turn one’s will against a good of the person, not even for the sake of some other good.”²⁰⁷ Grisez, himself, with an eye, no doubt, to driving home his “human good,” ethically-based message to those Catholic moralists who were seeking to make the case that the oral “pill” was morally distinguishable

²⁰³ Percy Bysshe Shelly, *Ode to the West Wind*; italicised insertions, mine. Original lines from verse 5: “The trumpet of a prophecy! O Wind, If Winter comes, can Spring be far behind?” in *English Poems* ed. Edward Chauncey Baldwin. (New York: American Book Company, 1908).

²⁰⁴ Other ethical or philosophical scholars have theorised lists of human goods. For example, John Finnis presented a list that includes: life, knowledge, aesthetic appreciation, play, friendship, practical reasonableness, and religion in *Natural Law and Natural Rights* (Oxford: Oxford University Press, 1980), 86-90. While Finnis’ list is much like that of Grisez’s, it includes one not on the latter’s list-“the marital good.” See John Finnis, “Is Natural Law Theory Compatible with Limited Government?” in *Natural Law, Liberalism, and Morality*, ed. Robert P. George (Oxford: Oxford University Press, 1996), 5. T. D. J. Chappell’s offers another list which includes friendship, aesthetic value, pleasure and the avoidance of pain, physical and mental health and harmony, reason, rationality, and reasonableness, truth and the knowledge of it, the natural world, people, fairness, and achievements in *Understanding Human Goods: A Theory of Ethics* (Edinburgh: Edinburgh University Press, 1995), 43. Then there is Mark Murphy’s list, which includes life, knowledge, aesthetic experience, excellence in work and play, excellence in agency, inner peace, friendship and community, religion, and happiness in *Natural Law and Practical Rationality* (New York: Cambridge University Press, 2001), 96. Finally, Alfonso Gomez-Lobo theorises a list that includes life, the family, friendship, work and play, experience of beauty, theoretical knowledge, and integrity in *Morality and the Human Goods: An Introduction to Natural Law Ethics* (Washington, DC: Georgetown University Press, 2002), 10-23.

²⁰⁵ For a concise teaching on contraception see Germain Grisez, *Living a Christian Life*, vol. 2 of *The Way of the Lord Jesus*, ch. 8, q. E.

²⁰⁶ Cited in Russell Shaw, “Pioneering the Renewal in Moral Theology,” 256.

²⁰⁷ *Ibid.*, 255-256.

from older forms of contraception, pointedly dedicated his book to William Joseph Grisez and Mary Catherine Linderson Grisez with this phrase “who did not prevent my life.”²⁰⁸

In Grisez’s address to the American Catholic Philosophical Association, April 20th, 1965, he strongly reiterated his implacable opposition to voluntary contraception because it is a definite violation of a “basic human good” on a “new human life.” He remonstrated:

Contraception was immoral yesterday, it is so today, and it will be so tomorrow and forever, because it presupposes—on the part of anyone who is clearly aware of what he is doing—a willingness to act in a way that might be conducive to a basic human good (the initiation of a new human life) together with an unwillingness to permit life to begin to be. This unwillingness is no mere wish nor permission. Rather, it is an effective willing prepared to implement itself in such a way as to bring about its objective in reality.²⁰⁹

Grisez is equally uncompromising with those who argue that pragmatism could dictate that any proscribing of the contraceptive act must be subject to the possibility of being over-ruled by the occurrence of exceptional circumstances or the need for compromise. He contends that justifying any exception to the violating of a fundamental moral principle, will, of itself, lead to similar justifications being argued for in other fundamental areas. Thus, while acknowledging that “It is all too human to set aside morality when pragmatism seems to demand compromise,” Grisez is adamant in his insistence that

a sound ethics should safeguard human goods against the damage they will inevitably suffer if we begin justifying the violation of them in their role as principles by the apparent good results to be gained from making exceptions in particular cases. If ‘procreative contraception’ is to be approved, then life-saving abortion, truth-serving lies, and community-preserving discrimination also will have to be accepted. Actions such as these can seem natural and necessary to those who accept them as a solution to their human dilemmas.²¹⁰

²⁰⁸ Ibid., 256.

²⁰⁹ Germain Grisez, “Reflections on the Contraception Controversy,” *The American Ecclesiastical Review*, CLII, no. 5 (May, 1965): 325. This is a revised version of a paper delivered at the annual meeting of The American Catholic Philosophical Association in Denver, Colorado, April 20th, 1965.

²¹⁰ Ibid., 327.

In this same uncompromising vein, Grisez points out that whether the actual act of intercourse leads to positive or negative outcomes, incidental to that of its innate purpose “the initiation of new life,”²¹¹ is entirely irrelevant, because “Contraception is intrinsically immoral.”²¹² He reminds his readers that:

There is nothing new in the fact that intercourse between loving spouses can be an appropriate celebration of their special friendship and can have good psychological effects even when the initiation of a new life is not possible. There is nothing new in the fact that abstention from intercourse often is painful and sometimes can occasion psychological difficulties.²¹³

In his address, Grisez also challenges the notion that freedom and freedom of choice can be “extended to cover the entire domain of morality, as if nothing in that domain were determined directly by the requirements of intrinsic goods.”²¹⁴ According to Grisez, such thinking suggests a legalistic take on ethics, since it implies that morality is no more than “a set of extrinsic demands that should be imposed no further than the right to impose them can be vindicated.”²¹⁵ In the case of contraception, Grisez contends that this is a false premise, since the intrinsic immorality of the contraceptive act “is not imposed by anyone,” and cannot, therefore, “be modified by anyone.”²¹⁶ Furthermore, where doubts are raised about a long-standing communal moral norm, not only should any presumption lie on the side of tradition, but also “on the side of the basic human good, since when any of them is at stake, the action which seems contrary to it is *prima facie* immoral.”²¹⁷ In the case of any voluntary contraceptive act, therefore, Grisez maintains that

for anyone who rightly recognizes the initiation of new human life to be a basic human good, the burden of proof . . . will appear to fall on the defenders of contraception, just as for anyone who regards human

²¹¹ Ibid., 324.

²¹² Ibid.

²¹³ Ibid.

²¹⁴ Ibid., 330.

²¹⁵ Ibid.

²¹⁶ Ibid.

²¹⁷ Ibid.

life itself as a basic good, the burden of proof in the justification of warfare falls on those who seek to justify it.²¹⁸

For any committed Catholic who informs his or her conscience in line with Grisez's own take on the morality of the contraceptive act, there can be no doubt as to what their judgement of conscience will require of them. Dylan James presents such a magisterially-guided take in the area of sexual morality thus:

The Church teaches that there are many different sexual sins, but only one appropriate use of human sexual morality, namely in the mutual self-giving of married sexual intercourse that must always be exercised in a way that it does not pervert the act's inherent ordering to its primary end of the procreation of life. Any argument supporting this conclusion . . . must be based not only on the notion that human sexuality has a purpose, but that the sexual organs have purposes that must be respected.²¹⁹

Despite the content of the above extract, Grisez and his proponents continue to argue that "The morality of principles . . . does not defend Christian moral teaching, including the teaching on moral absolutes in a legalistic way."²²⁰ They insist that while faith confirms the existence of, and necessity for, moral absolutes, these absolutes "are the requirements of love," the implications of which "are not simply rules but guidelines for authentic Christian life."²²¹ Thus, with a voice at one with that of Grisez, his proponents point out that

it is always wrong to do such deeds as faith has proscribed absolutely because acts such as these are incompatible with the goods of persons which God calls us to love and absolutely respect. To do such acts is always to act in ways contrary to the full perfection of human persons and communities, and so it is to act in ways unworthy of persons created in God's image and called to act as he does never willing evil, never harming love, and always respecting the dignity of persons.²²²

It must also be noted here, that in supporting such an interpretation of human morality, wherein acts compatible with the goods of persons are assessed in terms of their response to

²¹⁸ Ibid.

²¹⁹ Dylan James, "Sexual Morality: The 'Perverted Faculty Argument,'" *FAITH* 38 (March-April 2006): 13.

²²⁰ Ronald Lawler et al., *Catholic Sexual Ethics*, 89.

²²¹ Ibid.

²²² Ibid., 89-90.

God's call to always act in ways compatible with the full perfection of human persons and communities, Grisez and his supporters have "Christianised" and "Catholicised" his rigorously argued philosophical elaboration of the notion of human goods. Thus, in terms of his "Catholicised" version of human goods, Grisez and his supporters maintain that: "to act so as deliberately to harm a basic human good is to act against the fulfilment of a human person. And that is incompatible with loving the person."²²³

During the course of his pro-magisterium interventions on the "contraception" debate of the 1960's, Grisez's prolonged intervention in this most sensitive Catholic ethical debates could be well summarised in terms of his emphatic defence of his fundamental premise that

for a faithful and clearheaded Catholic, there is no right to follow a judgement of conscience against the teaching of the Magisterium . . . [where] 'conscience' means what one judges to be moral truth considered insofar as one has tried to know the truth, thinks one knows it, and compares, one's prospective or past choices with it.²²⁴

For Grisez, the particular magisterial teaching, in this case, is contained in Pope Paul VI's Encyclical Letter, *Humane Vitae*.²²⁵ In an interview with Catholic news agency, Zenit, given on the approach of the document's 35th anniversary, Grisez points out that: "With *Humane Vitae*, Paul VI re-affirmed the constant and very firm teaching of the Church excluding contraception."²²⁶ Grisez goes on to state the primary significance of the document to reiterate his initial standpoint:

I believe and have argued that teaching had already been proposed infallibly by the ordinary Magisterium--that is, by the morally unanimous agreement of the bishops of the whole world in communion with the popes. Together, they had taught for many centuries that using contraceptives always is a grave matter. Their manner of teaching implied that what they taught was a truth to be held definitively. Thus, the teaching on contraception met the

²²³ Ibid., 90.

²²⁴ Germain Grisez, "The Duty and Right," 14.

²²⁵ Paul VI, *Humanae Vitae*, 25th July, 1968.

²²⁶ Germain Grisez, interview by Zenit, Emmitsburg, Maryland, July 14, 2003. See <http://www.zenit.org/article-7791?l=english>

conditions for infallible teaching, without a solemn definition, articulated by Vatican II in ‘Lumen Gentium’ 25.²²⁷

For those bishops, priests or theologians who preached or published articles either suggesting that the received teaching on contraception had been mistaken, or that it was subject to exceptions, or that using the “pill” to prevent conception was somehow morally different to other methods, Grisez reserved this unequivocal response: “those who dissent from the Church’s teaching on sex, marriage, and innocent life are denying truths which pertain to faith and leading people into sins and other great evils, I believe that is so.”²²⁸ Furthermore, Grisez’s outlining of how such dissenters should be held to account by the Catholic Church is just as unequivocal as he categorically states:

I believe that the following is a true moral norm: Everyone of the Church’s pastors should make it clear to all those who have his authorisation to preach and teach that he cannot and will not tolerate their using that authorisation to dissent from Catholic Church teachings that he himself accepts. Instead, as soon as it becomes evident that anyone having his authorisation preaches or teaches dissenting opinions, he will withdraw the authorisation.²²⁹

From Grisez’s theological perspective, therefore, all voluntary acts of contraception must be deemed to be gravely or mortally sinful, and the perpetrator deemed to be a sinner, guilty of the commission of a grave offence against God and his Church. Furthermore, dissenting or pro-contraceptive theologians, insofar as they have sought to promote the relativisation of the dependable teaching of *Humane Vitae*, must be considered as being complicit in the promotion of the commission of that gravely sinful act, thereby rendering themselves eligible for peremptory dismissal from the teaching and preaching, Catholic Church.²³⁰

²²⁷ Germain Grisez, interview.

²²⁸ Germain Grisez, “The Duty and Right,” 20.

²²⁹ Ibid.

²³⁰ See Germain Grisez, “The Duty and Right,” 18-20.

Such is the theological underpinning of Grisez’s support for the magisterium’s stance concerning voluntary contraceptive act. As has already been noted, however, although Grisez has always represented himself as a believer, “he is a believer who establishes his arguments on the rational foundation of careful and rigorous philosophical logic.”²³¹ Crucially, while Grisez’s ethical system can stand independently of Christian revelation, “he wants to ensure that in the light of faith his philosophical ethics takes on a unique tone and distinct quality.”²³² In his view, this transformation can occur when: **“Christian norms add to common human moral requirements from within, by specifying them, not from without by imposing some extrahuman demands upon human acts.”**²³³ It may observe, for example, Grisez’s commendatory observation that Pope Paul VI’s search for moral truth regarding the use of the contraceptive pill was driven by a determination “not to ask anything of married couples that God does not require of them.”²³⁴ In Grisez’s ethical opinion, the common human moral requirement that Christian norms could augment relative to establishing the rightness or wrongness of the voluntary contraceptive act can be derived from the proposition that: “Morality [lies] in the relationship between choice and action and the good of the human person . . . [such that] to be ‘for’ the different aspects of the well-being and full-being of persons was to be ‘loving,’ to be against these human goods was to be ‘unloving.’”²³⁵

5. Conscience: Not Superego or Social Convention but an Awareness of Moral Truth

As the concept of conscience continues to undergo scrutiny among scholars thereby generating diverse connotations, Grisez can be credited for not only elaborating on the notion in terms of living the Christian life, but of presenting a depth teaching on conscience by

²³¹ Robert J. Smith, *Conscience and Catholicism*, 46.

²³² *Ibid.*, 47.

²³³ Germain Grisez, *Christian Moral Principles*, 608 (bold emphasis by Grisez).

²³⁴ Germain Grisez, interview by *Zenit*, 2003.

²³⁵ Russell Shaw, “Pioneering the Renewal in Moral Theology,” 254.

contrasting the concept with “superego” and “social convention.” He assessed these phenomena and, as it were, exorcises them of their insidious potential which mortally undermine the meaning of conscience thereby proposing an epistemological account of conscience to denote “Knowledge of Moral Truth,” and “**in a full and strict sense an awareness of moral truth.**”²³⁶

While Grisez did not seek to banish the notions of both the “superego” and “social convention” from his ethical writings about conscience, he painstakingly elaborated the nexus between these terms and conscience. Thus, for example, Grisez notes: “**The feelings arising from superego and the awareness of social conventions are both often called ‘conscience’, but they need not correspond to moral truth.**”²³⁷ He observed further that “Most social requirements have at least some basis in moral truth. Yet because various groups have interests which are not always reasonable and which often conflict with one another, social convention also is often at odds with what is truly humanly good and bad.”²³⁸ However, relevant to the superego, John W. Glaser declared that “too much theory and practice in the Church arises from data whose source is the superego,” such that “Many problem areas which have emerged in the recent past can be traced to a failure to recognise the nature, presence, and power of the superego.”²³⁹

This same author leaves his readers in no doubt as to the grave and pernicious consequences that can follow from allowing the superego unsupervised access to the religious mind. He cautions that: “Because the voice of the Superego is somehow cosmic, vast, and mysterious, arising as it does from the subconscious, it can easily be mistakenly called God’s

²³⁶ Germain Grisez, *Christian Moral Principles*, 73-74 (bold emphasis by Grisez).

²³⁷ *Ibid.*, 73 (bold emphasis by Grisez).

²³⁸ *Ibid.*

²³⁹ John W. Glaser, “Conscience and Superego: A Key Distinction,” *Theological Studies*, 32 (1971): 39.

voice.”²⁴⁰ However, he is unequivocal in his assertion that: “To associate the mystery of invitation, the absolute yes to man’s future, the radical call to eternally abiding love-God-with the hot and cold, arbitrary tyrant of the Superego is a matter of grave distortion.”²⁴¹ He goes on to warn his readers of the capacity of this “grave distortion” of God himself, to reach “into the totality of a person’s explicitly religious life and [poison] every fresh spring of the Good News.”²⁴² This it does, according to Gregory Baum, by installing itself within the psychic makeup of the Christian as his or her “accuser, judge and tormentor all wrapped in one,”²⁴³ so that:

When such a person hears the Christian message with the accent on God the judge, he can project his superego on the divinity and then use religion as an instrument to subject himself to this court and, unknown to himself, to promote his own unconscious self-hatred.²⁴⁴

5.1 A Secularist Take on the Nature of the Superego and Social Convention

Sigmund Freud theorised and described three composite elements of the mind: *Id*, *Ego* and *Super-ego*, respectively.²⁴⁵ Through this differentiation, he indicated their relationship in the human mind. Freud adopted the word *Id* from Georg Groddeck.²⁴⁶ He described it as the place where the “pleasure principle” reigns,²⁴⁷ an area of “instinct” and “passion.”²⁴⁸ Such unconscious tendency, on the part of the *id*, is seen as the guideline for

²⁴⁰ Ibid.

²⁴¹ Ibid.

²⁴² Ibid.

²⁴³ Gregory Baum, *Man Becoming: God in Secular Experience* (New York: Seabury, 1970), 223.

²⁴⁴ Ibid.

²⁴⁵ See Sigmund Freud, *The Ego and Id and Other Works*, vol. XIX of *Complete Psychological Works of Sigmund Freud*, ed., and trans. James Strachey, Anna Freud, Alix Strachey and Alan Tyson (London: The Hogarth Press, 1961), 13-48; Kaja Silverman, *The Subject of Semiotics* (Oxford: Oxford University Press, 1983), 131-134.

²⁴⁶ See editor’s Introduction to *The Ego and Id and Other Works*, 7 and Freud’s own reference, 23.

²⁴⁷ Ibid., 25.

²⁴⁸ Ibid., 2.

conflict, because it demonstrates that the activities of the *id* are instinctually selfish, are totally lacking in social refinement, and have no regard for the needs of others.²⁴⁹

Ego is derived from Latin meaning “I” and Freud uses the pronoun to refer to the “coherent organization of mental processes” found in each individual. Freud maintains that “the ego controls the approaches to motility—that is, to the discharge of excitations into the external world; it is the mental agency which supervises all its own constituent processes, and which goes to sleep at night, though even then it exercises the censorship on dreams.”²⁵⁰ He concludes that consciousness is attached to ego²⁵¹ even though he affirmed that “the ego is also unconscious.”²⁵² It is the area of perception, thus it “represents what may be called reason and common sense.”²⁵³ According to Freud, however, during the second six months of its life, the child begins to recognise that its environment will not meet all of its instinctual needs, and, therefore, a part of the *id* splits to become the mainly conscious *ego*.²⁵⁴ Salvatore Maddi suggests that this Freudian rational force continues to seek gratification, but now only in terms of the reality principle.²⁵⁵ This principle, a type of forerunner of the notion of social convention is formed from the knowledge or information the child has begun to acquire through familial responses to its behaviour.²⁵⁶ In general, these responses serve to let the child know that operating only in terms of the *id* is unacceptable within the familial social environment.²⁵⁷

Specifically, Freud theorises the formation of the *ego* through a series of identifications with objects external to it, with each act of identification following the same

²⁴⁹ Salvatore R. Maddi, *Personality Theories: A Comparative Analysis*, 6th ed. (California: Brooks/Cole, 1996), 31.

²⁵⁰ Sigmund Freud, *The Ego and Id and Other Works*, 17.

²⁵¹ *Ibid.*

²⁵² *Ibid.*, 23.

²⁵³ *Ibid.*, 25.

²⁵⁴ G. C. Davison and J. M. Neale, *Abnormal Psychology*, 6th ed. (New York: Wiley, 1994), 34.

²⁵⁵ Salvatore R. Maddi, *Personality Theories*, 33.

²⁵⁶ *Ibid.*

²⁵⁷ *Ibid.*

pattern of firstly loving the object and then interjecting it within itself in the form of a visual image, a voice, a set of values, a mannerism, or some other key features.²⁵⁸ According to the Freudian account, the *ego* seeks to refashion itself after that object, and offer itself to the anarchic *id* as a substitute for unacceptable behaviours it has been forced to renounce.²⁵⁹ It can be argued that this description of the Freudian identification mechanisms, insofar as it represents individual introjections of the values of another in order to become that other person, actually represents a Freudian psychoanalytic account of the formative role of social conventions in the early life of the individual.

Super-ego is the third fundamental force to impact on, and to shape and determine the human person. According to Freud, this is the “ego ideal or super-ego, the representative of our relation to our parents.”²⁶⁰ It is a psychic construct formed within the child “for the purpose of representing the rules and regulations of society in terms of the abstract ideas of good/bad and right/wrong.”²⁶¹ Freud theorised that during the period of child’s life, a number of unconscious psychic events occurred within the child, which are associated with Oedipus complex²⁶² grouped under the “Oedipal rubric.”²⁶³ He maintained that the resolution of these

²⁵⁸ Kaja Silverman, *The Subject of Semiotics*, 133.

²⁵⁹ Ibid.

²⁶⁰ Sigmund Freud, *The Ego and Id and Other Works*, 36.

²⁶¹ Salvatore R. Maddi, *Personality Theories*, 35.

²⁶² See Sigmund Freud, *The Ego and Id and Other Works*, 32-36.

²⁶³ The following account of the Oedipal Rubric, is drawn from S. A. McLeod, *Psychosexual Stages of Development*. (2008). Retrieved from <http://www.simplypsychology.org/psychosexual.html>. Freud proposed that Childhood psychological development takes place in a series of fixed, psychosexual stages. The stages are designated psychosexual because each one represents a libidinal fixation on a different area of the body. During the Phallic state (3 to 5-6 years) the fixation is concentrated in the genitals, such that the child becomes aware of anatomical sex difference. This sets in motion the conflict between erotic attraction, resentment, rivalry, jealousy and fear, which Freud called the Oedipus complex. Deemed the most important aspect of the phallic stage, it derives its name from the Greek myth where Oedipus, a young man, kills his father and unwittingly marries his mother. Upon discovering what he has done, Oedipus blinds himself by poking out his eyes. Thus, in the young boy, the Oedipal conflict arises because he develops sexual desires for his mother. Irrationally, the boy thinks that if his father were to find out about this, he would deprive him of what he, the boy, most loves- which in the phallic stage is his penis. Hence, the boy develops a castration anxiety. The boy seeks to resolve the conflict by imitating, copying and joining in masculine dad-type behaviours. This process is called identification, a mechanism which is said to resolve the Oedipal rubric. Freud also theorised an Electra complex to account for childhood development in girls. This account, however, because of its convoluted theorising, has never received the attention given to the Oedipal rubric.

unconscious events was seen to determine the child's personality for the rest of its life.²⁶⁴ Furthermore, Freud described this unconscious phenomenon as occurring specifically within the context of the child's relationship with its parents, whom he, Freud, viewed as bearers of society's moral standards.²⁶⁵ Thus, once again, the child is psychoanalytically depicted as being introduced at a very early age to the compelling force of social convention. In Freudian terms, what actually occurs at this point is that the child, by unconsciously adopting its parents' values, is, in fact, forming an ideal or super-ego.²⁶⁶

In terms of the identification or internalisation process and the Oedipal rubric, what is theorised as taking place at the formation of the super-ego is the son's first and most important identification act, with his father.²⁶⁷ Moralists might well describe this psychic event as the birthing of a type of primitive conscience, which will continue deepening the male child's awareness of the social unacceptability of many of the id's anarchic impulses.²⁶⁸ However, not only does the "son" identify with the father during this psychic occurrence, but also he accepts that there are ways in which he can never be like his father. In other words, the son internalises an image of his own father in conjunction with the image of an unbridgeable gap that will permanently distance one from the other.²⁶⁹ Freudian theory concludes from this that the super-ego will function "throughout the history of the subject as the mirror in which the ego sees what it should be, but never can be"²⁷⁰ in relation to an internalised "father," whose initial internalised image will be repeatedly replicated, for better or worse, in all the authoritative figures it will ever encounter.

²⁶⁴ Kaja Silverman, *The Subject of Semiotics*, 129.

²⁶⁵ *Ibid.*, 130.

²⁶⁶ *Ibid.*

²⁶⁷ *Ibid.*, 133.

²⁶⁸ See Sigmund Freud, *The Ego and Id and Other Works*, 37 where he equates super-ego with conscience.

²⁶⁹ Kaja Silverman, *The Subject of Semiotics*, 134.

²⁷⁰ *Ibid.*, 134.

Interestingly, Silverman seems to apologise at this point for confining his remarks to the male subject, explaining that he is merely reflecting the contents of Freud's account.²⁷¹ If such be the case, then, according to Silverman, Freud's account of the formation of the superego appears to reflect values which define and privilege male subjectivity within a patriarchal society, values which are consonant with repressiveness and potency, and which are institutionally replicated and supported by the state, the church, the educational system and texts.²⁷² This certainly has implications for the universal validity of the nature of both the social conventions and the superego, conscience being theorised and represented by the Freudian psychoanalytic approach to the development of the human personality.

Since the id's instincts, and many of the super-ego's activities, as well as some anxiety minimising aspects of the ego²⁷³ are not in the conscious awareness of the individual, Freud considered personality to be the outcome of unconscious as well as conflicting determinants.²⁷⁴ He specifically noted that the ongoing conflicts between the three parts of the personality resulted from their continual striving for sexual and aggressive goals that could not always be reconciled.²⁷⁵ Thus, for example, where the child has learned that it will be punished by its society-shaped super-ego if it fully expresses the id's impulses, the conflict will be deemed to be psychosocial²⁷⁶ with the child being subjected to the compelling force of Western, patriarchal-oriented social conventions. Even, where the child does not act on those impulses but becomes fully aware of them through ego and super-ego activity, the conflict will be intrapsychic.²⁷⁷ In this case, the child will be subjected to the dictates of the

²⁷¹ "We have been obliged to confine most of our remarks so far to the male subject for two reasons, the first ... is that sexual differences play an absolutely central role within the Freudian model, necessitating a separate treatment of male and female subjects, and the second is that Freud himself concentrates almost exclusively on the former." Ibid., 134.

²⁷² Ibid., 135.

²⁷³ See G. C. Davison and J. M. Neale, *Abnormal Psychology*, 35.

²⁷⁴ Ibid.

²⁷⁵ See Salvatore R. Maddi, *Personality Theories*, 34.

²⁷⁶ Ibid., 38.

²⁷⁷ Ibid.

voice of its socially constructed inner voice, the super-ego. This inner voice has been described as a type of *conscientia antecedens*, in that “it commands and prohibits certain concrete possibilities in a given situation.”²⁷⁸ It has also been represented as functioning in a manner similar to *conscientia consequens*, since “it accuses the offender, it condemns him when he fails to obey.”²⁷⁹ The capacity of this inner voice to overwhelm the individual child or adult is well captured by Edmund Bergler, in his description of “The fury of a violated superego,” by which he means an inner voice that has been either ignored or contravened. He warns that: “The extent of the power yielded by the Frankenstein which is the superego is still largely unrealised. . . . Man’s inhumanity to man is equalled only by man’s inhumanity to himself.”²⁸⁰ The reason proffered for such a merciless reaction to the spurning of its voice by the superego is that its dynamic is seen to spring “from a frantic compulsion to experience oneself as lovable, not from the call to commit oneself in abiding love.”²⁸¹ More specifically it has been made clear, from a Christian point of view, at least, that

the commands and prohibitions of the superego do not arise from any kind of perception of the intrinsic goodness or objectionableness of the action contemplated. *The* source of such commands and prohibitions can be described positively as the desire to be approved and loved or negatively as the fear of loss of such love and approval.²⁸²

It is in this distinction that the fundamental difference between the notion of conscience as moral truth and the super-ego is to be found. Indeed, in Glaser’s opinion, the title, “superego” suggests a mechanism whose thematic centre consists of an introverted sense of one’s own value.²⁸³ He contrasts this with what he sees as the extraverted thematic centre of a genuine conscience, namely a value which invites, and for whom “self-value is

²⁷⁸ John W. Glaser, *Conscience and Superego*, 34.

²⁷⁹ *Ibid.*, 34.

²⁸⁰ Edmund Bergler, *The Superego: Unconscious Conscience – The Key to the Theory and Therapy of Neurosis* (New York: Grune and Stratton, 1952), x.

²⁸¹ John W. Glaser, *Conscience and Superego*, 32.

²⁸² *Ibid.*, 33.

²⁸³ *Ibid.*, 38.

concomitant and secondary to this.”²⁸⁴ Furthermore, in terms of its Western-patriarchal theoretical underpinnings, it is not surprising that the superego should be represented as being “authority–figure-oriented” in that it does not concern itself with “perceiving and responding to a value but [with] ‘obeying’ authority’s command ‘blindly’”.²⁸⁵ This is contrasted with the genuine conscience, which is characterised as being value-oriented, whereby “the value or disvalue is perceived and responded to, regardless of whether authority has commanded or not.”²⁸⁶ Finally, the psychosocial and intrapsychic activities of the superego, separately or in-tandem, can induce in the individual’s feelings and judgements a “great disproportion between guilt experienced and the value in question,” because the superego promotes the notion that “the extent of guilt depends more on weight of authority figure and ‘volume’ with which he speaks rather than density of the value in question.”²⁸⁷ Furthermore, inappropriate feelings of shame cannot be that far removed from those of guilt. The seriousness of implicating shame in the potential activities of the superego can be gauged from the fact that, in itself, shame has been considered to be “a factor of paramount importance for shaping character structure in harmony with the standards of civilization since the beginning of human history.”²⁸⁸ However, its “shaping” function can have devastating consequences in that research has identified “shame as an important element in aggression, addictions, obsessions, narcissism, depression and numerous other psychiatric syndromes,”²⁸⁹ such that “[m]any psychologists now believe that shame is the pre-eminent cause of emotional distress in our time.”²⁹⁰ Such inappropriate guilt and shame inducing activities on the part of the superego are contrasted with the characterisation of a genuine conscience as an “experience

²⁸⁴ Ibid.

²⁸⁵ Ibid.

²⁸⁶ Ibid.

²⁸⁷ Ibid.

²⁸⁸ Zuk-Nae Lee, “Korean Culture and Sense of Shame,” *Transcultural Psychiatry*, 36 (1999): 182.

²⁸⁹ Ibid.

²⁹⁰ Ibid.

of guilt proportionate to the importance of the value in question, even though authority may never have addressed this specific value.”²⁹¹

What is interesting about the above comparisons between the psychic activities of Freud’s superego and those of the genuine conscience (as promoted by Grisez and his followers) is that in light of the overall biological, psychological and philosophical approach of both to the shaping of the individual’s moral personality, both appear to have some serious questions to answer. However, since this section has set out to assess Freud’s superego from a secularist perspective, the final word on Freud’s approach is left to the secularists. Thus, Silverman and Maddi describe this psychoanalytic account of the structure, formation and maintenance of the human personality as a most pessimistic process, because the end result will be a partitioned personality, whose parts will often be in unconscious conflict amongst themselves. Furthermore, whether a person’s behaviour is considered normal or abnormal, that behaviour is largely driven by psychosexual and aggressive forces of which one is not consciously aware. Furthermore, blatantly absent from this account, in Grisez’s eyes at any rate, is any reference to a reality beyond the scientifically biological. Grisez’s reaction to such a flagrant omission in the understanding of conscience will be the subject of the following section.

5.2 The Nature and Role of Superego and Social Convention in Conscience

The preceding section sought to elaborate a secular exposé of Freud’s representation of the superego as a primitive, psychic mechanism, whereby the child identifies with parental values and requirements. In Freudian theorising, it does this with the subconscious aim of exhibiting those values and requirements in its behaviour in order to secure parental

²⁹¹ John W. Glaser, *Conscience and the Superego*, 8.

approval.²⁹² It is for this reason that Freud, himself, for example, equated the superego with the notion of it being an ‘ego-ideal’ and “the representative of our relation to our parents.”²⁹³ Reference was also made in the same section to Freud’s theorising of social convention as a process whereby the young child gradually interiorises the notion that, in order to secure solidarity with his or her peers, it “must limit its impulses, accept certain objectives as its own and affirm its identity as a member of society.”²⁹⁴

It is now proposed, however, to explicate Grisez’s reining-in of both constructs in terms of:

- (a) Differentiating both from Grisez’s notion of conscience as awareness of moral truth
- (b) Outlining the limited positive contribution Grisez believes they can contribute to a committed Catholic’s moral living, and thereby to the ongoing development of that individual’s conscience
- (C) Exposing and detailing the considerable psychological, emotional and spiritual damage both mechanisms can inflict on well-intentioned Catholic individuals, when data from one or the other are wittingly or unwittingly allowed to be “the weightier element in understanding man as free.”²⁹⁵

²⁹² Sigmund Freud, *The Ego and The Id and Other Works*, 36-38.

²⁹³ *Ibid.*, 36.

²⁹⁴ Germain Grisez, *Christian Moral Principles*, 89. Freud himself noted that: “As a child grows up, the role of father is carried on by teachers and others in authority; their injunctions and prohibitions remain powerful in the ego ideal and continue, in the form of conscience, to exercise the moral censorship. Sigmund Freud, *The Ego and The Id and Other Works*, 37. He also pointed out that in his view “Religion, morality, and a social sense” were “the chief elements in the higher side of man . . . [and] were originally one and the same thing.” *Ibid.*, 37.

²⁹⁵ John W. Glaser, *Conscience and the Superego*, 39.

5.2.1 Differentiating the Superego and Social Convention from Conscience as Moral Truth

Grisez sets the tone for his ethically-based Catholic assessment of the superego and social convention in his declaration that while they “are both often called conscience, they need not correspond to moral truth.”²⁹⁶ With regard to social convention, for example, he points out that even though people “generally call violations of social conventions ‘wrong’” since most social requirements derive to some extent from moral truth, “[y]et because various groups have interests which are not always reasonable and which often conflict with one another, social convention also is at odds with what is truly humanly good and bad.”²⁹⁷ Elaborating on his initial assertion with reference to the superego, Grisez also emphasises its problematic nature in relation to the notion of conscience as moral truth. He points out that, as a “subconscious source of one’s sense of requirement and guilt at the emotional level . . . formed by early [parental] training . . . [t]he superego tends to be rigid, non-rational, sometimes oppressive, and often irrelevant to what is truly humanly good and bad.”²⁹⁸ It is this latter psychic mechanism and its dynamic that will be addressed firstly.

5.2.1.1 Superego: According to Glaser, the above outlined dynamic of the superego derives from “a frantic compulsion to experience oneself as lovable”, rather than “from the call to commit oneself in abiding love.”²⁹⁹ Glaser proceeds to describe such a dynamic as a “violent Reaction” that is triggered by the superego’s need, on a psychological, subconscious level to “provide for a person’s being loved” since it perceives itself as “the guardian of the

²⁹⁶ Germain Grisez, *Christian Moral Principles*, 73.

²⁹⁷ Ibid.

²⁹⁸ Ibid., 73; Freud has observed that “The super-ego retained essential features of the introjected persons-their strength, their severity, their inclination to supervise and to punish.” (Sigmund Freud, *The Ego and The Id and Other Works*, 67.) In Freud’s opinion, then, it follows that “[t]he superego-the conscience at work in the ego-may become harsh, cruel and inexorable against the ego which is in its charge” *ibid.*, 67.

²⁹⁹ John W. Glaser, *Conscience and the Superego*, 32.

individual's sense of value."³⁰⁰ Freud, himself, theorised that the force driving this compulsion derived from the notion that "being loved was the equivalent of life itself for the ego."³⁰¹ Therefore, for example, parental disapproval or temporary withdrawal of love could quite possibly be experienced by the child as "a kind of self-annihilation,"³⁰² or as "a mitigated withdrawal of life itself."³⁰³ Furthermore, at this early stage of its life, according to Freudian theory, the only psychic tool or mechanism available to the child to manage such potentially catastrophic conflicts, is the primitive superego, which assumes the function of so regulating and orchestrating the child's conduct that it "does not lose the primary object of its desires: love, affection, and approval."³⁰⁴

It is this function of the superego, with its emphasis on selfish and self-centred motivation as the driving force for decision-making, which prompts Grisez to assert that any commands or prohibitions emanating from the superego do not arise from "an awareness of responsibility assessed by a judgement derived from some principle one understands in itself or accepted from a source (such as the Church's teachings to which one has intelligently and freely committed oneself)."³⁰⁵ Elaborating further on the function of the superego, Hans Zulliger, for example, maintains that since "The primitive conscience is built on the basis of fear of punishment and a desire to earn love," the source of such commands and prohibitions can be described positively as the desire to be approved and loved or negatively as the fear of loss of such love and approval.³⁰⁶ Eicke's observation that since "[t]he superego has its source in the naked fear of retribution or withdrawal of love," its organising function is centred on protecting the ego from the outside world.³⁰⁷ The observation, in turn, reiterates

³⁰⁰ Ibid., 34-35.

³⁰¹ Cited in *ibid.*, 32.

³⁰² Cited in *ibid.*, 32.

³⁰³ Ibid., 32.

³⁰⁴ Ibid.

³⁰⁵ Germain Grisez, *Christian Moral Principles*, 73.

³⁰⁶ See John W. Glaser, *Conscience and Superego*, 33.

³⁰⁷ Ibid.

Zullinger's description of the superego as a psychic mechanism, which devotes its psychic energies totally and unconditionally to all-encompassing commitment to preventing the loss of love and approval. The neo-Freudian psychologist, Melanie Klein, connects the notion of guilt with the fear-of-loss element of the superego, claiming that: "Experience of guilt is inextricably bound up with fear (more exactly, with a specific form of fear, namely, depressive fear); . . . it emerges in the first few months of an infant's life together with the early stages of the superego."³⁰⁸

Grisez contends, therefore, that "while children learn to feel guilt and distinguish acceptable and unacceptable behaviour even before they are old enough to make judgements of conscience and choices," they do so only in a "childish sense" of what is required or forbidden by the superego.³⁰⁹ It would be Grisez's view, then, that were this "childish" attitude towards moral choices and judgements to persist into adolescence and adulthood, it would serve to "reduce conscience to the superego", such that judgements of conscience would be treated as "no more than expressions of internalised pressures,"³¹⁰ or more simply, as "expressions of feelings."³¹¹ This, in turn would make morality itself seem as if it is "a matter of taste, with the superego to serve as guide and monitor."³¹² In Grisez's estimation, this would be to "deny that there is any source of meaning and value beyond the human,"³¹³ thereby giving conscience an entirely different meaning, "according to which [it] becomes merely subjective opinion."³¹⁴ This, in turn, serves to represent conscience as being merely a product of that humanly constructed psychic mechanism, the superego, an assumption, that in

³⁰⁸ Ibid.

³⁰⁹ Germain Grisez, *Christian Moral Principles*, 97.

³¹⁰ Ibid.

³¹¹ Ibid., 98.

³¹² Ibid.

³¹³ Germain Grisez, "The Duty and Right," 14.

³¹⁴ Ibid.

Grisez's view leads to relativism,³¹⁵ with all the negative consequences that follow on from such an attitude.

The renowned Swiss-born psychotherapists, Charles Odier and Paul Tournier sought in their writings to both highlight and emphasise that there can exist in the life of the average adult a 'childish', superego-constructed world, which if unchecked will continue to influence their attitudes towards moral norms throughout their entire lives.³¹⁶ Specifically, their writings maintain that "there are two moral worlds existing in the normal person: a genuine moral world and a world of pseudo-morality and religiosity."³¹⁷ Thus, for his part, Dr Albert Gorres (1918-1996), the renowned German Psychoanalyst and author, suggests that the task of educational and pastoral practice should be "to reduce the influence of this childish censor more and more, and thereby allow genuine value perception to grow."³¹⁸ Grisez himself accords recognition to the role of the superego only insofar as he sees it as being the initial stage in a 3-stage process in the development of conscience, a process which should see "The meaning of "right," "wrong" and "permissible" [change and mature] as a child grows up."³¹⁹ From this initial step, the child is expected to advance to the second level of conscience, where he or she will situate "the authority of good and evil . . . in the group and in those who speak and act for it."³²⁰ Interestingly, in Freud's view the 'group' is indicative not only of a social sense, but of religion and morality, all of which he describes as being "the chief

³¹⁵ Ibid.

³¹⁶ John W. Glaser, *Conscience and Superego* 37. Glaser himself suggests that the very titles of their books indicate and emphasise this conviction. In the case of Charles Odier, note, for example the title *Les deux sources consciente et inconsciente de la vie morale* (Trans. *Consciousness and The Unconscious as the Two Sources of the Moral Life*) (Neuchatel, 1943). Paul Tournier published such books as *Echtes und falsches Schuldgefühl* (trans. *True and False Feelings of Guilt*) (Freiburg, 1967), and *The Violence Within* (HarperCollins, 1982). The former publication can be said to speak for itself, while in the latter, Tournier forces his readers to confront the innate violence in the human soul, a violence begotten of an offended superego, and elaborated in terms of 'man's inhumanity to himself.' (See Zulliger, *Umgang mit dem kindlichen Gewissen* (Stuttgart, 1955, p. 30).

³¹⁷ Ibid., 37.

³¹⁸ Cited in John W. Glaser, *Conscience and Superego*, 37.

³¹⁹ Germain Grisez, *Christian Moral Principles*, 89.

³²⁰ Ibid.

elements in the higher side of man”, as well as being “originally one and the same thing.”³²¹ Grisez however concludes his description of the developmental process of conscience with an account of the third stage, noting that: “If all goes well, the young person in adolescence begins more and more to understand basic human goods and principles of responsibility . . . [which] open up the possibility of new and deeper relationships.”³²² In conjunction with this increased awareness of a sense of responsibility, Glaser sees arising within the individual “a desire to share in a commitment to a worthy cause; to love and be loved in ways which go deeper than the rather superficial relationships of most groups formed by accident.”³²³ This description of the final stage of conscience development, could be characterised as Grisez superimposing a mature, responsible, extraverted conscience on a superego driven conscience, whose thematic centre is focused exclusively on the individual’s own value.³²⁴

In synopsis, Grisez’s account of these stages of development, firstly characterises the superego as generating a sense of compulsion, such that “one has to abide by its dictates or suffer the pain of violating them.”³²⁵ He views social convention as a social mechanism that generates a sense of obligation, in that “one either abides by the rules or is criticised and cut off from what one wants.”³²⁶ Finally, he describes the process of conscience development or maturing as being completed when the individual finds him or herself consciously operating out of a sense of responsibility; a sense that is underpinned by the personal conviction that the “fulfilment of others and of oneself depends on oneself,” and by a commitment to the notion that “consistency with one’s own care for fulfilment requires one to act reasonably for it.”³²⁷ It could be argued, therefore that psychologists, theologians and ethicists would see growing up in terms of this developmental process as a lifelong battle. Indeed, Glaser citing Felicitas

³²¹ Sigmund Freud, *The Ego and The Id and Other Works*, 37.

³²² Germain Grisez, *Christian Moral Principles*, 89.

³²³ Ibid.

³²⁴ See John W. Glaser, *Conscience and Superego*, 37-38.

³²⁵ Germain Grisez, *Christian Moral Principles*, 75.

³²⁶ Ibid.

³²⁷ Ibid.

Betz, pointed out that “the maturing of one’s conscience is a task that takes a lifetime; it is with us far beyond the end of adolescence.”³²⁸ Most importantly, however, Betz contends that for those who have “been the object more of conscience training [through conditioning by parental authority and social mores] than conscience education, this task of arriving at mature conscience will be particularly difficult, if not impossible.”³²⁹ Glaser crucially observes, therefore, that psychologists are agreed that such an organic development “from the primitive and pre-personal censor of the infant” that is the superego “to a mature and personal value perception” that is the conscience as moral truth, “does not automatically and infallibly take place.”³³⁰ With regards to the superego, he asserts that its very nature favours the familiar and the static rather than the new and the dynamic, pointing out that a fundamental characteristic of the superego is that it is “static, does not grow, does not learn, [and] cannot function in a new situation.”³³¹ He contrasts this with what he describes as the “genuine conscience,” which he characterises as being dynamic, in that it demonstrates “an awareness and sensitivity to value which develops and grows; [and] a mind–set which can precisely function in a new situation.”³³² Interestingly, Freud also proposes that individuals will not necessarily progress through the five psychosexual stages of development that he has theorised for personality development,³³³ and seeks to account for such developmental failure in terms of the individual remaining “stuck” or “fixated” in a particular stage.³³⁴ Specifically, he maintained that at each developmental stage individuals would meet new challenges which would require them to make adjustments to the id, ego and superego.³³⁵ While successful adjustments would lead to personality growth, Freud’s account claimed that unsuccessful

³²⁸ See John W. Glaser, *Conscience and Superego*, 37.

³²⁹ *Ibid.*

³³⁰ *Ibid.*

³³¹ *Ibid.*, 38.

³³² *Ibid.*

³³³ See G. C. Davison and J. M. Neale, *Abnormal Psychology*, 35-36.

³³⁴ Salvatore R. Maddi, *Personality Theories*, 41-42.

³³⁵ G. C. Davison and J. M. Neale, *Abnormal Psychology*, 41-42.

adjustments would lead to the person becoming ‘fixated’ or stuck at an early stage of development, and probably heading towards adult abnormal functioning.³³⁶ For Freud, evidence for such abnormality in adolescent or adults will present in the form of neurotic and/or psychotic symptoms, both of which, in his view, serve to indicate “a rebellion on the part of the id against the external world, of its unwillingness-or, if one prefers, its incapacity-to adapt to the exigencies of reality.”³³⁷ For Grisez, on the other hand, the abnormality that will arise from an absence of maturing or development of conscience will be evidenced by the fact that, the individual’s moral choices will continue to be driven by compulsive and guilty feelings.³³⁸ He contrasts this with the individual whose conscience continues to develop and whose personality is being integrated in a mature way; for such a person, according to Grisez, “feelings of guilt will more and more coincide with choices one knows to be wrong and will be in proportion to how serious one judges it to be.”³³⁹ Thus, in Freudian and Grisezian terms progress from conscience as superego, through to social convention and finally to conscience as moral truth, can be assessed in terms of the capacity of the individual to adapt “to the exigencies of reality,” human, spiritual and moral.

5.2.1.2 Social Convention: Grisez maintains that just as the superego focuses only on a certain area of behaviour, namely “behaviour subject to disapproval which leads to guilt feelings,”³⁴⁰ so it is with social convention, which he views as “a restricted field,” in that reasons for acting are seen to be exclusively “backed by a social sanction.”³⁴¹ He goes on to contrast this latter social construct with moral truth “in its full development,”³⁴² which, he claims, “is not restricted to any area of behaviour.”³⁴³ Thus, while moral truth is postulated by

³³⁶ Ibid.

³³⁷ Sigmund Freud, *The Ego and The Id and Other Works*, 185.

³³⁸ Germain Grisez, *Christian Moral Principles*, 73-74.

³³⁹ Ibid., 74.

³⁴⁰ Germain Grisez, *Christian Moral Principles*, 75.

³⁴¹ Ibid.

³⁴² Ibid.

³⁴³ Ibid.

Grisez as generating a sense of responsibility, social convention is seen as superfluous as generating a sense of obligation, in that “one either abides by the rules or is criticised and cut off from what one wants,”³⁴⁴ which, for the individual at societal level, is to “maintain solidarity with the group.”³⁴⁵ Therefore, as already noted, at this second level of conscience, social convention “the authority of good and evil is located in the group and in those who speak and act for it”³⁴⁶ unlike superego that is located in parent or authority figure. Grisez argues, however, that although “[m]ost social requirements have at least some basis in moral truth, yet because different groups have interests which often conflict with one another, social convention can often be at odds with “what is truly humanly good and bad.”³⁴⁷ In Grisez’s opinion, therefore, judgements of right and wrong by a person with a mature conscience must express more than “early [societal] training or awareness of what is socially required.”³⁴⁸ Furthermore, Grisez argues that to think of morality as “a set of rules someone else imposes expresses an immature conscience.”³⁴⁹ It is for this reason, for example, that he contends that those who “perceived the Church’s moral teaching at the legalistic level of social convention” can be deemed to be “of limited maturity of conscience.”³⁵⁰ In his view, such individuals have failed to understand that the Church’s moral teaching “is more than a God-given body of rules, which one must accept in order to enjoy the benefits of Church benefits.”³⁵¹ Indeed, in defence of the magisterium, Grisez maintains that the Church did not historically restrict morality to a legalistic system; he points out that: “although ‘moral’ was restricted to the minimal common requirements of Christian life, the Church continued to propose the fulness

³⁴⁴ Ibid.

³⁴⁵ Ibid., 89.

³⁴⁶ Ibid., 89.

³⁴⁷ Ibid., 73.

³⁴⁸ Ibid., 74.

³⁴⁹ Ibid.

³⁵⁰ Ibid., 73.

³⁵¹ Ibid., 73-74.

of Christian morality without calling it moral; instead it was called ‘ascetical’, ‘spiritual’, and so on.”³⁵²

While acknowledging that laws are necessary, and that there are moral grounds for obeying them, Grisez claims that to reduce morality to a system of laws is to limit it “to the social convention level of the development of conscience.”³⁵³ Thus, in Grisez’s estimation, when an individual experiences doubts of conscience that he or she cannot think through for themselves in the light of faith, they should seek counsel by looking to their pastors for enlightenment about the way of Jesus, not for legal norms at the level of social convention.³⁵⁴ For Grisez, therefore, the problem of resolving doubts of conscience assumes a different character when the individual begins to think about that problem outside a legalistic framework, but within the moral level of truth.³⁵⁵ This is because “[o]n the level of moral truth,” in Grisez’s opinion, “one wants to live in the truth and toward fulfilment; the committed Christian wishes to live toward God and to share in the redemptive work of Jesus.”³⁵⁶ For Grisez, the philosophy underlying this claim is that “when one’s conscience is unsettled, one asks which judgement is more likely true,”³⁵⁷ rather than solely seeking guidance from “a set of rules”³⁵⁸ whether or not these rules originate from within the Church or from within a so-called liberal society.

5.2.1.3 Social Convention as a driving force: With regard to the drive underlying the controlling power of social convention, it can be argued that it is quite similar to that powering the superego, except that in the context of social convention, that controlling power extends beyond the family setting to the various other organs of society, for example schools,

³⁵² Ibid., 294.

³⁵³ Ibid.

³⁵⁴ Ibid., 295.

³⁵⁵ Ibid., 294.

³⁵⁶ Ibid.

³⁵⁷ Ibid.

³⁵⁸ Ibid., 74.

governments, churches and peer-pressure. Thus, Zulliger's observation that "[w]hen a child does something wrong, disobeying a command etc., he experiences a feeling of isolation,"³⁵⁹ not only highlights the isolating power of the superego within that child, but it also speaks, according to Glaser, of "a powerful subconscious drive to recreate one's sense of belonging and being accepted by his community, or re-establishing the harmony and solidarity he has forfeited by his fault."³⁶⁰ The driving force of social convention can also be described in terms of flight from a feeling of acute alienation from that group represented by the authority figures in the life of the individual, "who have communicated what is expected of him if he wants to belong."³⁶¹ In Glaser's view, while "[m]otivating an individual's activity on the basis of 'acceptance' serves well the socialisation and normalisation of individuals to prevailing norms," he claims that its dynamics are strikingly inadequate as a basis for Christian morality, "[w]hich should be characterised by a creative thrust into the future, i.e., into the not-yet-ready-to-be-thought."³⁶²

In Grisez's view the inadequacy of such dynamics stems from the fact they actually define the person in terms of the extent to which he or she meets or falls short of societal expectations.³⁶³ Furthermore, they are seen to define society in terms of what it considers necessary to achieve its purposes, rather than in terms of what it ought to require.³⁶⁴ Disturbingly, for Grisez, such motivation can lead to cultural relativism in the area of morality and of the formation of conscience, since "**[i]t involves a confusion between social facts—what is actually required in various societies—and real moral norms.**"³⁶⁵ This account by Grisez of the feelings of the superego and social convention functioning as

³⁵⁹ Cited in John W. Glaser, *Conscience and Superego*, 35.

³⁶⁰ *Ibid.*

³⁶¹ *Ibid.*, 36.

³⁶² *Ibid.*

³⁶³ Germain Grisez, *Christian Moral Principles*, 89.

³⁶⁴ *Ibid.*, 102.

³⁶⁵ *Ibid.* (bold emphasis by Grisez).

conscience rather than as elements or stages in the development of a mature conscience, suggests that, in his view:

[T]hose for whom conscience is relegated to social convention, or control of the superego, or some variation of pure subjectivism have little appreciation for and derive scant benefit from their conscience in terms of moral guidance in the process of making self-determining free choices.³⁶⁶

It is not surprising, then, in Grisez's opinion, that "such people often perceive Church teachings and the Church's role in the formation of conscience as burdensome, legalistic and generating resentment rather than 'as a gift of truth.'"³⁶⁷ In other words, it can be claimed that while Grisez does not want to completely abandon psychological, social and subjectivist factors in the functioning of conscience, he nevertheless strenuously contends that "they do not adequately capture the significance of conscience in the moral and Christian sense,"³⁶⁸ and so he evaluates them negatively.³⁶⁹

5.3 Superego and Social Convention in the Formation of Christian Conscience

Joseph Casey provides an insight into Grisez's attitude to the purported role of the superego and social convention in the formation of the mature Christian conscience. According to him, for Grisez, the initial moral dimension of conscience "is simply superego response, 'an emotional or feeling' response devoid of any insight, and wherein the notion of bad 'simply means parents don't want me to do this. I'll be punished. They won't love me.'"³⁷⁰ In Casey's account, Grisez then theorises a progression of morality that consists of "social conventions", in which it appears that "many, many people [eventually] identify what is right and what is wrong with what the culture declares to be such,"³⁷¹ with some research

³⁶⁶ Robert J. Smith, *Conscience and Catholicism*, 56.

³⁶⁷ *Ibid.*, 56; see also Germain Grisez, *Christian Moral Principles*, 74.

³⁶⁸ *Ibid.*, 56.

³⁶⁹ Germain Grisez, *Christian Moral Principles*, 89-90.

³⁷⁰ Joseph H. Casey, *Guiding Your Own Life*, 52.

³⁷¹ *Ibid.*, 53.

suggesting “that the majority of adults live on this level.”³⁷² Within this moral framework, rules approved by the group come to be adopted as the norm, such that the individual will both identify with the group and make its demands its own.³⁷³ The critical problem this represents for Grisez, in Casey’s view, is that, on the one hand, if the individual does not fully identify with the group, its moral demands can come to seem like impositions, while on the other hand, people who respond on this level lack any deep insight into reasons for the group’s evaluations.³⁷⁴ Casey points out that the only way by which the individual could be rescued from such flawed and deficient notions of conscience, in Grisez’s theorising at any rate, was for that individual to be guided to a final stage wherein he or she would “recognise the moral dimension as a matter of real human goodness and reasonableness.”³⁷⁵ In such a dimension, to do wrong would be adjudged to be “a kind of self-mutilation.”³⁷⁶ Such insight would be further deepened by the mature conscience being represented, to Catholics at least, as that dimension in which the mature person will ask: “What must I do to be good at being a person? What is the good and holy thing to do? What does God want with me?”³⁷⁷ It could be argued, therefore, that Grisez’s attitude to the notion of superego and social convention being treated as provisional and temporary stages in the ultimate development of a permanently-functioning, mature, Catholic conscience is well-captured in St Paul’s assertion: “When I was a child, I thought like a child: when I became an adult I put an end to childish ways. . . . Now I know only in part: then I will know fully, even as I have been fully known.”³⁷⁸

We may now demonstrate that while Grisez provides scant explicit detail on how the superego and social convention can be positively integrated into the proper formation and functioning of the mature Christian conscience, his account of this latter religious dimension

³⁷² Ibid.

³⁷³ Ibid.

³⁷⁴ Ibid.

³⁷⁵ Ibid., 53-54.

³⁷⁶ Ibid., 54.

³⁷⁷ Ibid.

³⁷⁸ 1 Corinthians 13: 11, 13.

does appear to implicitly mirror the dynamics of both secularist processes. Such a proposition seeks to take account of the caution issued by Malcolm A. Jeeves³⁷⁹ against assuming congruence between theological and psychological accounts of any human dynamic simply because of surface language similarities.³⁸⁰ The elaboration of the above proposition also seeks to take on board Jeeves' warning against uncritically seeking to interweave human (secularist) and theological accounts into a composite model for the development of any human dynamic.³⁸¹ Before proceeding to such an undertaking, however, it is now proposed to elaborate on the positive references made by Grisez and his supporters on the positive aspects of the superego and social convention.

5.3.1 A Positive Secularist Contribution to the Formation of the Mature Conscience

Reference has already been made to the dearth of material provided by Grisez and his followers with regard to the dynamics of the superego and social convention in developmentally continuing the formation and functioning of conscience as moral truth. However, at this point, cognisance must also be taken of the fact that elaborations by Grisez of positive aspects of both psychological constructs are usually accompanied by quite detailed cautions. Thus, for example, on the one hand, Grisez can be found acknowledging that the superego is, in fact, a mechanism through which children learn to feel guilt and distinguish acceptable and unacceptable behaviour, even before they are old enough to make judgements and choice, that, in its capacity as “a childish sense of the required and the forbidden.”³⁸² In itself, such an acquisition can be regarded as an asset in the moral development of the child, since it now appears to be able to interiorise the authority of good and bad within itself-through the dynamics of the superego “as a personal authority” to

³⁷⁹ Malcolm Jeeves is an Emeritus Professor of Psychology at the University of St. Andrews, and one-time editor of *Neuropsychologia*. Author of *Human Nature: Reflections on the Integration of Psychology and Christianity*, 6th ed. (Philadelphia: Templeton Foundation Press, 2006).

³⁸⁰ *Ibid.*, 160-161.

³⁸¹ *Ibid.*, 161.

³⁸² See Germain Grisez, *Christian Moral Life*, 97.

oversee its own “desiring and scheming ego.”³⁸³ Rather than remaining with the mechanism’s potential for generating positive outcomes, however, Grisez somewhat peremptorily despatches its positive effectiveness by characterising its judgements as childish, emotional responses,³⁸⁴ or as “expressions of internalised pressures”³⁸⁵ or even as “rigid, non-rational oppressive dictates, which are often irrelevant to what is truly good or bad.”³⁸⁶

It is obvious that great emphasis is placed on the superego response as one that is proper to a child,³⁸⁷ or as a primitive, psychic pre-personal censor,³⁸⁸ or as a primitive stage on the way to the development of genuine conscience and value perception.³⁸⁹ However, while the content of such emphases are not being disputed, they do appear to overlook the fact that since this psychic mechanism was itself begotten by a ‘newborn’ to secure its basic needs within a tightly circumscribed environment, of itself, this mechanism could not be other than primitive, pre-personal and infantile - in the sense of ‘being of the infant.’

Rather than seeking to totally undermine the superego dimension of conscience, however, by repeatedly emphasising its primitive, pre-personal and infantile contexts, Grisez could usefully have adopted a more insightful approach towards the mechanism. He could have done so by initially educating his readers as to its origin and nature, and then outlining its potential usefulness in the infant, adolescent and adult worlds. In scriptural terms, Grisez could usefully have substituted the words of Jesus “I tell you solemnly, unless you change and become like little children, you will never enter the kingdom of heaven” (Matthew 18:3) for the already quoted words of Paul in 1Cor. 13: 11; 13. Under the terms of such a substitution, Grisez’s readers would have been advised of the superego’s practical usefulness

³⁸³ Ibid., 89.

³⁸⁴ See Joseph H. Casey, *Guiding Your Own Life*, 52.

³⁸⁵ Germain Grisez, *Christian Moral Principles*, 97.

³⁸⁶ Ibid., 73.

³⁸⁷ Joseph H. Casey, *Guiding Your Own Life*, 53.

³⁸⁸ John W. Glaser, *Conscience and Superego*, 36.

³⁸⁹ Ibid.

in the lives of infants, children, adolescents and adults. Thus, his readers would be made aware of its particular usefulness in the socialisation process of an infant, through its capacity to train it “to function well within a given set of limits.”³⁹⁰ Glaser specifically points to the area of infant toilet-training in this context, “without which” he wryly comments, “life would be far less pleasant.”³⁹¹ As for the mature adult, Glaser cites a remark from Gorres to support his assertion that “the superego is not superfluous,” because “[i]n certain sectors of life it provides for a conservation of psychic energy and ease of operation.”³⁹² Gorres goes on to elaborate: “When the superego is integrated into a mature conscience . . . it relieves an individual from having constantly to decide in all those situations which are already legitimately decided by custom, taste, and convention what one should do and what one should not do.”³⁹³ Indeed, Glaser also footnotes an observation by Odier, who pointed out that beside the functions mentioned by Gorres “the superego acts as a censor in dreams, thereby preventing every dream from becoming a nightmare,” a function Odier deemed to be of “no small service.”³⁹⁴ As for those adolescents and adults for whom the activities of the superego do not confine them to the healthy, integrated and useful functions just outlined, they can be assisted through educational and pastoral practices to reduce its influence more and more and thereby facilitate the continued growth of genuine value perception within themselves.³⁹⁵ This last suggestion can be taken as an acknowledgement that the well-referenced characterisation of the superego as a “source of unconscious guilt [which] could actually cripple a person,”³⁹⁶ is not being swept under the philosophical or theological carpets. That aspect of its activities has already been partly outlined in this chapter, and will be further elaborated later.

³⁹⁰ Ibid.

³⁹¹ Ibid.

³⁹² Ibid.

³⁹³ Ibid., 36-37.

³⁹⁴ See footnote 20 in John W. Glaser, *Conscience and Superego*.

³⁹⁵ See John W. Glaser, *Conscience and Superego*, 37.

³⁹⁶ Ibid., 30.

Despite the efforts by some of his followers to give a more balanced account of the role of the superego in the development of conscience, Grisez displayed little interest in that task. However, by demonstrating such a noticeable apathy to the extent that he consistently presented his readers with a one-sided elaboration of a two-sided account, Grisez has left his readers at a disadvantage. His opponents would maintain that his somewhat rigid and suspicious attitude toward what he would see as any form of psychologising of the development of conscience, derives from his determination to maintain the ongoing absolute control of the magisterium over the ethical beliefs, choices and judgements of Catholic believers, be they lay people, theologians, or members of the hierarchy.³⁹⁷ In fact, according to Russell Shaw he saw such an approach as a “‘strategy for socially controlling people’ so that they would act in society’s best interests.”³⁹⁸ From Grisez’s point of view, it is “the illumination of the Holy Spirit and the inspired Scriptures [that] should contribute to the formation of [the believer’s] conscience,” or make us aware of moral truth³⁹⁹ and not prompting from the superego. Furthermore, rather than attending in any way to the infantile promptings of the superego in arriving at a judgement of conscience, Grisez assured his readers that since “the Catholic Church speaking through her magisterium teaches all her members what they must do to be saved . . . [thus] faithful and clearheaded Catholics consider the moral guidance offered by the pope and the bishops in communion with him to indicate moral truths by which they must form their consciences.”⁴⁰⁰ What further need

³⁹⁷ See Grisez’s “The Duty and Right,” wherein, for example, he challenges the notion that a bishop can be “acting consistently if he tolerates dissent by those who share, by virtue of his authorisation, in his own teaching office.” (Ibid., 10). See also Russell Shaw “Pioneering the Renewal in Moral Theology,” (267), for example, where he claims that Grisez’s preferred approach to the confusion and dissent that he considered to be rampant throughout the Catholic Church was to see “the Pope summoning the bishops to Rome to discuss some points of dogma . . . so that, having heard various points of view argued by competent theologians, the representatives of the magisterium might then proceed to consider the question among themselves and come to a decision-‘settle it.’” (Ibid., 267). Grisez maintained that “doing that . . . would make it clear what it is to be a theologian and what it is to be a bishop. The role of a theologian is pretty much to look at things freely and argue for what they think. But for that to work well, the bishops have to do their job.” Ibid.

³⁹⁸ Russell Shaw, “Pioneering The Renewal in Moral Theology,” 254.

³⁹⁹ Germain Grisez, “The Duty and Right,” 11; See *Living a Christian Life*, 249-252.

⁴⁰⁰ Ibid., 11; See *Living a Christian Life*, 260-262.

should committed Catholics have, therefore, of inputs from the dimension of the superego? However, it can only be wondered that, if by investing such absolute control in the magisterium, has Grisez not wittingly or unwittingly simply delivered the individual from the superior power of an ‘interiorised, pre-personal censor’ and into the hands of an even more superior, exteriorised, controlling and manipulative one.

Resistance on the part of Grisez to treating the dimension of social convention as a serious and vital component in the development of the mature Christian conscience could also serve to deprive his readers of rich insights into the formation and functioning of conscience. It is not that Grisez is unaware of the importance of this dimension in the life of the believer. He has noted, for example, that the Christian life cannot be limited to the proper ordering of personal moral life; it must also have a social dimension, because, in his opinion, social or communal living presents the individual with dilemmas to which he or she must respond-although in ways that meet the Gospel’s demands.⁴⁰¹ However, since every individual is also an existential, social being, that response, if it is to be authentic, must necessarily be guided by attitudes experientially derived from that specific form of human existence. Surprisingly, this is what Grisez himself asserts in his response to the following observation from Pope John Paul II:

If the Church makes herself present in the defence of, or in the advancement of, man, she does so in line with her mission, which, although it is religious and not social or political, cannot fail to consider man in the entirety of his being.⁴⁰²

Grisez follows up and upholds that not only must the believer’s existential Christian beliefs and experiences contribute to the development of this or her moral life and conscience, but there must also be an input from their existential social, cultural, work-related and even

⁴⁰¹ Germain Grisez, *Living a Christian Life*, 261-2.

⁴⁰² *Ibid.*, 104.

‘surrounding cosmos’ life experiences and beliefs. Thus, in Grisez’s own words he contends that:

True, only individual human persons believe and hope in God, and love him and one another. But human persons complete one another in various forms of society, and are fulfilled by work and culture. Indeed, “man in the entirety of his being” refers even to the surrounding cosmos, for people cannot live without the natural world, in which humankind dwells as in a womb. Thus, everything else in visible creation pertains to human beings, and their salvation would be incomplete were not all things brought back to God in Jesus.⁴⁰³

In the above extract Grisez appears to be bestowing his theological and ethical seal of approval on the notion that the social dimension of morality and conscience formation must receive serious and deep attention in any theorising of the developmental formation and functioning of conscience. Noticeably absent from that account are such negativities as: “social convention is often at odds with what is truly humanly good and bad”⁴⁰⁴; or “morality itself can be identified with law only by being limited to the social-convention level of the development of conscience”⁴⁰⁵; or classically that, “the problem of resolving doubts of conscience takes on a different character when one begins to think about it outside a legalistic framework . . . on the level of moral truth rather than social convention.”⁴⁰⁶

Thus, it can be claimed that Grisez’s theorising of the social convention dimension as it appears in *Living a Christian Life*, is not only more comprehensive, insightful and educative in its scope, but also more respectful of what that mechanism’s dynamic can contribute to the development of conscience than his previous, terse acknowledgement might suggest. In this rather dismissive account,⁴⁰⁷ Grisez suggests that social convention can be regarded as being moral only to the extent that “it offers reasons for acting as distinct from

⁴⁰³ Ibid., 104.

⁴⁰⁴ Germain Grisez, *Christian Moral Principles*, 73.

⁴⁰⁵ Ibid., 294.

⁴⁰⁶ Ibid.

⁴⁰⁷ Ibid., 75.

non-rational determinants of action,” while these very reasons for acting “need only be grounded in one’s actual desires, not in human goods understood as valuable in themselves.”⁴⁰⁸ Contrast this, for example with Casey’s appreciation of what he perceives as the potential for overlap in levels of importance, seriousness and sacredness that can and does take place between the social convention and moral truth dimensions of conscience. Casey asserts:

Nevertheless, people responding on the conventional level can still relate to what their conscience so structured proposes as seriously, even sacredly obliging. Normal human development leads people to recognise the goods at stake in moral choices as related to their development as human persons. They see (understand) what one will require of oneself in order to act reasonably. They recognise the moral dimension as a matter of real human goodness and reasonableness. To do wrong thus is a kind of self mutilation.⁴⁰⁹

6. Militancy in Grisez’s Method

There are two areas in Grisez’s teachings which clearly illustrate his militant and unapologetic approach to defending and promoting his own sincerely held Catholic beliefs. The first concerns the “infallibility of the ordinary magisterium” and the submissive obedience it demands of committed Catholics.⁴¹⁰ The second focuses on the role of the magisterium in the moral lives of committed Catholics, particularly its role in assisting them in the formation of their consciences and in following the judgements of their properly formed conscience.

Grisez demonstrates a strong defence of the Catholic Church’s magisterial authority and its formative and guiding role in the functioning of the individual conscience. His defence of *Humane vitae* reiterates his support for traditional Church teaching on specific moral issues. Of particular interest in this section is Grisez’s counsel to Bishops on the

⁴⁰⁸ Ibid.

⁴⁰⁹ Joseph H. Casey, *Guiding Your Own Life*, 53-54.

⁴¹⁰ Germain Grisez, “The Duty and Right,” 12-13.

attitudes they should have towards dissenting theologians and the manner in which they should deal with them. In the matter of the role of the magisterium in the formation and guidance of the committed Catholic's conscience, it is proposed to look closely at how Grisez utilises his considerable intellectual skills to validate his claim that "faithful and clearheaded Catholics" will never find following the judgements of their conscience to be incompatible with the moral teachings of the magisterium, thereby encouraging a submissive obedience.⁴¹¹

Grisez's militant approach is fuelled by his intense aversion to what he perceives as the "institutionalisation of theological dissent from the magisterium," which, he claims, has been ongoing since Vatican II.⁴¹² Furthermore, is Grisez scathing of the moral relativism and subjectivism which, in his view, such theological dissension has spawned and promoted, especially in the affluent nations.⁴¹³ In the context of the teachings of the magisterium, Grisez maintains that subjectivism serves to transform "the moral truth handed on throughout the Church's tradition" into "no more than one body of opinion among others."⁴¹⁴ In terms of individual moral responsibility, the relativisation of conscience means that, for Grisez, it no longer represents "an awareness of responsibility assessed by a judgement derived from some principle one understands in itself or accepted from a source (such as the Church's teaching) to which one has intelligently and freely committed oneself."⁴¹⁵ Instead, according to the teaching of Grisez, "the relativistic conscience 'refers to the individual's subjective judgement as to what is most authentic for himself or herself what will best serve his or her interests in the face of pressures to conform to others' standards."⁴¹⁶

⁴¹¹ See Germain Grisez, *Christian Moral Principles*, 85. He makes the point that: "The moral demands of the Church's teachings are not additions over and above the requirements of morality which one can know naturally: rather they specify the moral implications of the natural law."

⁴¹² Russell Shaw, "Pioneering the Renewal in Moral Theology," 243.

⁴¹³ Germain Grisez, "The Duty and Right," 14.

⁴¹⁴ Ibid.

⁴¹⁵ Germain Grisez, *Christian Moral Principles*, 74.

⁴¹⁶ Germain Grisez, "The Duty and Right," 14.

Grisez succinctly defines conscience as “what one judges to be moral truth considered insofar as one tried to know that truth, thinks one knows it and compares one’s prospective and past choices with it.”⁴¹⁷ Elsewhere, he draws on Aquinas to declare that “conscience is one’s last and best judgement concerning what one should choose. With this judgement in mind, one chooses, either in agreement with conscience or against it.”⁴¹⁸ Focusing on Aquinas’ definition, Grisez concludes that since conscience is “one’s best judgement concerning what is right and wrong, an upright person has no alternative to following it.”⁴¹⁹ Some might view the preceding account as vintage Newman. However, lest that account be misinterpreted as a declaration of the “Primacy of Conscience,” Grisez qualifies it elsewhere with this unequivocal assertion: “for a faithful and clearheaded Catholic there is no right to follow a judgement of conscience against the teaching of the magisterium.”⁴²⁰ From the outset, however, it must be clearly noted Grisez’s ethical and theological efforts at buttressing such a remarkable claim are directed at “faithful and clearheaded Catholics,” a somewhat partisan label, which he repeatedly utilises throughout in the article: “The Duty and Right to Follow One’s Judgement of Conscience.”

Once again, he specifically chooses to exclusively speak only to the “converted” while choosing to ignore those others who “do not consider the moral guidance offered by the pope and other bishops in communion with him to indicate moral truths by which to form their consciences.”⁴²¹ On the other hand Grisez’s cherished “faithful and clearheaded Catholics” are dutifully reminded that the Catholic Church, when it teaches through its magisterium has divine authorisation to speak to its members what they need to do. Therefore, committed Catholics are duty bound to “consider the moral guidance offered by

⁴¹⁷ Ibid., 10.

⁴¹⁸ Germain Grisez, *Christian Moral Principles*, 76. See Thomas Aquinas, *ST. IIa Iae*, Q.79.

⁴¹⁹ Germain Grisez, *Christian Moral Principles*, 76.

⁴²⁰ Germain Grisez, “The Duty and Right,” 14.

⁴²¹ Ibid., 12.

the Pope and the bishops in communion with him to indicate moral truths by which they *must* form their consciences.”⁴²² In *Christian Moral Principles*, Grisez is more explicit and robustly assertive as to the implications of the divine “imprimatur” which he sees as underpinning the primary role of the magisterium in the moral functioning of the individual conscience. He asserts:

By Jesus’ will it is part of the Church’s duty to state authoritatively “those principles of the moral order which have their origin in human nature itself” (*DH* 14). In carrying out this duty, the Church calls attention to principles of the natural law, rejects formulations which distort them, and spells out many of their implications. This work is necessary because sin leads individual and societies to rationalise their immoral choices and policies, and such rationalizations cloud insight into moral principles.⁴²³

The above extract suggests that Grisez does not view the Church’s role on conscience formation and guidance in terms of an extreme imposition or guidance.⁴²⁴ Rather, he presents his “faithful and clearheaded” Catholics with a magisterium that is divinely sent out and authorised to assist and guide them in forming and following their conscience, not “by conveying information or giving orders, but by calling attention to the truths one can know for oneself.”⁴²⁵

Emphasising further that Catholic moral teaching does not seek to take over the intimate relationship that should exist between the committed Catholic and conscience, Grisez specifically points out that “the moral demands of the Church’s teaching are not alien to the requirements of morality which one can know naturally.”⁴²⁶ In his view, this is because these demands simply “specify the moral implications of natural law, which, according to St. Paul, is written on every individual heart” (Rom. 2:15). Therefore, according to Grisez’s

⁴²² Ibid., [italics mine], 11.

⁴²³ Germain Grisez, *Christian Moral Principles*, 85.

⁴²⁴ Ibid., 88.

⁴²⁵ Ibid., 85.

⁴²⁶ Ibid., 88.

assessment, the magisterium merely specifies what is already implanted in the hearts of faithful Catholics. Furthermore, in the light of this assessment, Grisez deems it nonsense to talk about an authentic right to follow conscience against the magisterium's teaching, because "the duty to follow one's judgement of conscience cannot conflict with the duty to live according to the moral teaching which the magisterium proposes."⁴²⁷ To those who would regard the Church's moral teaching as an imposed set of social standards similar to civil law, Grisez is, as usual, explicit in his remonstrance that:

This view is false. The act of faith is a free personal commitment by which one becomes a member of the Church. For one who makes this act, such membership is part of his or her existential identity. Thus, to accept what the Church teaches, including its moral teaching, is to be self-consistent.⁴²⁸

Grisez's point here is that since sincere Catholics are members of the Church by their own freely-embraced commitment of faith, their identity as Catholics has become part of their actual existential identity. This is a theme to which he returns frequently. Having gone to great moralist lengths to point out the actual impossibility of conflict arising between the judgements of conscience of a committed Catholic and the moral teachings of the magisterium, Grisez proceeds to make it quite clear that the magisterium, itself, neither possesses or seeks to possess any "legislative authority in moral matters."⁴²⁹ He proposes, instead, that its teaching authority can be trusted because its divine authorisation to teach ensures that "it is endowed with an unfailing gift of truth."⁴³⁰ The *bona fides* of the magisterium relevant to its advisory role in assisting committed Catholics to follow the judgements of their conscience having been established, Grisez closes the circle by again reminding these "faithful and clearheaded" Catholic adherents that honest commitment leaves them with no other logical option but to "form their conscience by conforming to God's law,

⁴²⁷ Germain Grisez, "The Duty and Right," 11.

⁴²⁸ Germain Grisez, *Christian Moral Principles*, 88.

⁴²⁹ *Ibid.*, 295.

⁴³⁰ *Ibid.*

submissive to the magisterium which interprets that law in the light of the Gospel.”⁴³¹ Addressing committed Catholics, Grisez categorically reminds them that if they wish to behave self-consistently within the context of their freely-entered-into act of spiritual self-constitution, they have no other logical option but to abide by the Church’s moral teachings. He therefore states forthrightly that: “To wish to be a Catholic, while refusing to accept the Church’s teaching, would be as nonsensically illogical in his estimation as wishing to have a friend without being a friend.”⁴³²

As Robert J. Smith points out however, the difficulty with Grisez’s analogy is that “friends are friends not in spite of differences but because of differences that can be maintained with mutual respect, affection, and no less a commitment to the relationship.”⁴³³ Nevertheless, it is in such a manner that Grisez logically ring-fences his assertion that “for faithful and clearheaded Catholics the duty to follow one’s judgement of conscience cannot possibly conflict with the duty to live according to the moral teaching which the magisterium proposes.”⁴³⁴

It may be argued rightly or wrongly, that what Grisez has sought to achieve here is to transpose the Pauline exhortation: “Let this mind be in you, which is also in Christ Jesus,” (Philippians 2:5), to read: “Let this mind be in you, which is also in the teaching magisterium.” While there can be no doubting that Grisez’s supporters would have no difficulty embracing the latter exhortation, Robert Smith points out that what these supporters do not seem to grasp is that Grisez “too easily collapses God, Jesus, church, and moral

⁴³¹ Germain Grisez, “The Duty and Right,” 20.

⁴³² Germain Grisez, *Christian Moral Principles*, 85.

⁴³³ Robert J. Smith, *Conscience and Catholicism*, 59-60.

⁴³⁴ Germain Grisez, “The Duty and Right,” 12.

teachings into one reality, where few distinctions or differentiations exist or matter. God and church are intimately related; but God is not the church nor is the church God.”⁴³⁵

Furthermore, in the light of Grisez’s understanding of conscience and of its relationship to the church and its teachings, Smith is not surprised at the fact that Grisez “has little appreciation for the insights of people of other faiths and philosophical traditions other than Catholic.”⁴³⁶ While Grisez does not treat non-Catholics as enemies, he does characterise them as failing “to appreciate the blessing Catholics enjoy in having a secure means of knowing what is morally true.”⁴³⁷ As far as Grisez is concerned, Catholics have the “marvellous grace of having received the truth for whose attainment conscience is given.”⁴³⁸ Naturally, Grisez is referring to committed Catholics here, and, in his opinion, it is these “faithful and clearheaded” adherents that Vatican II addressed in the following extract from *Gaudium et Spes*, which Grisez considered to be a “very important paragraph” because it makes quite “clear that the Church’s role is to help form conscience by communicating truth.”⁴³⁹ The Document states:

Laymen should also know that it is generally the function of their well-informed Christian conscience to see that the divine law is inscribed in the life of the earthly city. From priests they may look for spiritual light and nourishment. Let the layman not imagine that his pastors are always such experts, that to every problem or even every serious problem which arises they can readily give him a concrete solution, or that such is their mission. Rather enlightened by Christian wisdom and giving close attention to the teaching authority of the Church, let the layman take on his own distinctive role.⁴⁴⁰

If one were to make an educated guess at which section of this Council exhortation Grisez would underline for his readers, the evidence to date would strongly suggest: “and

⁴³⁵ Robert J. Smith, *Conscience and Catholicism*, 63.

⁴³⁶ *Ibid.*, 63.

⁴³⁷ Germain Grisez, *Christian Moral Principle*, 570.

⁴³⁸ *Ibid.*, 566.

⁴³⁹ *Ibid.*, 306.

⁴⁴⁰ *Ibid.*

giving close attention to the teaching authority of the Church, let the layman take on his own distinctive role.”⁴⁴¹ Grisez’s own commentary on the above passage seems to substantiate such an assessment. As if issuing a “Licence to practice,” Grisez informs the committed Catholic that:

Where one has formed one’s conscience in conformity with what the Church teaches, one is then on one’s own to discern moral truth in doubtful cases. The opinions of moral theologians are no longer to be taken as authoritative. Moralists can be useful only insofar as they help one to learn and understand what moral truth is.”⁴⁴²

However, Grisez’s opponents would argue that in the case of committed, self-constituted Catholics, whose natural and educated desire will always be to behave self-consistently with their freely adopted beliefs, they will never be alone in that “most secret core and the sanctuary of the human person, [Where] they are alone with God whose voice echoes in their depths,”⁴⁴³ despite the fact that they discern the judgements of their conscience. Grisez’s own arguments strongly suggest that when it comes to the magisterium’s actively sought-after role of clarifying the moral demands of the Church’s teaching for “faithful and clearheaded” Catholics, out of ecclesiastical sight does not necessarily mean out of ecclesiastical mind. His claim that “the moral teaching of the Church forms Conscience from within, not by external imposition,”⁴⁴⁴ appears to imply the perpetual presence of a magisterial overseer. This is no baseless metaphor. Robert Smith observes, for example, that Grisez’s own interpretation of certain Vatican II documents not only indicate “a more nuanced position in regard to individual conscience and the church’s teachings,” but that he is positively arguing for “a much more restrictive approach and interpretation.”⁴⁴⁵ Smith claims, for example, that Grisez elaborates the notion of “giving close attention to the teaching authority of the Church” as

⁴⁴¹ Ibid.

⁴⁴² Ibid.

⁴⁴³ *Gaudium et Spes*, n.16.

⁴⁴⁴ Ibid., 88.

⁴⁴⁵ Robert J. Smith, *Conscience and Catholicism*, 61.

meaning that “conscience must always be ‘formed by,’ ‘conform to,’ and be ‘in conformity with’ church teaching.”⁴⁴⁶ Not only that, but in *Christian Moral Principles*, according to Smith, Grisez lays it down that such conformity of individual consciences to the church’s teaching must be done “in every question, every detail, every respect.”⁴⁴⁷ Subsequently, for someone, who championed free choice and the freedom to self-determination, Grisez’s teaching on submissiveness to the magisterium with the morally weighted reminder that “if [Catholics] are faithful, they will [act accordingly]” seem incongruent with his thought on freedom.⁴⁴⁸

6.1 Germain Grisez: A Legalist, Rule-Maker or Rule-Enforcer?

Grisez’s unstinting and unquestioning promotion of the superiority of the Catholic magisterium over one’s judgement of conscience presents both his opponents and the not-so-faithful or clearheaded Catholic population with so many sticks with which to beat and pulverise his philosophical and ethical standpoint on the primacy of conscience. Thus, how seriously would both groups take his claim that he is not in any sense of the word a legalist, but rather an ethicist who operates from the belief that ethics “is concerned neither with making rules nor with enforcing them; it is concerned with finding standards—moral truths—which no one makes . . . standards by which we can determine whether the things we choose are right and also whether our reasons for choosing them are right.”⁴⁴⁹

⁴⁴⁶ Ibid., 62.

⁴⁴⁷ Ibid., 62; Germain Grisez, *Christian Moral Principle*, 566.

⁴⁴⁸ See Robert J. Smith, *Conscience and Catholicism*, 62; Germain Grisez, *Christian Moral Principle*, 566.

⁴⁴⁹ Germain Grisez and Russell Shaw, *Beyond the New Morality*, 75.

6.1.2 The Anger and Resentment of the Not-So-Clearheaded Catholic

Would Grisez be at all surprised at the anger with which some Catholics would greet his assessment that: “To think of morality as an area in which one is made to feel guilty or as a set of rules someone else imposes expresses *an immature conscience*”?⁴⁵⁰ Many of these Catholics or their older relatives would have lived in an era where, it has been acknowledged, “too much theory and practice in the Church [arose] from data whose source is the superego. Many problem areas which have emerged in the recent past can be traced to a failure to recognise the nature, presence, and power of the superego.”⁴⁵¹

Glaser, for example describes the superego as the “source of pseudo-moral guilt” which: “could actually cripple a person; it could keep the individual from seeing the genuine values at stake, values which alone could creatively call the person beyond his present fixation and the destructive circle of defeat, depression, ‘repentance’ and further failures.”⁴⁵² Grisez could not have been unaware of this lapse by the magisterium, itself, which allowed the superego and its armoury of ‘pseudo-moral guilt’ to run riot among its flock. Whence the resentment of the Church’s Authority?

These same “not-so-clearheaded” Catholics could also ask Grisez as to where the greater part of the responsibility lay for so many of them not only feeling a childish guilt when they violate the Church’s moral teaching (especially on salient moral issues in the area of human life and sexuality), and resenting the Church’s authority much as rebellious adolescents resent parental authority, but also remaining in an adolescent posture towards all authorities.⁴⁵³ Could there be a sense arising here of a bothered people being preached to by someone living in an “ivory tower”? Furthermore, this doubting population would

⁴⁵⁰ Germain Grisez, *Christian Moral Principle*, 74 (Italics mine).

⁴⁵¹ John W. Glaser, “Conscience and Superego,” 39.

⁴⁵² *Ibid.*, 30.

⁴⁵³ Germain Grisez, *Christian Moral Principle*, 74.

undoubtedly assure Grisez that they were in total agreement with his overall assessment that: “This resentment shapes and colours the entire attitude of many Catholics to the Church.”⁴⁵⁴

6.2 A Patronised ‘Not-So-Clearheaded-Group’ Responds

This group of Catholics might take the opportunity to express their personal resentment towards Grisez’s portrayal of them as a group in need of helping and saving from the “quicksand of subjectivity into which so many have been led.”⁴⁵⁵ They would remind Germain Grisez that they are not a group in need of rescuing, but rather “that they represent another way of interpreting what conscience is and how it functions.”⁴⁵⁶

6.2.1 Peer Group Opposition

The above points are, most likely, indicative of the experiential voices of a resentful Catholic population, a grassroots who feel barely tolerated by this promoter of unconditional obedience to the magisterium in all matters pertaining to the individual conscience. At an ethical and theological level, however, Grisez’s promotion of the superiority of the magisterium has been subjected to minute intellectual, rational and psychological analyses, and found to be seriously wanting. Citing Grisez’s own assertion that “In morals, as in faith, a faithful Catholic never will permit his or her own opinions . . . or the contradictory belief of the whole world outside the faith to override the Church’s firm teaching,”⁴⁵⁷ Smith presents two key objections to such a declaration. Firstly, he notes that Grisez has never clearly defined what he means by the “Church’s clear and firm teaching.”⁴⁵⁸ What Smith is alluding to here is that, whereas Grisez repeatedly refers to the concept throughout his work, mantra-like almost, no one is clear as to whether he is referring to the Papal teaching *ex-cathedra* or

⁴⁵⁴ Ibid.

⁴⁵⁵ Germain Grisez, “The Duty and Right,” 17.

⁴⁵⁶ See Robert J. Smith, *Conscience and Catholicism*, 65.

⁴⁵⁷ Germain Grisez, *Christian Moral Principle*, 567.

⁴⁵⁸ See Robert J. Smith, *Conscience and Catholicism*, 62.

through an encyclical, or to documents emanating from an Ecumenical Council or a Synod of Bishops and so on. In Smith's opinion, such a failure leads on to a second major problem, namely Grisez's "unwillingness to distinguish between various kinds or degrees of church teaching."⁴⁵⁹ Such reluctance, according to Smith, is indicative of Grisez's failure to distinguish the levels or degrees of importance that should be accorded various types or kinds of teachings in the Church. The only concession that Grisez appears to make is his acknowledgement that doubt can only arise for a Catholic "in the absence of clear Church teaching on the matter under consideration."⁴⁶⁰ Such a concession, however, naturally begs Smith's original query as to what is meant by "clear Church teaching on the matter." Having conceded that much, Grisez assumes his obvious responsibility once again to argue that "one's own opinion in any doctrinal matter can be in error . . . so one realises that one's opinion in any moral question can be mere rationalisation."⁴⁶¹ It appears that, once again, Grisez is playing his 'relativism' and 'subjectivism' cards. In the context of what Grisez describes as this "different notion of conscience,"⁴⁶² these theses "refer to the individual's subjective judgement as to what is most authentic for him or herself"⁴⁶³ as distinct from the Church's magisterium. Grisez implacably maintains that such a belief system will leave Catholics in constant "danger of beginning to conform to the unbelieving world in which they live."⁴⁶⁴

7. The Muting of Germain Grisez

Grisez's admirers do not necessarily agree with his modest self-assessment. Russell Shaw notes that "Perhaps the only sector of contemporary Catholic moral thought that, with

⁴⁵⁹ Ibid.

⁴⁶⁰ Germain Grisez, *Christian Moral Principle*, 291.

⁴⁶¹ Ibid., 567.

⁴⁶² Germain Grisez, "The Duty and Right," 14.

⁴⁶³ Ibid.

⁴⁶⁴ Ibid.

very few exceptions, systematically ignores Grisez is occupied by dissenters.”⁴⁶⁵ Indeed, pointing to the politicisation of contemporary Catholic moral thought, Shaw further elaborates on the apparent cold-shouldering of Grisez’s work: “Grisez’s achievement suffers an apparently calculated silent treatment from opponents on the left, even as conservative Catholic scholars fault him for deviations from the thought of Thomas Aquinas and other sins,”⁴⁶⁶ even though from his undergraduate student days the teachings of Aquinas had become a “revered model” for Grisez.⁴⁶⁷

Despite the praises heaped on Grisez’s *magnum opus* and even claims from his opponents that they could discern “his hand in Pope’s John Paul II’s Encyclicals, *Veritatis Splendor* (1993) and *Evangelium Vitae* (1995)”⁴⁶⁸ Grisez does not appear to have generated anything approaching the same immediate and enduring appeal as Newman’s writings and teachings did among the academic and ecclesiastical communities in particular, and among Catholic Christian and non-Christian populations in general. For example, many believers and non-believers hold Newman to be the Doctor of Conscience, because his teaching on that concept is deemed to be essential to much of his thinking and teaching, since, as already noted in Chapter 2 of this work, it displays Newman’s erudite ability to unite originality and continuity.⁴⁶⁹ In contrast, an inspection of the index to *Natural Law and Moral Inquiry: Ethics, Metaphysics and Politics in the Work of Germain Grisez* reveals that this comprehensive review of Grisez’s teaching does not contain a single reference to the concept of conscience. This is despite the fact that he deals with the concept at length in *The Way of the Lord Jesus*, as well as a Journal Article “The Duty and Right to Follow One’s Judgement of Conscience.”

⁴⁶⁵ Russell Shaw, “Pioneering the Renewal in Moral Theology,” 267-8.

⁴⁶⁶ *Ibid.*, 241.

⁴⁶⁷ *Ibid.*, 250.

⁴⁶⁸ *Ibid.*, 266.

⁴⁶⁹ Luc Terlinden, “Newman and Conscience” in *John Henry Newman: Doctor of the Church*, eds. Philippe Lefebvre and Colin Mason (Oxford: Family, 2007), 218.

Such silence in acknowledging and critiquing Grisez’s work in the domain of moral and ethics in general, and in the area of the Catholic conscience, in particular, is attested to by his own supporters. Referring to the first two volumes of Grisez’s *magnum opus*, for example, Shaw claims that “these two volumes remain a long way from sinking in and producing the impact they are likely to have.”⁴⁷⁰ Elsewhere, in the course of outlining such key components of Grisez’s work as “his treatment of the fundamental goods of the person, [and] his identification of the modes of Christian response that make Christian morality distinctive,”⁴⁷¹ as well as his treatment of moral questions ranging from contraception and abortion through to nuclear deterrence, Shaw points out that, “Taken as a whole, Grisez’s work constitutes an exceptionally rich source of ideas *waiting to be mined*.”⁴⁷² Finally, following the same reticent vein, Shaw acknowledges that “Grisez appears to have made his presence felt to a real but limited degree up to now.”⁴⁷³ Elaborating on this particular claim, Shaw speaks of a core of fervent admirers who gladly use Grisez’s thought in their own teaching and writing on the one hand, while on the other he points to the existence of “a more numerous body upon whom Grisez has had at least some effect.”⁴⁷⁴ As evidence of this partial impact, Shaw goes on to cite the frequency with which current Catholic writing on morality refers to such concepts as “human goods” and “goods of the person.”⁴⁷⁵ However, with many of Grisez’s supporters’ claims being more of aspiration rather than substantive, some amongst his opponents would argue that this could be a case of much to-do about little.

7.1 Why the extreme partisan uptake or rejection of Grisez’s thought and teaching?

This section seeks to establish the reasons underlying the limited and, at times, extremely partisan uptake or rejection of Grisez’s thought and teachings. Firstly, it must be

⁴⁷⁰ Russell Shaw, “Pioneering the Renewal in Moral Theology,” 245.

⁴⁷¹ See Germain Grisez, *Christian Moral Principles* Ch. 26),

⁴⁷² Russell Shaw, “Pioneering the Renewal in Moral Theology,” 266 (italics mine).

⁴⁷³ Ibid.

⁴⁷⁴ Ibid.

⁴⁷⁵ Ibid.

acknowledged that Grisez himself can, at times, be quite selective as to the audience he wishes to address. For example, while he claims that many in the non-clerical population “have taken advantage of the books’ [*The Way of the Lord Jesus*] well-organized and clearly written treatment of topics and the many study helps—highlighting essentials, putting secondary points in appendices and notes,” he limits the key readers of the book to Catholic seminaries where the volumes are meant to be used as textbooks or handbooks.⁴⁷⁶ In Benedict Ashley’s view Grisez’s targeting of his teachings and thought at American Catholic seminaries and theological schools was a high-risk strategy, since it exposed them to the strong possibility of being “misunderstood and slighted” because they challenged “so many received opinions” which had come to dominate the teaching of Christian ethics in these institutions.⁴⁷⁷ Significantly, Shaw elaborates on Ashley’s cautionary note to the effect that, in the case of the two volumes published at that time, they remained “a long way from sinking in and producing the impact they are likely to eventually have.”⁴⁷⁸

As for his opponents, some of them have gone so far as to suggest that Grisez’s finely tuned work smacks of “the products of the ivory tower.”⁴⁷⁹ In the eyes of his opponents, for example, the fact that Grisez has lived his entire working life, in the cut and thrust of an academic milieu, does appear to remove him, somewhat, from the vicissitudes of the daily grind.

Grisez’s supporters believe, however, that many of the ethical issues on which he has taught and written, do not speak of him as someone separated from the facts and practicalities of the real world. The systematic ignoring of Grisez’s teaching or what may be termed as “silent treatment” seems, at first glance to be unusual in academia, where it is common

⁴⁷⁶ See Germain Grisez, User’s Guide and Preface to *The Way of the Lord Jesus*, xxix in vol.1; xi in vol.2; xv in vol.3.

⁴⁷⁷ Russell Shaw, “Pioneering the Renewal in Moral Theology,” 245.

⁴⁷⁸ *Ibid.*, 245.

⁴⁷⁹ *Ibid.*, 246.

practice for academics to analyse, criticise and debate what they find contentious in the works of their opponents. So, once again, the question needs to be asked as to what is it that generates such a “passive-aggressive” response from Grisez’s opponents to his thought and teachings? It can be productively argued that the “silent treatment” is fuelled by the uncompromising, unequivocal and unapologetic, militant, and strident manner in which Grisez presents his teaching at times and his persistent call to follow magisterial teaching in matters of conscience.⁴⁸⁰ For example, in his interview with Russell Shaw, he notes: “I don’t feel uncomfortable being in a room full of people all thinking one way and saying I disagree and why. That doesn’t bother me in the least. I feel rather good about it. What some people mistake for courage just comes naturally to me.”⁴⁸¹ Furthermore, Grisez does not shy from putting “on hold” “people who do not desire to do what is right, are not instructed in the Church’s moral teaching, or are not willing to conform to this teaching”⁴⁸² but preferentially, he will advise the person who “desires to know what is right and to do it, has been instructed in the Church’s moral teaching, is willing to conform to it,” and who seeks to resolve moral-based doubts by direct personal reflection.⁴⁸³ For example, while arguing in support of the Catholic Church’s position on contraception, he unequivocally announces that he will be addressing his reflections only to those who either accept his theses on the infallibility of the teachings of ordinary magisterium, and the unlawfulness of dissenting from such teachings as established or, at least, willing to grant them for the sake of argument.⁴⁸⁴ In the context of advising Catholic bishops on the necessity of “avoiding crossing the fine line which divides justifiably tolerating [theological] dissent from unjustifiably cooperating with it,” Grisez makes it crystal clear that he is only concerned with those who comprise that part of the

⁴⁸⁰ According to Joseph H. Casey, *Guiding Your Own Life* notes: “Moral Theologians, of course, know of his work—though most ignore it. (It is original thinking and very respectful of authoritative church teaching). This may explain why not even many priests and laymen and women studying theology know him.”

⁴⁸¹ Russell Shaw, “Pioneering the Renewal in Moral Theology,” 260.

⁴⁸² Germain Grisez, *Christian Moral Principle*, 290.

⁴⁸³ *Ibid.*, 289-90.

⁴⁸⁴ Germain Grisez, “The Duty and Right,” 13.

magisterium “which continues to hold and teach the Church’s constant and firm moral teaching.”⁴⁸⁵ It can be argued from such accounts that Grisez, himself, is the author of his own “muting” insofar as he wilfully and deliberately seeks to exclude his theological and moralist opponents and their views from his audience. In short, it seems that Grisez is content to preach to the “converted.”

8. Conclusion

Grisez’s thought as we have examined thus far illustrates the teachings and writings of a philosopher, an ardent Catholic theologian and an ethicist. His thought on conscience arguably starts with an epistemological approach to the concept. In his definition, he upholds that conscience in **a full and strict sense** is knowledge of, awareness of, or ability to know moral truth.⁴⁸⁶ This permits one to ask: is the lack of knowledge, awareness of or ability to know moral truth tantamount to absence of conscience? One thing however is very clear in Grisez’s thought, conscience principally entails — knowledge and judgement. Thus, it is the knowledge of moral truth and one’s best and last judgment about what may or should be or not be done here and now. It is a conglomeration of moral truth and the judgement of one’s choices of right and wrong action.

But with reference to his accounts of the formation, functioning and judgements of the conscience, Grisez’s unconditional loyalty to the moral teachings of the Magisterium remains startlingly captured in his assertion that “for faithful and clearheaded Catholics, the duty to follow one’s judgement cannot conflict with the duty to live according to the moral teaching which the Magisterium proposes.”⁴⁸⁷ “Catholics ought to conform their conscience to her teaching in every question, every detail, [and] every respect.”⁴⁸⁸ In this, Grisez does indeed

⁴⁸⁵ Germain Grisez, “The Duty and Right,” 18.

⁴⁸⁶ Germain Grisez, *Christian Moral Principle*, 73-75.

⁴⁸⁷ Germain Grisez, “The Duty and Right,” 11.

⁴⁸⁸ Germain Grisez, *Christian Moral Principle*, 566.

stand out as the “apostle of the primacy of the magisterium” in contrast with John Henry Newman the “Teacher of Conscience” and “apostle of the primacy of conscience.”

In conclusion, rather than end the chapter with a summary of Grisez’s concept of conscience, it is worthwhile to recount a story Russell Shaw narrates in his interview when Grisez was looking for a job. It is quite brief in its composition, but rich in meaning and significance. It is presented here without further comment to close this chapter and to afford us to see the extent of Grisez’s firm Catholic faith.

Still planning on a career in a non-Catholic school, he [Grisez] sent off ‘probably hundreds’ of inquiries to such institutions—and ran into ‘a good deal of resistance to the idea of hiring a Catholic who was a believer.’ This attitude was demonstrated in a particularly ‘brutal and grotesque’ fashion, Grisez recalls, at a well-known midwestern school. After an apparently successful interview, the philosophy chairman drove him to the airport and there, in the coffee shop, put one more casual yet crucial question about his religious faith: ‘You don’t really believe that stuff?’

‘You bet your life I do.’

‘Then I’m sorry, there’s nothing here for you.’⁴⁸⁹

⁴⁸⁹ Russell Shaw, “Pioneering The Renewal in Moral Theology,” 252-253.

Chapter Four

Linda Hogan: A Personalist Notion of Conscience

1. Introduction

Linda Hogan (1964–) is a moral theologian from County Kilkenny in the Republic of Ireland. She has been conferred with degrees from St. Patrick’s College, Maynooth, and completed her doctoral studies at Trinity College, Dublin, in 1993. Presently, she doubles as Professor of Ecumenics and Vice-Provost at Trinity College. She is also a Fellow of Trinity College. She has written numerous books and journal articles in the fields of social and political ethics, feminist theological ethics, intercultural ethics and Catholic moral theology.¹

Relevant to the subject matter of this thesis, James F. Keenan has pointed out that “Linda Hogan provided a robust, unapologetic defence of the primacy of conscience within the Catholic Church.”² In his review of *Confronting the Truth*, Keenan remarks that “Linda Hogan empowers us to heed, protect, and treasure our consciences.”³ Such a stance provides an interesting and informative evidence for one to examine Hogan’s thought. She is also of interest because some of her teachings on conscience contrast with Germain Grisez in the previous chapter. Hence, while her literary output alone, especially in the area of ethics and moral theology; render her thoughts on conscience worthy of serious consideration, her voice as a female lay moral theologian in a patriarchal Catholic Church, gives her a distinctive mark on the conscience debate. It is with such a possibility in mind that this Chapter seeks to

¹ Among her works are “Conscience” in *The New SCM Dictionary of Christian Spirituality*, ed. Philip Sheldrake, 2005; *Confronting the Truth: Conscience in the Catholic Tradition* (New York: Paulist Press, 2000); *Human Rights: Christian Perspective on Development Issues* (Dublin: Veritas, 1998); *From Women’s Experience to Feminist Theology*, (Sheffield, Sheffield Academic Press, 1995). “Forming and Following One’s Conscience,” *Doctrine and Life* 43, no.7 (September 1993): 402–410.

² James F. Keenan, “The Moral Agent: Actions and Normative Decision Making,” in *A Call to Fidelity: On the Moral Theology of Charles E. Curran*, eds. James J. Walter, Timothy E. O’Connell, Thomas A. Shannon (Washington D.C.: Georgetown University Press, 2002), 41.

³ James F. Keenan, review of *Confronting the Truth: Conscience in Catholic Tradition* by Linda Hogan, *The Tablet* (April 21, 2001):508; Angela Tilby also reviewed the book in *Third Way* 24 no. 4 (June 2001): 28-29.

examine her core thoughts on the concept of conscience. Her most wide-ranging assessment of the nature, role and formation of conscience is contained in *Confronting the Truth*,⁴ which will serve as our primary, though not exclusive resource for elucidating her thoughts in this chapter.

1.1 The Battle of Paradigms: Key Source of Vagueness in Catholic Teaching on Conscience

Many who have attempted to write and discuss on the nature of conscience have done so using different approaches. According to Keenan,

What makes Hogan's work distinctive is her attempt to confront the fact that church teaching (deliberately?) leaves us confused about whether to have a primary allegiance to such teaching or to our conscience. Hogan argues that in the face of this ambiguity moral theologians have divided into two distinct camps: legalists and personalists. The former emphasise the need for us to conform obediently to church teaching; the latter to argue that we encounter the voice of God in our consciences and therein respond by seeking to realise responsible lives. We can only be responsible by reflecting on church teaching, the Scriptures, and our own experience and by attending to the demands and circumstances of our ordinary lives. Like this reviewer, Hogan clearly is among the personalists.⁵

It is obvious from the above extract that Hogan is an emerging personalist voice of note within the twenty first century theology. She believes that the understanding of conscience that emanates from within Catholic theology itself is permeated with vagueness and equivocation and that her way of contributing to the theology of conscience is a personalist one.⁶ Hence, to set down her teaching on conscience, particularly with a view to assessing

⁴ See extracts Linda Hogan, "Conscience in the Documents of Vatican II," in *Readings in Moral Theology No. 14: Conscience*, ed. Charles Curran, (New York, Paulist Press, 2004), 82-88; "Toward a Personalist Theology of Conscience," in *An Irish Reader in Moral Theology: The Legacy of the Last Fifty Years*, vol. 1, eds. Enda McDonagh and Vincent MacNamara (Dublin: The Columba Press, 2009), 335-352.

⁵ James F Keenan, review of *Confronting the Truth*, 580.

⁶ Linda Hogan, *Confronting the Truth*, 102. It must be remembered, however, that although Hogan promotes a Personalist theology and is critical of John Paul II's *Veritatis Splendor* insofar as it is seen to promote the legalistic model, personalist views featured quite frequently throughout the Encyclical, as demonstrated by Janet E. Smith, "Natural Law and Personalism in *Veritatis Splendor*," in *Veritatis Splendor: American Responses*, ed. Michael Allsopp and John J. O'Keefe (Kansas: Sheed and Ward, 1995). This indicates that John Paul II may

whether she, herself, is merely further contributing to that vagueness, or whether she is, in fact, making an original and definitive contribution to the debate, it is essential that we examine the two distinct polemics or paradigms involved in the understanding of conscience before delineating her core thinking on conscience.

David E. DeCosse and his group in “Conscience Issue Separates Catholic Moral Camp,” which focused on the Catholic discourse on conscience in the American public square⁷ explain the paradigm problem in an unassuming form as follows:

What the Second Vatican Council left unresolved has remained unresolved to the present day: Conscience within Catholicism is tugged in two interpretive directions. In its earlier, more theological section, the conciliar document *Gaudium et spes* refers to conscience as ‘the most secret core and sanctuary of a [person]. There he is alone with God, whose voice echoes in his depths.’ This formulation points to a personalist view of conscience. . . . By contrast, in a later passage, *Gaudium et spes* states that married couples should be ‘governed according to a conscience dutifully conformed to the divine law itself, and should be submissive toward the Church’s teaching office, which authentically interprets that law in light of the Gospel.’ This way of portraying conscience prioritizes a view of the person whose moral formation depends less on the workings of personal responsibility and more on conformity to hierarchical definitions. It can be called the ‘ecclesial conscience’ and emerged in tandem with the heightened importance given to the centralized teaching office of the Church in the 18th and 19th centuries.⁸

What DeCosse and his group seek to achieve in this extract is to identify, describe and more or less contextualise the two apparently opposing paradigms of the Catholic concept of

have been attempting insights from both models as is evident in Vatican II documents. Louis Janssen (1908-2001) is also prominent in bringing to the fore personalist thought in moral theology and was a great influence on moral theology in the US. See *Freedom of Conscience and Religious Freedom*, trans. Brother Lorenzo (New York: Alba House, 1966); “Personalist Morals” *Louvain Studies* (1970-1): 5-16; “Personalism in Moral Theology,” in *Moral Theology: Challenges for the Future: Essays in Honour of Richard A. McCormick* ed. Charles E. Curran (New York: Paulist Press, 1990); “Particular Goods and Personalist Morals,” *Ethical Perspective* 6 (1999): 55-59; Dolores L. Christie, *Adequately Considered: An American Perspective of Louis Janssens’s Personalist Morals* (Louvain: Peeters Press, 1990).

⁷David E. DeCosse, “Conscience Issue Separates Catholic Moral Camp,” in *National Catholic Reporter* November 10, 2009, <http://ncronline.org/news/conscience-issue-separates-catholic-moral-camps> [accessed Nov. 18, 2012].

⁸ *Ibid.*

conscience, that is, legalist (ecclesial) and personalist—which the Council Fathers utilised without comment or qualification, in their efforts to guide the modern Catholic layperson on matters of ethics and morality. It appears to be DeCosse’s opinion that it is this unexplained exploit between paradigms that accounts for the confusion, vagueness and ambiguity within Catholic discourse on conscience. Hogan believes that this is the origin of confusion in the Catholic theology of conscience.⁹ Of greater concern to DeCosse, however, is that in the midst of such uncertainty and even confusion “it is the ecclesial view that in the past decades has dominated Catholic discourse in the American public square.”¹⁰ He advises the Church that it “might draw on the personalist tradition of Catholicism and that would accord better with the experience of the Catholic democratic citizen in a pluralist society.”¹¹

There is no wriggle-room for equivocation in DeCosse’s advice. He and his team of formulators having identified the two contrasting models of Catholic teaching on conscience—legalistic (ecclesial) and personalist—unconditionally reject the former as being totally out of sync with both traditional Christian views of conscience, as well as with the moral, theological, political and social requirements of contemporary Catholics. Hence, they have no difficulty in actually proposing the personalist model as the way forward for modern Catholic teaching on the nature, formation and functioning of conscience. Will this latter, unapologetically partisan attitude be the best approach to the formulation of twenty first century Catholic model of understanding the concept of conscience? Hogan provides researchers, students and interested readers with much more detailed material than a well underwritten essay, in her outlining of the history of both paradigms, an analysis of their structures, and a possible blueprint for a contemporary model. As will be made explicit in this work, Hogan from the outset, herself, attempts to get to the root of the divisions between the

⁹ See Linda Hogan, *Confronting the Truth*, 28-29 where she makes this explicitly clear.

¹⁰ David E. DeCosse, “Conscience Issue”

¹¹ *Ibid.*

Catholic models of conscience, maintaining that while Christians believe that “conscience involves the interaction of human and divine elements . . . explaining the precise nature of the relationship between the two has long been problematic.”¹² She then proceeds to outline what she perceives to be the source of the problem, as follows:

Difficulties arise on two fronts. First, the role of personal judgment in discerning the moral law has been disputed by some theologians. In addition there are problems in reconciling the role of conscience (as the personal apprehension of the moral law) with the other vehicles of the moral law, most especially with church teaching.¹³

Hogan appears to clarify the problem in terms of the difficulty inherent in reconciling the role of the right of the individual to unconditionally follow the dictates of his or her conscience with the role of an institutional church, which sees it as its duty to closely guide and monitor that individual in the formation, functioning and decision-making processes of conscience. This identification of the bi-lateral nature of the problem is well supported in DeCosse’s essay. With reference to the prioritising of “the role of personal judgement in discerning the moral law,” for example, DeCosse observed that in such a scenario:

Conscience is not identified with the voice of God, much less with the hierarchical teaching office of the church. Rather, the encounter with the divine basis of moral obligation is mediated through the agency of a person and, hence, through the spirit, reason, affections, and relationships that constitute human agency. This view of conscience is rooted in a ‘personalist’ theology that reaches back to such sources as the medieval scholastic tradition and Thomistic notions of prudence and practical wisdom.¹⁴

On the other hand, in the case of any model wherein the role of conscience is primarily identified with being obedient to the Church’s teaching office, DeCosse concludes:

¹² Linda Hogan, *Confronting the Truth*, 28.

¹³ *Ibid.*

¹⁴ David E. DeCosse, “Conscience Issues.”

This way of portraying conscience prioritizes a view of the person whose moral formation depends less on the workings of personal responsibility and more on conformity to hierarchical definitions.¹⁵

2. Appraisal of the Legalistic (Ecclesial) Model of Church, Morality and Conscience

Fundamental to this model, according to Hogan, is that it identifies the Church's magisterium as "the primary vehicle of moral truth."¹⁶ Elaborating on this observation, she asserts:

[T]he legalistic model, is characterized by an emphasis on the church teaching as the central way by which the objective dimensions of morality are known. It regards the magisterium as the primary vehicle of moral truth. Furthermore, it argues for the existence of absolute and universal moral principles. It is also deeply suspicious of any ethic that gives more than a superficial role to personal moral judgment. This seems to be the model that *Veritatis Splendor* endorses.¹⁷

Furthermore, Hogan points out that underpinning such beliefs is the fact that the legalistic model promotes an image of the institutional church as being inherently hierarchical.¹⁸ More specifically, she accentuates the fact that the legalistic model

draws a rigid distinction between the teaching church (that is the magisterium) and the learning church, comprised mainly of the laity. With this model the learning church owes a duty of obedience to the teaching church. The role of the individual conscience is to dutifully assent to and apply church teaching to the problems that the person encounters.¹⁹

Thus, Hogan characterises the legalistic or ecclesial model of morality and conscience as follows:

- It strongly advocates the notion of the existence of absolute and universal moral principles;

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ Linda Hogan, *Confronting the Truth*, 28.

¹⁸ Ibid., 33.

¹⁹ Ibid.

- It is negatively disposed towards any subjective or personal involvement by the individual in forming moral judgements or arriving at conscientious decisions; and
- It is inflexibly hierarchical in outlook and attitude in that it actively discriminates between an “upper” teaching church— magisterium and a “lower” learning church or laity, who, because of their inferior position, are duty bound to follow the dictates of the teaching church in all matters pertaining to the functioning of conscience.

While Hogan’s clinical description of the legalistic model provides us with much insight into its nature, structure and dynamics, it is her response to the key issues that the model has given rise to, that is, the Church’s role in the apprehension and transmission of values and consequently in the formation of conscience that reveals her particular stance in the paradigm’s debate. Thus, with reference to the formation of the individual conscience, she points out in “Forming and Following One’s Conscience” that

one’s conscience is formed primarily in community – secular and ecclesial. It is, clearly, part of the tradition accepted by believers that the Church through its pastors has a duty to teach moral truth to its members, and that Church members have a serious obligation to respect that teaching in forming their consciences.²⁰

It would be a serious mistake, however, if one were to interpret Hogan’s specific call to Church members to respect the teaching of the magisterium in terms of the institutional Church being awarded a *carte blanche* with regard to its ethical and theological role in the formation of its members’ consciences. In the case of DeCosse and his associates, for example, the bestowal of such a *carte blanche* could not be countenanced because of what they perceive as the “diminished” and “narrow social nature of the ecclesial conscience.”²¹ In the context of the ongoing debate surrounding the issue of abortion in the American public square, they maintain that this social deficiency is “evident in the concept’s sharply restricted

²⁰ Linda Hogan, “Forming and Following One’s Conscience,” 408. See also *Confronting the Truth*, 135 and 167 where she highlights the relevance of the community in the formation of conscience.

²¹ David E. DeCosse, “Conscience Issues.”

space for moral formation.”²² They specifically point out that in the case of the ecclesial (or legalistic) model of conscience that:

Too little credence is given to such things as professional associations; the American medical, legal, and political culture; and the prudence and insight gained by the practice of participants in contested fields like health care and politics. Instead, the ecclesial conception maintains that the overriding factor in the moral formation of a Catholic conscience is the hierarchical teaching office.²³

There can be little doubt that, in DeCosse’s estimation, such an ecclesial attitude demonstrates a blatant disrespect for these various respected bodies, as well as for the prudence, insight and vast experience which they can bring to any moral debate. In this restricted situation these bodies of expertise are now perceived as having been relegated to the status of “learning” bodies, essentially subservient to the hierarchical teaching office in the moral formation of a Catholic conscience. In such a scenario, Hogan’s observation that “A Church . . . which has faith in the virtue and values of its members will resist calling for external conformity in place of responsible choosing,”²⁴ would be practically unintelligible to those committed to a legalist or ecclesial concept of conscience.

It is for reasons such as those just outlined that Hogan, for example, promptly followed her call to “learning” Catholics to respect the Church’s teaching in forming their conscience with a rather stark reminder to that same “teaching” Church that its “role in the apprehension and transmission of value is not as clear-cut as it is sometimes made to seem.”²⁵

Elaborating on this assertion, Hogan points out that:

Official teaching sets out to formulate principles of general application; and whenever new questions arise (or old questions present themselves in a new context) it may take time before it

²² Ibid.

²³ Ibid.

²⁴ Linda Hogan, “Forming and Following One’s Conscience,” 410.

²⁵ Ibid., 408.

becomes clear – from experience as much as from official teaching – where the truth lies.²⁶

It is obvious from this extract that Hogan attaches as much importance to the personal experience of the individual as she does to the official teaching of the magisterium with regard to the resolution of “questions of conscience” much as DeCosse does with regard to institutions of expertise. Hence, when she advises Catholics that “informing one’s conscience is not simply a process of uncritically aligning oneself with views expressed by the magisterium,”²⁷ it appears that she is, in fact, asserting that the extent to which the teaching church can intervene in the formation and functioning of the individual conscience is restricted, limited and finite. Indeed, she reminds the teaching Church that, “particularly in moral matters, the entire Church, *including the magisterium*, is engaged in a search for truth.”²⁸ In thus admonishing the teaching Church, Hogan also seems to be reminding the laity of the learning Church that they have their own unique rationality, intellects, emotions, and personal experiences to contribute to insights in the formation and functioning of the Catholic conscience. This assumption is borne out in her subsequent and blatantly militant call to those same “learning” Catholics to “resist any suggestion that an informed conscience is *always and necessarily* one which is in agreement with an official position.”²⁹ Having arrived at such an uncompromising conclusion, it must have then seemed inevitable to Hogan that any model of conscience that she would either construct or endorse would have to address the fact that inevitably “choices made in accordance with an informed and educated conscience can lead to conflict with established values and practices – either secular or ecclesial.”³⁰

Such thinking is most obviously part of a discourse that underlies and supports the concept of the “Primacy of Conscience”. It is little wonder, then, that Hogan should call for

²⁶ Ibid.

²⁷ Ibid.

²⁸ Ibid., 410 (italics mine).

²⁹ Ibid., 408.

³⁰ Ibid., 408-409.

the recovery of “the legitimate centrality of the individual conscience in the ecclesial context,” in order to counteract “the extension of the scope of [legalist] authoritative teaching on moral matters and of what Yves Congar termed a creeping infallibilism in magisterial teaching.”³¹ It is also not surprising that Hogan should call for greater clarification of the ecclesial concept of *obsequium religiosum* (religious assent/submission), a construct indicative of submissive obedience, or “a surrender to God speaking”³² for some Catholics. Indeed, such subservient undertones are to be found elucidated by Vatican II in *Lumen Gentium*:

Bishops who teach in communion with the Roman Pontiff are to be respected by all as witnesses of divine and catholic truth; the faithful, for their part, should concur with their bishop’s judgment, made in the name of Christ, in matters of faith and morals, and adhere to it with a religious docility of faith. This religious docility of the will and intellect must be extended, in a special way, to the authentic teaching authority of the Roman Pontiff, even when he does not speak *ex cathedra*, in such wise, indeed, that his supreme teaching authority be acknowledged with respect, and that one sincerely adhere to decisions made by him conformably with his manifest mind and intention, which is made known principally either by the character of the documents in question, or by the frequency with which a certain doctrine is proposed, or by the manner in which the doctrine is formulated.³³

Such an extract, with its rather startling demand that the Roman Pontiff’s supreme magisterium be reverentially acknowledged, even where his mind and will on matters of faith and morals are simply deduced from his manner of speaking can only be regarded by Hogan as being indicative of ecclesial legalism in its purest form.

Somewhat surprisingly, however, Linda Hogan does not dismiss the *obsequium religiosum* attitude out of hand. Rather, acknowledging that the precise meaning of the term “has been the subject of serious academic debate within the Church,” she appears to support

³¹ Ibid., 402.

³² Ibid., 409.

³³ Vatican II, Dogmatic Constitution on the Church, *Lumen Gentium*, 25.

Ladislav Örsy's suggestion that the meaning of the term is reliant "on the nature of the teaching to which the *obsequium* is due."³⁴ Hence, in line with Örsy's thinking, she specifically agrees that "Certain teachings are due a faithful submission of the intellect and will of the believer, while others may be due serious attention or respectful listening."³⁵ However, as with her stance on the role of the teaching church in the functioning and formation of the individual conscience, Hogan is careful to argue for limits and restrictions on the extent to which the notion of the *obsequium* can be called upon by that same teaching church. For that reason, she once again draws on Örsy's thinking, specifically where he is seen to maintain that *obsequium religiosum* "is not and cannot be, a surrender to God speaking," but rather it is "a response to the Church searching."³⁶

It seems obvious that Hogan's description, analysis and evaluation of the legalistic model of understanding and teaching on morality and conscience indicates that, while she does reject this approach, she is not only anxious that its more absolutist tenets be curtailed and closely monitored, but, as will become clear, she pinned her thinking on conscience specifically to the personalist paradigm which emerged as a result of some salient factors.

2.1 The Evolution of a New Theological Paradigm

Hogan lists three specific factors, which she maintains served to enhance the shift from the legalistic paradigm. These factors comprised:

- (1) the introduction of historical consciousness into theological reflection;
- (2) the growing resistance to neo-Thomism on the part of particular moral theologians; and
- (3) the controversy surrounding the situation ethics debates of the 1950s.³⁷

³⁴ See Ladislav Örsy, *The Church: Learning and Teaching* (Wilmington, Del.: Michael Glazier, 1987), 85..

³⁵ Linda Hogan, *Confronting the Truth*, 174.

³⁶ Ladislav Örsy, cited in "Forming and Following One's Conscience," 409-410.

³⁷ Linda Hogan, *Confronting the Truth*, 103.

The core argument amongst mid-twentieth century Catholic theologians advocating the introduction of historical consciousness into theological reflections was that they had come to the opinion that “It was impossible to speak of human beings as though they were all essentially the same, regardless of their culture, history or language.”³⁸ In the words of Curran, “Historical consciousness recognises that the human subject, who is knower and actor, is also embedded in a history and culture that affect the ways in which the individual thinks and acts.”³⁹ The relevance of this discourse in theology was facilitated by such renowned theologians and philosophers as Jean Danielou, Marie-Dominique Chenu, Henri de Lubac and Yves Congar.⁴⁰ In Hogan’s opinion, these Catholic theologians “rejected the idea of a timeless theology uncontaminated by the exigencies of history,” insisting instead that since theology is an attempt on the part of human persons “to understand the mystery of God in time, it is unambiguously historical.”⁴¹ This rooting in history was to have a profound effect on the way theology was done, according to Hogan, in that each theological system now came to be seen as “primarily a product of its context.”⁴² In accepting such an assumption, it can be argued that implicitly “Historical consciousness recognises the need for both continuity and discontinuity . . . and is thus more open . . . to change and development.”⁴³ This is why, for example, Curran asserts that:

Such an understanding of the historically conscious approach with its recognition of possible change and development fits well with the historical reality that Catholic teaching on specific issues - slavery, usury, the defendant’s right to silence - and on the role of procreation in marriage have all changed in the course of history.⁴⁴

³⁸ Ibid.

³⁹ Charles E. Curran, *Catholic Moral Theology in the United States: A History* (Washington D.C.: Georgetown University Press, 2008), 209.

⁴⁰ Linda Hogan, *Confronting the Truth*, 103.

⁴¹ Ibid.

⁴² Ibid.

⁴³ Charles E. Curran, *Catholic Moral Theology in the United States*, 109.

⁴⁴ Ibid., 110.

Such an assertion reiterates Hogan who in the context of an account of “Development and Change in the Moral Tradition,”⁴⁵ pointed out that while the “concept of inviolable and natural rights was [once] anathema” in the traditional teachings of the Catholic Church, it currently “forms a central plank of the Church’s understanding of how the dignity of the person is to be protected and promoted.”⁴⁶ She further pointed out that “The changes in Church teaching with regard to torture, religious freedom and the executions of heretics,” were just dramatic.⁴⁷ In fact, Hogan herself, cites John Noonan wherein his article exposes “the real and substantial changes that have taken place in the church’s teachings over the centuries,” with regard to usury, marriage, slavery and religious freedom.⁴⁸ She concludes with a somewhat remarkable claim from a personalist perspective that there has long been an acceptance of the idea of development in the Church’s teaching,⁴⁹ a claim she surprisingly substantiates with an acknowledgement from *Veritatis Splendor* that “within Tradition, the authentic interpretation of the Lord’s law develops with the help of the Holy Spirit.”⁵⁰ Thus, historical consciousness advanced the way theology was done and understood.

This *nouvelle theologie* and way of teaching and understanding came to be seen as a fundamental challenge to the legalistic model of moral theology, a model, which in its support for the manualist natural law tradition, not only assumes that “a monolithic natural law theory exists that can be applied deductively to moral problems and issues as they arise,”⁵¹ but also tends “to regard human nature as though it were abstract, disembodied and universal.”⁵² By contrast, according to Hogan, the introduction of historical consciousness

⁴⁵ See Linda Hogan, *Confronting the Truth*, 179-186.

⁴⁶ *Ibid.*, 181.

⁴⁷ *Ibid.*, 182.

⁴⁸ John Noonan, “Development in Moral Doctrine,” *Theological Studies* 54, (1993): 662-77. Cited in Linda Hogan, *Confronting the Truth*, 181.

⁴⁹ Linda Hogan, *Confronting the Truth*, 182.

⁵⁰ John Paul II, Encyclical Letter *Veritatis Splendor* (London: Catholic Truth Society, 1993), no. 27 [hereafter VS].

⁵¹ Charles Curran, *Catholic Moral Theology in the United States*, 109.

⁵² Linda Hogan, *Confronting the Truth*, 103.

into Catholic theological reflections (i) brought to the fore theologians like Karl Rahner who sought to “direct attention toward the human person in his or her particularity”⁵³ (ii) gave to “real human beings rather than abstract human nature”⁵⁴ and (iii) “led to what Richard McCormick has called ‘the age of experience’ in moral theology.”⁵⁵ Thus, the introduction of historical consciousness into theology became one of the major watersheds to boost paradigm shift.

Neo-Thomism which was a school of philosophy in the twentieth century and whose teaching was resisted by moral theologians like Odon Lottin, Fritz Tillmann and Bernard Häring greatly facilitated the development of a new paradigm in moral theology. Through their questioning and challenging of certain aspects of neo-Thomistic manuals which promote “a concept of universal human nature against which the particularities of individual existence were insignificant,”⁵⁶ these theologians initiated immense paradigmatic reform. The level of such insignificance is made quite clear in an observation by Karol Wojtyla to the effect that “Aquinas’s use of the term ‘person’ is ‘all but absent from his treatise on the human being.’”⁵⁷ In fact, Smith notes that Aquinas’s interest lies in “developing a metaphysical description of man, a description in terms of form and matter, rationality and animality,” an interest she contrasts with Wojtyla’s more personalist interest in “using man’s experience of himself, of his self-determining powers, to lead him to an awareness of his dignity.”⁵⁸ If Aquinas’s major work can be characterised to a considerable extent by its absencing of the term ‘person’, the same cannot be said of Haring. He insists that “human beings ought to be thought of not in terms of their nature, but of their personhood.”⁵⁹ He also argues that

⁵³ Ibid., 104.

⁵⁴ Ibid.

⁵⁵ Ibid., 103.

⁵⁶ Ibid.

⁵⁷ Karol Wojtyla, *Person and Community: Selected Essays*, trans. Theresa Sandok, (New York: Peter Lang, 1993) 166, cited in Janet E Smith, “Natural Law and Personalism,” 198.

⁵⁸ Janet E. Smith, “Natural Law and Personalism,” 200.

⁵⁹ Linda Hogan, *Confronting the Truth*, 104.

“morality must arise from a personal relationship with God,” who, he maintains is the one “that enables the person to discern value.”⁶⁰

Lottin’s contributions in the development of the new paradigm was due to his criticism of the moral manuals. In his view, canon law had overtaken moral theology, “forcing it to focus exclusively on external acts, when in fact, historically speaking, moral theology has been primarily interested in the internal life.”⁶¹ He also criticised the centrality of the Decalogue in the manualist method, arguing that the manualists used the Decalogue because it focused on what should be avoided. He contended that “This was not an adequate vehicle for the greatness of the Christian moral life, [because] it had a rather incomplete set of responsibilities to God and neighbour, and none at all to self.”⁶² Keenan notes that, as a historian, Lottin’s historical-critical method was developed from a set of assumptions very different from those manualists who were his contemporaries in moral theology. He points out that as far as Lottin was concerned:

Truth was not ... a series of always held, ahistorical, universal utterances. He did not believe that he would find one position held by all always. He presumed, instead, that the scholastics did not all share the same understandings of free will, conscience, law, and norms, etc. On the contrary they debated and contradicted one another and sometimes even themselves. Though the concerns were similar their quests for moral understanding and truth led them to differing positions. The tradition, then, was not monolithic: It was a series of debates and engagements that historically developed.⁶³

Such a discourse would undoubtedly have found favour with those who advocated a situationist approach to ethics, as indeed would that of Fritz Tillmann, an internationally renowned Scripture scholar, who in 1912 was ordered by the Vatican to desist from his Scripture studies because as editor of a collection of essays about the New Testament, he had

⁶⁰ Ibid.

⁶¹ James F. Keenan, *A History of Catholic Moral Theology in the Twentieth Century: From Confessing Sins to Liberating Consciences* (London: Continuum, 2010), 41.

⁶² Ibid., 40-41.

⁶³ Ibid., 38-39.

facilitated the publication of an essay that did not meet the approval of the Vatican. Availing himself of an offer by the Vatican authorities to work in another theological discipline, however, he opted for moral theology. Writing within his newly chosen discipline, Tillmann applied his knowledge of Scripture and published *Die Idee der Nachfolge Christi*, on the idea of the disciple of Christ. Considered a tremendous success, Karl-Heinz Kleber was to write 70 years after its publication that “in the search to express what the foundational principle of moral theology ought to be, Tillman came forward and named it the disciple of Christ.”⁶⁴ Tillman later published a more accessible text for lay people, *Die Meister Ruft* or in its English translation, *The Master Calls*. This text is described as a handbook wherein lay morality is presented “not as a list of sins, but as virtues dominated by the idea of the disciple guided by Scripture.”⁶⁵ Elaborating on his contention that Tillmann was inestimable in the shift in paradigm, Keenan lauds his wisdom saying:

Catholic moral theology could not make the much-needed and extraordinarily urgent turn to the Bible if it did not have within its guild a superb scripture scholar. One can hardly imagine a moral theologian credibly developing a biblically based moral theology. Tillmann’s exile from the land of exegesis and his finding safety and sanctuary in the field of moral theology became itself the fundamental occasion for realizing one of the most significant developments in twentieth-century Roman Catholic moral theology.⁶⁶

Keenan’s words gives endorsement to Hogan’s who notes: “Tillmann attempted to make moral theology more consistent with the themes of the New Testament and sought to reconnect the religious and the moral dimensions of Christian life.”⁶⁷

The undertaking by these theologians according to Hogan “introduced alternative ways of thinking about morality.”⁶⁸ While the discourses enunciated by the preceding moral theologians undoubtedly shaped the approach to moral theology, Hogan specifically credits

⁶⁴ Ibid., 60.

⁶⁵ Ibid., 61.

⁶⁶ Ibid.

⁶⁷ Linda Hogan, *Confronting the Truth*, 104.

⁶⁸ Ibid.

the German Catholic theologian, Herbert Doms, with the introduction of “personalism into the field of moral theology.”⁶⁹ According to her, Doms

work conflicted with existing papal teaching on marriage because it did not focus on the procreative potential of all sexual intercourse. In fact his true innovation was that he began to write a theology of marriage that put the experience of married persons ahead of church tradition.⁷⁰

Hogan does note, however, that because he was aware that “giving priority to experience” could prove controversial and groundbreaking in his time that is, in the Pontificate of Pius XII, Doms neither highlighted nor developed this concept.⁷¹ Yet, Hogan does insist that Doms’ work became a major resource for the theology of marriage in Vatican II, which, in turn, was to become the basis of the personalist moral theology of the renewal.⁷²

The final factor which Hogan believes played a key role in the introduction of personalist thinking in mainstream Catholic theology was “the situation ethics debate.” This phenomenon will be elaborated in a later part of this chapter. Suffice it to say here that as will be made explicit, the “Situation Ethics” debate generated significant implications and challenges for the personalist model especially on moral authority and the role of conscience.

3. Integration of Personalist Paradigm into Catholic Moral Theology

As is evident thus far, Catholic moral theology, in its treatises and teachings on the nature, formation and role of conscience, was underpinned by the legalistic model. However, no matter how well supported theologically, scripturally or magisterially, the model appears to have been, it currently does not meet with much popular approval amongst many sections

⁶⁹ Ibid.

⁷⁰ Ibid., 105.

⁷¹ Ibid.

⁷² Ibid.

of the Catholic Church.⁷³ Richard M. Gula testifies to the shift away from the legalistic model and towards the new model, a more personalist one, on the part of some of the leading post-conciliar theologians:

The first generation of post-conciliar moral theologians, such as Bernard Häring, Josef Fuchs, Bruno Schuller, and Louis Janssens in Europe, and Richard McCormick and Charles Curran in the United States, were largely concerned with clarifying the rightness and wrongness of actions and solving moral problems. But they were beginning to make this analysis in a personalistic, rather than legalistic, context. One of the great contributions of this first generation of revisionists was to shift the axis of the moral life away from *the law-obligation model that focused on individual acts* and toward *the personal, relational-responsibility model that gave centrality to the person*. The theological foundation of this shift was to conceive the moral life as a response to God's initiative of love.⁷⁴

Writing on the origin of personalist doctrine, from both a secular and religious perspective, Jacques Maritain saw its emergence as an effort on the part of some theorists to bridge the gap between philosophical, political, theological, totalitarian ideas and individualistic driven errors. He maintained, for example, that “the development of a totalitarian or exclusively communal conception of society,” was, in fact, a reaction against “the errors of individualism” which occurred in the nineteenth century.⁷⁵ Given such fundamental rivalries, Maritain states that “It was natural, then, that in a simultaneous reaction against both totalitarian and individualistic errors the concept of the human person, incorporated as such into society, be opposed to both the idea of the totalitarian state and that of the sovereignty of the individual.”⁷⁶ In the light of such negatively oriented reactionary origins, Maritain maintains that “the ‘personalist current which has developed in our time,’ is

⁷³ See Charles E. Curran, *The Origins of Moral Theology in the United States: Three Different Approaches* (Washington, D.C.: Georgetown University Press, 1997). Curran explicates on the Legalistic model pointing out its errors.

⁷⁴ Richard M. Gula, “The Shifting Landscape of Moral Theology,” *Church*, 2009 http://www.churchmagazine.org/issue/0903/upf_shifting_landscape.php [accessed 12/11/2012]. [italicisation mine]

⁷⁵ Jacques Maritain, *The Person and the Common Good*, trans. John J. Fitzgerald (Notre Dame: Notre Dame University Press, 1966), 12.

⁷⁶ *Ibid.*

actually the product of “minds related to widely differing schools of philosophic thought and quite uneven in intellectual exactitude and precision,” but, who are nonetheless seeking “in the notion and term of ‘person’” a middle way between the excesses of totalitarianism and individualism.⁷⁷ It is for this reason, in Maritain’s estimation, that there now exist “a dozen personalist doctrines, which, at times have nothing more in common than the term ‘person.’”⁷⁸

Current personalist theologians agree, however, that the special attention given to the human person is what is unique to personalist theology. For instance, “The Personalist Project”⁷⁹ a Christian philosophical movement, which lists John Henry Newman, Dietrich von Hildebrand, and Karol Wojtyla (later John Paul II) as their particular guiding lights, characterises personalism in terms of a philosophy that concerns itself deeply with the interiority of the person, while also promoting the notion that each person exists as subject, not as object, as someone and not as something, as self-determining, not determined.⁸⁰ The movement also contends that since “Moral good and evil form the axis of the personal universe, [t]he encounter with the moral law in conscience stirs the waters of personal existence like nothing else in our experience.”⁸¹ Furthermore, it teaches that “a human person does not exist just to provide an instance of the human kind, but exists as this unrepeatable person and stands in a sense above the human kind, being always more than an instance of

⁷⁷ Ibid.

⁷⁸ Ibid., 12-13

⁷⁹ The Personalist Project is a non-profit organisation based in West Chester, PA. It claims to be dedicated to the spread of Christian personalism, which it views as a philosophy that focuses attention on the truth about the nature and dignity of persons, which truth it sees as being directly at stake in the deepest and most difficult problems afflicting current society. It also contends that personalism can be understood at least in part as a philosophical contemplation of man “from within” as a unique and irreplaceable self—a moral agent who “possesses himself” is free and responsible to dispose over himself, and who lives his life in relation to other persons and to the world of objective goods and values. Finally, while claiming to be interested in all thinkers, past and present, who contributed to this movement with philosophy, for example, Plato, Aristotle, Aquinas, Kierkegaard, Therese of Lisieux Buber, and Ratzinger, they list John Henry Newman, Dietrich von Hildebrand and Karol Wojtyla/John Paul II as their particular guiding lights. See http://www.thepersonalistproject.org/about_us/433 [accessed 12 January 2013].

⁸⁰ See The Personalist Project, http://www.thepersonalistproject.org/about_us/426

⁸¹ Ibid.

it.”⁸² Relevant to Catholic Personalist ethics and the emphasis it places on the freedom of persons, the “Personalist Project” also “takes seriously the moral existence of persons.”⁸³

According to Hogan, personalist paradigm

prioritizes the personal autonomy and responsibility of individuals in moral matters . . . focuses on conscience as the mediator of the divine moral law . . . rejects any account of ethics that relies on absolutist principles. . . believes that every moral theory should give due recognition to the role of circumstances and intentionality.⁸⁴

Hogan’s emphasis on personal autonomy and responsibility, the essential mediating role of conscience in the human/divine relationship is further underscored in DeCosse’s essay which postulates:

Conscience is not identified with the voice of God, much less with the hierarchical teaching office of the church. Rather, the encounter with the divine basis of moral obligation is mediated through the agency of a person and, hence, through the spirit, reason, affections, and relationships that constitute human agency. This view of conscience is rooted in a ‘personalist’ theology that reaches back to such sources as the medieval scholastic tradition and Thomistic notions of prudence and practical wisdom.⁸⁵

This notion of conscience as a voice that echoes in a person’s very depths, mediating the divine basis of moral obligation is not only reiterated, but developed even further by Xavier G. Colavechio in “Conscience: A Personalist Perspective.” Specifically, he develops the notion that all human beings possess an innate desire that a state of harmony exist, or be achieved, amongst the totality of their relationships.⁸⁶ He further maintains that, in the case of both “teaching” and “learning” Catholics, this desire for relational harmony is particularly reflected in their efforts to harmonise each individual’s entitlement to assume personal

⁸² Ibid.

⁸³ Ibid.

⁸⁴ Linda Hogan, *Confronting the Truth*, 29.

⁸⁵ David E. DeCosse, “Conscience Issue.”

⁸⁶ Xavier G. Colavechio, “Conscience: A Personalist Perspective,” *Continuum* 5, no.2 (1967): 204.

responsibility for his or her actions, with the Church's right to exercise its right to act as guide and mentor to its members' conscience.⁸⁷ According to Colavechio, therefore,

Conscience, in Personalist terms, is presented . . . as a harmonious production of man's personality. By considering who a man is in the totality of his relationships and considering also the choices of action one makes relative to his person, the personalist places the conscience of man in the very depths of his being and strives to provide a framework within which a consistent theology of conscience, personal responsibility, the role of authority, the magisterium of the Church, etc., may be developed.⁸⁸

Whereas, it is obvious that DeCosse and Colavechio's articles depict Hogan's conceptualisation of the Personalist model of morality and conscience, Hogan, herself, claims to have drawn extensively on the Vatican II documents, in particular, *Gaudium et Spes* in her attempts to construct a personalist understanding of conscience.⁸⁹

The understanding of morality and conscience in the personalist approach according to Hogan is that "the person moved centre stage."⁹⁰ The significance of this ethical shift for Hogan and her Personalist model lay in the fact that the actions and choices of the individual come to be regarded as a "reflection of the kind of person one is and one will become."⁹¹ As regards the characteristics of this particular person, who stands at the centre of this reoriented morality, Hogan strongly concurs with Kevin Kelly's description of the human person as "part of the material world, interrelational with other persons, a social and historical being."⁹² Likewise, she remarks that Vatican II "puts forward a model of morality in which the person is the source of ethical discernment and action."⁹³ Thus, what Hogan attests to is that the human person is the measure of morality from a personalist perspective. Much of what Hogan

⁸⁷ Ibid.

⁸⁸ Ibid.

⁸⁹ See Linda Hogan, *Confronting the Truth*, 107-109.

⁹⁰ Ibid., 108.

⁹¹ Ibid.

⁹² Kevin Kelly, *New Directions in Moral Theology* (London: Chapman, 1992), 30. Cited in Linda Hogan, *Confronting the Truth*, 108.

⁹³ Linda Hogan, *Confronting the Truth*, 108.

proposes as essential components of the personalist model for the understanding of morality and conscience are concisely identified in Smith's article: "Natural Law and Personalism in *Veritatis Splendor*." While comparing the *Universal Catechism*⁹⁴ and the *Roman Catechism*⁹⁵ in their treatment of morality, she observed that although it might be an oversimplification,

one could say that the Church has shifted from an emphasis on God the Father as Lawgiver, who has written his will into the laws of nature to an emphasis on Christ as our model of perfection and human dignity as the grounding of morality. . . . Furthermore, the dignity of the human person is seen as rooted not so much in his status as a rational creature whose mind is able to grasp reality but in his status as a free and self-determining creature who must shape himself in accord with the truth."⁹⁶

This emphasis on a Christological model and on a human dignity that derives from each individual's status as a free and self-determining creature is very much in keeping with Hogan's account, as is Smith's in the following incisive elaboration of the clear distinction she found between both Catechism's approach to morality:

[W]hereas the *Roman Catechism* began its moral section with the Ten Commandments, the *Universal Catechism* calls upon the Christian to 'recognize your dignity' (1691) and calls him to a life in Christ. Whereas the *Roman Catechism* focused almost exclusively on the commandments and the law, the *Universal Catechism* sketches a Christian anthropology, begins with the beatitudes, and touches upon such topics as freedom and the conscience, and includes a long section on man as a member of a community.⁹⁷

Once again, attention is drawn to the *Roman Catechism*'s almost exclusive preoccupation with the law and the commandments as against the *Universal Catechism*'s identification of Christ's values as portrayed in his beatitudes, as well as the notions of freedom and the individual as an inherently communal being, as elements that would be considered to be essential to a Personalist model. Here, Smith is reiterating conclusions reached by Hogan and

⁹⁴ This is otherwise known as the *Catechism of the Catholic Church*.

⁹⁵ This Catechism is also known as *The Catechism of the Council of Trent*, *the Roman Catechism*, or *the Catechism of Pius V*.

⁹⁶ Janet E. Smith, "Natural Law and Personalism," 195.

⁹⁷ *Ibid.*

by DeCosse, although all three may be said to have reached their conclusions in differing contexts. Interestingly, in keeping with Hogan's insistence that there must be room for the Church's role in guiding and forming conscience, Smith makes the point that these "new emphases and starting points are not to be taken as a rejection of the old."⁹⁸ As with Hogan, however, Smith's call for an acceptance of the old is a qualified one, in that it is presented with a "Personalist cast" as can be seen from the following extract:

The natural law themes of the moral act, virtue, sin and grace and, of course, the natural law itself, are also covered in the new catechism but they are imbued with a personalist cast—that is, with a focus on man's dignity as manifested in his power to determine himself freely in accord with the truth.⁹⁹

It is obvious from her observations thus far that in Smith's estimation "the *Universal Catechism* stresses that all moral law is in accord with the dignity of the human person."¹⁰⁰ As with Hogan, then, she places the person and his or her essential dignity at the centre of the moral debate, and as Hogan has done, Smith also points out that these were "emphases that began to emerge in the documents of Vatican II."¹⁰¹ Going one step further, however Smith asserts that these emphases have "come to a fuller flower in the *Universal Catechism*."¹⁰² Although such a conclusion does not surface in Hogan's work, there can be absolutely no reason for doubting that she would not subscribe to Smith's analysis of the opening passage of the moral section of the *Universal Catechism*.¹⁰³ According to Smith the contents of this

⁹⁸ Ibid.

⁹⁹ Ibid.

¹⁰⁰ Ibid., 195-196.

¹⁰¹ Ibid., 196.

¹⁰² Ibid.

¹⁰³ Ibid. She cites sections of the *Universal Catechism* and lists the relevant articles of the moral section of the *Universal Catechism* that support her assertions regarding the Personalist model. She notes that it begins with the passage: "The dignity of the human person is rooted in his creation in the image and likeness of God (*article 1*); it is fulfilled in his vocation to divine beatitude (*article 2*). It is essential to a human being freely to direct himself to this fulfilment (*article 3*). By his deliberate actions (*article 4*) the human person does, or does not, conform to the good promised by God and attested by moral conscience (*article 5*). Human beings make their own contribution to their interior growth; they make their whole sentient and spiritual beings into a means of this growth (*article 6*). With the help of grace they grow in virtue (*article 7*), avoid sin, and if they sin entrust themselves as did the prodigal son to the mercy of our Father in heaven (*article 8*). In this way they attain to the perfection of charity (1700)."

particular passage highlight “several of the main concepts that inform a personalist approach to ethics.”¹⁰⁴ Concepts she identifies as follows:

man as made in the image and likeness of God, man as determining himself by his deliberate and free actions, a concern with the interior life, the need of conforming our actions to the good that is made known to us by our conscience, and the goal being attainment of perfect charity.¹⁰⁵

This extract sums up what may be considered as Hogan’s list of essential elements for the construction of a Personalist model of ethics and conscience. Hogan’s call for a Personalist approach to the understanding of a Catholic conscience is like the biblical call of “one crying in the wilderness”¹⁰⁶ for change. For this reason, the body of this thesis will concern itself with assessing the extent to which Hogan elaborates her belief that “*Gaudium et Spes* puts forward a model of morality in which the person is the source of ethical discernment and action,”¹⁰⁷ and incorporates her conclusions arising from both her own findings and from her own Personalist-based beliefs into her own model. This assessment will be undertaken with particular reference to the rights and duties that she identify with both the “teaching” and “learning” Church as they continue to reorient to this new Personalist model of morality and conscience. Such an assessment should eventually provide an indication as to the levels of enthusiasm or antagonism with which both the institutional Catholic Church and its “learning” laity are embracing or rejecting what Hogan describes as “a new paradigm, one that emphasises personal responsibility rather than obedience.”¹⁰⁸

¹⁰⁴ Ibid.

¹⁰⁵ Ibid.

¹⁰⁶ See Mark 1:3

¹⁰⁷ Linda Hogan, *Confronting the Truth*, 108.

¹⁰⁸ Ibid.

3.1 Vatican II and Personalist Paradigm

Having addressed the development of a personalist paradigm and its introduction into Catholic moral theology, Hogan proceeds to identify the main characteristics of the paradigm as articulated in the documents of Vatican II. She observes that by shifting the focus on to the “interior morality of the person,”¹⁰⁹ *Gaudium et Spes* has made the human person the source of ethical discernment and action.”¹¹⁰ It is her belief that such a refocusing “emphasizes personal responsibility rather than obedience.”¹¹¹ Another significant step in Vatican II’s use of personalist paradigm is in the Council’s teaching on marriage, which designated the human person “as the criterion of what is morally right and wrong,”¹¹² thereby supporting the moral stance taken previously by Doms.

As noted earlier in this chapter, one would imagine that the teachings of Vatican II would have solved the problems centred on the understanding of the Catholic tasks of conscience. However, Hogan, herself notes that:

The popular perception is that the documents of Vatican II stress the dignity and autonomy of conscience. While this is true in a very general sense, there are a number of different, often conflicting, views about the nature and role of conscience present within them. The teaching of the Council on conscience can at best be described as ambiguous.¹¹³

Citing James Gaffney, Hogan acknowledges that there still exists a certain incoherence in the use of the term conscience within the teachings of the Catholic Church. She claims that evidence of such incoherence can be found when Catholics come to deal with “(1) the relationship between conscience and law, (2) the issues of discernment and obedience, (3) the

¹⁰⁹ Ibid., 107.

¹¹⁰ Ibid., 108.

¹¹¹ Ibid.

¹¹² Ibid., 109.

¹¹³ Ibid.

problem of the erroneous conscience and (4) the role of the magisterium.”¹¹⁴ She also draws on the writings of Fuchs to illustrate the presence of divergent accounts of conscience in *Dignitatis Humanae* and *Gaudium et Spes*. Hogan refers to phrases where conscience is recognized as the capacity for moral discernment, on the one hand, while being identified with or reduced to implementation of church teaching, on the other. Furthermore, she believes Vatican II’s teaching on erroneous conscience complicates even further the Catholic understanding of conscience. In support of this claim, she cites Ratzinger’s words which state that “the Council’s position on the binding force of erroneous conscience is rather evasive.”¹¹⁵ Hogan identifies the failure of the Council to “to deal with the authority of conscience and its relationship with the magisterium,”¹¹⁶ as an ongoing source of conflict. She believes that the ambiguities that are contained in Vatican II are as a result of the Council’s use of both the legalistic and personalist paradigms, and “were exacerbated by the fact that in the documents we can see one paradigm, that of law, collapsing and another, that of personalism, beginning to emerge.”¹¹⁷ However, for her, the resolution of such a problem can be found if it is acknowledged that:

Vatican II simply began a process of renewal that it encouraged the faithful to continue. As a result many of the ambiguities can be resolved by developing the personalist paradigm in moral theology and situating discussions of conscience in that context.¹¹⁸

It is not surprising then, that James F. Keenan acknowledges that “Not only does she endorse the personalist model, but rather than providing a position that would only react to church

¹¹⁴ Ibid., 109-110.

¹¹⁵ Ibid., 114.

¹¹⁶ Ibid.

¹¹⁷ Ibid., 115.

¹¹⁸ Ibid..

teaching, she proposes a proactive agenda . . . [and] develops an idea of the responsible Christian conscientiously seeking objective moral truth.”¹¹⁹

4. Contrasting Concepts Fundamental to the Personalist Approach: Subjectivity/Objectivity and Concreteness/Universality

Hogan maintains that within the legalistic model of moral theology’s teaching on conscience, there is a deep reluctance on the part of its proponents to acknowledge that “the person’s intention or particular circumstances” is necessary in assessing a moral situation or action.¹²⁰ In other words, she draws attention to the fact that the legalistic or ecclesial approach does not give attention to the individual’s subjective input in the role of conscience. The resolution of such a problem, in terms of understanding and catering for the subjective and concrete nature of morality and the task of conscience, on the one hand, and for their objective and universal nature on the other is fundamental to the construction of any model of Catholic morality and conscience. Failure in such an undertaking would, in Hogan’s words leave conscience with “no evaluative role because the particular circumstances of the individual are deemed to be irrelevant.”¹²¹ Accordingly, conscience, in such a moral scenario would be left with the solitary task of applying “universal absolute principles to every situation.”¹²² If such were the case, Hogan suggests that the activity of conscience would simply be “restricted to obeying orders.”¹²³ The personalist paradigm in emphasizing personal responsibility rather than obedience¹²⁴ admits of “the intention of the person and the circumstances in which they were acting in the moral description of the act.”¹²⁵ This

¹¹⁹ James F. Keenan, review of *Confronting the Truth*.

¹²⁰ Linda Hogan, *Confronting the Truth*, 30.

¹²¹ *Ibid.*, 31.

¹²² *Ibid.*

¹²³ *Ibid.*, 32.

¹²⁴ *Ibid.*, 108.

¹²⁵ *Ibid.*, 120.

according to Hogan “has far-reaching consequences, particularly in relation to moral absolutes and the concept of intrinsic evil.”¹²⁶

To understand the task before Hogan with regard to incorporating subjectivity, objectivity, concreteness and universality into the new model, in a manner consonant with her personalist beliefs, it is pertinent to revisit the thoughts of proponents of objectivity and universality such as John Finnis. According to Hogan, he is “one of the most vocal proponents of the legalistic model,”¹²⁷ who argues for and supports moral absolutes. Hogan cites him thus:

even though intentions may sometimes be good, and circumstances frequently difficult, ...individuals never have the authority to violate the fundamental and inalienable rights of the human person. In the end only a morality that acknowledges certain norms as valid always and for everyone, with no exception, can guarantee the ethical foundation of social coexistence.¹²⁸

She claims that Finnis’ argument is in favour of a “version of morality that regards norms as universally binding (always and everywhere) and as absolute (allowing no exceptions).”¹²⁹

She notes specifically his utilisation of the commandment “thou shall not kill” to support his argument that “unless this and other norms are believed to be exceptionless and universally binding, morality will be robbed of its objectivity and eventually everything will be permitted.”¹³⁰ Drawing attention to the slippery slope underpinning of Finnis’ argument, Hogan reminds him that, in terms of the objective and universal parameters he has outlined in the case of the commandment not to kill, for example, the traditional exceptions of war or

¹²⁶ Ibid.

¹²⁷ Ibid., 30.

¹²⁸ Ibid.

¹²⁹ Ibid.

¹³⁰ Ibid.

self-defence will not hold.¹³¹ She claims that this is so, because in Finnis' version of morality, the circumstances of a killing are irrelevant.¹³²

Finnis, however, does not appear to have any problem with such a characterisation of his moral stance in general, but, according to Hogan, he actually argues and warns that “once we begin to include factors such as intentions and circumstances in the judgement of rightness and wrongness of our decisions, the whole edifice of morality crumbles.”¹³³ While such a claim can be characterised as being indicative of his slippery slope approach, what follows can only be typified in terms of a catastrophic perpendicular drop. Promoting the view that it is wrong to take account of the context in ethics, he makes the claim that “the reaffirmation that there are intrinsically evil acts, exceptionless specific moral norms and inviolable human rights is philosophically defensible and manifestly necessary to preserve the moral substance of Christian ethics.”¹³⁴

Interestingly, Hogan transposes Finnis' theorising with the following conclusion and at the same time points to the implication for the debate on artificial contraception:

- The sole role of conscience would be to unequivocally apply the church's teaching that artificial contraception is morally wrong.
- Conscience would not concern itself with the reasons why the person might consider using artificial contraception.
- Conscience would have no use for such information as a couple may be seeking to use contraception because they can only just take care of their existing children, or that a woman may be trying to protect herself or her partner from HIV infection. In Finnis's view, circumstances as these would be irrelevant.

¹³¹ Ibid., 31.

¹³² Ibid.

¹³³ Ibid.

¹³⁴ Ibid.

- Exceptions to the absolute ban on artificial contraception could not be allowed because that would place morality itself under threat by robbing it of its objectivity.¹³⁵

Hogan's assessment of such an outcome is to maintain that the role of conscience is undermined. Within such a legalistic model, she declares: "The role of conscience here is to apply church teaching to each situation. Everything else, according to this model, is superfluous. One might say that the activity of conscience is restricted to obeying orders."¹³⁶

In response to the absolutist claims that emanate from the legalist or ecclesial model and to its distrust of any input by individual conscience, personalist moral theology as Hogan asserts, seeks to "refresh emphasis on the moral authority of the individual."¹³⁷ And Hogan is quick to caution that "the new paradigm is neither individualistic nor isolationist."¹³⁸ Consequently she remarks:

In the Christian tradition, moral responsibility resides with the individual and cannot be circumvented by even the most precise and illuminating advice or teaching, regardless of the source. This is the case whether there is agreement or disagreement between the faithful and the magisterium.¹³⁹

As a result, she has this unequivocal advice to offer:

Christian tradition has continuously insisted that moral responsibility and choice reside ultimately with each individual. We cannot export our moral choices, or hand over our decision making to any other person or body. As such we must be obedient to our own discernment of the Spirit; we must adhere to our own consciences. Obedience, therefore, can never be construed as the blind submission of one's will and intellect, even to the magisterium of the church, particularly if one's considered judgement pulls one in the opposite direction.¹⁴⁰

¹³⁵ Ibid.

¹³⁶ Ibid., 31-32.

¹³⁷ Linda Hogan, *Confronting the Truth*, 125.

¹³⁸ Ibid.

¹³⁹ Ibid., 126.

¹⁴⁰ Ibid., 171.

A statement of this nature draw attention to Janet E. Smith's words where she specifically contrasts the natural law, which she describes as being "interested in the abstract universal norm" with personalism, which, in turn, she describes as being "interested in the subjectivity of the concrete individual, a subjectivity characteristic of all human beings."¹⁴¹ Hence, elaborating on how the presentation of *Veritatis Splendor* begins with what could be characterised as "a dramatisation of a personalist moment"¹⁴² in the form of an "encounter of one concrete individual, one young man with Christ,"¹⁴³ Smith firstly allows the document its own "personalist moment" as she cites the following extract:

For the young man, the *question* is not so much about rules to be followed, but *about the full meaning of life*. This is in fact the aspiration at the heart of every human decision and action, the quiet searching and interior prompting which sets freedom in motion. This question is ultimately an appeal to the absolute Good which attracts us and beckons us; it is the echo of a call from God who is the origin and goal of man's life.¹⁴⁴

Smith's own commentary on the above passage places emphasis on personalism. She elucidates: "The emphasis here on the human heart and human interiority and its need for absolute truth for freedom are true to the emphases of personalism."¹⁴⁵ Having illustrated, however, the manner in which *Veritatis Splendor* represented the Rich Young Man's encounter with Christ in terms compatible with personalism, Smith follows through with a "Natural Law" take on the same encounter and observed how the encyclical maintains that "Christ is first interested in the young man's allegiance to the commandments, to the Law, which laws are considered to be the precepts of the natural law."¹⁴⁶ Smith's own interpretation of the above extract as affirmation of the legalistic tenet that "The person must not be guided by his own subjectivistic understandings of what is good and evil, but must submit to the

¹⁴¹ Janet E. Smith, "Natural Law and Personalism," 201.

¹⁴² Ibid.

¹⁴³ Ibid.

¹⁴⁴ VS, n.7 as cited by Janet E. Smith.

¹⁴⁵ Janet E. Smith, "Natural Law and Personalism," 201.

¹⁴⁶ Ibid., 202.

objective truth,”¹⁴⁷ would most certainly fail to find a single dissenting voice amongst legalistic proponents. Similarly, legalists would be unanimous in their support for Smith’s elaboration of the notion that while *Veritatis Splendor* takes care to acknowledge personalism or the dignity of the individual, the universality of the natural law is stressed throughout the document. To substantiate this claim, Smith cites a passage from the document, which, in her view, speaks especially to the point:

. . . *the natural law involves universality*. Inasmuch as it is inscribed in the rational nature of the person, it makes itself felt to all beings endowed with reason and living in history . . . inasmuch as the natural law expresses the dignity of the human person and lays the foundation for his fundamental rights and duties, it is universal in its precepts and its authority extends to all mankind. *This universality does not ignore the individuality of human beings*, nor is it opposed to the absolute uniqueness of each person. On the contrary, it embraces at its root each person’s free acts, which are meant to bear witness to the universality of the true good.¹⁴⁸

While the above passage addresses the parallel consideration of the universality of natural law with the dignity of the human person and his or her individuality and uniqueness,¹⁴⁹ it can be argued that, for the legalistic model, it represents a grand apologia for its principles in general.

4.1 Contrasting Assessments by Hogan of Papal Participation in the subjectivist/objectivist Debate

In referring to Finnis’ thoughts regarding the universal and the objective in ethics and in the task of conscience, note must be taken of the fact that his thinking and teaching can be interpreted as forceful re-iterations of Pope Pius XII’s well attested opposition to the position adopted by the so-called Situationist philosophers, ethicists and theologians of the mid-twentieth century. Moderate situationists claimed that “the moral law should not be regarded as immutable . . . [that] moral theology should deal with persons in their concrete

¹⁴⁷ Ibid.

¹⁴⁸ Ibid.

¹⁴⁹ Ibid.

particularities . . . [and] that morality involves discerning ethical obligation by examining the situation itself.”¹⁵⁰ Supporters of situationism were in direct contrast with that of the neo-Thomism of the manuals which outlined “a concept of universal human nature against which the particularities of individual existence were insignificant.”¹⁵¹

Such a situational-driven change in emphases, is characterised by Hogan, herself, as a “turn to the subject,”¹⁵² a process whereby “Real human beings rather than abstract human nature became the subject of theological reflection.”¹⁵³ While Hogan cites a number of mid-twentieth century theologians, who maintained that “it was impossible to speak of human beings as though they were all essentially the same, regardless of their culture, history or language,”¹⁵⁴ it is to Karl Rahner’s theological anthropology that she turns for an elaboration of his premise that “one could not speak of human beings in terms of immutable essences.”¹⁵⁵ Hogan points out further that Rahner’s model “was based on identifying the material, biological and spiritual dimensions of the person,¹⁵⁶ each of which highlights his uniqueness.”¹⁵⁷ Hence, in her view, Rahner would designate any conceptualisation of human nature as being essentially transhistorical and universal as inappropriate.¹⁵⁸ Hogan sees the adopting of Rahner’s thinking as having crucial consequences in the area of moral theology. Specifically, she points out that where such a discipline has its basis in human personhood, it will differ substantially from one that is rooted in human nature, in that, instead of treating the human subject as an ahistorical, trans-cultural being, the particularity and the complexity of each subject or person will be acknowledged.¹⁵⁹ It is for this reason that she writes

¹⁵⁰ Linda Hogan, *Confronting the Truth*, 105.

¹⁵¹ *Ibid.*, 103.

¹⁵² *Ibid.*, 104.

¹⁵³ *Ibid.*

¹⁵⁴ *Ibid.*, 103.

¹⁵⁵ *Ibid.*

¹⁵⁶ Karl Rahner, cited in Linda Hogan, *Confronting the Truth*, 103.

¹⁵⁷ Linda Hogan, *Confronting the Truth*, 103.

¹⁵⁸ *Ibid.*

¹⁵⁹ Linda Hogan, “Forming and Following One’s Conscience,” 405.

approvingly of Kevin Kelly's summarising of the work of moral theologians over the past thirty years, a summary which "suggests that one consider the moral agent as 'a subject, part of the material world, inter-relational with other persons, an interdependent social being, historical, equal but unique, called to know and worship God.'"¹⁶⁰

Hogan, however, proceeds to identify one other crucial characteristic that pertains to the nature and identity of the person, namely that "we are always persons in process and that our identities are multilayered, multiple, ambiguous, and necessarily shaped by factors which are beyond either our consciousness or our control."¹⁶¹ In her estimation, "persons are constituted in a complex unity of fragmentary and varying narratives, commitments and values that change over time and may pull us in different directions."¹⁶² In support of this stance, she cites the feminist theorist, Rosi Brodotti, who describes persons "as nomadic subjects ever changing,"¹⁶³ as well as the reluctance on the part of Judith Butler to accept that any unifying sense of personal identity exists.¹⁶⁴ Even those feminists, like Seyla Benhabib, who maintain that it is possible to talk about a self and about personal identity, qualify their assertion with the stipulation that this can only be done in a provisional and partial manner, because, they insist that "the self is in part socially constituted, fragmented and ultimately always in process."¹⁶⁵

The concept of the human person and morality that Hogan sought to portray to Finnis and proponents of the legalistic approach illustrates the fact of "a change in the way the

¹⁶⁰ Kevin Kelly, *New Directions in Moral Theology*, 30: Cited in Linda Hogan, "Forming and Following One's Conscience," 405.

¹⁶¹ Linda Hogan, *Confronting the Truth*, 130.

¹⁶² *Ibid.*, 129.

¹⁶³ Rosi Braidotti, *Nomadic Subjects* (New York: Columbia University Press, 1994): cited in Linda Hogan, *Confronting the Truth*, 129.

¹⁶⁴ Judith Butler, *Gender Trouble* (New York: Routledge, 1991) and, particularly, *Bodies That Matter: On the Discursive Limits of Sex* (London: Routledge, 1993): Cited in Linda Hogan, *Confronting the Truth*, 129.

¹⁶⁵ Seyla Benhabib, *Situating the Self: Gender, Community and Postmodernism in Contemporary Ethics* (Cambridge, England: Polity Press, 1992). Cited in Linda Hogan, *Confronting the Truth*, 129-130.

relationship between history and reality was conceptualised.”¹⁶⁶ What this shift had achieved according to her was to challenge

The classical understanding of reality, based on immutable and fixed essences, with the controlling norms being universal and fixed for all time. Instead, philosophers argued that change and evolution comprise part of the natural condition of human beings.¹⁶⁷

In consequence, Pius XII’s unreserved condemnation of “situation ethics” and thinking underlying such philosophy in 1952 and 1956 has been deemed as an attempt to uphold legalistic teachings about the human person and morality.¹⁶⁸ Hogan notes that the Pope’s first area of concern focused on the situationist assertion that morality is fluid and changing, an assertion; he derives from the situationist belief in an evolving human nature.¹⁶⁹ By making such a criticism, according to Hogan, Pius XII is rejecting the view that morality must be read from the situation, insisting instead that “it can be determined by the mechanical application of pre-determined universal laws to each particular situation.”¹⁷⁰ Furthermore, she observes that in the Pope’s view, these moral laws were to be regarded as absolute and unchanging.¹⁷¹ With regard to the source of Pius XII’s second objection, Hogan points out that it is related “to the way in which situationists think of the role of conscience in the moral life.”¹⁷² She specifically notes the Pope’s cutting criticism that where situationists accept their own principles and put them into practice, “they assert and teach that men are preserved or easily liberated from many otherwise insoluble ethical conflicts when each one judges in his own conscience, not primarily according to objective laws, but by means of that internal individual

¹⁶⁶ Linda Hogan, *Confronting the Truth*, 118.

¹⁶⁷ Ibid.

¹⁶⁸ Details of Pius XII’s criticism, according to Hogan, are to be found in the *Instruction of the Holy Office on “Situation Ethics,”* which focused on two distinct concerns. See Linda Hogan, *Confronting the Truth*, 106.

¹⁶⁹ Ibid.

¹⁷⁰ Ibid.

¹⁷¹ Ibid.

¹⁷² Ibid.

light based on personal intuition, what he must do in a concrete situation.”¹⁷³ Such unequivocal Papal condemnation, however, is driven not only by a deep-seated opposition to the principles of situationism itself, but by an almost virulent antagonism towards the relativistic values, in the direction of which the situationist principles appeared to be inexorably propelled.

While Hogan has not explicitly commented on the particular stance adopted by Benedict XVI in the relativist-situationist debate, Joseph Cardinal Ratzinger sounded a dark note when, in a homily he delivered at the Conclave that subsequently elected him as Pope Benedict XVI, he raised the spectre of a societal “dictatorship of relativism” to which the church must respond.¹⁷⁴ He warned his fellow Cardinals that “We are building a dictatorship of relativism that does not recognize anything as definitive and whose ultimate goal consists solely of one’s own ego and desires.”¹⁷⁵ He went on to remind those same Cardinals accordingly: “We, however, have a different goal: the Son of God, the true man. He is the measure of true humanism. An ‘adult’ faith is not a faith that follows the trends of fashion and the latest novelty; a mature adult faith is deeply rooted in friendship with Christ.”¹⁷⁶

Hogan’s criticisms of Pius XII’s statements give us an insight into what she would consider inappropriate or even alien in the articulation of a new paradigm of moral theology. She observed, for example, that whenever Pius XII commented on the role of conscience in situation ethics, it was always in terms of (i) “the role given to the intuition and interior judgement of the person,” (ii) his own deep reluctance to accept moral insight of this kind, and (iii) his explicit support for emphasising the rational dimensions of moral decision

¹⁷³ Jaques Neuner and Jaques Dupuis, *The Christian Faith in the Doctrinal Documents of the Catholic Church* (London: Collins, 1983), 596. See Linda Hogan, *Confronting the Truth*, 106.

¹⁷⁴ David E. DeCosse, “Conscience Issue.”

¹⁷⁵ Sermon delivered by Joseph Cardinal Ratzinger at the Conclave that elected him Pope. See http://www.vatican.va/gpII/documents/homily-pro-eligendo-pontifice_20050418_en.html [accessed 20 January 2013].

¹⁷⁶ *Ibid.*

making.¹⁷⁷ Hogan's response to such Papal criticism and teaching was to point out that in condemning moral insight as he did, Pius XII had "failed to recognise a truth long accepted in the Catholic tradition that reason is but one component of moral decision making."¹⁷⁸ Indeed, she acknowledges the correctness of John Mahoney's claim that Vatican II and much subsequent papal teaching on morality "have stressed the importance of not limiting moral decision making to its rational components."¹⁷⁹

Hogan claims, however, that it was not so much the relationship between reason and moral insight which seriously troubled Pius XII, but rather the pastoral implications of acknowledging the importance of personal moral insight.¹⁸⁰ While she does not explicitly say so, her subsequent argument appears to suggest that the core concern for Pius XII centred on the possibility of a diminution or weakening of the moral authority that was being wielded by the magisterium, and in particular by its central figure, the Pope, himself. Hence, she argues that while the tradition did naturally "recognise the legitimate functioning of the individual conscience in the moral life . . . its sphere of activity was *carefully circumscribed* by 'the object of the moral law.'¹⁸¹ In Hogan's estimation, such "careful" legalistic monitoring resulted in excessive emphasis being placed on the external action, to the detriment of the attention, she maintained, that should be paid to the intention of the actor or to the circumstances in which the act, itself, was performed.¹⁸² In an attempt to rectify such a perceived imbalance, situation ethics, according to Hogan, "sought to re-establish the importance of intentionality in the moral realm,"¹⁸³ an attempt that she saw as having

¹⁷⁷ Linda Hogan, *Confronting the Truth*, 106.

¹⁷⁸ *Ibid.*, 107.

¹⁷⁹ John Mahoney, *The Making of Moral Theology: A Study of the Roman Catholic Tradition* (Oxford: Clarendon, 1987), 207; See Linda Hogan, *Confronting the Truth*, 106.

¹⁸⁰ Linda Hogan, *Confronting the Truth*, 107.

¹⁸¹ *Ibid.*, 107 [italics mine].

¹⁸² *Ibid.*

¹⁸³ *Ibid.*

foundational implications for the prevailing legalistic paradigm if it succeeded.¹⁸⁴ Essentially, Pius XII's fears, and those of the legalistic persuasion, would be realised, in that "Moral authority would move away from universal pronouncements about the objective morality of particular acts and toward the individual in his or her particular situation," with the role of conscience being similarly transformed.¹⁸⁵

Is it possible to interpret Hogan's spirited and insightful rejection of Pius XII's anti-relativist-situationist teachings as an unconditional declaration that there is no room whatsoever at the "personalist-legalistic inn" for objective moral orders or norms? According to Hogan, herself, this would not be a valid assumption; she noted that both paradigms actually "share a vision of ethics that involves the subjective discernment of the objective moral orders."¹⁸⁶ She goes on to point out, however, that the disagreements that exist between them "relate to how the objective or divine elements are known to the individual. The legalistic model insists that they are known through church teaching. The personalist model puts stress on the individual as the primary interpreter."¹⁸⁷ It is obvious, then, that even where elements of agreement between both models can be found, many more areas of fundamental disagreements are hovering just out of sight.

Hence proponents of the legalistic model can complain about the reluctance of personalist advocates to agree with the notion that principles and norms can be absolute in anything other than the most general and abstract terms.¹⁸⁸ Dismissing such a complaint would not be such an easy task if it were addressed in terms of the statement by *Veritatis Splendor*, that "universal and permanent laws correspond to things known by practical reason

¹⁸⁴ Ibid.

¹⁸⁵ Ibid.

¹⁸⁶ Ibid., 29.

¹⁸⁷ Ibid.

¹⁸⁸ Ibid., 32.

and are applied to particular acts through the judgement of conscience.”¹⁸⁹ On the other hand, however, Hogan, herself, complains that

while the principle of development and change in the church’s moral doctrine is widely accepted, individual moral doctrines are presented as if they were universal in their scope, exceptionless in their application and timeless in character. In short, when it comes to particular moral teachings, the possibility of change and development, which is conceded in the abstract, is rarely acknowledged. As a result certain moral teachings, such as those relating to contraception, homosexuality, or divorce and remarriage, are invested with an unwarranted degree of certainty and inflexibility.¹⁹⁰

Such rigidity in the Church’s moral teachings has many sources. However relevant to the legalist-personalist debate, one fundamental issue has been the position held by advocates of the personalist model that “the objective rightness or wrongness of an action can only be judged by taking account of the circumstances and the intention, not by ignoring them.”¹⁹¹ Elaborating further on her persistent challenging of the notion of an exceptionless, universal and timeless morality, Hogan reiterates that “the moral meaning of an act cannot be determined by examining the object alone . . . that the intention, circumstances and consequences also have a direct bearing on the nature of the act performed.”¹⁹² Continuing her challenge, she asserts her belief that “Moral acts are not isolated, single actions that can be separated from the context in which they are performed.”¹⁹³ In support of this assertion she cites Kenneth Melchin’s observation that moral acts be recognised as “complex unities involving decisions, historical contexts surrounding the decisions, goals intended by the decisions, and consequences that follow on the decisions.”¹⁹⁴

¹⁸⁹ *VS*, no.52.

¹⁹⁰ Linda Hogan, *Confronting the Truth*, 182-183.

¹⁹¹ *Ibid.*, 32.

¹⁹² *Ibid.*, 119.

¹⁹³ *Ibid.*

¹⁹⁴ Kenneth Melchin, “Revisionists, Deontologists and the Structure of Moral Understanding,” *Theological Studies* 51 (1990): 369. Cited in Linda Hogan, *Confronting the Truth*, 119.

Hogan notes equally that the role given to conscience as it shifts from the legalistic model in the direction of the personalist model is changing. She demonstrates how, under the absolutist requirements of the legalistic model, conscience, in fact did not have a purpose.¹⁹⁵ In support of this claim, she observed that where a principle declares that stealing or killing is wrong, but, “in the process takes absolutely no account of the circumstances in which these actions are performed, then the role of conscience is redundant. If morality is simply about applying these specific concrete principles to one’s actions then there is no need for conscience. It has no purpose.”¹⁹⁶ However, according to her, where norms and principles are “regarded as guides for behaviour, guides that “point us in a particular direction and highlight some aspects of morality that are relevant to the situation,” while at the same time not being thought of “as absolute or universal in their purchase,”¹⁹⁷ the role of conscience is restored.¹⁹⁸ She therefore sets out for the advocates of the legalistic model, the terms under which their principles will be accommodated at the ‘inn’ of her new paradigm. As far as she is concerned:

Norms and principles are important sources of moral wisdom and guidance. Traditional principles such as intrinsic evil remind us that we are dealing with very grave situations. They retain a very important role in informing and educating our conscience in moral sensitivity. However, they do not replace the conscience, nor do they provide us with shortcuts to making decisions . . . The conscience remains the centre of moral discernment.¹⁹⁹

It can be argued, however, that Linda Hogan would not be satisfied to have her approach to morality and to conscience viewed simply in terms of a response or challenge to the principles of the legalistic paradigm. Her writings, particularly, *Confronting the Truth*, show that she is intent on expressly developing a personalist theology of conscience. Consequently, she purports: “In this new theological framework conscience denotes both the

¹⁹⁵ Linda Hogan, *Confronting the Truth*, 123.

¹⁹⁶ Ibid.

¹⁹⁷ Ibid., 122-123

¹⁹⁸ Ibid., 124.

¹⁹⁹ Ibid.

fundamental orientation of the person to seek and to do the good, and the actualization of this desire in decisions of conscience.”²⁰⁰ If this is the case, then the purpose of her critiques of the legalistic model, in the course of the elaboration of her own model, may be seen as an effort to galvanise support for the personalist model, through emphasising the deficiencies of the other. As we have dealt at length with the fundamental principles of the legalistic approach thus far, we will now focus on the main thoughts of Hogan’s personalist theology of conscience.

5. A Personalist Moral Theology and Personalist Theology of Conscience

We can maintain evidently that an understanding of the development of a personalist moral theology can serve to facilitate the comprehension of a personalist theology of conscience. Hogan highlighted how factors such as situation ethics debate, resistance to neo-Thomist theory and historical consciousness brought about certain re-conceptualisations in theology and in particular, moral theology. She specifically demonstrated how the introduction of historical consciousness in moral theology resulted in the transformation of ethics, a transformation that enabled the personalist model of moral theology promote the notion that human experience be regarded as a vital source of moral insight and discernment.²⁰¹ In conjunction with this inclusion of human experience into the Catholic moral process, the personalist paradigm, as noted earlier, also reopened the debate on the relationship between actions, circumstances and intentions in moral theology. Specifically, it has been noted that whilst the legalistic model focused on acts, personalist moral theologians maintained that circumstances and intentions exercise a strong bearing on the nature of the act performed.²⁰²

²⁰⁰ Ibid., 129.

²⁰¹ Ibid., 118.

²⁰² Ibid., 118-119.

5.1 A Personalist Re-Conceptualisation of Norms and Principles

Another interesting re-conceptualisation which personalist moral theology brings to the development of a personalist theology of conscience is evidenced in the manner in which it seeks to portray norms and principles. As already noted, the personalist approach has challenged the notion of a legalistic understanding of the existence and application of absolute, exceptionless and universal norms and principles in all moral contexts. Hogan, herself, enters this debate, by asserting that there actually exist three different kinds of moral principle,—formal, tautological and material.²⁰³ With regard to the first two, she finds nothing controversial. Of the formal principle, for example, she comments that it is merely “a general, abstract principle identifying a particular value . . . [but] it tells us nothing about the morality of a particular action.”²⁰⁴ It is for this reason; Hogan maintains that it can be regarded “as universal in its scope.”²⁰⁵ She finds tautological principles equally as unproblematic; citing the example “Murder is wrong,” she explains that because the term *murder* means a killing that is unjustified, it is universal in its application because “it is possible to say that it is always and everywhere wrong to engage in unjustified killing.”²⁰⁶ It is concerning the third or material form of moral principle, however, Hogan and other advocates of the personalist approach express most disquiet. As already noted, Hogan asserted that:

If a principle claims that stealing is wrong or killing is wrong, and in the process takes absolutely no account of the circumstances in which these actions are performed, then the role of conscience is redundant . . . However if, as the revisionists suggest, these principles are regarded as guides for our behaviour, then the role of conscience remains central.²⁰⁷

²⁰³ Ibid., 122.

²⁰⁴ Ibid.

²⁰⁵ Ibid.

²⁰⁶ Ibid.

²⁰⁷ Linda Hogan, *Confronting the Truth*, 123.

5.2 A Personalist Approach to “Intrinsic Evil”

However, this debate on the material form of moral principles raises another issue for Hogan; it brings into focus the issue of the existence of intrinsic evil within the personalist model of Catholic moral theology. The problem for Hogan and other Catholic personalist theologians is that the concept of intrinsic evil emphasises the notion that certain acts are morally wrong no matter the intention, circumstances or consequences.²⁰⁸ In terms of the task of conscience, then, it can never entertain the possibility of carrying out those acts, which, in effect, means that such a prohibition “is absolutely and universally binding on the conscience.”²⁰⁹ In turn, this conclusion essentially means that conscience itself cannot exercise any role, because it has no role to exercise. That such a moral position on intrinsic evil is still strongly maintained at the level of the magisterium is demonstrated in *Veritatis Splendor*, wherein John Paul II declared:

[T]he negative moral precepts, those prohibiting certain concrete actions or kinds of behaviour as intrinsically evil, do not allow for any legitimate exception. They do not leave room, in any morally acceptable way, for the “creativity” of any contrary determination whatsoever. Once the moral species of an action prohibited by a universal rule is concretely recognized, the only morally good act is that of obeying the moral law and of refraining from the action which it forbids.²¹⁰

Janet E. Smith does not see the Church’s position as outlined in *Veritatis Splendor* in such cut and dried terms. She draws attention to a later reference wherein the Pope appears to invoke

²⁰⁸ See James Keenan, *A History of Catholic Moral Theology*, 151- 152; The Catholic Church teaches that a lot of things are intrinsically evil. See *Catechism of the Catholic Church (CCC)* for example Rape (CCC 2356), self-abuse (CCC 2352), lying (CCC 1753), and contraception (CCC 2370) to name a few. See also *VS*, no. 56; *United States Conference of Catholic Bishops (USCCB), Forming Consciences for Faithful Citizenship: A Call to Political Responsibility*, nos. 34, 36, 42, and 90. Pope Benedict XVI declares obviously in his condemnation of Paedophile that “There are things which are always bad, and paedophilia is always bad.” See *Priests of Jesus Christ* (Oxford: Family Publications, 1998), 181.

²⁰⁹ Linda Hogan, *Confronting the Truth*, 123.

²¹⁰ *VS*, no. 67.

the existence of intrinsic evil in terms of the need to protect the personal dignity and inviolability of all human persons. Hence, John Paul II asserts that:

The relationship between faith and morality shines forth with all its brilliance in the *unconditional respect due to the insistent demands of the personal dignity of every man*, demands protected by those moral norms which prohibit without exception actions which are intrinsically evil. The universality and the immutability of the moral norm make manifest and at the same time serve to protect the personal dignity and inviolability of man, on whose face is reflected the splendour of God (cf. Gen. 9:5-6).²¹¹

However, while Smith, herself, seeks to represent this extract as an “overlap of natural law and personalism,”²¹² Hogan’s personalist attitude is less accommodating and far more combative, as she seeks to restore the role of conscience within a personalist model of moral theology.²¹³ According to her, the main thrust of the personalist moral theological response to the notion of “intrinsic evil” has been “to expand the meaning of the moral act and to define it in terms of object, circumstances and intention, not in terms of the object alone.”²¹⁴ In her own words, she claims:

One can only speak of particular acts being wrong because of the intention of the person performing them in a specific context. However, such judgements pertain to specific situations, known in all their aspects, and not to ‘kinds’ or ‘classes’ of acts described without reference to circumstances and intention.²¹⁵

Although Hogan concedes that the principles of “intrinsic evil” remind us “that we are dealing with very grave situations. . . [and] retain a very important role in informing and educating our consciences in moral sensitivity,” she is emphatic in her declaration that they do not replace the individual’s conscience.²¹⁶

²¹¹ VS, no. 90. See Janet E. Smith, “Natural Law and Personalism, 206.

²¹² Janet E. Smith, “Natural Law and Personalism, 206.

²¹³ Linda Hogan, *Confronting the Truth*, 124.

²¹⁴ Ibid.

²¹⁵ Ibid.

²¹⁶ Ibid.

5.3 Revitalization of the Moral Authority of the Individual

Hogan asserts that another area of serious consideration for personalist Catholic moral theology is the “fresh emphasis on the moral authority of the individual.”²¹⁷ Elaborating on her own understanding of what the moral authority of the individual entails for Catholic personalist moral theology, she states:

In the Christian tradition, moral responsibility resides with the individual and cannot be circumvented by even the most precise and illuminating advice or teaching, regardless of the source. This is the case whether there is agreement or disagreement between the faithful and the magisterium. It is also the case even when the person is genuinely confused about the right decision in a particular context.²¹⁸

Situating the understanding of the Christian tradition of conscience within this sphere of moral authority, Hogan strongly reminds Catholics that although they may often displace their own moral authority and responsibility onto the magisterium, Pope or Church, because they themselves can find it too burdensome to bear, they must keep in mind that since “moral responsibility resides with the individual. . . [it] cannot be circumvented by even the most precise and illuminating advice or teaching, regardless of the source.”²¹⁹ In the words of Colavechio,

If in any given case, the choice a Christian makes is contrary to the judgement of the Church, he cannot disclaim personal responsibility simply by refusing to consider one choice or the other. If one cannot reconcile the choice of his conscience with the teaching of the Church, he nevertheless must make a responsible choice, one which will manifest himself as authentically as possible.²²⁰

²¹⁷ Ibid., 125.

²¹⁸ Ibid., 126.

²¹⁹ Ibid.

²²⁰ Xavier G. Colavechio, “Conscience: A Personalist Perspective,” 209.

Indeed, Colavechio proceeds even further, he follows his caution that “It might be dangerous and even presumptuous to prefer a personal choice to the magisterium,”²²¹ with the strong and unequivocal reminder that

Should one choose to follow the magisterium, he must be ready to accept the responsibility for preferring it to his own judgement. Even here, one cannot avoid personal responsibility; one must in all choices strive to maintain the unity of his being and its expressions.²²²

It is quite obvious then that Hogan’s understanding of the moral authority residing in the individual is in complete contrast with the teaching tradition of Germain Grisez, for example, a tradition which advocates that conscience must unconditionally conform to the teachings of the magisterium. As will be seen later, such emphasis on the primacy of conscience promotes dissent from certain teachings of the church.

Despite the strong stance that Hogan promotes on the notion of the personal authority of the individual, she maintains that personalist moral theology does not seek to promote individualism or isolationism, but rather seeks to promote that norms, moral principles, and church teaching should not be deemed to replace conscience as the only moral authority upon which a person should act.²²³ Hogan proceeds to point out numerous sources of wisdom available to an individual as the person engages in the moral tasks of conscience. She maintains, for example, that:

Sacred texts and traditions of the church, too, are recognised as excellent sources of moral insight and discernment. The community in which we live and worship is also vital since it educates us in the vision and virtues of our faith. The fund of norms, principles, texts, traditions and witness within the church provides us with a rich source of moral insight. Together with the ongoing dialogue about our

²²¹ Ibid.

²²² Ibid., 209-210.

²²³ Linda Hogan, *Confronting the Truth*, 125.

behaviour in the world, which is properly the task of the church, these resources help us to unravel our moral confusions and uncertainties.²²⁴

Furthermore, if, as Lottin has already suggested, a Christian theological morality is all about being a disciple of Christ, Hogan would also undoubtedly agree with the thrust of Colavechio's assertion that

as one progresses and establishes an ever deeper relationship with Christ and becomes more aware of this relationship, and its implications, he begins to be able to make decisions which are more and more in a Christian vein. He becomes aware of himself, not only as *this* person, but as this person who has a special relationship with Jesus Christ. . . We do not develop that understanding of Christ and relationship with him in a vacuum. We arrive at this understanding through the interplay of ourselves with the Word, The Cup, and the People, i.e., by our understanding of the Word of God as it is revealed to us, by our participation in the sacramental system, and by the interaction of the People of God, the Church and the individual.²²⁵

Hogan would also undoubtedly agree with another observation from Colavechio to the effect that since people's awareness of Christ and of the meaning of Christ in their lives is intimately connected with their awareness of the authentic Christ as he exists today, they must remain open to the magisterium in all of its teachings.²²⁶ Hogan, however, would just as equally insist that a Catholic personalist moral theology should lay emphasis on the moral authority of the individual conscience and not on magisterium.²²⁷ She maintains that:

when one is interested in the action in relation to the person who is performing it, motivation is a crucial factor. Obedient adherence to norms and principles, although perhaps admirable in itself, is not a substitute for a freely chosen, genuinely motivated decision.²²⁸

In her view, although, the Church, the magisterium, the Community and tradition itself, for example may sometimes prove to be "excellent sources of moral insight and discernment . . .

²²⁴ Ibid.

²²⁵ Xavier G. Colavechio, "Conscience: A Personalist Perspective," 209 [italicisation in text]

²²⁶ Ibid.

²²⁷ Linda Hogan, *Confronting the Truth*, 126.

²²⁸ Ibid.

[they] do not in any sense replace the activity of conscience, which is an essential dimension of the moral life of the individual.”²²⁹

The significance of such a shift brought about by the re-conceptualisations and refocusing activities of a Catholic personalist moral theology is summed up by Thomas D. Williams who remarked: “The centrality of the human person in moral theology represents a shift of emphasis from a more nomothetic framework to an ethics based on philosophical and theological anthropology.”²³⁰ In lay terms, Williams is referring to a shift in focus and emphasis away from Law and on to the human being. It now remains to be seen how such a personalist-orchestrated shift will specifically characterise the concept of conscience.

5.4 “The Person Integrally and Adequately Considered” in relation to the Personalist Model of Conscience

As noted earlier, Gula identified European theologians such as Bernard Häring, Josef Fuchs, Bruno Schuller, Louis Janssens, and the American theologians, Richard McCormick and Charles Curran, as modern-day moral theologians who favoured solving moral problems and clarifying the rightness or wrongness of actions from a personalist rather than from a legalistic perspective. In fact, it is agreed that their personalist, moral theological stance permeate the teachings that emanated from Vatican II, and subsequently triggered much of the post-conciliar discussions within the discipline of Catholic moral theology.

²²⁹ Ibid., 125.

²³⁰ Thomas D. Williams, *Who is My Neighbour? Personalism and the Foundations of Human Rights* (Michigan: Catholic University of American Press, 2005), 116-117.

5.4.1 Häring's Model of Conscience: a Product of a Personalist Model of Moral Theology

The preceding claim could be said to be particularly true of Häring, who, unlike other moral theologians, participated in and drafted documents for the Council,²³¹ and whose influence was such that Keenan cites John O'Malley as stating that the style of the Council itself was clearly Häring's.²³² To get a flavour of Häring's style, then, one need only read Keenan's citation of O'Malley's in which he states that

The style of the council was invitational. It was new for a council in that it replicated to a remarkable degree the style the Fathers of the Church used in their sermons, treatises and commentaries down to the advent of Scholasticism in the 13th century. The Scholastic style was essentially based on dialectics, the art of debate, the art of proving one's enemies wrong. But the style the council adopted was based, as was the style of the early Fathers for the most part, on rhetoric, the art of persuasion, the art of finding common ground. That is the art that will enable previously disagreeing parties to join in action for a common cause. The style was invitational in that it looked to motivation and called for conversion. It looked to winning assent to its teachings rather than imposing it.²³³

This is indicative of Häring's influence in the area of moral theology, because, according to Keenan: "Style is not content-less; on the contrary, it shapes the text, the community, the Church."²³⁴ Such contextualisation is important in assessing Häring's teaching and thinking, because amongst other things, he is renowned, not only for his work in Catholic moral theology, but also for his extensive work on the nature and role of conscience.

While Häring's treatment of the concept of conscience in his work, *The Law of Christ*, describes it as the moral faculty,²³⁵ his approach to the same concept in his subsequent post-

²³¹ James F. Keenan, "Bernard Häring's Influence on American Catholic Moral Theology," *Journal of Moral Theology* 1, no. 1 (2012): 31.

²³² Ibid.

²³³ Cited by James F. Keenan, "Bernard Häring's Influence," 31-32.

²³⁴ James F. Keenan, "Bernard Häring's Influence," 32.

²³⁵ See Bernard Häring, *The Law of Christ: Moral Theology for Priests and Laity*, vol.1 trans. Edwin G. Kaiser (Cork: The Mercier Press, 1963), 135-178. In this work he subtitled his discussion as "The Moral Faculty: Conscience" and defines it as "the source of moral good." 135.

conciliar work, *Free and Faithful in Christ*, seeks to present a personalist-driven understanding of conscience.²³⁶ In this work, he opens his discussion with the most cited passage of Vatican II's document (*GS* no.16) on conscience, before proceeding to define conscience as "the person's moral faculty, the inner core and sanctuary where one knows oneself in confrontation with God and with fellowmen."²³⁷ His situating of conscience in a context of mutual confrontation with self, God and neighbour, suggests, according to Keenan that Häring had come to realise "the need to develop not a conforming, obediential moral theology, but rather one that summoned conscientious Christians to a responsive and responsible life of discipleship."²³⁸ In what some might interpret as a declaration of the primacy of conscience, he follows on with the assertion that: "There is something unique — one might even say 'untouchable' — about the conscience . . . it is the judgment of a person on his or her journey towards ever fuller light."²³⁹ However, his teaching on the notion of the "reciprocity of consciences" can be taken as a reminder that, when dealing with the concept of conscience, cognisance must be taken of the existence of the relationship between the individual and other relationships such as one's community and institutional authority.²⁴⁰

Hence, he maintains that

The main focus of a personalist Christian ethics is . . . on the human person and the reciprocity of conscience. We give greater attention to the individuality of persons and the uniqueness of historical occasions, although this does not at all rule out the need for serious study of the ethical traditions, norms and rules.²⁴¹

Häring, however, is also keenly aware that the individual conscience functions in relationship that is far more than institutional authority. Hogan cites a description of the notion of

²³⁶ See Bernard Häring, *Free and Faithful in Christ: Moral Theology for Priests and Laity*, Vol. 1 (Slough: St Paul Publications, 1978), 223-301. Here, he subtitled his discussion as "Conscience: the Sanctuary of Creative Fidelity and Liberty." His most detailed treatment on conscience is presented in this chapter of the book.

²³⁷ Bernard Häring, *Free and Faithful in Christ*, 224.

²³⁸ James F. Keenan, "Bernard Häring's Influence," 35

²³⁹ Bernard Häring, *Free and Faithful in Christ*, 240.

²⁴⁰ *Ibid.*, 265-284.

²⁴¹ *Ibid.*, 356.

“reciprocity of conscience” by Häring, wherein he is seen to extend its obligations to all members of humankind. In the citation, he maintains:

I discover that dignity and strength of my own conscience through a profound respect for the conscience of my neighbour, and indeed for the conscience of every other human being. A genuine reciprocity of consciences is founded on freedom – freedom to love, freedom to listen to each other, freedom to help one another discover the innermost resources of truth, goodness and justice.²⁴²

True to one of the fundamental aspects of the personalist approach to Catholic personalist moral theology, however, namely its commitment to focusing on the person, rather than on the law, Häring asserts that

As a basic rule of preference, personalism stresses that persons must never be sacrificed for things, that conscience of persons ought never to be manipulated, and that healthy personal relations and community structures are more important than merely biological or other ‘laws’ pertaining to the subhuman world.²⁴³

The passion underlying such an unequivocal declaration may have been generated by the fact that not only had he, himself, experienced being before military courts on four occasions during the Second World War, twice on matters of life or death, but had also witnessed how many of his fellow Christians had “recognized the truth, were convicted by it, and stood firm with it.”²⁴⁴ According to Keenan, it was these experiences that “irretrievably disposed him to the agenda of developing a moral theology that aimed for the bravery, solidarity, and truthfulness of those committed Christians he met in the war,” and that led him to find truth “not primarily in what persons said but in how they acted and lived.”²⁴⁵

²⁴² Linda Hogan, “Forming and Following One’s Conscience,” 406-407.

²⁴³ Bernard Häring, *Free and Faithful in Christ*, 357.

²⁴⁴ James F. Keenan, “Bernard Häring’s Influence,” 35.

²⁴⁵ *Ibid.* 35.

6. Hogan's Core Delineation of Conscience from a Personalist Model of Moral Theology

It is hoped that the preceding account of Häring's situating of his construction of a Catholic personalist conscience within an experientially-driven and ever-evolving model of Catholic personalist moral theology, will help contextualise Hogan's twenty-first century efforts at further personalising the notion of the Catholic conscience. She seeks to contextualise her own efforts by firstly outlining some traditional constructions of conscience – its *habitual* and *actual* components – to elaborate both the nature and the role of conscience. By *habitual* Hogan is traditionally referring to the innate sense of good and evil that all human beings are believed to possess; while by *actual* she refers to the concrete judgments of conscience in which the innate orientation towards good must be manifested.²⁴⁶ Again, with reference to earlier traditional understandings of the notion of conscience, Hogan observes that the “habitual conscience corresponded to the term *synderesis* while the actual conscience corresponded to *conscientia*.”²⁴⁷ Hence, Hogan points out that the traditional church teaching of conscience had dual meaning whereby conscience is understood first and foremost as the “orientation to the good” a concept encapsulated by the term *synderesis*.²⁴⁸ However, conscience is also understood to mean the “concrete decisions of conscience,” tasks which were seen to be the work of *conscientia*.²⁴⁹ Hogan goes on to note that although Thomas Aquinas managed to integrate the *habitual* and *actual* dimensions of conscience, this integrated model eventually “gave way to a theology pre-occupied with the morality of discrete compartmentalised decisions.”²⁵⁰ The implication of such a development, according to Hogan, was that theologians now focused on “the morality of contraception, of in vitro fertilisation and of warfare,” for example, rather than focus on the character and values of the

²⁴⁶ Linda Hogan, *Confronting the Truth*, 128.

²⁴⁷ *Ibid.*

²⁴⁸ *Ibid.*

²⁴⁹ *Ibid.*

²⁵⁰ *Ibid.*

person who chose to engage in such activities.²⁵¹ Specifically, she maintains that a personalist theology would demand that attention be paid not only to actions, not only on the workings of the actual conscience, for example, but also to “the character of the person and to her/his orientation vis-à-vis good and evil.”²⁵² Hogan states that this is happening to the extent that in traditional terms the spotlight is once again on the workings of the habitual conscience. However, she maintains that the crucial difference that personalism will make to this shift is that it will place “the individual at the centre of moral inquiry and understanding.”²⁵³ Hogan interprets such a refocusing and re-emphasis as demonstrating evidence of “a radical change of emphasis and a reordering of the significance attached to acts and character,”²⁵⁴ whereby, in personalist moral theological terms conscience will now denote “the fundamental orientation of the person to seek and do the good, and the actualisation of this desire in decisions of conscience.”²⁵⁵ Hogan’s description of and support for this shift in emphasis from action to the person in understanding the tasks of conscience is reiterated by Richard Gula, who unambiguously stated:

Of morality’s two points of reference—actions and persons—more often than not, we associate morality with actions: ‘What is the right thing to do?’ This should come as no great surprise once we look in the rearview mirror and see where moral theology has been. Shifting from action to the person is not abandoning our interest in right action, but it is prioritizing the personal context that gives meaning to the action.²⁵⁶

Evidence of the promotion of this shift to “the personal context” is what made Colavechio, three decades before Hogan’s personalist theorising to describe conscience “as a harmonious production of man’s personality.”²⁵⁷ We could argue that Hogan’s personalist theorising is a

²⁵¹ Ibid.

²⁵² Ibid., 128-129.

²⁵³ Ibid., 129.

²⁵⁴ Ibid.

²⁵⁵ Ibid.

²⁵⁶ Richard M. Gula, “The Shifting Landscape of Moral Theology.”

²⁵⁷ Xavier G. Colavechio “Conscience: A Personalist Perspective,” 204.

reiteration of much of what Colavechio has written. She would certainly support him in his attempts to expand the task of conscience beyond the narrow scope of intellect and will. She would have no problem in integrating into her own model such dimensions as: (i) considering the human person in the totality of relationships; or (ii) considering the choices made in terms of the personality of the actor; (iii) or interiorising “the conscience of man in the very depths of his being.” Hence, there is little difference between Colavechio’s and Hogan’s personalist understanding of the task of conscience: for Colavechio, conscience is about harmony;²⁵⁸ for Hogan, it is about the “promotion of the good of the person ‘integrally and adequately considered.’”²⁵⁹

6.1 Integration of the Fundamental Option into the Personalist Model of Conscience

In this new theological framework, according to Hogan, conscience possesses a number of denotations. Besides being “the fundamental orientation to seek and do the good, and the actualisation of this desire in decisions of conscience,”²⁶⁰ it denotes “the integrated and consistent thrust of the person toward goodness.”²⁶¹ Nevertheless, Hogan introduces another construct by which she describes conscience as “the dimension of one’s character that determines the direction of one’s moral life, one’s self-conscious option for good.”²⁶² This for her is fundamental to any personalist description of conscience. Upon this, she introduces the notion of “fundamental option,” a construct, which she maintains is “crucial for rethinking the nature of conscience.”²⁶³

According to her, this notion of the fundamental option initially evolved from an effort to rethink the theology of sin, and in that context claimed that such a theology “should

²⁵⁸ Ibid.

²⁵⁹ Linda Hogan, *Confronting the Truth*, 127.

²⁶⁰ Ibid., 129.

²⁶¹ Ibid.

²⁶² Ibid.

²⁶³ Ibid., 130.

focus primarily on the basic direction of a person's life, on his or her fundamental option, rather than on individual acts of failure."²⁶⁴ Hogan's personalist model, however, broadens the concept beyond the remit of sin by describing it thus:

The fundamental option is the term given to the basic orientation of a person's life, either toward or against God. At a person's core she/he either responds to the loving invitation of God, or she/he refuses it. A life lived in the context of a 'yes' response is a life oriented toward seeking goodness. A fundamental option that says no to such an invitation is directed away from this search.²⁶⁵

Elaborating further, Hogan observes that because "Each person's fundamental option is actualised in the particular decisions that she/he makes and the virtues or vices that are cultivated," then, relative to the task of conscience, it is through the "daily choices and ways of being, repeated over a lifetime," that a pattern is developed, which, in turn, reveals the person's fundamental option for good or for evil.²⁶⁶ However, according to Hogan, the daily choices and decisions made by a person not only express the fundamental option, they also reinforce it. This suggests to her that rather than being a static product, it must be considered to be a dynamic process "never fully determined once and for all," but created instead "in repeated moments of choosing the good over a lifetime."²⁶⁷

Such a re-interpretation of the fundamental option carries a number of implications for Hogan's personalist model of conscience. Firstly, it suggests to Hogan, for example, that decisions of conscience are not simply reflections of the person's fundamental option because "It is in and through the choices made, both at significant moments in one's life and in the daily routine of minor 'acts of attention' that the person determines her/his basic orientation."²⁶⁸ Incorporating her notion of the fundamental option into the personalist model

²⁶⁴ Ibid.

²⁶⁵ Ibid.

²⁶⁶ Ibid.

²⁶⁷ Ibid., 132.

²⁶⁸ Ibid.

of conscience, in Hogan's view, also facilitates an understanding of conscience that connects intimately "the kind of person one is and the actions one performs."²⁶⁹ Given Hogan's repeated repudiation of any notion of conscience that is mostly preoccupied with adherence to rules and laws, this connecting of actor to action is crucial to her model of conscience, because it appears to assert that "the formation of conscience takes place, not by some superficial adherence to rules and laws but rather in working toward goodness rather than evil or indifference in every context, no matter how trivial."²⁷⁰ Furthermore, by embodying her interpretation of the fundamental option dimension into her model of conscience, Hogan is re-imagining conscience itself "as a continuous process, as an orientation embodied in different contexts and related, not only to past and present, but also to the person's future."²⁷¹ Most importantly for her model, however, Hogan's integration of the fundamental option into her personalist model of conscience seeks to both broaden and redefine the notion of conscience, such that, from a personalist perspective, conscience is re-presented as the "promotion of the good of the person 'integrally and adequately considered.'" Such an expansion, Hogan claims, can be seen in her inclusion within the remit of conscience "both the (always incomplete) integrated moral character of the person, and the actions that flow from this and which embody her/his attraction to moral goodness."²⁷² She goes so far as to claim that such a "dual emphasis on the direction of the person's life and on the actions that she/he performs has become a corner-stone of the personalist model."²⁷³ Finally, Hogan seeks to substantiate her claim that much of what is required to enable the construction of such an integrated and redefined model of conscience by contending:

This conceptualisation of conscience gives most attention to the way in which moments of choosing and ways of relating are patterned into

²⁶⁹ Ibid., 133.

²⁷⁰ Ibid.

²⁷¹ Ibid.

²⁷² Ibid., 130.

²⁷³ Ibid.

a unity that is the moral self. It allows one to expand discussions of conscience to include considerations of how the emotions, intuitions and imagination of the person shape the moral character. It also focuses attention on the role that the wider community (both secular and religious) has in forming the orientation of the conscience. In short, it requires us to abandon the reductionism characteristic of an earlier theology, which was concerned primarily with acts and with specific, unconnected decisions of conscience.²⁷⁴

We can remark then that to the extent that her contentions vis-à-vis the tasks of conscience and the exercising of the fundamental option are validated, then they should put a stop to her fears that some of the language about conscience can give “a false impression of our reality as persons” since “It can suggest that the person is constituted by one singular and unitary narrative.”²⁷⁵ This, in turn, however, begs the question as to who Hogan considers the person to be in relation to conscience. She insists that “persons are constituted in a complex unity of fragmentary and varying narratives, commitments and values that change over time and may pull us in different directions.”²⁷⁶ Earlier in the chapter, she has already been quoted as stating that when she speaks about either the nature of the person or personal identity “it is with a recognition that we are always persons in process and that our identities are multilayered, multiple, ambiguous and necessarily shaped by factors which are beyond either our consciousness or our control.”²⁷⁷ In the light of such an interactive and dynamic collection of complexities both in the nature and the formation of the person, Hogan would argue, for example, that any attempt to reduce the notion of the tasks of conscience to a simple adherence to laws and principles, through enacting intellectually-driven and rationally-underpinned decisions and choices would be to miss the point entirely. Instead, she argues that her model is more suited to dealing with “the complex unity of fragmentary and

²⁷⁴ Ibid., 134.

²⁷⁵ Ibid., 129.

²⁷⁶ Ibid.

²⁷⁷ Ibid., 130.

varying narratives, commitments and values that change over time”²⁷⁸ that actually constitute the personalist possessor of a conscience, since as stated earlier, it allows for the expansion of conscience to include considerations of how the emotions, intuitions and imagination of the person for, example shape, the moral character and conscience.²⁷⁹ It is to these dynamics and others that we now look, as they elaborate, from Hogan’s personalist perspective, how it is possible for the conscience of such a complex being to arrive at harmonious and unified decisions and judgement.

6.2 Integrating the Inward Dynamics of the Human Person

The words of Colavechio are quite pertinent in this section, since he presents conscience in terms of dynamic struggles, drives, instincts, rifts and re-forming. Citing Häring, for example, Colavechio introduces the notion of conscience as “the spiritual instinct for self preservation, arising from the urge for complete unity and harmony.”²⁸⁰ This development arises from the scholastic teaching of Bonaventure’s notion of conscience which confers “its ultimate determination” upon the knowing intellectual faculty, but only insofar as it is united in some way “to the faculties of will and operation.”²⁸¹ Hence, according to Häring, the spiritual instinct for self-preservation ‘kicks-in’, as it were, when the intellect and will in the soul fail to co-exist in a healthy manner, causing a split; this, in turn, causes “a profound rift in the soul, which wound demands to be healed.”²⁸² In personalist terms, then, this rift that is demanding to be healed is, in fact, the conscience. Colavechio concludes from this dynamic that the person can only be one with him/herself if he/she is in accord with the true and the good.²⁸³ However, Colavechio cautions against identifying conscience solely in

²⁷⁸ Ibid., 129.

²⁷⁹ Ibid., 134.

²⁸⁰ Xavier G. Colavechio, “Conscience: A Personalist Perspective.” 204.

²⁸¹ Etienne Gilson, *The Philosophy of Saint Bonaventure*, trans. Iltyd Trethowan and F. J. Sheed (London: Sheed and Ward, 1940), 418. Cited in Xavier G. Colavechio, “Conscience: A Personalist Perspective,” 203-204.

²⁸² Xavier G. Colavechio, “Conscience: A Personalist Perspective,” 204.

²⁸³ Ibid.

terms of intellectual conclusions or motivating influences on the will.²⁸⁴ It is in this context that Colavechio proceeds to expand on his account of the motivating energy of conscience to include not only the instinctive drive for spiritual self-preservation through the healing of rifts between the intellect and the will, but also in terms of the person's instinctive struggle for harmony in his existence "with the world around him, [and] with all those with whom he comes into contact."²⁸⁵ Such a driving struggle is particularly demonstrated by the attempts a person will make to adjust the situation when such harmony ceases or fails to materialise. Such disharmony can occur within a person, according to Colavechio, when that person realises that "the manifestation of himself through his action does not conform to his awareness of who he is."²⁸⁶ As with the relationship between the intellect and will, this disharmony also causes a rift, "profound rift in the very depths of man's being."²⁸⁷ The dynamic energising conscience, in this case, he denotes as a crying-out for healing. More than this, however, for Colavechio, the actual crying out *is* conscience.²⁸⁸

Another source of energy that drives the formation and functioning of conscience is one that derives from the person's instinctive struggle for authenticity. Accordingly, for a person to choose to manifest who he or she authentically is, it is paramount that the action which they choose to perform or omit should manifest nothing else but themselves.²⁸⁹ When the opposite occurs, according to Colavechio, that is where the person chooses to perform or omit an action "which does not manifest that which he is aware of himself" and it will generate tension.²⁹⁰ For Colavechio, such an inner tension between the individual's awareness of him/herself as they are and the manifestation of this awareness by their chosen

²⁸⁴ Ibid.

²⁸⁵ Ibid., 206.

²⁸⁶ Ibid.

²⁸⁷ Ibid.

²⁸⁸ Ibid., [italics mine].

²⁸⁹ Ibid.

²⁹⁰ Ibid.

actions, can be called conscience.²⁹¹ Interestingly, Christians are reminded that when they make a choice that does not reflect their awareness of the authoritative teaching of the Church, they are not only failing to manifest their baptismal relationship with Christ but they are also “not following that spiritual instinct of self-preservation, which is conscience,” and therefore will find themselves in tension.²⁹² However, they are also reminded that in the event that they cannot reconcile the choice of their conscience with the teaching of the Church, they are required to make a choice which will manifest themselves as authentically as possible.²⁹³ From a personalist perspective, however, whether this inner struggle for authenticity involves the individual’s relationship with him/herself, his/her neighbour, the Church or even with God, “This inner voice, this cry for authenticity, is conscience.”²⁹⁴ It is for this reason, therefore, that Colavecchio asserts that:

Conscience then, is not simply the intellect arriving at a judgement that this act is or is not in conformity with the norm of morality. Nor is it a drawing of the will to the good; rather it is the innermost voice of the self, at the very basis of our person, which says to man that he must be authentic . . . It is by refusing to listen to this call, this demand for unity and authenticity within ourselves, that we, in a very real sense, destroy ourselves, make ourselves non-persons and thus lose our salvation.²⁹⁵

Colavecchio’s elaboration of the dynamics that energise the formation and functioning of conscience, allowed him to identify such energy sources as the struggle to achieve inner harmony and authenticity. But while he acknowledges some role for the will and the intellect in such dynamics, as just noted, they are just a part of a greater dynamic that involves inputs from many other different sources.

Häring is firm on this dynamics as he observed that “One’s conscience is healthy only when the whole person — the emotional as well as the intellectual elements and the energies

²⁹¹ Ibid.

²⁹² Ibid., 209.

²⁹³ Ibid.

²⁹⁴ Ibid., 210.

²⁹⁵ Ibid.

of the will — is functioning in a profound harmony in the depth of one's being.”²⁹⁶ Gula acknowledges the relevance of the dynamics thus: “Conscience includes not only cognitive and volitional aspects but also affective, intuitive, and somatic . . . an expression of the whole self as a thinking, feeling, intuiting, and willing person.”²⁹⁷

Hogan however, elaborates on each of the dynamics in details. She believes that conscience needs the interplay of reason, intuition, emotion, and imagination to operate sensitively and successfully.²⁹⁸ In general terms, what Hogan appears to be driving at here is that “we best make decisions of conscience through an integrated, recursive process in which we direct and focus attention back and forth, within and without, activating, mutually testing, and monitoring all our human capacities of thinking, feeling and self-consciousness.”²⁹⁹ The exercise of a person's conscience in this sense, according to Hogan, herself, is clearly a process that involves “the intellectual, intuitive, emotional and imaginative levels.”³⁰⁰ Moreover, she maintains that when a personalist driven moral theology highlights all the various elements that constitute the judgments of conscience then each gains significance.³⁰¹ Such significance for instance, is captured in the words of Daniel Goleman who states that “A view of human nature that ignores the power of emotions is sadly shortsighted.”³⁰² Hence, in Hogan's estimation, “Good choices reflect a coherence of these important aspects of the personality, so that no one level is ignored or silenced.”³⁰³ This, in turn, suggests to her that “far from being objective, dispassionate judgements of reason, decisions of conscience are

²⁹⁶ Bernard Häring, *Free and Faithful in Christ*, 235.

²⁹⁷ Richard M. Gula, *Mora Discernment* (New York: Paulist Press, 1997), 18.

²⁹⁸ Linda Hogan, *Confronting the Truth*, 135.

²⁹⁹ Sidney Callahan, *In Good Conscience: Reason and Emotion in Moral Decision-Making* (San Francisco: HarperCollins, 1991), 115.

³⁰⁰ Linda Hogan, *Confronting the Truth*, 135.

³⁰¹ *Ibid.*, 136.

³⁰² Daniel Goleman, *Emotional Intelligence and Working with Emotional Intelligence* (London: Bloomsbury, 1996-1998), 4.

³⁰³ Linda Hogan, *Confronting the Truth*, 135-136.

embodied and emotional, engaging the whole person and not just the intellect.”³⁰⁴ Furthermore, it is for this reason that Hogan (i) asserts the necessity for a personalist model of conscience to emphasise the multidimensional aspects of its decision making; and (ii) rejects as “an untenable view of the person” the Western philosophical and theological assertion that “the subject is rational and objective only to the extent that it is disengaged from natural and social worlds and *even* from its own body, which then can be seen as an object of study and a source of deception.”³⁰⁵ We will not engage in an in-depth description of each of the dimensions listed by Hogan, but we will examine the essence of those bypassed, relegated or passed over by advocates of legalist approach, namely the emotional, intuitive and imaginative aspects of conscience.

6.2.1 Conscience and the Emotions

Goleman writing about the nature of the human mind describes and distinguishes it thus:

In a very real sense we have two minds, one that thinks and one that feels. These two fundamentally different ways of knowing interact to construct our mental life. One, the rational mind, is the mode of comprehension we are typically conscious of: more prominent in awareness, thoughtful, able to ponder and reflect. But alongside that there is another system of knowing: impulsive and powerful, if sometimes illogical—the emotional mind. . . . These two minds, the emotional and the rational, operate in tight harmony for the most part, intertwining their very different ways of knowing to guide us through the world. Ordinarily there is a balance between emotional and rational minds, with emotion feeding into and informing the operations of the rational mind, and the rational mind refining and sometimes vetoing the inputs of the emotions. Still, the emotional and rational minds are semi-independent faculties.³⁰⁶

Such a description points out the essential nature of emotion in the human person. Hogan opens her account of the relationship between the emotions and conscience by insisting that

³⁰⁴ Ibid., 136.

³⁰⁵ Ibid.

³⁰⁶ Daniel Goleman, *Emotional Intelligence*, 8-9.

they have an essential role to play in its activities, the understanding of which would be seriously flawed if their contribution, both negative or positive, was not appreciated.³⁰⁷ As a basis for this claim, she points to the fact that the making of difficult and important decisions of conscience is “usually accompanied by a high degree of emotional intensity,”³⁰⁸ motivated by emotions that can “range from occasional excitement and anticipation, to distress, anger, anxiety about the future, shame and guilt—each has an effect on the decision-making process.”³⁰⁹ However, anticipating claims that the admission of such a litany of emotions into the decision-making process of conscience would be a recipe for the relativisation and even the disintegration of the notion of conscience, Hogan cautions and advises that: (i) “one should think of the emotions as providing important information and insight for moral deliberation, information that cannot be accessed without reflecting on our emotions.”³¹⁰ (ii) although emotional responses may be generated from a place outside the governance of the intellect, this does not mean that emotions are beyond the individual’s voluntary recognition and control;³¹¹ (iii) it is crucial when allowing the admission of the emotions into the process of conscience, that individuals reflect on these emotions, and engage critically with them so that they can be confident that the information they provide is reliable;³¹² (iv) while emotions are spontaneous, it is within the individual’s capability to decide whether or how he or she is going to act on these emotions;³¹³ and finally, (v) the need to recognise that the existence of impairments or dysfunction in an individual’s emotional life can result in “inappropriate or

³⁰⁷ Linda Hogan, *Confronting the Truth*, 143.

³⁰⁸ *Ibid.*, 145.

³⁰⁹ *Ibid.*, 146.

³¹⁰ *Ibid.*, 144.

³¹¹ *Ibid.*

³¹² *Ibid.* Goleman cautions that “when passions surge the balance tips: it is the emotional mind that captures the upper hand, swamping the rational mind.” Thus, although emotion plays a role in the inner working of conscience, it can lead moral failure. See *Emotional Intelligence*, 9.

³¹³ *Ibid.*, 146.

disproportionate emotions, lack of control of one's emotions or sometimes the absence of any emotion," which, in turn can lead to unethical behaviour or serious moral failure.³¹⁴

Having outlined such cautions and advice, however, Hogan asserts that the most evident thing is that "our emotional reactions are part and parcel of our moral deliberations."³¹⁵ Interestingly, Hogan concludes her account of the involvement of emotions in the process of moral decision-making by drawing on a function of reason to demonstrate how the marginalization of the emotional dimension could endanger the process of making holistic and integrated decisions of conscience. She claims that such a process "involves interplay of reason and emotion" in that "Reason shapes and evaluates the emotions; emotion contextualises and gives dynamism to reason."³¹⁶ For this reason, according to Hogan: "Neither ought to be abandoned, nor should one be considered marginal or peripheral."³¹⁷

6.2.2 Conscience and Intuition

The situationist according to Hogan while referring Mahoney emphasised that conscience "is a faculty which under the guidance of the Spirit of God is endowed with a certain power of intuition and discovery which allows it to find the original solution appropriate to each case."³¹⁸ From this observation, Hogan pointed out that while Pius XII preferred to focus on the rational dimensions of moral decision-making, Mahoney emphasised how "Vatican II and much subsequent papal teaching on morality have stressed the importance of not limiting moral decision-making to its rational components."³¹⁹ Thus, in the case of intuition, this begs the question as to what exactly, in Hogan's view, comprises the nature and function of intuition, relative to the process of conscience.

³¹⁴ Ibid., 147.

³¹⁵ Ibid., 146.

³¹⁶ Ibid., 147. Hogan affirms here Goleman's description of the interplay between the two minds.

³¹⁷ Ibid.

³¹⁸ Ibid., 105-6.

³¹⁹ John Mahoney, *The Making of Moral Theology*, 207; Also Linda Hogan, *Confronting the Truth*, 106.

For Hogan, the essence of an intuition is that it comes from a non-conscious place, is not part of explicit awareness and, therefore, cannot be tested by purely intellectual means.³²⁰ While also classified as instinctive or tacit knowledge, Hogan claims that intuition can be an important source of information in a person's moral life, in that it can help that individual to assess the reliability of people or the way relationships are likely to work out, for example.³²¹ Furthermore, she claims that because "Intuition is usually based on knowledge and insight gained through sensitivity to all that is implicit and nonconscious in other people's behaviour,"³²² its evaluations usually have "some basis in actual experience . . . [and] are rarely completely arbitrary and random."³²³ Specifically, for Hogan, however, its importance relative to the decision-making process of conscience lies in the fact that it can encourage individuals to take an unpopular stand on some issues, while also making them wary of potential but unseen treachery.³²⁴ In addition, she also suggests that "Intuitive responses to moral dilemmas can cause one to attend to often forgotten or ignored values and can highlight neglected dimensions of the moral life."³²⁵

As with her theorising in support of acknowledging an essential role for emotion in facilitating the tasks of conscience, however, so it is with her work on intuition. At a general level, she cautions against simply appealing to one's intuition that something is wrong, because she does not find that to be sufficient from a Christian point of view.³²⁶ Furthermore, she claims that because intuitions can be influenced by "memories, dreams, emotions, suppressed experience and anxieties," this can sometimes result in their being mistaken or unreliable.³²⁷ Because an intuition may comprise non-conscious knowledge, Hogan also

³²⁰ Linda Hogan, *Confronting the Truth*, 141.

³²¹ *Ibid.*

³²² *Ibid.*, 142.

³²³ *Ibid.*, 141.

³²⁴ *Ibid.*, 142.

³²⁵ *Ibid.*, 142-3.

³²⁶ *Ibid.*, 106.

³²⁷ *Ibid.*, 142.

insists that it must not remain unexamined, nor allowed to function as reinforcement for prejudices and blind spots without being adequately evaluated.³²⁸

She advises strongly, therefore, that when operating out of one's intuition, the individual "has to determine if the intuition is well founded, if the conclusions drawn from it are warranted, if . . . [it] is consistent with the rest of one's beliefs and values, if the normal requirements of evidence are fulfilled."³²⁹ As with her treatment of emotion, what Hogan is, in fact, demanding here is that rather than treating intuition as an independently operating dimension of conscience, it be treated as a dynamic component of the integrated activity of conscience. By insisting that the key to reliability of intuitions "rests on the ability of the person to articulate reasons why such intuitive knowledge ought to be trusted," she can claim to be invoking that dynamic.³³⁰

6.2.3 Conscience and Imagination

Amongst the explanations offered by Hogan for failure in an individual to implement good moral decisions are: the possible clouding of reason, failure to control emotion, or, relative to this section, fear of "the leap of imagination" that may be required to resolve a particular problem.³³¹ While Hogan considers the entire construct of imagination the most difficult aspect of the integrated activity of conscience to discuss, because she views its operations as being both nebulous and hard to quantify,³³² she, nonetheless clearly asserts that: "Far from being redundant in the moral field, one's imagination helps to articulate one's sense of virtue and enables one to engage in the vital task of constantly renewing one's moral vision."³³³ Elaborating on this claim, Hogan emphasises how creativity and imagination can

³²⁸ Ibid.

³²⁹ Ibid.

³³⁰ Ibid., 143.

³³¹ Linda Hogan, *Confronting the Truth*, 151.

³³² Ibid., 147.

³³³ Ibid., 149.

play a significant role both in relation to decisions of conscience made in the present, as well as in the formation of a person's moral character.³³⁴ In her view, use of the imaginative process can help achieve such objectives by facilitating the cultivation of different values, by encouraging individuals to be braver in their pursuit of their moral vision, and by directing individuals towards confronting and then progressing beyond the limits of their moral heritage.³³⁵ Hogan interprets this imaginative process of re-evaluating commitments and of re-describing reality as part of the process of being human, to the extent that people's imaginative engagement with other cultures, religious traditions and moral communities can help them confront the partiality of their own perspective.³³⁶

Amongst the advantages that Hogan identifies as deriving from integrating the imaginative process into the task of conscience are: (i) it encourages the individual to view his or her activities and choices as an outsider would evaluate them on the basis of decisions made; (ii) it enables an individual to view the problem from the perspective of others who may be involved, so that it can be claimed that imagination takes the place of listening; and (iii) it can promote a constructive empathy with others, a vital dynamic for an individual tasked with making decisions for people he or she has never met.³³⁷

Although made with reference to failure of imagination within institutions, Hogan's causal identification of such a failure as arising from becoming "locked into a mindset and way of being,"³³⁸ is equally applicable to the individual. One specifically catastrophic consequence of a failure in integrating the imaginative process into the process of conscience, on the part of entire peoples, is aptly elaborated by the Dutch theologian, Wilhelm Visser't Hooft, when he spoke about the Holocaust. Speaking about the human tendency to self-

³³⁴ Ibid., 148.

³³⁵ Ibid.

³³⁶ Ibid., 149.

³³⁷ Ibid., 148.

³³⁸ Ibid., 187.

deception he suggested that “people could find no place in their consciousness for such . . . unimaginable horror . . . they did not have the imagination, together with the courage, to face it.”³³⁹ In the view of Visser’t, when people choose to restrict, limit or censor the moral decision-making activities of the imaginative or creative process, they are actually choosing to live in a self-imposed “twilight between knowing and not knowing.”³⁴⁰

6.2.4 Conscience and Spiritual Discernment

Spiritual discernment is a vital dimension of the tasks of conscience; this is so because while reason, intuition, emotion and imagination are deemed to be features common to all human beings, spiritual discernment is considered to be specific to people of faith. Thus, according to Hogan, Christians profess the belief that within conscience each person has an inner source of moral evaluation that is not entirely reliant on the individual’s personal resources, but derives from an inner source that is “informed by faith and shaped under the guidance of the spirit.”³⁴¹ As already alluded to in Chapter 2 of this work, for example, John Henry Newman described conscience as being the “aboriginal Vicar of Christ”, by which he meant that it is through conscience that Jesus Christ speaks to believers. Hogan, herself, defines the process of spiritual discernment in terms of the individual bringing “an element of prayerful reflection and stillness” to bear on the evaluations of conscience. Elaborating on this observation, she cites Mahoney’s comment to the effect that whiles the exercise of conscience necessarily entails “a personal uniqueness and a human solitariness” for people of faith, it also suggests a sense of this human endeavour being constantly worked out “in the shadow of the spirit.”³⁴²

³³⁹ Cited by Linda Hogan, *Confronting the Truth*, 160.

³⁴⁰ Linda Hogan, *Confronting the Truth*, 160.

³⁴¹ *Ibid.*, 149.

³⁴² See John Mahoney, “Conscience, Discernment and Prophecy in Moral Decision Making,” in *Riding Time Like a Rider: The Catholic Moral Tradition Since Vatican II*, ed. William O’Brien (Washington D.C.: Georgetown University Press, 1993), 81-97; See Linda Hogan, *Confronting the Truth*, 150.

With regard to the origins of denoting spiritual discernment as a dynamic dimension of an integrated model of conscience, Hogan cites Mahoney's observation in *The Making of Moral Theology*, that the importance of spiritual discernment was part of the traditional understanding of conscience from the earliest centuries.³⁴³ While Hogan then proceeds to note the manner in which Mahoney then characterises this understanding in terms of a Johannine tendency "to emphasise the role of the spirit as internal teacher of all the faithful. . ."³⁴⁴ she also highlights his claim that the importance of spiritual discernment to the process of conscience was also "highly significant in Aquinas's discussions on the role of conscience."³⁴⁵ Hogan would certainly regard such a claim as being of fundamental importance to her notion of a dynamically integrated model of conscience, because not only did Aquinas operate within a moral framework that presumed the unity of the moral and spiritual realms, but he did not regard reason and spiritual discernment as being separate. According to Hogan, he viewed both dimensions "as reflecting aspects of the integrated unity of the person."³⁴⁶

Finally, as she has done with reason, emotion, intuition, imagination, Hogan insists on the need for a type of reflective process to authenticate whatever insights might arise from engaging in this interior process of discernment.³⁴⁷ She maintains that such a process is essential because, as a process, she feels that spiritual discernment "is difficult to describe and still more difficult to have confidence in."³⁴⁸ While having made some effort herself to clearly define it, she also points out, for example, that in the Christian tradition spiritual discernment is often referred to simply as the voice of God. Furthermore, her reference to Mahoney's description of "this interior moral discernment" as a type of taste or feel for that

³⁴³ Linda Hogan, *Confronting the Truth*, 149.

³⁴⁴ Ibid.

³⁴⁵ Ibid.

³⁴⁶ Ibid., 149-50.

³⁴⁷ Ibid., 150.

³⁴⁸ Ibid.

which is good in particular contexts, which Christians are specifically credited with possessing, was made in a lead up to her claim that Mahoney, himself, found the process to be inherently ambiguous.³⁴⁹ Hence, it appears that Hogan's enthusiasm for including this dynamic dimension in her personalist, integrated model of conscience is tempered somewhat by Mahoney's observation that, because of its inherent ambiguousness, the process of spiritual discernment could, in fact, be simply characterised as "insight in search of arguments," or as "Christian experience seeking understanding."³⁵⁰ It can be argued, therefore, that while Hogan definitely admitted the spiritual discernment dimension into her personalist model of conscience, that admission is, as it were, to a "junior ministry" until more detailed research is undertaken.

6.3 The Extinguishing or Compromising of the Conscience

While Hogan has drawn attention to the possibility of the existence of various defects in the constituent elements of the inner working of conscience, and to the impairments that these could likely exercise on the judgement of one's conscience, she expresses very grave concern about two specific contra-dynamics which, in her view, suggest that the true voice of conscience can either be totally and deliberately extinguished or very seriously compromised.

With regard to the deliberate extinguishing contra-dynamic, which she describes as "the most worrying," Hogan speaks of the capacity of human beings to voluntarily and deliberately choose evil, a capacity she sees epitomised in the actions of Adolf Hitler. Her deep concern at this dynamic is expressed in the form of a question, wherein she asks:

whether it is possible for a person to turn away completely from the habitual conscience, that is, from the orientation toward good, which people are believed to possess . . . whether an individual can so reject

³⁴⁹ Ibid.

³⁵⁰ See John Mahoney, *The making of Moral Theology*, 210.

even the most minimal conditions of morality as to freely and deliberately, continually over a lifetime, choose evil?³⁵¹

Hogan is not talking here simply about the sinful behaviour of individuals who generally lead good lives, and who because of selfishness, cowardice or inertia, for example, find themselves engaged in activities they know to be wrong, or refraining from activities they know to be right.³⁵² Rather, she is specifically referring to individuals who engage in wrongdoing, not because of inner conflict and weakness, but because of deliberately choosing evil. Hogan's deep concern here is that while such behaviour may be rare in human experience, she maintains that it has accounted for some of the worst excesses of human behaviour.³⁵³ Such extreme behaviour is characterised by an avowal of contempt for all morality; a delight in disregarding even the most basic requirements of ethics; and by individuals setting themselves up as absolute arbiters of their own behaviour, and where possible, that of others.³⁵⁴ In Hogan's own words, as far as such individuals are concerned, "It is as if not only their specific decisions but also their entire moral sense has been fatally flawed."³⁵⁵

Although Hogan has already alluded to the rarity of such cases, she asserts that they nevertheless fundamentally challenge the Christian optimism about the goodness of human nature,³⁵⁶ because they demonstrate that individuals can radically turn away from good.³⁵⁷ They certainly appear to challenge the thinking of Jerome and subsequent medieval thinkers who adamantly maintained that our fundamental moral inclination is indestructible.³⁵⁸ Such grievous moral excesses or degradation, in Hogan's opinion would certainly test the validity of Jerome's own claim concerning habitual conscience, which he claims "refers to such a

³⁵¹ Linda Hogan, *Confronting the Truth*, 155.

³⁵² *Ibid.*, 154.

³⁵³ *Ibid.*, 155.

³⁵⁴ *Ibid.*

³⁵⁵ *Ibid.*

³⁵⁶ *Ibid.*, 156-7.

³⁵⁷ *Ibid.*, 156.

³⁵⁸ *Ibid.*, 155.

basic orientation that, even though it may be dulled or dormant as a result of deliberately choosing evil, it is never completely extinguished.”³⁵⁹ She, herself, appears to be at a loss in her attempts at explaining “why certain individuals dedicate their lives to the pursuit of evil,”³⁶⁰ by apparently extinguishing the moral decision-making functions of conscience. Hogan half-heartedly turns to the doctrine of original sin with its emphasis on “the limited and fallible nature of human beings”³⁶¹ in her search for possible explanations. Acknowledging, however, that the traditional definitions and boundaries can prove to be of little help in such extreme cases,³⁶² she turns to psychologists and other interested experts who, in the interests of society’s welfare, for example, continue to examine the role that such factors as genetic inheritance, social background, parenting and education may play “in the disintegration of a person’s moral sense.”³⁶³ Could it be that their findings will eventually and seriously challenge Jerome’s proposition that a human being’s fundamental moral inclination is indestructible, by concluding, in the words of some old equine adages, that “People like horses will only do what they have a mind to do,” as demonstrated by the fact that “You can lead a horse to water, but you can’t make it drink.” Is it all a matter of free choice carried to morally unacceptable extremes?

The second contra-dynamic that can negatively impact on the tasks of an integrated conscience is identified by Hogan as the conscious or unconscious practice of self-deception. Furthermore, with specific reference to the magisterium and the institutional Church, she makes the point that such a form of “moral failure” can occur at the level of both the individual and the institution. Maintaining that, for most of the time, there is likely to be some degree of self-deception operating in the lives of individuals even well-meaning and

³⁵⁹ Ibid., 156.

³⁶⁰ Ibid., 157.

³⁶¹ Ibid.

³⁶² Ibid., 156.

³⁶³ Ibid., 155.

honest ones.³⁶⁴ Hogan points out what exactly this mal-practice entails, its motivating force; what ethical consequences can ensue for both individual and institutional moral decision-making; and how such a self-serving strategy can be eliminated at both levels.

At the individual level, Hogan opens her explication of “this sort of evasion” by proposing that it can “help explain moral failure in a person who is essentially committed to living a morally good life.”³⁶⁵ She maintains that such prevarication occurs when individuals attempt to (i) put a positive spin on their motives and intentions; (ii) rationalise and explain their morally suspect actions; or (iii) silence the voice of internal criticism.³⁶⁶ According to Hogan, individuals attempt to implement such self-centring objectives by employing such specific strategies as: “Avoiding finding things out, ignoring vital information, looking the other way, burying inconvenient information.”³⁶⁷ She interprets such mal-practices as unambiguous efforts on the part of individuals to provide themselves and their respective consciences with alternative and more acceptable accounts of their morally dubious behaviour, in order to avoid confronting the true moral reality of that behaviour.³⁶⁸ More specifically, she characterises the implementation of such unethical strategies by individuals as “avoidance of self-knowledge.”³⁶⁹ In her view, this evasively-driven dynamic serves to facilitate individuals in the creation of false descriptions of reality and of their own moral character.³⁷⁰ This, in turn, facilitates their deliberate participation in behaviour they believe to be wrong, while simultaneously pretending to themselves that they are acting with integrity.³⁷¹ Psychologically, some experts would suggest that the individual in this situation is seeking to resolve a stressful mental state which the experts themselves denote as

³⁶⁴ Ibid., 157.

³⁶⁵ Ibid.

³⁶⁶ Ibid.

³⁶⁷ Ibid., 158.

³⁶⁸ Ibid., 157-158.

³⁶⁹ Ibid., 158.

³⁷⁰ Ibid.

³⁷¹ Ibid.

“cognitive dissonance,” a state they claim arises when an individual simultaneously holds two cognitions that are psychologically inconsistent.³⁷²

Ethically, however, Hogan sees such mal-practices epitomised in Hitler’s war-time minister for armaments, Albert Speer, who exploited Jews and other “enemies of the Reich” in his war-time factories. She notes that when Speer was questioned as to the extent of his knowledge about the Auschwitz concentration camp, he admitted that while at one level he knew that terrible things went on there, he deliberately chose not to know.³⁷³ Of such deception, Hogan would maintain that, psychologically and ethically, Speer and those who engaged in such evasion exist in a state of “middle knowledge,”³⁷⁴ a state she subsequently designates, relevant to institutional self-deception, as the “twilight of knowing and not knowing.”³⁷⁵ In such a psychological state or condition, by selecting and filtering what they allow themselves to know, such individuals are choosing to live in a type of self-imposed ignorance or false naiveté.³⁷⁶ As Hogan succinctly remarks, “it is a choice of ignorance that isn’t really ignorance at all.”³⁷⁷

In the matter of the institutional Church, Hogan claims that it, too, “is subject to some of the same difficulties that complicate individual moral difficulties,” since that institution is, in part, a human one.³⁷⁸ Hence, self-deception within the institutional Church is seen to operate to preserve its reputation and standing, and is not infrequently evidenced, for

³⁷² The theory of cognitive dissonance, first outlined by Leon Festinger (1957), proposes that people have a motivational drive to reduce dissonance by altering existing cognitions about the world and themselves. When such cognitions conflict a state of tension is said to ensue known as cognitive dissonance. Because the experience of dissonance is unpleasant, people are motivated to reduce or eliminate it by altering existing cognitions, adding new ones, or by reducing the importance of any one of the dissonant elements – all in an effort to create a consistent belief system. Key to this theory is the assumption that people want their expectations to meet reality in order to maintain a sense of equilibrium. See Leon Festinger, *A Theory of Cognitive Dissonance* (Stanford, CA: Stanford University Press, 1957).

³⁷³ Linda Hogan, *Confronting the Truth*, 158.

³⁷⁴ *Ibid.*, 160.

³⁷⁵ *Ibid.*, 188.

³⁷⁶ *Ibid.*, 160.

³⁷⁷ *Ibid.*

³⁷⁸ *Ibid.*, 186.

example, by: (i) refusals to accept or acknowledge the reality of past moral failures; (ii) the rationalisation of bad decisions; (iii) the self-serving reconstruction of historical memories or narratives; and (iv) the silencing of inner critics.³⁷⁹ A more indirect style in institutional self-deception has also been identified, whereby, for example, “The institution can avoid finding things out, it can ignore uncomfortable or troubling signs, it can bury inconvenient information and it can look the other way.”³⁸⁰ In the light of such wide-ranging, institutional practices in self-deception, it is not surprising that Hogan would conclude that “The avoidance of self-knowledge or the construction of false and flattering accounts of one’s past and present is a temptation as real for institutions as it is for individuals.”³⁸¹

Such mental and ethically challenging gymnastics, on the part of the individual and the Church as an institution, poses the question as to whether such mal-practices can actually achieve the evasive objectives desired by their perpetrators; specifically, “whether we can, in fact, lie to ourselves, whether we can be so divided in ourselves to allow a complete fragmentation.”³⁸² Hogan’s rather terse response is to assert unequivocally that an important truth relative to all self-deception is that “at some level and in some essential way the truth is known, a person cannot close her/his consciousness completely. The self-deception can never be absolute.”³⁸³ After all, no matter how intricate, no matter how convoluted the evasive process, it is clear from Hogan’s account that choices are being actively canvassed and engaged-in throughout the procedure.

This practice of what Hogan eventually designates as “the all-too-human tendency to deceive oneself”³⁸⁴ has implications at both individual and institutional levels for the formation, education and operation of Hogan’s personalist model of conscience. For example,

³⁷⁹ Ibid., 188.

³⁸⁰ Ibid.

³⁸¹ Ibid.

³⁸² Ibid., 157.

³⁸³ Ibid., 160.

³⁸⁴ Ibid., 161.

she points out that the process of educating and shaping the individual conscience can only be properly undertaken, if cognisance is taken by all parties concerned of: (i) the very human impulse to hide from or reinterpret the reality of past and present moral failures; and (ii) the need, consequently, for a significant degree of honesty with regard to all such mal-practices.³⁸⁵ Furthermore, in the same context, Hogan reminds those with a teaching role within the institutional Church that “When the institutional church, through the magisterium, comes to a judgement regarding whether or not a particular practice or process is acceptable, it does so using the same resources that are available to the faithful.”³⁸⁶ She insists, therefore, that such “teachers” need to remain keenly aware that while they may believe that the moral judgements of the magisterium “are made with the guidance of the Spirit, in dialogue with the inherited wisdom of the tradition and in the context of the community’s narratives and symbols. . . [t]hey are also made by people who are subject to the limitations of the human condition.”³⁸⁷ Consequently, in her view, they should never lose sight of the repeatedly demonstrated reality that “The avoidance of self-knowledge or the construction of false and flattering accounts of one’s past and present is a temptation as real for institutions as it is for individuals.”³⁸⁸

The preceding elaboration of the tendency on the part of the individual and of the institutional Church to frequently engage in self-deceptive misconduct is a stark reminder that the process of shaping and educating must always be fully cognisant of such ambivalence about moral failure. Such cognisance can be effective in terms of self-consciousness, self-evaluation or vigilance, practices that can assist in the authentic development of conscience by encouraging and enabling the individual and the Church to be absolutely honest with

³⁸⁵ Ibid.

³⁸⁶ Ibid., 186.

³⁸⁷ Ibid., 186-187.

³⁸⁸ Ibid., 188.

regard to past and present behaviour.³⁸⁹ At a practical level, self-consciousness or vigilance, which Hogan designates “a central component of the formation of conscience,” can be gradually assimilated “through attempting to confront the reality of one’s actions, through scrutinising one’s motivations, through checking one’s own memory of the events.”³⁹⁰ The teaching Church, itself, also gets a practical reminder that “In instances of suspected moral failure it can draw significant insight from scrutinising its own motivations and checking official versions of events,” practices which Hogan believes will allow it to reconstruct a more truthful account of the past, thereby enabling it to create a more promising future.³⁹¹

No matter what the strategy, however, the key factor for both the individual and the magisterium, according to Hogan, remains “the recognition that a well-formed conscience is prepared to confront its own failures and learn from them.”³⁹² In short, Hogan would maintain that both entities need to take account of their own moral failures and must learn from their past sinfulness. The current institutional Church, in particular, imprisoned as it appears to be in a “dark night” of sexual, financial and infighting scandals, is forcefully reminded by Hogan that such accounting and learning when it assumes the form of “a process of remembering and repentance of past sinfulness, together with a determination to learn from such failures”³⁹³ is the only way out of this imprisoning prison.³⁹⁴ Otherwise, for either the individual or the Church to continue to malfunction in those ambiguously moral states of “middle knowledge” or the “twilight of knowing and not knowing” could likely incur that starkly unambiguous Divine rebuke found in Revelation 3:15-16:

³⁸⁹ Ibid., 161.

³⁹⁰ Ibid.

³⁹¹ Ibid., 188-189.

³⁹² Ibid., 161.

³⁹³ Ibid., 189.

³⁹⁴ Ibid.

I know all about you: how you are neither cold nor hot. I wish you were one or the other, but since you are neither, but only lukewarm, I will spit you out of my mouth.

In this section, Hogan sought to deliver a clear, substantial and convincing account of the dynamic components of the personalist model of conscience. In her account, the human being is treated as a holistically integrated entity, possessing such specifically human dimensions as reason, emotion, imagination and intuition, and in the case of persons of faith, spiritual discernment. Hogan does not seek to detail the unique contribution each dimension contributes to the formation and functioning of conscience as it seeks to ethically manage the harmonious production of the human personality, but she attempts to emphasise how they operate in tandem to holistically achieve that outcome. Equally, she is also keen to draw attention to how impaired or dysfunctional human dimensions can impact negatively on the formation of the integrated conscience.

In her account, Hogan displays no fear about following through on theologically or ethically controversial or sensitive areas into which her personalist theorising leads her. Hence she does not refrain from offering personalist based insights and comment on such theologically and ethically sensitive notions as the existence of innate evil, the destructibility of conscience, as well as on the practice of ethical self-deception on the part of the individual and teaching Church.

Her communicating style here is engaging on a number of counts. Where she is uncertain of her argument or feels she is not in possession of the relevant knowledge, she explicitly acknowledges that, and where possible simply cites “experts.” As a personalist advocate, her language seeks to persuade, engage and debate, rather than to proselytize, win over, or even silence. Significantly, the simplicity and forthrightness of her language, in this section in particular, suggest an expert in theology and ethics, seeking to meaningfully communicate in lay language with a laity she so often seeks to champion.

7. Some Litmus Tests for Hogan's Personalist Model of Conscience

Hogan's personalist elaboration of the notion of conscience in terms of its meaning, role, primacy and formation have been methodically elaborated and analysed in different sections of this Chapter. Furthermore, the fundamental components which integrate or merge in the inner working of conscience have received similar treatment. In addition, the methodology she employed in the elaboration and analysis, in both cases, was comparative in approach, in that her theorising and claims were described and assessed with constant reference to a legalistic (ecclesial) model of conscience. In this section, we will critically assess her personalist model in conjunction **with the notion of an erroneous conscience and basic sources of moral failure.**

7.1 Personalist model of Conscience and Erroneous Conscience

Following from Catholic traditional thought, both Hogan and John Paul II are agreed that, by its very nature, conscience could be erroneous and susceptible to erroneous decisions. Both open their accounts by citing the teachings of Vatican II as a basis for this claim. Elaborating on the Council's teaching that "not infrequently conscience can be mistaken,"³⁹⁵ John Paul II cautioned that "Conscience, as the judgement of an act, is not exempt from the possibility of error."³⁹⁶ He further emphasised this when, in the context of St. Paul's admonition to his readers to be mindful of the possibility of error as ever-present in the judgements of conscience, the Pope flatly insisted that "*Conscience is not an infallible judge; it can make mistakes.*"³⁹⁷ For her part, Hogan simply concurs with the teachings of Vatican II, which hold that, even though it is voice of God echoing in the depths of the person,

³⁹⁵ *Gaudium et Spes*, no.16.

³⁹⁶ *VS*, no.62.

³⁹⁷ *VS*, no.62 [italicisation in text].

conscience can be in error. It is, here, at this initial and basic stage, however, that any semblance or meeting of minds ceases.

From the outset, Hogan's account focuses on the person who actually manages the erroneous conscience, rather than on the theological construct itself. Thus, she opens her account in *Confronting the Truth* by quoting the Council's relational description of conscience as the Voice of God echoing in the depths of the person.³⁹⁸ This person is portrayed by Hogan in positive terms, in that he or she is presented as making this error despite the fact that "they aspire to make the right judgement."³⁹⁹ Reference to the individual's aspirations indicate that Hogan sees the individual's intentions as being particularly relevant when assessing any moral decision-making process, erroneous or correct. In adopting such an approach, she is simply implementing her own personalist principle that when assessing the morality of an action or behaviour, "we do not focus exclusively on the action itself, endowing it alone with moral significance. Rather, we try to assess . . . the circumstances of our decision and try to establish what our intentions and motives are."⁴⁰⁰

In seeking an explanation as to why well-intentioned people can make seriously erroneous moral decisions, despite the fact that conscience itself has been designated as that place where one is alone with God and God can be heard directly, Hogan turns to the "distinction between goodness and rightness"⁴⁰¹ however, from a personalist perspective, she turns to the concepts of "original and social sin." She claims that by demonstrating how human decisions "are limited by factors constitutive of both the human condition (original

³⁹⁸ Linda Hogan, *Confronting the Truth*, 112.

³⁹⁹ *Ibid.*, 113.

⁴⁰⁰ *Ibid.*, 32.

⁴⁰¹ *Ibid.*, 113.

sin) and ... social embeddedness (social sin)” light may be thrown on “why decisions of conscience are always immature and imperfect.”⁴⁰²

7.1.1 The Erroneous Conscience and Original Sin

Drawing on the theology of the Angelic Doctor, Thomas Aquinas, and anxious to assert the essential dignity of conscience, even an erroneous one, and to acknowledge the sincerity and goodness of the individual sincerely engaged in moral decision-making, Hogan attempts to theorise an explanation of erroneous conscience that revolves around the distinction between goodness and rightness. In this task, she specifically draws on the writings of James Keenan, who claims to have found a basis for such a distinction in the theology of Aquinas.⁴⁰³ Based on his Thomistic findings, Keenan views goodness as pertaining to the heart, and maintains that it is focused on whether it is out of love that one strives to attain a rightly ordered self.⁴⁰⁴ By way of contrast, Keenan designates rightness as being concerned with judgement of reason, which, in turn, focuses on the extent to which the individual “actually attains a rightly ordered self.”⁴⁰⁵ Commenting on Keenan’s interpretation of Aquinas’s distinction between goodness and rightness, Hogan makes the point that it “allows one to recognise that a decision may be in error but may arise from moral goodness. Erroneous judgments can come from the desire to do what is truly loving.”⁴⁰⁶ Based on this, Hogan concludes that when the distinction between goodness and rightness is placed at the core of the problem of the erroneous conscience, it makes it possible to explain “how a person acting out of goodness (the heart), through an error of reason, can make a decision that is objectively wrong.”⁴⁰⁷ Since this is the case, according to Hogan, the dignity of the erroneous conscience and the decision-maker are preserved, because both remain oriented

⁴⁰² Ibid., 161.

⁴⁰³ Ibid., 162.

⁴⁰⁴ Ibid., 113.

⁴⁰⁵ Ibid.

⁴⁰⁶ Ibid.

⁴⁰⁷ Ibid.

towards the good, even when they are mistaken.⁴⁰⁸ Thus, the distinction she maintains “would allow one to endorse the Council’s view that conscience is the voice of God calling the person to love and do the good.”⁴⁰⁹

True to her personalist approach however, Hogan chooses to highlight the very real and painful consequences that follow from having to live life in the shadows of the human condition. For her, therefore, the account of the Fall in Genesis is not all about theological and philosophical theoretical concerns as human disobedience and Divine retribution, or whether the command not to eat of the forbidden fruit was a test of love and loyalty or a form of entrapment, or even about the apparent naivety of man in the face of the wiliness of woman, and so on. Instead, she sees the account as “a story about a man and a woman in their struggle to confront their conflicting desires and avoid temptation . . . a narrative in which they fail and subsequently have to come to terms with the consequences of that fact.”⁴¹⁰ In short, this very account of humanity’s first encounter with the Divine, speaks to Hogan “of the frailty and vulnerability of people’s moral sense,”⁴¹¹ restricting and disabling features that, in her view, are essentially embedded in peoples’ origins, and in the context of which their desire to do good has to be consequently lived.⁴¹² Such an interpretation is succinctly affirmed in Louis Janssen’s observation that “being limited and being subject to the consequences of original sin, the human person is exposed to ignorance and error. He can be deceived in good faith, even to his judgment of conscience concerning the most essential decisions of his existence.”⁴¹³

⁴⁰⁸ Hogan actually quotes from Gerald Gleeson’s article “When a Good Conscience Errs,” in support of this composite claim. According to Gleeson, the concept of the erroneous conscience “presupposes that, despite one’s mistake, one is striving to obey its summons to fidelity.” See Linda Hogan, *Confronting the Truth*, 113-114.

⁴⁰⁹ Linda Hogan, *Confronting the Truth*, 113.

⁴¹⁰ *Ibid.*, 162.

⁴¹¹ *Ibid.*

⁴¹² *Ibid.*

⁴¹³ Louis Janssens, *Freedom of Conscience and Religious Freedom*, 75.

In the light of her ethical implications of the doctrine of original sin on the human person, we could well re-designate the Biblical account as the story of the *Original Erroneous Conscience*, because, for her, the human participants point to the reality that our knowledge was always incomplete and partial, our desires conflicting and our emotions immature.⁴¹⁴ In positing such an explanation for the susceptibility of well-intentioned human beings to perpetrating acts of erroneous moral decision-making, Hogan is further demonstrating that her take on this Biblical narrative is typically personalist. Her explanation specifically presents the human participants as holistic beings, who, by consciously or unconsciously integrating their defective rational and emotional and spiritual personality dimensions into their moral decision-making process eventually generate a defective product—an erroneous conscience. Summarising the usefulness of the metaphor itself as an aid to explaining and understanding the dynamic directing of the erroneous conscious, Hogan claims that

one thing we can draw from the concept is that as human beings we are born into a situation characterised by moral failure. It is part of our heritage and will inevitable form part of our future. . . In part it articulates a fundamental truth about our condition, that is, that limitations of many sorts are embedded in our origins and that our desire to do good is lived out in this context of frailty and finitude.⁴¹⁵

Hogan however, is not satisfied to simply provide a Hebraic underpinning for her explanation of the proneness of conscience to err; she is also keen to reinforce the explanations from the relational character of the human person.

7.1.2 The Erroneous Conscience and Social Sin

Human frailty and finitude are not the only factors causing malfunctioning of conscience. Rather, since the human being is a rational as well as a relational person, the

⁴¹⁴ Linda Hogan, *Confronting the Truth*, 162.

⁴¹⁵ *Ibid.*

social, cultural and religious contexts that one inhabits possess the potential to produce a similarly negative influence on one's conscience. It is the awareness that conscience is under constant exposure to the frailties of the human condition that prompts Hogan to insist that there can never be an absolute certainty about the rightness of an individual's decisions.⁴¹⁶ Indeed, her theorising on the notion of conscience is replete with references concerning her belief in the capacity of these communal contexts to exert a strongly determining influence for good or evil on the individual's moral decision-making. To substantiate this belief, she cites the following arguments or propositions:

- The exercise of conscience is “both an individual and a community event”;⁴¹⁷
- Since “conscience is formed in community, [the] individual does not construct her/his basic orientation from a tabula rasa”;⁴¹⁸
- To the extent that an individual's moral judgement is exercised in the context of “the community's narrative and symbols,” that process cannot be deemed to have occurred in a vacuum;⁴¹⁹
- Because the moral self is a self-in-relation, Christian individuals seeking to exercise ethical responsibility will do so in relation to the Church which forms their specific faith community.⁴²⁰

Specifically, Hogan is arguing that “the values and virtues that a community embodies play an important role in the formation of conscience.”⁴²¹ Furthermore, she insists that while this holds for the cultivation of positive dispositions, it also holds for the limitations and moral blindness of communities with problematic consequences for the

⁴¹⁶ Ibid., 163.

⁴¹⁷ Ibid., 407.

⁴¹⁸ Ibid., 135.

⁴¹⁹ Ibid., 186.

⁴²⁰ Ibid., 190.

⁴²¹ Ibid., 134.

individual's moral decision-making process. Just as with an individual who operates morally out of personality dimensions that are deficient or dysfunctional, so it can be for an individual who lives an *unexamined* life within the spoken and unspoken biases of a morally flawed social, cultural or religious milieu; he or she will be inclined to constructing an erroneous social conscience, which will serve to facilitate their witting or unwitting participation in social or communal sin.⁴²² According to Hogan, this inclination is further amplified by the fact that, within such flawed contextual milieus, biases may be hidden, priority given to inessentials and the individual desensitised to particular injustices, such as sexism, racism and homophobia, for example.⁴²³ Indeed, in her writings Hogan cites three historical episodes: the Holocaust, the Inquisition and the Church's current financial and sex scandals as examples of the catastrophic human and moral consequences that can ensue, for perpetrators and victims, as well as for local, national and international communities, when such strategies are consciously or unconsciously adopted by the individual.⁴²⁴ Hence, Hogan theorises that the key to understanding the dynamic that can lead individuals to erroneously believe that their active participation in such appallingly immoral practices is that the values justifying those actions were hidden in ideologies and subtly "reinforced in many cultural assumptions and patterns of behaviour."⁴²⁵ It is for this reason, Hogan would argue in the words of Hooft that people would have no need to find a "place in their consciousness for such . . . unimaginable horror," neither would they have need for "the imagination, together with the courage to face it"⁴²⁶ because they were often unaware that they were participating in social sin.⁴²⁷

⁴²² Ibid., 163.

⁴²³ Ibid.

⁴²⁴ Ibid., 158-60; 189.

⁴²⁵ Ibid., 163.

⁴²⁶ Ibid., 160.

⁴²⁷ Ibid., 163. Hogan subsequently points out (p. 187) that the promoters of the Inquisition operated out of the belief that error has no rights. She cites John Noonan's observation, for example, that "it was universally taught that the duty of a good ruler was to extirpate not only heresy but heretics," and that "the vast institutional apparatus of the Church was put at the service of detecting heretics, who, if they persevered in their heresy or relapsed into in, would be executed at the stake. In the case of the Holocaust, Hannah Arendt, in her book,

Hogan's treatment of the mistaken moral decisions emanating from an erroneous communal conscience does not appear to be as fulsome in its emphasis on the essential goodness and sincerity of the decision-maker as it was for the individual malfunctioning out of his or her dysfunctional personality dimensions. It could be that the enormity of the consequences that ensued as a result of the communal misappropriation of the individual's judgements of conscience would suggest that the use of terms such as "essential goodness or sincerity" in that context, would demonstrate a lack of sensitivity to, or appreciation of, the devastation that was the Holocaust, the Inquisition and many of the crimes against humanity. However, Hogan is anxious to include the social sinner within her personalist model of conscience, and so she explains on behalf of the erroneous social decision-maker that "[t]he pervasiveness of social sin profoundly influences the ability to see and resist these destructive attitudes and actions," and, consequently, the individual would find it "difficult to maintain a sense of self-direction in the context of all the external factors that ground and influence one's morality."⁴²⁸ In the case of the erroneous social conscience, Hogan's advice would centre on the necessity of each individual addressing their unexamined beliefs, assumptions and behaviours, through the practises of vigilance and self-scrutiny. Hence, she designates vigilance "a central component of the formation of conscience," and states that it can be learned, amongst other things "through scrutinising one's motivations."⁴²⁹ Indeed, she advises what she regards as one of the main perpetrators of social sin, the historical institutional Church that "[i]n instances of suspected moral failure it can draw significant

Eichmann in Jerusalem: A report on the banality of evil, made the point that the "monsters" who perpetrated many of the atrocities were often mild-mannered, softly spoken, courteous people, who repeatedly and politely explained that they did what they did, not because they hated Jews, but because they were ordered to do it. They were simply following orders – in contrast to committing social sin. Both accounts would speak to Hogan of the extent to which 'unexamined' thinking or behaviour can lead to catastrophic errors in moral decision-making and to such errors being subsequently justified by the fundamentally flawed judgements of an erroneous conscience.

⁴²⁸ Linda Hogan, *Confronting the Truth*, 163.

⁴²⁹ *Ibid.*, 161.

insight from scrutinising its own motivations and checking official versions of events.”⁴³⁰ However, as keen as Hogan appears to be in accounting for, and dealing with, social sin in terms of her personalist model of conscience, she unapologetically advises the perpetrators of social sin not to offer the pervasiveness of social, cultural and religious biases, or the notions of hidden ideologies or subtle promptings as “conversation-stopping” explanations for their erroneous decisions or behaviours. She simply reminds such individuals or communities that

the Christian tradition is built on the assumption that although social and cultural practices play an important role in shaping our sense of morality, they do not determine it. We do have a sort of freedom that enables us to evaluate, and then either reject or endorse the dominant culture. Social embodiment is important but not decisive in the individual’s pursuit of good.⁴³¹

It seems from the preceding account that Hogan has left no stone unturned in her efforts to explicate the notion of erroneous conscience and the potential effects of original and social sin on the moral decision-making process. Her account also demonstrates the philosophical and theological lengths she has gone to in order to incorporate her conclusions on the interrelatedness of those different variables into her personalist model of conscience. However, in the course of her theorising in this particular area that is the erroneous conscience, there seems to be, so to speak, “an elephant in the room.” A close inspection of her work, *Confronting the Truth*, for example, reveals reference to the key concepts of *culpable* and *invincible* ignorance only in her treatment of “Aquinas on conscience”⁴³² and in “Conscience in the Documents of Vatican II.”⁴³³ In her reference to Vatican II, rather than seeking to address the implications of vincible and invincible ignorance, she seems merely to decry the fact that “Vatican II documents limited the discussion of the erroneous conscience

⁴³⁰ Ibid., 188-189.

⁴³¹ Ibid., 163.

⁴³² Linda Hogan, *Confronting the Truth*, 81-85. Here, Hogan credits Aquinas for the distinction he made between vincible and invincible ignorance as “his most important innovations” and “benchmark for all subsequent work” in the discussions of conscience. 84.

⁴³³ Ibid., 112-114.

to the issue of whether the error was caused by vincible or invincible ignorance.”⁴³⁴ For Hogan’s model, this begs the question as to whether her assertion that “the concept of the erroneous conscience ‘presupposes that, despite one’s mistake, one is striving to obey its summons to fidelity,’” is conditional on whether the ignorance out of which the mistake arises can be considered to be vincible or invincible.⁴³⁵ It may be that moral terms such as vincibility or invincibility, in conjunction with their inevitable insertion into the theology of conscience, carry undertones that, for Hogan at any rate, are overly legalistic, even clinically so. John Paul II, however, has no such reservations; in fact, his anxieties could be said to centre on clinically outlining the acceptable and unacceptable face of the erroneous conscience, as far as the magisterium is concerned, at any rate.

7.1.3 John Paul II and the Erroneous Conscience

Although we expounded on John Paul II’s teaching in chapter one, it is significant that we expatiate on it in this section as it will enable us to look critically at Hogan’s teaching. From the outset, John Paul II seeks to distinguish between a correct or good conscience and one that is erroneous, in terms of how they are regarded by the magisterium. It is his opinion that, first and foremost, the correct conscience is one that concerns itself with “the *objective truth* received by man;” and “in the case of the erroneous conscience, it is a question of what man, mistakenly, *subjectively* considers to be true.”⁴³⁶ Consequently, in order to ensure that a person’s conscience is correct and good, the individual “must seek the truth and must make judgements in accordance with the same truth.”⁴³⁷ Truth is therefore an indispensable feature of conscience. Hence, in Grisez’s thought, he describes conscience as

⁴³⁴ Ibid., 113.

⁴³⁵ Ibid., 113-114.

⁴³⁶ VS, no.63 [italicisation in text].

⁴³⁷ VS, no.62.

“knowledge of moral truth.”⁴³⁸ To characterise correct or good conscience, John Paul II refers to Scripture, particularly St. Paul, where he finds that a correct conscience is one that is (i) “confirmed by the Holy Spirit” (Romans 9:1); (ii) “clear” (2 Timothy 1:3); and does not (iii) “practise cunning and tamper with God’s word,” but “openly states the truth (2 Corinthians 4:2).”⁴³⁹

John Paul II’s emphasis on the Scriptures as a reliable source of truth is an indication of his support for the notion that truth is “objective” and is “out there” beyond the individual. He does, however, acknowledge that conscience has subjective and interiorised dimensions, but only to the extent that these are directly linked to God, and function as internal witnesses of the individual’s faithfulness or unfaithfulness to God’s law. Thus, he asserts that

conscience in a certain sense confronts man with the law, and thus becomes a ‘*witness*’ for man: a witness of his own faithfulness or unfaithfulness with regard to the law, of his essential moral rectitude or iniquity. Conscience is the *only* witness, since what takes place in the heart of the person is hidden from the eyes of everyone outside. Conscience makes its witness known only to the person himself.⁴⁴⁰

John Paul II moderates the subjective dimension of conscience even further by pointing out that not only does it function as a “*witness*” for man,⁴⁴¹ but also as *witness of God himself*⁴⁴², by testifying to the individual’s obedience to His law. Elaborating on this notion, John Paul II claims that because conscience also functions as “a *dialogue of man with God*, the author of the law, the primordial image and final end of man,” it also acts as “*the witness of God himself*, whose voice and judgment penetrate the depths of man’s soul, calling him *fortiter et suaviter* to obedience.”⁴⁴³

⁴³⁸ See Chapter three of this thesis.

⁴³⁹ VS, no.62.

⁴⁴⁰ VS, no.57.

⁴⁴¹ VS, no.57 [italics in text].

⁴⁴² VS, no.58 [italics in text].

⁴⁴³ VS, no.58 [italics in text].

Addressing the matter of an erroneous conscience that is deemed to have resulted from invincible or non-imputable ignorance, an ignorance of which the subject is not aware and which he is unable to overcome by itself, John Paul II notes Vatican II's assertion that in such a situation the erroneous conscience does not forfeit its dignity.⁴⁴⁴ Speaking from the Council's perspective, John Paul II explains that even when an erroneous conscience directs an individual "to act in a way not in conformity with the objective moral order, it continues to speak in the name of that truth about the good which the subject is called to seek sincerely."⁴⁴⁵ Not straying too far from its original legalistic base, however, this ecclesial amnesty is issued with some specific cautions and caveats attached. John Paul II reminds all Christians that:

- A subjective error about moral good must never be confused "with the 'objective' truth rationally proposed to man in virtue of his end;"
- The moral value of an act performed with a true and correct conscience must not be equated with "the moral value of an act performed by following the judgement of an erroneous conscience;"
- While the evil perpetrated as a result of a non-culpable error of judgement may not be imputable to the agent, it still does not cease to be a disorder in relation to the truth about the good;
- And even in the case of a good act, it will not contribute to the moral growth of the person who performs it, if that act is not recognised as such from the outset.⁴⁴⁶

It is obvious then that John Paul II's overall treatment of the erroneous conscience is one that is focused on truth. Individuals who do not make effort to achieve truth are however reminded that:

Conscience, as the ultimate concrete judgment, compromises its dignity when it is *culpably erroneous*, that is to say, 'when man shows little concern for seeking what is true and good, and conscience gradually becomes almost blind from being accustomed to sin.'⁴⁴⁷

Hence the Christian faithful are reminded that:

⁴⁴⁴ VS, no.62.

⁴⁴⁵ VS, no.62.

⁴⁴⁶ VS, no.63.

⁴⁴⁷ VS, no.63 [italicisation in text].

The Church puts herself always and only at the *service of conscience*, helping it to avoid being tossed to and fro by every wind of doctrine proposed by human deceit (cf. *Eph 4:14*), and helping it not to swerve from the truth about the good of man, but rather, especially in more difficult questions, to attain the truth with certainty and to abide in it.⁴⁴⁸

John Paul II's approach to the treatment of an erroneous conscience proves to be seriously problematic for Hogan's personalist approach which places great emphasis on human goodness and little accent on truth.

8 Conclusion

Hogan's specific use of the personalist paradigm to explain the theology of conscience, offers a precise background from which to comprehend her teachings. Focusing on the human person, personalist writers lay emphasis on the subject rather than the object. For instance, economic personalism of our time while focusing on the human person rather than goods, has redirected global economic order to promote market activity that does not reduce the human person to another economic element. Thus when attention is centred on the human person, we are able to glean the essential elements of the human person in relationships and that is what personalist theory is all about.

Hogan and personalist moral theologians in their teaching on conscience reaffirm their concern for persons by asserting freedom for autonomous thinking, action and responsibility. Hogan seeks to promote the personal and private nature of conscience. Through her criticism of the legalistic model, which for her upholds norms and principles as absolute, exceptionless and universal in their application, and her tenacity about circumstances and intentions in moral evaluation of an action, she seeks to emphasize the vital role of conscience to discern, scrutinize, evaluate and inform a person about what one

⁴⁴⁸ VS, no.64 [italicisation in text].

thinks is good and right. Her teaching however has great challenges and consequences for Catholic moral teaching which will form part of the discussions in the next chapter.

Chapter Five

John Henry Newman, Germain Grisez and Linda Hogan:

Comparisons and Conclusion

1. Introduction

In chapter one, this thesis set out to identify the essential nature of the human person; outline the implications of understanding the human person in a holistic rather than a partitioned manner; and assess the extent to which the human person is free or constrained to be the social and divinely-relational he/she is meant to be. The divergent views that surfaced not only impacted on the individual's religious and moral understanding of reasoning and behaviour, but shaped the historical development of humanity's essential moral compass—the conscience. This, in turn, leads to an outlining of the overall aim of this thesis, namely the tracking of the philosophical and moral divergences and convergences that arose as the theology of conscience did not so much develop, but journeyed through the course of human history, in particular Catholic Christian history. This moral and theological journeying of the human conscience was undertaken with particular reference to:

- *Scripture: The Old and New Testament* As already noted, Hebraic Old Testament authors did not use the term conscience itself, drawing, instead on the metaphor of the heart to illustrate its functions. This metaphor, according to Grisez and Shaw, referred not just to feelings, but also to the entire inner self, with its functions of thinking, judging and willing.¹ Old Testament writers portrayed a good heart as being a wise heart, in that it possesses God's light, sees reality and acts accordingly.² In the New Testament, St Paul's famous observation that even non-believers “do instinctively

¹ Germain Grisez and Russell Shaw, *Fulfillment in Christ: A Summary of Christian Moral Principle* (Notre Dame: University of Notre Dame Press, 1991), 28.

² Ibid.

what the law requires,” because that law “is written on their hearts, to which their own conscience also bears witness”³ attests to the Greek term in Scripture. Paul’s text is a celebrated quote as it was taken up by Vatican II in words that are very well celebrated.⁴ St. Paul’s contribution to the theology of conscience merits serious attention, because even in those early days of Christianity, he drew attention to the role of conscience, a topic that preoccupies many schools of moral theology to this day.⁵

- *The teachings of St. Thomas Aquinas*: Aquinas’ teaching is at the forefront of theorising on conscience. According to Grisez, he sought to distinguish between “principles of moral thought, moral reasoning and judgements of what is right and wrong, [before] reserving his own use of the word ‘conscience’ for the latter.”⁶ The respect in which his contribution to the theology of conscience is held is evidenced by the fact that it merited allusion in Vatican II and “is used constantly by the magisterium and in theology.”⁷ As with St. Paul, Aquinas contributed significantly to the theology of the conscience, insisting that an individual ought to do what he or she believes is right even if they are wrong, because in doing what they think is wrong they are always morally guilty.⁸
- *The Neo-Manualist Tradition*: Justification for the inclusion of the manualist tradition in any list of notable contributors to the development of a theology of conscience is found in an article authored by Charles E. Curran. He notes that “The most extensive development in the understanding of conscience in the Catholic tradition came in the

³ Romans 2:14-15

⁴ “Deep within their consciences men and women discover a law which they have not laid upon themselves and which they must obey. . . For they have in their hearts a law inscribed by God. Their dignity rests in observing this law, and by it they will be judged.” *Gaudium et Spes* 16.

⁵ “True, my conscience does not reproach me at all, but that does not prove that I am acquitted: the Lord alone is my judge.” 1 Corinthians 4:4.

⁶ Germain Grisez and Russell Shaw, *Fulfillment in Christ*, 29-30.

⁷ *Ibid.*, 29.

⁸ *Ibid.*, 30.

context of the manuals of moral theology that emerged at the end of the sixteenth century and continued until Vatican II.”⁹ During this period, the manuals followed a legal model which, by continuously emphasising the extrinsic character of law, implied “that something is good because it is a matter of law.”¹⁰ Such a legalistic approach contrasts with an intrinsic or natural law approach, which emphasised “that something is commanded because it is good.”¹¹

- *The Documents of Vatican II*: While references to conscience or to conscience-related topics are to be found throughout documents of Vatican II, this thesis drew mainly on *Gaudium et Spes* and *Dignitatis Humanae*. Some modern moral theologians have been quite critical of that contribution. David E. DeCosse’s observation that even after Vatican II “the concept of the Catholic conscience is ill-defined or offered as a conversation-stopping absolute”¹² has been noted. Furthermore, his explication of his post-Conciliar observation that “Conscience within Catholicism is tugged in two interpretive directions” has featured in this *Dignitatis Humanae* thesis, as has Linda Hogan’s criticism of *Gaudium et Spes* for its representation of “the two strands of conscience [*synderesis* and *conscientia*] that had been relatively successfully integrated by Aquinas” as competing rather than complementary accounts.¹³ On the other hand, theologians like Germain Grisez, Russell Shaw and William E. May, for example, have been zealous in their praise of the Vatican Documents. They celebrate the Council’s perceived blanket rejection of a subjectivist notion of conscience, noting that by doing so, “the Council is insisting that there is an objective norm of morality,

⁹ Charles E. Curran, *Conscience in the Light of the Catholic Moral Tradition*, in *Conscience: Readings in Moral Theology* 14, ed. Charles E. Curran (New York: Paulist Press, 2004), 7.

¹⁰ *Ibid.*

¹¹ *Ibid.* In fact, Curran points out that reviews of the history of the manuals show how the controversies of the seventeenth and eighteenth centuries intensified the legal model. Law was the remote, objective, and extrinsic rule or norm of human actions, and conscience was the proximate, subjective, and intrinsic rule of actions.

¹² David E. DeCosse, “Conscience Issue.”

¹³ Linda Hogan, *Confronting the Truth: Conscience in the Catholic Tradition* (New York: Paulist Press, 2000), 111.

which it is conscience's task to discern and conform to.”¹⁴ While this thesis has also drawn on the teachings found in the *Catechism of the Catholic Church* on conscience, *much* of the material found therein very obviously derives from the Conciliar documents. Indeed, as has been made clear throughout this thesis, the work of pre- or post-Vatican II moral theologians relevant to the theology of conscience is generally assessed in terms of how much they contributed to the formation of that theology in Vatican II (e.g., Aquinas and John Henry Newman), or subsequently expanded, clarified or challenged those Conciliar teachings (e.g., John Paul II, Benedict XVI), specific documents from regional Episcopal conferences (Canadian, U.S and Irish Bishops' Conferences), as well as the works of Germain Grisez and Linda Hogan.

2. Newman, Grisez and Hogan – Juxtaposition

It is against this broad introductory background that the contributions of John Henry Newman, Germain Grisez and Linda Hogan to the Catholic theology of conscience were studied and analysed in chapters two, three and four, respectively. Each of them brought to the understanding and development of the concept of conscience something that was not only unique, but also indicative of the religious, cultural, political, social and academic environments they inhabited.

A convert to Catholicism from Anglicanism, and subsequently a member of the Catholic hierarchy in the nineteenth century, Cardinal John Henry Newman's thought impacted on the deliberations and teachings of Vatican II on the nature and functions of conscience. His impact gave him the niche as “one of recent history's more forceful spokespersons for the centrality of conscience.”¹⁵ Germain Grisez, a twentieth century,

¹⁴ Germain Grisez and Russell Shaw, *Fulfillment in Christ*, 29. Specifically, Grisez and Shaw cite *Gaudium et Spes*, 16.

¹⁵ Timothy E. O'Connell, *Principles for a Catholic Morality*, rev. ed. (New York: HarperCollins, 1990), 114.

American lay-Catholic moral theologian, is a strident, unapologetic and unquestioning proponent of the supremacy of the moral teachings of the church as the “monitor” in the formation and functioning of the Catholic conscience. His approach earned him the disdain of the liberal wing of the Catholic Church, a scorn demonstrated by the silence with which much of his teachings were received by Catholic liberals. On the other hand, it earned for him the admiration of the more “traditionalist” Catholic followers, an admiration demonstrated by the efforts of some of his followers to “out-Grisez” themselves in their elaboration of his teachings.¹⁶ Linda Hogan’s contribution to the “conscience” debate centres on the fact that she enters under the “Personalist” umbrella. Hence, in keeping with the tenets of that philosophy, chapter 4 finds her insisting that the personal autonomy and responsibility of individuals in moral matters be prioritised; the role of conscience as the mediator of the divine moral law be emphasised; any account of ethics that relies on absolutist principles be rejected; and that every moral theory be required to acknowledge the role of circumstances and intentionality in moral decision-making.¹⁷ Thus, while Newman may be the champion of conscience itself, and Grisez the magisterium, Hogan may be considered the champion of those who demand that individuals have the ultimate say in their own moral decision-making. Not only is Hogan a lay-Catholic moral theologian, but a female one with considerable feminist and ecumenical credentials. This may have left her open to influences beyond the reach of the Catholic magisterium. Her position criticises the culture of patriarchy which

¹⁶ Take, for example, the writing of one of Grisez’s main supporters, William E. May, on the *Specific Moral Teaching of Vatican II*: “Moreover, it is evident from an examination of the texts of the Council that the authority of the Church on moral questions is not limited to the articulation of very general norms of the divine and natural laws – norms that people everywhere can grasp for themselves, such as that good is to be done and pursued and evil is to be avoided. The authority of the Church, i.e., of its divinely instituted magisterium or teaching office, extends to specific questions of morality.” [96-97]. He follows this claim later in the same article with the observation that “we shall, I am convinced, discover that the substantive core of Catholic teaching on moral issues has been infallibly taught (e.g., the moral norms set forth in Decalogue, as this has been constantly understood by the Church, i.e., as holding as absolutely immoral the killing of the innocent, adultery [or sexual union by a married person with someone other than his or her spouse], fornication, perjury.” See *Vatican II, Church Teaching, and Conscience*, in *Conscience: Readings in Moral Theology No. 14*, ed. Charles E. Curran (New York: Paulist Press, 2004), 96-97.

¹⁷ Linda Hogan, *Confronting the Truth*, 29.

suppresses female conscience decision-making. Such an advocacy as detailed by Anne E. Patrick¹⁸ suggests decisive differences in the male and female process of moral decision-making.

The works of Newman, Grisez and Hogan in elucidating the understanding of conscience as presented in chapters two, three and four, allow for comparison and contrast on the teachings on conscience. The concept has come to be understood – over time and across the different schools of theology, philosophy and morality – in ways that cannot be considered to be either consistently standardised or homogeneous. Specifically, their “Catholic” moral thinking and teachings when juxtaposed with that of the teachings of the Church on “conscience” have pointed to contrasting emphases and divergent approaches on the understanding of this concept. This is so not only when it is considered with reference to its role in the moral life of the individual, but also when the roles of the individual, the church and social institutions are considered in relation to its formation, functioning and monitoring or guidance.

In light of these generalised findings, this concluding chapter seeks to undertake an assessment of the work of these three Catholic moral scholars in terms of their contribution to a “theology of Conscience” that is consonant with, or challenging to the teachings of the Catholic magisterium. More importantly, however, the actual “conscience” that each one of the three presents to their readers will be measured against the fundamental demand made by Newman, for example, that conscience must function as a way of establishing contact with a personal God. In Christian terms, then, when measured against the redemptive role that Jesus Christ seeks to play in the lives of his followers as “the way, the truth and the life”¹⁹ to what extent does the specific understanding of conscience as presented by Newman, Grisez and

¹⁸ Anne E. Patrick, *Liberating Conscience* (New York: Continuum, 1996).

¹⁹ John 14:6 “Jesus said, I am the Way, the Truth and the Life. No one can come to the Father except through me.”

Hogan actually function as “the Aboriginal Vicar of Christ”, who invites his followers, in their journeying of conscience to “seek and find.”²⁰

3. The Nature and Meaning of Conscience: A Three-in-One Consideration

Can the account posited by Newman, Grisez and Hogan on the meaning and nature of conscience be synthesised – to use a Trinitarian analogy – into a composite “Three-in-One” entity, or must they remain simply three distinct entities with their own unique and mostly incompatible features? To help with this question, the work of Timothy O’Connell in the area of conscience will be drawn on in order to provide a useful touchstone against which to assess whatever unique, compatible or complementary characteristics each of the trio may possess. *Synderesis* and *conscientia* as analysed and understood by O’Connell from historical and biblical perspectives allow for the thought of the three scholars to be juxtaposed. O’Connell outlines his explication of *synderesis* and *conscientia* by distinguishing three features, which he designates as: conscience/1, conscience/2 and conscience/3, respectively.²¹ It is along this parameter that Newman, Grisez and Hogan will be put together.

3.1 Conscience/1: Human Characteristic and Capacity

Conscience/1 is posited as the first and basic level of conscience in O’Connell’s model. This corresponds more or less to the level the scholastics or medieval scholars called *synderesis* in their debate on the nature of conscience as elaborated in previous chapters. Conscience/1, however, has a far wider remit, as is evidenced in O’Connell’s own elaboration of this notion. He posits accordingly:

²⁰ See Matthew 7:7. It is useful to note at this stage that although some of the criteria for the Christian conscience have been drawn from the works of Newman, this does not imply that at this stage it can be taken as read that his version of conscience meets the overall requirements.

²¹ Timothy E. O’Connell, *Principles for a Catholic Morality*, 110. O’Connell’s Model of Conscience: “We shall assert that the word ‘conscience,’ as it is generally used both in theology and those ordinary conversational usages that refer to *anterior* conscience, points at one or another of three quite distinct *facets* of this reality of anterior conscience. And, for purposes of simplicity, we shall refer to these as conscience/1, conscience/2, and conscience/3.”

Here we are referring to conscience as an abiding human *characteristic*, to a general sense of value, an awareness of personal responsibility that is utterly emblematic of the human person.²²

Such a notion of conscience, according to O’Connell, presumes a human being who accepts the idea of accountability for actions, has the capacity to take charge of their lives, and demonstrates a capacity to assume responsibility for direction toward the good.²³ Proof of the existence of such a morally discriminating entity, in O’Connell’s view, can be garnered from the extent and the contentiousness of moral debate that is evident in contemporary society.²⁴ O’Connell maintains that such moral “turmoil” can only occur in an environment where, despite the disparity of views on what exactly constitutes the rightness or the wrongness of actions, people “share the common realisation that it makes a difference *whether* a thing is right or wrong.”²⁵ Hence, O’Connell not only designates conscience/1 as an “abiding human *characteristic*,” but he characterises the “capacity” of the human person to determine good and evil as what makes the human person “truly human.”²⁶ Again, although not actually spelling it out, as such, O’Connell would admit that St Paul is referring to the substance, implications and, in particular, the divine origin of conscience/1 as he explains how he linked the Greek concept with the Hebraic notion of the “heart” in this most quoted passage:

Pagans who never heard of the Law but are led by reason to do what the Law commands, may not actually ‘possess’ the Law, but they can be said to ‘be’ the Law. They can point to the substance of the Law engraved on their hearts—they can call a witness, that is, their own conscience—they have accusation and defence, that is, their own inner mental dialogue (Romans 2: 14-15).²⁷

Reference to this level of conscience can also be found in Eastern Orthodox writings. According to Cardinal Joseph Ratzinger, for example this notion “is strikingly amplified in

²² Timothy E. O’Connell, *Principles for a Catholic Morality*, 110.

²³ *Ibid.*

²⁴ *Ibid.*

²⁵ *Ibid.*

²⁶ *Ibid.*

²⁷ *Ibid.*, 107-8.

the great monastic rule of St. Basil” wherein it is written that: “We have received interiorly beforehand the capacity and disposition for observing all divine commandments. . . . These are not something imposed from without.”²⁸ Further example of Eastern Orthodox appreciation of this level of conscience is also to be found, in the writings of John of Damascus who wrote of it in terms of the “law of our mind.”²⁹

From the perspective of Western theology, Aquinas himself taught that conscience/1 derives from eternal law, which, in his view is “Divine Wisdom, as directing all actions and movements.”³⁰ Furthermore, since it is through the natural law that humanity participates in this Divine Wisdom, such a Divine characteristic is, in turn, mediated to humanity through the natural law.³¹ It can therefore be concluded from such an observation that through Conscience/1 “Wisdom” as a Divine characteristic can become “an abiding human *characteristic*.” Newman reiterates such a conclusion when he teaches:

This law, as apprehended in the minds of individual men, is called ‘conscience;’ and though it may suffer refraction in passing into the intellectual medium of each, it is not therefore so affected as to lose its character of being the Divine Law, but still has, as such, the prerogative of commanding obedience.³²

This understanding made him declare that “conscience is a connecting principle between the creature and his Creator.”³³ An echo of this understanding is in Vatican II, particularly where it teaches that: “By conscience, in a wonderful way, that law is made known which is fulfilled in the love of God and of one’s neighbour.”³⁴

²⁸ The Rule of St. Basil cited by Joseph Cardinal Ratzinger, *Conscience and Truth*, 12-13.

²⁹ John of Damascus, *An Exact Exposition of the Orthodox Faith*, in *The Fathers of the Church*, vol. 37 (New York: Fathers of the Church, 1958), Bk: IV. 22.

³⁰ Thomas Aquinas, *ST* 1a 11ae, q.93, a.1.

³¹ *Ibid.*, *ST* 1a 11ae, q.91, a.2.

³² John Henry Newman, “A Letter Addressed to his Grace the Duke of Norfolk on Occasion of Mr. Gladstone’s Recent Expostulation” in vol. 2 of *Certain Difficulties Felt by Anglicans in Catholic Teaching* (London: Longmans, Green, and Co., 1900), [hereafter *Letter to the Duke of Norfolk*], 247.

³³ John Henry Newman, *Grammar of Assent*, 117.

³⁴ Vatican II, *Gaudium et Spes*, n.16.

That a preoccupation with this level of conscience continues to exercise the minds of contemporary theologians and church teaching is evidenced, for example, by Cardinal Ratzinger who, claiming that the exact meaning of the term *synderesis* is unclear, sought to substitute it with the term *anamnesis*, which, he believes should be taken to mean exactly what Paul meant it to mean in Romans 2:14.³⁵ Conscience, at this level is not only essentially objective, but it also functions at a level of absolute truth that is shared by every human being. It is for this reason that Vatican II asserts that it is: “Through loyalty to conscience, [that] Christians are joined to others in the search for truth and for the right solution to so many moral problems which arise both in the life of individuals and from social relationships.”³⁶

Newman, Grisez and Hogan all agree on the understanding of conscience/1, most especially as a repository for the principles of rightness and wrongness in human action. They also agree that it is the aspect of conscience that “demands, insists, requires (nonnegotiable) that we seek to do good and avoid evil.”³⁷ In Newman’s terminology, this may be regarded as the level of “moral sense” that is the distinctive capacity to determine right and wrong.³⁸ Grisez phrases this level as “an awareness of moral truth.” Furthermore, his assertion that: “Only at this level are moral good and evil fully understood and rightly in a freely choosing person. . .”³⁹ strongly indicates that conscience/1 is the basic ontological level of conscience.

³⁵ Joseph Cardinal Ratzinger, *Conscience and Truth*, 12. According to Cardinal Ratzinger, “This [*anamnesis*] means that the first so-called ontological level of the phenomenon conscience consists in the fact that something like an original memory of the good and true . . . has been implanted in us, that there is an inner ontological tendency within man, who is created in the likeness of God, toward the divine.” According to Ratzinger, this is evidenced by the fact that “From its origin, man’s being resonates with some things and clashes with others. This *anamnesis* of the origin, which results from the godlike constitution of our being is not a conceptually articulated knowing, a store of retrievable contents. It is so to speak an inner sense, a capacity to recall so that the one whom it addresses, if he is not turned in on himself, hears its echo from within. He sees: That’s it! That is what my nature points to and seeks.” 13.

³⁶ *Gaudium et Spes*, n.16.

³⁷ Timothy E. O’Connell, *Principles for a Catholic Morality*, 113. See also Thomas Aquinas, *ST* 1a, q.79, a.12.

³⁸ See John Henry Newman, *Grammar of Assent*, 105.

³⁹ See Germain Grisez, *Christian Moral Principles*, vol. 1 of *The Way of the Lord Jesus* (Quincy, IL: Franciscan Press, 1983), 74.

From a personalist perspective, Hogan describes this level as a person's orientation or direction toward the good, and associates this level with the "theology of fundamental option" because the theory highlights how human persons can be oriented toward good or evil.⁴⁰ Because of the universal emphasis on the sense of right and wrong at the level of conscience/1, Hogan centred her personalist theology of conscience on this level. We can conclude then that conscience/1 — as human *characteristic*, human capacity or "habitus" is intrinsic, pure, inerrant, and a lasting part of the human person, and which facilitates our remaining attracted to rightness and repulsed by wrongness — finds favour with Newman, Grisez and Hogan.

This consensus understanding of conscience/1 is however in danger of becoming fragmented due to personalist emphasis on change in the nature of the human person and morality. O'Connell makes two claims in this regard. Firstly, and relevant to the nature of the human person, he points out that since "persons are temporal beings subject over time to evolution and change," it is quite likely that "what once was good [and] truly serving their humanisation and spiritualisation, may someday become the opposite."⁴¹ It is obvious that whilst Hogan may see this as support for some form of contextualisation, Grisez would consider it as an attempt at installing a *bête noire*, relativisation, into Catholic teachings on conscience. Secondly, however, and of relevance to Church teachings, O'Connell asserts that while church teaching

may well have been both adequate and accurate at one time, it does not follow that it will always be so. On the contrary, there may well be need for revision and rearticulation. What was once adequate teaching can become inadequate. And we ought not to be surprised.⁴²

⁴⁰ See Linda Hogan, *Confronting the Truth*, 129-131.

⁴¹ Timothy E. O'Connell, *Principles for a Catholic Morality*, 117.

⁴² *Ibid.*

In light of what has been elaborated in this thesis on Grisez's unquestioning support for the role of the teaching Church in the formation and functioning of conscience, we would not be surprised should he castigate such an assertion. On the other hand, this would sit easily with Hogan's belief that the Church must be more open to and accepting of the reality that as a human institution, though guided by the Holy Spirit, it remains open to the possibility of error. Therefore, she would be in complete agreement with O'Connell's conclusion that although the Church has an important role in the process of moral education it is a limited role, "limited by the possibility of error, the possibility of incompleteness, and the possibility of inadequacy."⁴³ Finally, it is as though O'Connell is responding to any criticism that Grisez may level against the assertion of vulnerability to error in the institutional Church when the former suggests that "The prudent person acknowledges this, yet seeks from the Church whatever wisdom it is able to give her or him."⁴⁴ The challenge before the teaching church in terms of conscience/1 is a proper deciphering for itself and for its followers of what comprises the objective truth about rightness and wrongness, good and evil so as not to confuse its faithful. Newman, Grisez and Hogan would agree that the challenge for each individual human moral person is to remain docile and seek the moral wisdom of the teachings of the church in this respect.

3.2 Conscience/2: A Moral Process

O'Connell designates conscience/2 as *process*, and he sees it as being on a par with Aquinas' level of *conscientia*. We may see *process* or conscience/2, as the first stage of *conscientia*. This suggests, therefore, that the mere possession of conscience/1, which O'Connell also believes is the "human capacity for self-direction"⁴⁵ is not sufficient, since that capacity if not put into effect remains dormant. It is for this reason, that it can be claimed

⁴³ Ibid.

⁴⁴ Ibid.

⁴⁵ Ibid., 110.

that the effective exercise of conscience/1 is what is central to the existence of conscience/2. Specifically, O’Connell maintains that it is the human being’s innate feeling of obligation to analyse his or her behaviour and context in an effort to discover what is the really right thing that constitutes conscience/2, insofar as this search constitutes an “exercise in moral reasoning.”⁴⁶ According to O’Connell, therefore, “Conscience/2 deals with the effort to achieve a specific perception of values, concrete individual values. It is the ongoing process of reflection, discernment, discussion, and analysis in which human beings have always engaged.”⁴⁷ Aquinas, himself, appears to capture the essence of the relationship between conscience/1 and conscience/2 in his description of *conscientia* as being literally “the relation of knowledge to something,”⁴⁸ such that conscience/1 is transformed from being a mere *characteristic* or “capacity” to a *process* that is applied to a particular case. Indeed, it is this act of applying moral truth or principles contained in conscience/1, which O’Connell properly designates as *process*, a procedure that is essentially fundamental to the exercise of conscience, in general, and to conscience/2, in particular, insofar as it is at this level that conscience can be seen to be actually performing its roles or function.

From Newman’s perspective, the exercise of this special human *capacity* is captured in the notion of conscience as the “sense of duty.” In his view, therefore, conscience as a *process* must be deemed to be fundamentally different from the function of human reason because it functions in the capacity of a “magisterial dictate.” Moreover, it is at this stage of *process*, that subjectivity is seen to engage with objectivity and, as John Paul II teaches, it is at the stage of *process* that “*the link between freedom and truth is made manifest.*”⁴⁹ By trailing backwards and forwards, conscience discovers, scrutinizes, teaches, guides, chooses

⁴⁶ Ibid., 111.

⁴⁷ Ibid.

⁴⁸ Thomas Aquinas, *ST Ia*, q.79, a.13.

⁴⁹ John Paul II, *Veritatis Splendor* (London: Catholic Truth Society, 1993), n.61 [italics as in text] henceforth VS.

and applies what should be done or avoided. It can be concluded, therefore, that the manner in which conscience/2 functions is representative of conscience itself. Thus the role of conscience as generally understood can be regarded as the specific feature of conscience at this level.

O’Connell regards this particular stage of *conscientia* as the most delicate, because it allows or facilitates error in the *process*. It is at this stage, for example, that conscience may be seen to operate as superego, social convention, and group consensus or promotes an individual’s own culture value or political ideology. It is not surprising, then, that O’Connell, himself, should advise that because of the “fragile reality” of conscience/2, as an aspect of the human person, it “needs all the help it can get. It needs to be educated.”⁵⁰ Furthermore, he notes that since individuals operating at this level “are not always able to ‘see what’s there’”, they continually stand in need of assistance.⁵¹ In O’Connell’s view, therefore, the sincere person will facilitate the obtaining of such assistance by undertaking the process of conscience formation. He regards such a formative process as being the mark of conscience/2, in that it essentially stands in need of being formed, guided, directed, illuminated and “assisted in a multitude of ways.”⁵²

O’Connell draws two conclusions from his observations, conclusions that could be deemed to be “matters of interest” to Newman, Grisez and Hogan. Firstly, conscience/2 is quite distinct from conscience/1 in that its conclusions and judgements cannot be regarded as being either universal or infallible.⁵³ It is for this reason, he claims that in the realm of conscience/2, the search for truth must take priority, and that the truth must always remain

⁵⁰ Timothy E. O’Connell, *Principles for a Catholic Morality*, 111.

⁵¹ *Ibid.*

⁵² *Ibid.*, 111-112.

⁵³ *Ibid.*, 112.

“the object of what is sought.”⁵⁴ Indeed, he unequivocally asserts that the functional aim of conscience/2 must be to “sincerely and docilely undertake the task of finding and respecting that truth.”⁵⁵ This reiterates John Paul II’s chief interest and advice over the subjectivity/objectivity conundrum that human subjectivity and freedom requires that the human person be concerned with the truth.⁵⁶ The second conclusion that O’Connell draws from his observations on conscience/2 centres on the fact that since the Church is a teacher of moral values, it is at the level of conscience/2 that it “has its greatest role.”⁵⁷ Specifically, he asserts that:

Even viewed simply as a human institution, the Church deserves to be heard. And when one adds the belief of faith that the Holy Spirit somehow guides the Church, not protecting its every word from error but nonetheless providing it with some illumination, it stands to reason that the prudent person will listen to its declarations.⁵⁸

However, while reminding Catholics, in particular, of the validity of the Church’s role in assisting them in their formation of conscience/2, O’Connell also reminds them that conscience/2 is not directly accountable to the Church. Rather, as he has already asserted, conscience/2 “is accountable to the truth and nothing else.”⁵⁹ Even a cursory reading of Newman, Grisez and Hogan on the relation of the individual conscience to the teaching Church, suggests that each of them certainly have their own take on that claim.

In Newman’s teaching, conscience as *process* assumes the form of a voice, a divine voice which seeks first and foremost to communicate with the human person. When a person experiences that voice urging him or her to do this or to avoid that, then they are, in fact, “experiencing” a function of conscience. As has already been noted in the chapter on

⁵⁴ Ibid.

⁵⁵ Ibid.

⁵⁶ John Paul II, *VS*, n.63.

⁵⁷ Timothy E. O’Connell, *Principles for a Catholic Morality*, 112.

⁵⁸ Ibid.

⁵⁹ Ibid.

Newman, he described conscience as “a messenger from Him, who, both in nature and in Grace, speaks to us behind a veil, and teaches and rules us by His representatives. [It] is the aboriginal Vicar of Christ.”⁶⁰ Elaborating on the role and function of conscience, he describes it as being the voice of Christ, which aspires to undertake the role of “a prophet in its information, a monarch in its peremptoriness, a priest in its blessings and anathemas.”⁶¹ In fact, he forcefully claims that “Were it not for the voice, speaking so clearly in my conscience and my heart, I should be an Atheist, or a Pantheist, or a Polytheist when I looked into the world.”⁶² Not surprisingly, echoes of Newman’s understanding of conscience as *process* is to be found in the teachings of Vatican II, specifically where it reminds Christians that the voice of conscience is ever calling them to love and do what is good and to avoid evil, particularly on those occasions when it tells them “inwardly at the right moment: do this, shun that.”⁶³

In Grisez’s thought, conscience as *process* is seen to function through the exercising of the virtue of prudence at a level which would suggest that such a practice has become connatural with, or like a second nature to, the individual.⁶⁴ As *process*, the commanding dictate of conscience to “do good and avoid evil” is brought to the fore through such “connaturality,” as the nonrational way by which conscience operates. Drawing on the teachings of Aquinas, Grisez’s concludes that such phenomena constitute the ideal *process* by which conscience enables the functioning of conscience/1. In order to identify what is ideal about this *process*, Grisez specifically refers to Aquinas’s pronouncement that “a virtuous person” is one who “has integrated the moral norms, so that his or her moral reasoning is facilitated and made certain.”⁶⁵ For Grisez, in other words, prudence, as one of the cardinal

⁶⁰ John Henry Newman, *Letter to the Duke of Norfolk*, 250.

⁶¹ *Ibid.*

⁶² John Henry Newman, *Apologia Pro Vita Sua: Being a History of his Religious Opinions* (London: Longmans, Green, and Co., 1888), [hereafter *Apologia*], 241.

⁶³ *Gaudium et Spes*, n.16.

⁶⁴ See Germain Grisez, *Christian Moral Principles*, 81-82

⁶⁵ *Ibid.*, 81.

virtues, is a “practical wisdom” which enables people to easily tell what is right. In short, he is asserting that “**For prudent persons . . . their own character is a standard of morality because it embodies moral norms.**”⁶⁶ Finally, Grisez would certainly agree with the notion that the hallmark of conscience/2, insofar as it facilitates “sound practical judgement” through the exercise of “connaturality” or the virtue of prudence is not “psychological ease and immediacy, but agreement with moral truth.”⁶⁷

Insofar as Hogan’s model of conscience seeks to elaborate an understanding of conscience in terms of its “inward dynamics,”⁶⁸ her thought provides an apt way for not only understanding conscience as *process*, but also the nature of the person who engages in that undertaking. Hence, relative to conscience as *process*, or conscience/2, Linda Hogan points out that: (i) “Good, integrated and fully personal decisions engage the individual at the intellectual, intuitive, emotional and imaginative levels;”⁶⁹ (ii) “Conscience needs an *interplay* of each of these elements to operate sensitively and successfully;”⁷⁰ and (iii) “Good choices reflect a coherence of these important aspects of the personality so that no one level is ignored or silenced.”⁷¹ Unlike Grisez, Hogan is not anxious to emphasise the nonrational aspects of conscience as *process*, rather she seeks to identify the role of rationality in the moral life of the person, a rationality, however that far from being “languageless, cultureless, history-less,”⁷² is “embodied and contextual, shaped by the conventions of culture, by religious sensibilities, by desires both conscious and unconscious, by imaginings and fears.”⁷³ As to the nature of the person who engages in such a *process*, Hogan maintains that “the person at the centre of this theology of conscience” must not be treated as an abstract mind,

⁶⁶ Ibid., 80, [emphasis by Grisez].

⁶⁷ Ibid., 82.

⁶⁸ Linda Hogan, *Confronting the Truth*, 135.

⁶⁹ Ibid.

⁷⁰ Ibid., [italics mine, drawing attention to the notion of *process* as a form of interplay of diverse components].

⁷¹ Ibid., 135-6.

⁷² Ibid., 136.

⁷³ Ibid.

but, instead, must be engaged with as “a person who is located in culture and history, one who is relational, embodied and ultimately in progress.”⁷⁴ Newman somewhat lyrically addresses much of what Hogan has just claimed about conscience as *process* and the human person as a being “*in progress*” in the following extract wherein he states:

Conscience has a legitimate place among our mental acts; as really so, as the action of memory, of reasoning, of imagination, or as the sense of the beautiful; that, as there are objects which, when presented to the mind, cause it to feel grief, regret, joy, or desire, so there are things which excite in us approbation or blame, and which we in consequence call right or wrong; and which, experienced in ourselves, kindle in us that specific sense of pleasure or pain, which goes by the name of a good or bad conscience.⁷⁵

Of another elaboration found in Hogan, wherein she seeks to integrate the concepts of transcendental and categorical freedoms—concepts elaborated by Karl Rahner,⁷⁶ it can be claimed that she is, in fact, distinguishing between the functions of conscience/1 and conscience/2, respectively. According to Rahner’s account, as presented by Hogan, a person’s transcendental freedom is concerned with “one’s entire orientation and direction in life,” whereby the individual’s choice lies between the acceptance and refusal “of a loving relationship with God”, a fundamental option that will determine whether he or she will choose the good or the bad.⁷⁷ Such characteristics, as outlined by Hogan, are indicative of the function of conscience/1, and according to Hogan completely shape “the moral character of the person and becomes the basis on which the person exercises choice and makes decisions.”⁷⁸ It is this “daily exercise of choice”, however, that Hogan designates as categorical freedom,⁷⁹ and which in turn, can be said to characterise the *process* that is conscience/2. According to Hogan, therefore, it is through the daily exercise of categorical choice or freedom, that the individual realises and implements the “fundamental option” or

⁷⁴ Ibid.

⁷⁵ John Henry Newman, *Grammar of Assent*, 105.

⁷⁶ See Linda Hogan, *Confronting the Truth*, 131-132.

⁷⁷ Ibid., 131.

⁷⁸ Ibid.

⁷⁹ Ibid.

our capacity toward good or evil,⁸⁰ thereby invoking the *process* or the dialectic that is conscience/2. To the extent that such choices are connatural or second nature to the individual, therefore, they can be said to have “become the incarnation of our fundamental option,” according to Hogan.⁸¹ Following from this, it can be claimed that conscience, at the stage of *process*, comprises a search for human authenticity, which is evidenced in a conscious struggle to attain a real moral self through attempts at harmonising all of our relationships.⁸²

Finally, reference has already been made to O’Connell’s observation that conscience/2 or *process* is the most delicate stage because of its potential to facilitate the entry of error. Hogan’s model of understanding conscience goes a long way towards providing a reason for this. Specifically, conscience as *process* use information garnered from multiple sources to ascertain right and wrong, goodness and badness. However, in processing such information, it is possible for the individual to become, as it were, entangled in a web of subjectivism. It follows, therefore, that in the daily exercise of choice, or *process* that is conscience/2, mistakes can thrive through the entry of subjectively generated errors. Indeed, such a feature can be deemed to be what most distinguishes conscience/1 from conscience/2.

Hogan, however, not only explains how error can enter and undermine the *process* of conscience she also explains how such error can and does contribute to moral failure. She notes in *Confronting the Truth* that:

The conscience engages the reason, intuition, emotions and imagination of the person. However, distortions can occur at any or all of these levels. Likewise, the *process of integrating these dimensions can be problematic*. As a result we live with both the history and the prospect of moral failure. Most people experience failure through some kind of dysfunction. Our capacity to make or to carry through

⁸⁰ Ibid., 130-131.

⁸¹ Ibid., 132.

⁸² Xavier G. Colavechio, “Conscience: A Personalist Perspective” 206.

good moral decisions can be restricted because some dimensions of our ethical discernment may fail. We may be confused or divided over what is in fact good. Our reason may be clouded. Our emotions may be out of control or we may be afraid of the leap of imagination required to resolve a particular problem⁸³

What is interesting in Hogan's account is her observation that not only is moral failure an actual part of every human being's history, but so is the inevitability of its becoming a reality for them. It is for this reason that the exercising of this phase of conscience demands that the human person be well-informed; reference has already been made to O'Connell's comment of how the *process* that is conscience/2 stands in crucial need of being formed, guided, directed, illuminated and "assisted in a multitude of ways."⁸⁴ Furthermore, there can be no doubt that Hogan would wholeheartedly agree with O'Connell's identification of where such assistance should be sought from or sourced. Hence, no matter how inevitable the entry of moral failure into the life of the individual, O'Connell claims that

if they are sincere persons, if they have accepted the fundamental responsibility implied by conscience/1, then they will seek that assistance. They will turn to their friends, their colleagues, their peers, and seek to benefit from their insights. They will list to the larger culture, to the wisdom of previous generations, and they will listen to voices from other situations, more objective voices, as these help them interpret the situation.⁸⁵

As for the role of the Church in providing such assistance, O'Connell asserts that "the church has its greatest role in the realm of conscience/2, for the church is, among other things, a teacher of moral values."⁸⁶ As noted, earlier in this chapter, however, O'Connell qualifies this acknowledgement with the caveat that the Church needs to understand that conscience/2 is not directly accountable to the Church, but rather to the truth. While such a caveat fits easily with Hogan's elaboration of her model of conscience, Grisez, ever-wary of the potential for

⁸³ Linda Hogan, *Confronting the Truth*, 151 [italics mine].

⁸⁴ Timothy E. O'Connell, *Principles for a Catholic Morality*, 112.

⁸⁵ *Ibid.*, 111.

⁸⁶ *Ibid.*, 112.

relativistic voices to enter the *process*, might not be that enthusiastic about welcoming so many voices into that *process*. In conclusion, however, it can be said that the one sure area of unanimity in the debate surrounding conscience as *process*, is that Newman, Grisez, Hogan and the Church are united in their assertion that the proper “formation of conscience” is essential for Conscience/2 as *process* to properly exercise its function.

3.3 Conscience/3: A Consummately Concrete Event

By way of introduction to the notion of conscience/3, O’Connell observed that since human persons are not only thinkers and analysers of fact, but doers of deeds also, they cannot exist solely at the level of conscience/2 as perennial observers, or commentators on the current scene. Rather, he insists that

we must act. We must make a decision, we must judge our own behaviour. At some point we must finally declare: ‘it is theoretically possible that I may be wrong, but it seems to me that I ought to do *this*.’ This final declaration, this judgement, likewise deserves the name conscience: conscience/3.⁸⁷

In O’Connell’s understanding, therefore, “conscience/3 is consummately concrete. It is the concrete judgement of a specific person pertaining to her or his own immediate action.”⁸⁸ Hence, for O’Connell, while conscience/1 is a *characteristic* and conscience/2 a *process*, conscience/3 is an actual *event*.⁸⁹ As an *event* it is vital to the nature of conscience and represents the second stage of the level of *conscientia*. The concreteness of the nature and activity of *conscientia* can be seen in Aquinas’s description of it as being the “application of knowledge to activity.”⁹⁰ O’Connell describes the activity of conscience/3 as that which actualises the human person’s ability to establish personal moral convictions (based on

⁸⁷ Ibid.

⁸⁸ Ibid.

⁸⁹ Ibid.

⁹⁰ Thomas Aquinas, *ST Ia*, q.79, a.13.

individual moral decisions) and engages in acts that facilitate either the execution of a concrete good or the avoidance of a concrete evil.⁹¹

In the context of this thesis, for example, Newman's decision to convert from Anglicanism within which he was reared and educated to Roman Catholicism, which he innately distrusted, is a very practical demonstration of conscience/3 in action. Indeed, a comment he made just prior to his conversion in 1844 sheds some light on the awe-fullness that such a step represented for him at the time. He observed: "No one can have a more unfavorable view than I of the present state of Roman Catholics."⁹² With reference to the concrete *event*, which transformed Newman from being an Anglican into a follower of Roman Catholicism, Ratzinger points out, for example, that: "Newman's conversion to Catholicism was . . . more taken by the necessity to obey recognised truth, that is to say, even against his own sensitivity and bonds of friendship and ties due to similar background."⁹³ Thus, in the following extract, Newman, himself, describes how, having become *convinced* of the truthfulness of the Roman Catholic position, he had to *decide* to *commit* to *choosing* the good by becoming Catholic over the *untruthfulness* of doing nothing by remaining Anglican. He states:

I am a Catholic by virtue of my believing in a God; and if I am asked why I believe in a God, I answer that it is because I believe in myself, for I feel it impossible to believe in my own existence (and of that fact I am quite sure) without believing also in the existence of Him, who lives as a Personal, All-seeing, All-judging Being in my conscience.⁹⁴

For Newman, therefore, conscience/3 is actualised when the individual firstly commits to the conviction that there exists a Personal, All-seeing, All-judging Being in his or her conscience,

⁹¹ Timothy E. O'Connell, *Principles for a Catholic Morality*, 112-113.

⁹² John Henry Newman, *Letters and Diaries* vol. X, ed. Francis J. McGrath (Oxford: Oxford University Press, 2006), 476.

⁹³ Joseph Cardinal Ratzinger, *Conscience and Truth*, 9

⁹⁴ John Henry Newman, *Apologia Pro Vita Sua*, 198.

and then concretises that conviction by deciding to act or refrain from acting in light of the Truth that emanates from this Being.

Grisez, on the other hand, believes that this level of *conscientia*, the *event* must correspond with the moral teachings of the church; that is, a person's convictions, decisions and commitments to act or refrain from acting must not differ from what the teachings of the church designate as being good or evil. In fact, this is where there exist some fundamental differences, not only between the teachings of the three scholars in this thesis, but also between some of their teachings and that of the magisterium. Grisez, for example, would have little difficulty with those who point to the Church's admonition that individuals must follow their conscience and have the freedom to do so, as long as these same individuals also accept that the individual conscience must "conform to the objective standards of moral conduct."⁹⁵ Grisez and the church's teaching, therefore, would argue that the *event* that constitutes the concrete activity of *conscientia* or conscience/3 "must always be governed according to a conscience dutifully conformed to the divine law itself, and should be submissive toward the Church's teaching office, which authentically interprets that law in the light of the Gospel."⁹⁶

Such a conclusion raises the question of whether the standards which the church promotes are universally objective or not. For example, many Catholics experience inner moral conflict when they attempt to integrate elements of objective church teachings with the subjective conclusions at which their individual consciences have, in their opinion, responsibly arrived. It is not surprising, therefore, that not all Catholics engaged in the activities of conscience/3 eventually accept every established moral answer, position or *event* provided by the Church, especially as it relates to some specific moral issues generally

⁹⁵ See *Gaudium et Spes*, n.16.

⁹⁶ *Gaudium et Spes*, n.50.

designated as “intrinsic evil.” It is for this reason, for example, that integrating the church’s teaching on either life-altering or life-taking actions (e.g., Euthanasia, Abortion, and Stem Cell research), or sexuality (e.g., Same-Sex sexual activities or marriage, or Contraception) with the individual conscience has been found by many to be extremely difficult and, at times, personally very painful. However, as has been demonstrated by the models of conscience outlined by Newman, Grisez and Hogan in this thesis, such moral dilemmas have been found to be partly rooted in, and reinforced by, the existence of contrasting or differing theological strands in the Church’s traditions and teachings in the area of morality.

Thus, as has already been well noted, Grisez’s theological stance, relative to moral teachings, promotes an ecclesial conformist attitude or framework, which insists that conscience/3 must never deviate from what Grisez considers to be the normative, moral teachings of the Church. This stands in stark contrast with the personalist strand advocated by Hogan. Her assertion, for example, that “the task of conscience involves scrutinising one’s intention, evaluating all the relevant circumstances and informing oneself of church teaching and other sources of moral wisdom,”⁹⁷ emphasises her belief that the *events* generated by conscience/3 may or may not correspond to Church teaching. So, at one end of the subjective-objective moral spectrum is to be found the personalism of Hogan, which “rejects any account of ethics that relies on absolutist principles . . . [and] believes that every moral theory should give due recognition to the role of circumstances and intentionality.”⁹⁸ Then, at the other end lies Grisez’s strand, which operates out of his ecclesial conviction that a faithful and clearheaded Catholic conscience should conform unconditionally to the normative teachings of the Church. Indeed, in support of his own denial that his strand of moral theology has a purely legalistic basis, he claims that such a conformist requirement is a matter

⁹⁷ Linda Hogan, *Confronting the Truth*, 32.

⁹⁸ *Ibid.*, 29.

of faith rather than one of legalism. Take, for example, the following extract wherein he insists and states:

Catholics ought to conform their consciences to her teaching in every question, every detail, every respect. If they are faithful, they will: not only because they hear the Lord Jesus' voice, speaking for the Father, in the teaching of the Church, *but because by their conscientious commitment of faith* they have accepted the Church as their own, more than humanly wise, moral guide.⁹⁹

Here, Grisez absolutely insists that ensuring the *event* generated by conscience/3 conforms completely to church teaching is not only a moral requirement, but it is also an essential demonstration of one's commitment to Catholic faith. He later sets these moral theological expectations in stone, as it were, when he declared: "Catholics who wish to be faithful and consistent will attempt to conform their conscience exactly to the Church's moral teaching."¹⁰⁰

Many would consider Grisez's advocacy of absolute conformism, with its implications that individuals must be prepared to abdicate any notion of ultimate personal responsibility in their exercise of conscience/3, to be excessive and even morally suspect in itself. There is a real danger here that his approach will actually serve to portray the church as a sort of a fascist controller of morals. For example, his intense antagonism towards what he calls "radical theological dissent,"¹⁰¹ which he sees being exhibited by theologians who disagree with the notions of "moral absolutes" or "intrinsic evil" speaks of his apparently unshakeable belief in the maxim: *Roma locuta est, causa finita est*. It is obvious; therefore that Grisez would find incomprehensible O'Connell's final analysis of the relationship between the wisdom and judgement of the church and that of the individual conscience, wherein he observed that

⁹⁹ Germain Grisez, *Christian Moral Principles*, 566, [emphasis mine].

¹⁰⁰ *Ibid.*, 871.

¹⁰¹ *Ibid.*, 871-916.

the genuinely important role of Church teaching must never be allowed to deteriorate into a “loyalty test” for Catholics. . . . For just as to use Church teaching properly is to celebrate it, to ask it to be more than it is is to destroy it. And to make of that valuable and cherished source of moral wisdom a tool for ecclesiastical discipline or a measure of religious fidelity is to betray it. Indeed, to see the moral teaching of the Church as a test of Catholic loyalty is ultimately to violate the nature of the Church, the nature of humanity, and surely the nature of conscience.¹⁰²

It is also obvious that Grisez would have little truck with Hogan’s advocacy of conscience as “an active faculty that discovers and discerns the good within the complexity of each situation,” or as “the site of autonomous moral decision making [that] bears the responsibility for acting rightly.”¹⁰³ Such reluctance on his part is all the more puzzling since Hogan’s above elaboration of conscience fits easily with Vatican II’s description of conscience as the “most secret core and sanctuary of the human person. There *they are alone with God* whose voice echoes in the depths.”¹⁰⁴ The fit between both accounts, that of Hogan and Vatican II, is to be found in their common emphases on the autonomous nature of the relationship between individuals and their God as they exercise their conscience, an autonomy that is certainly picked up in the descriptions of conscience/2 and conscience/3 as operations that occur within the self but in direct relation to God. Furthermore, with reference to conscience/1 and conscience/3, O’Connell speaks of their “unique personal character and inviolability.”¹⁰⁵ Indeed, both Hogan’s and O’Connell’s personalist descriptions of conscience/3, in particular, as an *event* in the course of life’s spiritual journeying, are suggestive of the opening words of a hymn attributed to the Irish Saint, Columba: “Alone with none but thee my God I journey on my way.”¹⁰⁶

¹⁰² Timothy E. O’Connell, *Principles for a Catholic Morality*, 118.

¹⁰³ Linda Hogan, *Confronting the Truth*, 114.

¹⁰⁴ *Gaudium et Spes*, n.16 [emphasis mine].

¹⁰⁵ Timothy E. O’Connell, *Principles for a Catholic Morality*, 115.

¹⁰⁶ Words attributed to St. Columba (521-597), translator unknown, words in *Hymn book*, 1971.

However, while Hogan reiterates O'Mahoney's elaboration of the personal uniqueness and human solitariness that necessarily characterises the valid exercise of conscience,¹⁰⁷ she, like Grisez, believes that the individual conscience should be open to being informed by the wisdom of the church. Unlike Grisez, however, she also believes – and insists – that the individual is not obliged to unconditionally follow the ecclesial teaching that may emanate from such an encounter. She points out that

the Christian tradition has continuously insisted that moral responsibility and choice reside ultimately with each individual. We cannot export our moral choices or hand over our decision making to any other person. As such we must be obedient to our own discernment of the Spirit; *we must adhere to our own consciences*. Obedience, therefore, can never be construed as the blind submission of one's will and intellect, even to the magisterium of the church, *particularly if one's considered judgement pulls one in the opposite direction*.¹⁰⁸

This extract serves not only to highlight the fundamental differences that exist between Grisez's and Hogan's respective approaches to "the exercise of conscience" but, more specifically, to conscience/3. Thus, on the one hand, advocates of the liberal tradition would claim that by accepting Grisez's approach, the individual is actually relinquishing his or her fundamental human entitlement to exercise the judgement of conscience in favour of simply conforming to whatever the magisterium teaches. On the other hand, however, "traditionalists" would claim that following through on Hogan's model could result in the "learning church" eventually accepting the tenets of subjectivism, with grave implications for both the very image and authority of the teaching church in its role as purveyor of the historically accumulated wisdom of the entire Church, both "learning" and "teaching." These traditionalists are alarmed at the prospect of the notion of human morality "degenerating" into that which every individual determines to be uniquely suited to their specifically

¹⁰⁷ Linda Hogan, *Confronting the Truth*, 150.

¹⁰⁸ *Ibid.*, 171 [italics mine].

subjective requirements and standards, with seriously grave implications, therefore, for the “objective standard of moral conduct” advocated by Vatican II. How both these obviously bi-polarised approaches would treat the exercise of conscience/3 can be specifically assessed in terms of O’Connell’s observation that while it is “the concrete judgement of a specific person pertaining to her or his own immediate action . . . [it] is also supremely powerful . . . [because] it constitutes the final norm by which a person’s action must be guided.”¹⁰⁹ Indeed, the importance that O’Connell attaches to the exercise of conscience at this level can be gauged from his assertion that it is “by the personal decision either to accept or to refuse to accept the demand of conscience/3, the moral agent engages either in an act of sanctity or in actual sin.”¹¹⁰ What should be of interest to both approaches, here, is that in the case of conscience/3, salvation or damnation follow on from the individual’s personal decision to accept or deny the demands of that conscience, rather than from obeying or disobeying the demands of the magisterium. Such a conclusion should rest easily with Hogan’s insistence that at its most basic level, conscience should be understood “as a personal discernment of good and evil, in the context of relationship with a loving God.”¹¹¹ Such an understanding of conscience, she claims, “draws heavily on the personalist theology of Vatican II,” while also acknowledging that the judgements of conscience cannot be considered to be “purely subjective, arbitrary [or] private.”¹¹²

As has already been outlined, however, while Hogan’s model allows for a certain level of subjectivity, arbitrariness and solitariness in the exercise of conscience, she, herself, is absolutely opposed to arguments in favour of the existence of “moral absolutes” or “intrinsic evil.” In her view, as noted earlier, such concepts render the role of conscience either irrelevant or even non-existent. Of course, Grisez will object to this as he believes that

¹⁰⁹ Timothy E. O’Connell, *Principles for a Catholic Morality*, 112.

¹¹⁰ *Ibid.*

¹¹¹ Linda Hogan, *Confronting the Truth*, 166.

¹¹² *Ibid.*

the role of conscience is not made redundant but that its task is to appropriate the church's teaching.¹¹³ Thus, for Grisez, for example, there can be no reason, intention or circumstance that could justify the commission of acts of "rape" or "paedophilia" – acts labelled as ontic evil. Hence, he would point out that although conscience/2 constitutes "the ongoing process of reflection, discernment, discussion, and analysis, in which human beings have always engaged,"¹¹⁴ it would be expeditious in transmitting its conclusions to conscience/3 for concrete and appropriate decision-making and judgement. This derives from the fact that the vast majority of human persons already possess conscience/1, or that "general sense of value" characterised by "an awareness of personal responsibility, that is utterly emblematic of the human person."¹¹⁵ It seems, therefore, that in the matter of such acts of ontic evil as "rape", "paedophilia" or "genocide" for example, O'Connell's thought on conscience engages in a concerted three-pronged strike against any notion whatsoever of accepting or even tolerating the commission of these acts because of the catastrophically poisonous impact such tolerance could have on the human soul and nature.

Interestingly, Hogan cites John Noonan's listing of such issues as "usury, marriage, slavery and religious freedom"¹¹⁶, as examples of where real and substantial changes took place in what seemed to many Catholics to be "a singular tradition of moral teaching"¹¹⁷ that was unconditionally proposed by the magisterium. Furthermore, drawing on her own research, she cites such moral teachings "as those relating to contraception, homosexuality, or divorce and remarriage" as cases where the moral teaching of the magisterium is invested "with an unwarranted degree of certainty and inflexibility."¹¹⁸ While slavery is now universally condemned as an inexcusable moral evil, it is certainly the case that the jury is

¹¹³ Germain Grisez, *Christian Moral Principles*, 566.

¹¹⁴ Timothy E. O'Connell, *Principles for a Catholic Morality*, 111.

¹¹⁵ *Ibid.*, 110.

¹¹⁶ Linda Hogan, *Confronting the Truth*, 181.

¹¹⁷ *Ibid.*, 182.

¹¹⁸ *Ibid.*, 183.

still out in such cases as contraception and homosexuality. Hogan cites such ingrained moral ambivalence as supporting her arguments against the existence of intrinsic evil. However, the overall approach of this thesis in the question of conscience, suggests that the universal response of horror, disgust and revulsion at reported acts of rape, paedophilia and genocide, is a very strong indication that people with consciences that function at all of their levels and stages, consider these acts to be in a different league from those of masturbation, contraception and divorce, for example. For the vast majority of people, it can be argued that such a league can be titled “intrinsic evil.” To argue otherwise could be taken by some as an attempt at engaging in a game of pretence, where the actor claims to “see no evil, hear no evil, and speak no evil,” even where he or she is a witness to the commission of intrinsic evil acts.

Despite arriving at such a conclusion, however, it must be acknowledged that the concept of intrinsic evil has deeply divided theologians over the years, a division that can be characterised by the bitterness of the debates that still ensue and the theological dissent that continues. Unlike Grisez’s approach, Hogan’s personalist theory allows for such dissent, as illustrated by her comment that: “Disagreement on moral matters is seen as an inevitable feature of the business of ethics and faithful dissent from particular church teaching is accepted.”¹¹⁹ However, she is also keenly aware that the church strongly opposes such a stance and “has become preoccupied with the question of dissent, including who can dissent, under what circumstances, for what reasons and from what kind of teaching.”¹²⁰ This thesis makes the case, however that if conscience as *process* after undertaking a painstaking evaluation, scrutiny, consultation, and spiritual discernment remains faced with the biblical option which Joshua put to the people of Israel – “choose today whom you wish to serve,”¹²¹

¹¹⁹ Ibid., 33.

¹²⁰ Ibid., 176.

¹²¹ Joshua, 24:15.

then it will most definitely opt for Newman's choice of toasting "to Conscience first, and to the Pope afterwards."¹²² By allocating such a position of primacy to conscience, it can be argued that Newman has, in fact, placed it beyond the argumentative reach of both loyalists and dissenters in a league of its own.

3.4 Filling the Gap: The Consequent Stage of *Conscientia*

Conscience/2 as *process* and conscience/3 as *event* constitute the first and second stage of *conscientia* respectively. But there is a third stage, a stage that may be considered as the ultimate stage of conscience as a whole. This may be regarded as the apex stage of *progress* in *conscientia*. It commences after the activities of conscience/3 have been put into effect. This third stage is what is generally known as "consequent conscience." In short, what transpires from conscience/1 up to *process* or conscience/2 and unto conscience/3 or *event*, is regarded as the *antecedent* realm of conscience or legislative conscience, the realm with which O'Connell was chiefly concerned. In concentrating on this realm of conscience, O'Connell failed to theorise to any meaningful extent on what follows on from the *event* constituted at conscience/3, particularly in the context of the rightness or wrongness of that *event*. Thus, O'Connell is not preoccupied with the role of conscience after conscience/3 or *event*. When *conscientia* enters the consequent stage, a stage wherein, it may be argued, most judicial operations occur, conscience/2 as *process* evaluates and judges a person's choice on the basis of actions done or omitted, utilising an internal dialectical process that constantly reviews and revises its decisions, and according to Grisez, prevents the uncritical acceptance of "the movement of values clarification."¹²³

¹²² John Henry Newman, *Letter to the Duke of Norfolk*, 261.

¹²³ Germain Grisez, *Christian Moral Principles*, 83.

Although not referring to this third or consequent stage of *conscientia* by name, Newman is quite explicit and informative in his elaboration of what actually occurs when conscience/2 proceeds to laud conscience/3 for the right *events*. It concretises or reprimands it for the wrong *events* it has facilitated. He maintains:

No fear is felt by any one who recognizes that his conduct has not been beautiful, though he may be mortified at himself, if perhaps he has thereby forfeited some advantage; but, if he has been betrayed into any kind of immorality, he has a lively sense of responsibility and guilt, though the act be no offence against society,—of distress and apprehension, even though it may be of present service to him,—of compunction and regret, though in itself it be most pleasurable,—of confusion of face, though it may have no witnesses. These various perturbations of mind which are characteristic of a bad conscience, and may be very considerable,—self-reproach, poignant shame, haunting remorse, chill dismay at the prospect of the future,—and their contraries, when the conscience is good, as real though less forcible, self-approval, inward peace, lightness of heart, and the like,—these emotions constitute a specific difference between conscience and our other intellectual senses,—common sense, good sense, sense of expedience, taste, sense of honour, and the like,—as indeed they would also constitute between conscience and the moral sense, supposing these two were not aspects of one and the same feeling, exercised upon one and the same subject-matter.¹²⁴

In the preceding elaboration, Newman, firstly refers to the internal nature of the activities of the consequent stage of *conscientia*, and particularly to the fact that its evaluations are independent of such external influences as the judgement of society, the usefulness or pleasure the activity afforded the actor, or whether the activity was witnessed or not. None of these phenomena will significantly influence the psychological and emotional tools that will be employed during the consequent phase of *conscientia* to show the individual that he or she is being held to account by their individual consciences for their actions. Thus, Newman lists the “various perturbations of mind” that may befall the individual as a consequence of

¹²⁴ John Henry Newman, *Grammar of Assent*, 108.

allowing a “bad conscience” the upper hand in his or her moral decision-making. On the other hand, he also refers to the consequent, positive “contraries” that can follow “when the conscience is good.” It is quite obvious, therefore, that for Newman, the role performed by conscience/2 at the consequent stage is vital because it is during this phase that a person is being held fully accountable. Furthermore, it is also at this stage that the onus is placed on the individual to acknowledge to whom it is he or she is being held ultimately accountable for the goodness or wickedness of their actions. In the following extract, Newman leaves no doubt as to the identity of this being, when he asserts thus:

If, as is the case, we feel responsibility, are ashamed, are frightened, at transgressing the voice of conscience, this implies that there is One to whom we are responsible, before whom we are ashamed, whose claims upon us we fear. If, on doing wrong, we feel the same tearful, broken-hearted sorrow which overwhelms us on hurting a mother; if, on doing right, we enjoy the same sunny serenity of mind, the same soothing, satisfactory delight which follows on our receiving praise from a father, we certainly have within us the image of some person, to whom our love and veneration look, in whose smile we find our happiness, for whom we yearn, towards whom we direct our pleadings, in whose anger we are troubled and waste away. These feelings in us are such as require for their exciting cause an intelligent being: we are not affectionate towards a stone, nor do we feel shame before a horse or a dog; we have no remorse or compunction on breaking mere human law: yet, so it is, conscience excites all these painful emotions, confusion, foreboding, self-condemnation; and on the other hand it sheds upon us a deep peace, a sense of security, a resignation, and a hope, which there is no sensible, no earthly object to elicit. ‘The wicked flees, when no one pursueth;’ then why does he flee? whence his terror? Who is it that he sees in solitude, in darkness, in the hidden chambers of his heart? If the cause of these emotions does not belong to this visible world, the Object to which his perception is directed must be Supernatural and Divine; and thus the phenomena of Conscience, as a dictate, avail to impress the imagination with the picture of a Supreme Governor, a Judge, holy,

just, powerful, all-seeing, retributive, and is the creative principle of religion, as the Moral Sense is the principle of ethics.¹²⁵

According to Newman, then, the Being that prompts conscience to excite “all these painful emotions, confusion, foreboding, self-condemnation . . .” or, on the contrary, to shed upon us “a deep sense of security, a resignation, and a hope, which there is no earthly object to elicit . . . does not belong to this world.” Instead, that Being, that source and object of “the phenomena of Conscience” is “a Supreme governor of religion, a Judge, holy, just, powerful, all-seeing, retributive, and . . . the creative principle of religion,” and in the case of every sane human person is to be found “in solitude, in darkness, in the hidden chambers of his [or her] heart.” By characterising the relationship between conscience/2 and the consequent stage of *conscientia* in this manner, Newman appears, once again, to remove the very concept of conscience itself from the never-ending contentious debates about the proper role of the church, the individual, theological dissent, moral failure and so on, in its functioning, and attempts to connect it directly, and without any intermediaries, to both the Source of its enlightenment and the Object of its accountability – the Moral Governor or Judge.

The dissection of conscience into diverse components, evident throughout this chapter in particular, is didactic in intent, and should not be taken as an indication that this thesis seeks to promote a more mechanistic understanding of the concept. In fact, for Newman, the act of conscience is indivisible.¹²⁶ It is in such an “indivisible” context, Newman, himself, uniquely takes conscience as being the “illative sense” or “the power of judging and concluding.”¹²⁷ It is also under such an “indivisible” umbrella that Newman, Grisez and Hogan, in conjunction with church teaching, concur with the notion of conscience in terms of *synderesis (anamnesis)* and *conscientia*, whereby: (i) *synderesis* comprises the realm of the

¹²⁵ Ibid., 109-110.

¹²⁶ Ibid., 105.

¹²⁷ Ibid., 353.

human *characteristic* or *capacity* and *moral legislation* as they relate to the performance of good or evil, and the magisterial dictate to do what is right and avoid evil; and (ii) *conscientia* is understood as the realm of *process, event* and *moral judiciary*.

4 The Obligation to Follow One's Conscience – But Which One?

The much used maxim “one must follow one's conscience” which has long been propagated and supported in the teaching tradition of the church¹²⁸ is scrutinized in this section, not in terms of its validity and applicability, but rather in an effort to establish exactly which level or stage of conscience the maxim is referring to even though it is indivisible.

4.1 Following Conscience/2

There is no doubting the fact that conscience must be followed at both levels of *synderesis* and *conscientia*. O'Connell states, for example, that “Throughout the whole exercise of conscience/2, as we maturely and prudently listen for whatever wisdom we can receive, we never forget that we are looking, not for the ‘approved’ not for the ‘permitted,’ but for the ‘good.’”¹²⁹ It is for this reason that truth is of the essence in conscience/2, thereby making the finding and respecting of that truth in a respectful and docile manner the primary task of conscience.¹³⁰ It could be argued here that such lofty moral aspirations alone would justify the inclusion of conscience/2 within the remit of the obligation to follow one's conscience. Such a stance, however, would serve to overlook a problematic dilemma, namely that the judgements and conclusions of conscience/2 cannot be considered to be universal or infallible, as is alluded to by O'Connell in his comment that “One does not follow

¹²⁸ See references by John Henry Newman, Letter Addressed to the Duke of Norfolk, 259-261; Vatican II reiterate thus: “All are bound to follow their conscience faithfully in every sphere of activity so that they may come to God, who is their last end.” (*Dignitatis Humanae*, n. 3); likewise the church declared: “A human being must always follow the certain judgment of his conscience. If he were to deliberately act against it he would condemn himself.” *Catechism of the Catholic Church*, n.1790)

¹²⁹ Timothy E. O'Connell, *Principles for a Catholic Morality*, 118.

¹³⁰ *Ibid.*, 117-118.

conscience/2; rather, conscience/2 follows truth—and, indeed, *does not always do that very well*.”¹³¹ To ignore such a caveat would be to miss out on the import of O’Connell’s considered response to this dilemma. In short, while O’Connell acknowledges that in following an innately fallible conscience/2 a person “may do that which is (objectively) wrong,”¹³² he emphatically points out that in committing such a wrong the “perpetrator” has not acted in a morally wrong way, because:

It is the quintessence of human morality that we should do what we *believe* to be right, and avoid what we *believe* to be wrong. The fallibility of our objective judgement (conscience/2) in no way obviates that fundamental moral obligation.¹³³

O’Connell, here, is simply reiterating the traditional teachings of the Church and of the vast majority of its moral theologians throughout history. The response of the three scholars at the centre of this study, however, to O’Connell’s observation concerning conscience is best described as being nuanced or qualified in its support. Grisez, for example, acknowledges that “According to common Christian teaching, one must follow one’s conscience even when it is mistaken.”¹³⁴ However, his allocation of a primary role to conscience in moral decision-making, is couched in his own conviction that, for as long as that conscience submits itself unconditionally to the guidance of the magisterium, it simply cannot err, because “the Church’s role is to help form conscience by communicating the truth.”¹³⁵ On the other hand, as has already been outlined, Hogan, while also acknowledging the primacy of conscience, seeks to explain the notion of the erroneous conscience in terms of (i) the potential of the Church itself, as a human institution, to perpetrate erroneous judgements; (ii) a distinction between rightness and goodness, which suggests that while “a decision may be in error,” that

¹³¹ Ibid., 113, [italicised emphasis mine].

¹³² Ibid.

¹³³ Ibid, [emphasis in text].

¹³⁴ Germain Grisez, *Christian Moral Principles*, 78.

¹³⁵ Ibid.

error “may arise from moral goodness;”¹³⁶ and (iii) an emphasis on the innate goodness of the human person, which implies that, despite the mistake made by the erroneous conscience, “one is striving to obey its summons to fidelity.”¹³⁷ Thus far, therefore, we have one theologian championing the omnipotent role of the Church in the prevention of error and another claiming that the actual error is evidence of innate goodness of the actor.

As with Grisez and Hogan, Newman also asserts the primacy of conscience “whether it tells truly or erroneously.”¹³⁸ However, his response to the potential for a fallible conscience/2 to perpetrate “sincere” errors seeks neither to champion the role of the magisterium nor the inalienable rights of the individual over the “maintenance” of his or her conscience. Instead, Newman’s response to such a propensity focuses on the human-divine relationship and on the communication that occurs between both parties in that relationship. Thus, as Newman pointed out that conscience is “the voice of God,”¹³⁹ then it is necessary that rational creatures have a duty to form that conscience according to God’s law and be sure that it shine through as purely as possible and without refraction. According to Newman, the fundamental reason underlying such a task is relational in nature, in that such a conscience would educate the individual in his duties towards God and his or her fellow human beings as well as lead them on by the guidance both of Providence and grace into the fullness of religious knowledge.¹⁴⁰ Despite such lofty aspirations, however, the problem with the erroneous conscience (fallible conscience/2), in Newman’s opinion, may lie in the actual manner of communication that occurs between the individual conscience and the actual source of its enlightenment, that is, between the ‘listening’ conscience and an “Unseen Lord, and Governor, and Judge, who as yet speaks to them only secretly, who whispers in their

¹³⁶ Linda Hogan, *Confronting the Truth*, 113.

¹³⁷ *Ibid.*, 113-114.

¹³⁸ John Henry Newman, *Letter to the Duke of Norfolk*, 259.

¹³⁹ *Ibid.*, 147.

¹⁴⁰ John Henry Newman, *Sermons Preached on Various Occasions* 21-22.

hearts, who tells them something, but not nearly so much as they wish and as they need.”¹⁴¹ In Newman’s thought, therefore, the solution to the problem of the erroneous conscience is not to be found solely in the teachings of the magisterium or in the enhancement of the individual’s awareness of his or her rights to “own” their conscience. Rather, as with all “couples” who experience relationship problems, the solution is to be found in the consistency of one’s efforts at improving a loving communication with the divine through prayer, reflection, mediation, reading and plenty of “alone with none” time with God, practices much favoured by Newman, himself.

4.2 Following Conscience/3

Whereas “proceed with caution” might constitute the advice that theologians might offer in the matter of following conscience/2, such may not be the case with conscience/3. The movement from the realm of conscience/2 to that of conscience/3 can be characterised as a movement from a place of uncertainty and doubts to one of absolute certainty and clarity. In short, according to O’Connell’s account the dictates of conscience/3 simply must be followed. In support of such uncompromising insistence, O’Connell cites Joseph Fuchs’ observation that the judgement of conscience/3 is both infallibly true and absolutely certain, because “it dictates that the person ought to act according to the personal judgement he has concerning the act.”¹⁴² O’Connell, himself, is actually reiterating Aquinas’s teaching, in particular, when he asserts that the judgement of conscience/3 is supremely powerful because “it constitutes the final norm by which a person’s action must be guided.”¹⁴³ Indeed, such is the potency that conscience/3 is capable of exerting, it is O’Connell’s view that the human person should kneel before its altar of truth.¹⁴⁴ In explanation for such an uncompromising

¹⁴¹ Ibid., 66.

¹⁴² Timothy E. O’Connell, *Principles for a Catholic Morality*, 114.

¹⁴³ Ibid., 112.

¹⁴⁴ Ibid., 113.

call to docile obeisance, O'Connell states: "If I genuinely believe that I should do something, it is not only accurate to say that I may do it. More than that, I should do it. Indeed, I must do it. . . . For in the last analysis, that is the only possible guide for action by a free and knowing human person."¹⁴⁵

O'Connell, however, does not see conscience/3 as operating in solitary, dictatorial splendour; rather he points out that "conscience/3, to deserve its name, can only follow on the responsible exercise of conscience/2."¹⁴⁶ Indeed, as an example of how both consciences can work in tandem to ensure the centrality of conscience, even in the face of Papal pronouncements, O'Connell notes the American Bishops' use of an extract from the teachings of John Henry Newman in their response to the encyclical, *Humanae Vitae*. They attached great significance to Newman's observation that

when I speak of Conscience, I mean conscience truly so-called. . . . If in a particular case it is to be taken as a sacred and sovereign monitor, its dictates, in order to prevail against the voice of the Pope, must follow upon serious thought, prayer, and all available means of arriving at a right judgement on the matter in question.¹⁴⁷

At this stage, it must be noted that, as with conscience/2, all three scholars have voiced their support for the notion of the centrality or primacy of conscience/3 in moral decision-making and action. Grisez's support seem to derive from the fact that he would see conscience/3 as a type of magisterium "sponsored" construct, although it is to be wondered what he would make of O'Connell's attaching of the quality of infallibility to the *events* of that conscience. Grisez's accounts do appear to reserve that characteristic solely for the teachings and judgements of the Pope and the magisterium. As for Hogan, her support for the centrality of conscience/3 could be said to derive from her perception of that conscience as a type of personal property that is off-limits to all but personally invited guests. Once again,

¹⁴⁵ Ibid.

¹⁴⁶ Ibid., 114.

¹⁴⁷ John Henry Newman, *Letter to the Duke of Norfolk*, 257-258.

Newman's championing of that centrality derives simply from his understanding of the *event* of conscience/3 as being the very voice of God, "the Aboriginal Vicar of Christ," in direct communication with his human creation. Indeed, John Paul II picks up on Newman's understanding in his description of conscience as "a *dialogue of man with God*, the author of the law, the primordial image and final end of man."¹⁴⁸

5. Relating the Sources of Moral Wisdom to the Binding Power of an Informed Conscience

Numerous sources of moral wisdom contribute to the formation of the conscience of the human person. Thus, if the centrality or primacy of conscience as guided by conscience/2 and concretised in conscience/3 is a type of 'privileged' divine-human communicative faculty, it is also one that carries a grave responsibility deeming a person to be duty bound to accept and act upon its judgements. St. Bonaventure taught that

conscience is like God's herald and messenger; it does not command things on its own authority, but commands them as coming from God's authority, like a herald when he proclaims the edict of the king. This is why conscience has binding force.¹⁴⁹

As well as being an appropriate attitude to adopt in the face of divine commands, the binding force of the judgements of conscience is about seeking and following the truth. Hence, John Paul II points out that since "it is always from the truth that the dignity of conscience derives,"¹⁵⁰ "in order to have a 'good conscience' (1 Timothy 1:5), man must seek the truth and must make judgements in accordance with that same truth."¹⁵¹ For Colavecchio, however, respecting the "binding force of conscience" is also concerned with promoting authentic self-realisation in the individual. Specifically, he asserts that "conscience is the deepest self-

¹⁴⁸ John Paul II, *VS*, n.58 [italics in text].

¹⁴⁹ *Ibid.*

¹⁵⁰ *Ibid.*, n.63.

¹⁵¹ *Ibid.*, n.62.

consciousness of man, insofar as it acts as a power of discrimination deciding on every choice what will promote authentic self-realisation and what will stand in its way.”¹⁵²

Daniel C. Maguire emphasises a completely different take on the notion of the binding power of conscience. He maintains that to focus solely on the notion of that binding power, not only serves to ignore another vital attitude needed in the proper exercise of conscience, but it also imposes on that faculty an autonomy it neither possesses nor needs. Maguire declared: “To the general statement that one should always follow one’s conscience should be added that one should also always question one’s conscience. The autonomy of conscience is not absolute. It would be inhuman if it were.”¹⁵³ Maguire’s challenge to the notion of an absolutely autonomous conscience can be regarded as a reiteration of John Paul II’s assertion that to represent the judgements of conscience as the products of an autonomous moral mechanism is to totally miss the point that they are, in fact, the outcome of “an insistent search for truth” whereby individuals allow themselves to be guided by that truth in their actions.¹⁵⁴ Furthermore, in the preceding extract, as well as calling for obedience to the voice of conscience, Maguire also insists that individuals demonstrate vigilance in the face of the demands made by that voice. Hence, he would doubtlessly agree with Hogan’s assertion, that such an inquisitive and alert mind-set “is a central component of the formation of conscience [and] is learned through attempting to confront the reality of one’s actions, through scrutinising one’s motivations, through checking one’s own memory of the events.”¹⁵⁵ For that reason, if the aim of the formation of conscience is achieved, namely the production of an informed conscience, then to obey the judgements of that conscience is tantamount to heeding to the objective truth by which the conscience is formed. To this effect the Canadian Bishops proclaim: “The right to act according to one’s conscience must

¹⁵² Xavier G. Colavecchio, “Conscience: A Personalist Perspective,” 204.

¹⁵³ Daniel C. Maguire, *The Moral Choice* (New York: Doubleday, 1978), 379.

¹⁵⁴ John Paul II, *VS*, n.61.

¹⁵⁵ Linda Hogan, *Confronting the Truth*, 161.

therefore be accompanied by accepting the duty to conform it to the truth and to the law which God has engraved on our hearts.”¹⁵⁶ It is important, therefore, that the treatment of conscience formation and its relation to the binding power of an informed conscience by Newman, Grisez and Hogan be assessed together.

5.1 Newman, Grisez and Hogan on the Formation of Conscience and the Exercise of an Informed Conscience

Newman, Grisez, Hogan are all in agreement with the Church’s belief in the necessity of the proper formation of the individual conscience. The Church, herself, declares that

in forming their consciences the faithful must pay careful attention to the holy and certain teaching of the Church. For the Catholic Church is by the will of Christ the teacher of truth. It is its duty to proclaim and teach with authority the truth which is Christ and, at the same time to declare and confirm by her authority the principles of the moral order which spring from human nature itself.¹⁵⁷

The reference to the involvement of “human nature” in the formative process, suggests that the church, itself, acknowledges that it is not the only party involved in that process, a fact which is attested to by Hogan, as she insists that:

As the source of free and responsible decision-making, conscience is regarded as the primary authority in ethics, and always to be obeyed. However it is not seen in isolation from the other authoritative sources of Christian morality, which include the teaching of Jesus; the collective wisdom of the tradition preserved in the Church’s norms and principles; and the guidance of the magisterium. . . It is shaped by the collective experience of the church community and formed in dialogue with the tradition’s central beliefs. It is to this dialectic of the personal and the communitarian that the term ‘informed conscience, refers. This integration of collective moral wisdom with personal insight is precisely the goal of an informed conscience.¹⁵⁸

¹⁵⁶ Canadian Conference of Catholic Bishops, *Pastoral Letter on Freedom of Conscience and Religion*, (April 2012), n.14, in http://www.cccb.ca/site/images/stories/pdf/Freedom_of_Conscience_and_Religion.pdf [accessed 5 June 2013].

¹⁵⁷ *Dignitatis Humanae*, n.14. [italics in text]

¹⁵⁸ *The New SCM Dictionary of Christian Spirituality*, s.v. “Conscience.”

In Hogan's view, therefore, the human person has at his or her disposal a communitarian "collective" of moral wisdom and practical information in conjunction with their own "personal insight" as they seek to form conscience. Accordingly, the communal moral wealth and experience of the community are deemed to exist to serve the moral educative needs of the individual human beings as they embark on the task of forming conscience. Hence, it is obvious from Hogan's account that such a formative task will involve individuals integrating the knowledge acquired from multiple sources of moral wisdom with their own innate or personal insights so that, in the context of each specific act of moral decision-making, they will ultimately achieve that state of knowing what to do, how to do it, and when to do so.

It is obvious from Hogan's extract that, in the context of the formation of conscience, knowledge is a key factor, since individuals are obliged to know the truth of what they are doing *hic et nunc*. In the context of the formation of conscience, therefore, Grisez attests to the importance of acquiring such knowledge when he insists that "The formation of conscience requires learning and thinking about three areas: the principles of natural law, practical possibilities, and the application of the principles to the facts of each situation of choice."¹⁵⁹ The acquisition of such knowledge by the individual through "learning and thinking" not only suggests to a non-personalist Grisez that the Church is but one of a number of shareholders in this project, but is also indicative of the strategic qualities that a properly informed conscience can actually bring to the table of moral-decision-making. Grisez specifically identifies these as the "clear understanding of norms, accurate and adequate information about possibilities, and readiness to engage in moral reflection before every choice."¹⁶⁰ Here, Grisez's reference to the understanding of norms is concerned with clarifying the principles of natural law, a law, which according to St. Paul is written in the heart of every individual. The reference to "information about possibilities" is a reminder of

¹⁵⁹ Germain Grisez, *Christian Moral Principles*, 88.

¹⁶⁰ *Ibid.*, 82.

the necessity of checking for realistic alternatives, a skill that can be learned, for example, through catechesis, spiritual direction, vocational guidance and counselling. The need for engaging in moral reflection before every choice arises, according to Grisez, from the fact that “A great deal of conscience formation, especially in children, consists simply in getting people to think about their behaviour from a moral point of view and to question the reasonableness of the demands of superego and social convention.”¹⁶¹

In Grisez’s view, however, there is much more to the formation of conscience than the acquisition of knowledge, the clarification of norms and the appropriate selection of moral choices. For him, this task also includes an act of faith, that there exists a personal relationship between the individual and God, a belief that, in turn, validates the Church’s call that its moral teachings be internalised as part of the formation process. Such an ecclesiastical call can be trusted, according to Grisez, because “the Church’s teaching authority . . . is endowed with an unfailing gift of truth, not as if it had legislative authority in moral matters.”¹⁶² It can also be trusted because it is his belief that Jesus has willed that “it is part of the Church’s duty to state authoritatively ‘those principles of the moral order which have their origin in human nature itself.’”¹⁶³ For those Catholics who continue to remain wary of the church’s involvement in the formation of their conscience, Grisez’s advice is that

the moral demands of the Church’s teaching are not alien to the requirements of morality which one can know naturally. Rather, they specify the moral implications of natural law, the law written in our hearts (cf Rom 2:15). Thus, the moral teaching of the Church forms conscience from within, not by external imposition.¹⁶⁴

Thus, Grisez is informing both fervent believers and sceptical doubters that “the moral demands of the Church’s teaching are not additions over and above the requirements of

¹⁶¹ Ibid., 88; see also 82-83

¹⁶² Ibid., 295.

¹⁶³ Ibid., 85.

¹⁶⁴ Ibid., 88.

morality which one can know naturally; rather, they specify the moral implications of natural law.”¹⁶⁵ Grisez goes even further, however, and advises Catholics that in the event of there being a lack of clear teaching on a given moral matter, they need not look outside the Catholic fold for a solution; rather they can seek guidance from “a consensus of theologians . . . for when theologians agree their reflection very likely articulates true moral norms in the light of faith.”¹⁶⁶ To those Catholic laypeople who surrender to this process of being enlightened by Christian wisdom and of attending closely to the teaching authority of the Church, Grisez offers the prospect of functioning with a well-formed and informed conscience as they take on their own distinctive role.¹⁶⁷ For those who continue to hesitate, or who are deemed not to be “faithful and clearheaded Catholics” he admonishes: “To wish to be a Catholic while refusing to accept the Church’s teaching would be rather like wishing to have a friend without being a friend.”¹⁶⁸ This clearly indicates the link or relationship between the source of information, formation and the recipient.

While Grisez hardly looks beyond the personal insight of “faithful and clearheaded” Catholics, in conjunction with the Church and its traditions, theology, theologians and divinely endowed wisdom, in his search for the mainstays in the formation of conscience, Hogan widens her sweep to include both secular and faith or ecclesial communities. Indeed, whereas Grisez emphasises the negative aspects of the family’s and society’s potential impact on the formation of conscience, with the former being held responsible for endowing the child with a malignant superego, and the latter for facilitating the entry of elements of relativism into the process, Hogan adopts a more positive attitude towards secular involvement in general. She believes, for example, that knowledge acquired from both secular and faith communities, particularly knowledge that may “determine the direction of

¹⁶⁵ Ibid., 85.

¹⁶⁶ Ibid., 291.

¹⁶⁷ Ibid., 306. See also *Gaudium et Spes*, n.43.

¹⁶⁸ Ibid., 85.

one's moral life, one's self-conscious option for good,"¹⁶⁹ can prove invaluable in the proper formation of conscience. She points out, for example, that "the values and virtues that a society embodies do play an important role in the formation of conscience. This is true of the limitations and moral blindness of communities . . . but it is also true of the cultivation of positive dispositions."¹⁷⁰ It is Hogan's contention, therefore, that individuals do not cultivate an orientation for the good within a social or educational void, but rather that their consciences are shaped "within a received [communal] tradition, which conveys its sense of moral goodness in a variety of ways."¹⁷¹

Continuing this vein of positivity, Hogan asserts that to have an informed conscience is invariably to have a "good conscience," which she defines as the constant "disposition or orientation to desire good and is the culmination of a life lived consistently in the pursuit of virtue."¹⁷² For Hogan, therefore, the proper formation of conscience does not take place in the context of "some superficial adherence to rules and laws but in working toward goodness rather than evil or indifference in every context, no matter how trivial."¹⁷³ Such an approach represents "a move away from considering the morality of acts in isolation," and from "the traditional preoccupation with established norms and principles."¹⁷⁴ More importantly, however, Hogan's approach also "confirms the human person, integrally and adequately considered, as the source of moral discernment and action."¹⁷⁵ It is for this reason that she describes the formation of conscience as being "a delicate and complex process," which "involves the integration of the intellectual and emotional capacities of the individual, together with a commitment to confront one's limitations and weaknesses."¹⁷⁶ It is also for

¹⁶⁹ Linda Hogan, *Confronting the Truth*, 129.

¹⁷⁰ *Ibid.*, 134.

¹⁷¹ *Ibid.*, 135.

¹⁷² *Ibid.*, 134.

¹⁷³ *Ibid.*

¹⁷⁴ Linda Hogan, "Forming and Following One's Conscience," 405. See also *Confronting the Truth*, 167.

¹⁷⁵ Linda Hogan, "Forming and Following One's Conscience," 405.

¹⁷⁶ Linda Hogan, *Confronting the Truth*, 150-151.

this reason that she insists that attention should be given to the character of the person and not to “moralities that evaluate acts in isolation from the context in which they are performed.”¹⁷⁷ While Hogan strongly emphasises the role of the secular community in the formation of conscience, she does not do so at the expense of that of the church. Regarding the teaching Church, itself, she unequivocally acknowledges, for example, that “It is, clearly, part of the tradition accepted by believers that the Church through its pastors has a duty to teach moral truth to its members, and that Church members have a serious obligation to respect that teaching in forming their consciences.”¹⁷⁸ Furthermore, as regards Christians in general, she maintains they believe that “within the conscience each person has an inner source of moral evaluation [that] is not entirely reliant on the individual’s personal resources, [but] is also an inner source informed by faith and shaped under the guidance of the spirit.”¹⁷⁹ Unlike Grisez, however, Hogan does not consider such beliefs to be a type of *carte blanche* that bestows on the holder – the Church – the right to have an unconditional say in the formation of conscience or in what constitutes an informed conscience. She reminds those involved in the formation of their own consciences that “informing one’s conscience is not simply a process of uncritically aligning oneself with views expressed by the magisterium,” and therefore insists that, as part of their formation process, they “must resist any suggestion that an informed conscience is *always* and *necessarily* one which is in agreement with an official position.”¹⁸⁰ Moreover, she advises the Church that its involvement in the formation of conscience should reflect the reality that it “operates within the constraints of culture and time and that its own understanding is inevitably limited by such factors.”¹⁸¹ Grisez however would find it difficult to gainsay Hogan’s contention that: “The believer ought to be informed

¹⁷⁷ Ibid., 167.

¹⁷⁸ Linda Hogan, “Forming and Following One’s Conscience,” 408.

¹⁷⁹ Linda Hogan, *Confronting the Truth*, 149.

¹⁸⁰ Linda Hogan, “Forming and Following One’s Conscience,” 408 [emphasis by author].

¹⁸¹ Linda Hogan, *Confronting the Truth*, 178.

of and take serious cognisance of the church's view on each moral issue and should only dissent from that position for serious conscientious reasons.”¹⁸²

Unlike, Grisez, though, Hogan accepts as inevitable the likelihood that an informed conscience will dissent, not only because it is ‘informed’ and thereby morally entitled to differ from the official position, but also because the magisterium may not be measuring up to the mark in the guidance it offers. While Grisez would reject such a criticism out of hand, Newman believes otherwise, as the following extract indicates. Acknowledging that the moral decision-making capacity of conscience needs external assistance to perform satisfactorily, he bemoans the fact that such external assistance can be found to be wanting:

Yet even this office it cannot perform adequately without external assistance; it needs to be regulated and sustained. Left to itself, though it tells truly at first, it soon becomes wavering, ambiguous, and false; it needs good teachers and good examples to keep it up to the mark and line of duty; *and the misery is, that these external helps, teachers, and examples are in many instances wanting.*¹⁸³

It is no surprise then, that much of Newman's language in describing an informed conscience is God-focused. For example, Newman believes that a conscience whose formation has been undertaken in a spirit of openness to receiving the Word of God and acting only in terms of the Knowledge of God can naturally be designated “the voice of God.”¹⁸⁴ Equally, such an informed conscience can be respectfully treated as “a messenger of Him, who, both in nature and in grace, speaks to us behind a veil.”¹⁸⁵ In fact, so close is the activity of such an informed conscience to the activity of Christ himself, in Newman's estimation, that he confers on it the extraordinary title of “the aboriginal Vicar of Christ.”¹⁸⁶ Furthermore, for Newman, this is no honorary title; rather he reminds those who accept such

¹⁸² Ibid., 174.

¹⁸³ John Henry Newman, *Discourses Addressed to Mixed Congregations*, 85 [emphasis mine].

¹⁸⁴ John Henry Newman, *Letter to the Duke of Norfolk*, 247.

¹⁸⁵ Ibid., 248.

¹⁸⁶ Ibid.

a title for their consciences, that they will be trading the judgements of their own self-serving “self-will” for those of a Christ who demonstrated in Scriptures that He can be “a stern monitor.”¹⁸⁷ For the Canadian Bishops, therefore, basing the formation of conscience on the knowledge that is acquired through listening attentively to the voice of God can prove to be both fulfilling and safeguarding for the active ‘listener’. They maintain that: “The more we know about God’s will for us, the more fulfilled we are, the surer we are that we will not destroy ourselves and wander into paths which will not enhance our liberty but take it away entirely.”¹⁸⁸ St. Paul, in turn, points to the importance of turning away from the requirements of the world, and forming a new mind (an informed conscience) based on the knowledge of what God wants. He exhorts his readers as follows: “Do not model yourselves on the behaviour of the world around you, but let your behaviour change, modelled by your new mind. This is the only way to discover the will of God and know what is good, what it is that God wants, what is the perfect thing to do.”¹⁸⁹ The Christian understanding of the notions of the formation of conscience and informed conscience, – concepts that all three scholars of this thesis agree on deals with the absolute necessity of acquiring knowledge, information, truth and attitudes that are Christ-based, Christ-focused and Christ-friendly, in order to make morally correct decisions.¹⁹⁰ Such a view is reiterated in various documents of the Church.

Because the formation of conscience is based around acquiring an ever-deepening knowledge of the human person and especially of the Creator, it must be above everything else the search for objective truth, in particular “moral truth.” Hence, it can be claimed that an informed conscience is one that has been illumined and enlivened by such a divinely inspired

¹⁸⁷ See *Ibid.*, 250. See also the Scriptural accounts a stern and angry Jesus clearing the Temple, his Father’s House, of money changers, because he judged that they were not treating their Creator with due respect. Interestingly, this episode is reported in all four Gospels. See Matthew 21:12-13; Mark 11:15-18; Luke 19:45-46; John 2:13-17.

¹⁸⁸ Canadian Conference of Catholic Bishops, *Statement on the Formation of Conscience*, n.12.

¹⁸⁹ Romans 12:2.

¹⁹⁰ See Canadian Conference of Catholic Bishops, *Statement on the Formation of Conscience*, n.31.

truth. Cardinal Ratzinger points out how both the concepts of conscience and truth are inextricably linked in Newman's understanding of an informed conscience. He declares that:

For Newman the middle term which establishes the connection between authority and subjectivity is truth. I do not hesitate to say that truth is the central thought of Newman's intellectual grappling. Conscience is central for him because truth stands in the middle. To put it differently, the centrality of the concept conscience for Newman is linked to the prior centrality of the concept truth and can only be understood from this vantage point.¹⁹¹

This notion of truth seems to be particularly vital to Grisez's understanding of conscience, since he defines conscience as "knowledge of moral truth." He specifically maintains, for example, that "the Church's role is to help form conscience by communicating truth."¹⁹² Hence, Canadian Bishop's uphold: "Conscience is not . . . an absolute placed above truth. Rather, by its very nature, conscience has a relation to objective truth, a truth which is universal and which all must seek."¹⁹³ In this sense, Grisez is right to assert that "moral principles are truths which shape one's judgements of conscience toward human fulfilment."¹⁹⁴ For him, the importance of such truths or principles in the moral lives of every human being derives from the fact that they connect the entire human being to the Creator. Thus, he maintains that "Moral truth extends to the whole of the person, to the whole of life, to the whole of humankind, and to the whole of reality by way of the human relationship with God."¹⁹⁵ Indeed, his condemnation of subjectivism is based on his rejection of the notion that "in the end, it is my conscience, and not *the objective truth*, which determines what is right or wrong, true or false."¹⁹⁶ It is little wonder then that he would describe as "something close to *a denial of moral truth* . . . the current tendency to devalue careful reflection upon moral

¹⁹¹ Joseph Cardinal Ratzinger, *Conscience and Truth*, 8.

¹⁹² Germain Grisez, *Christian Moral Principles*, 306.

¹⁹³ Canadian Conference of Catholic Bishops, *Pastoral Letter on Freedom of Conscience and Religion*, n.4.

¹⁹⁴ Germain Grisez, *Christian Moral Principles*, 97.

¹⁹⁵ *Ibid.*, 103.

¹⁹⁶ *Ibid.*, 78. [italics mine]

issues and substitute, as a moral guide, a sense of being at peace with oneself or in agreement with others.”¹⁹⁷

However, Hogan’s position on the idea of moral truth poses a challenge for Grisez’s use of moral truth, as it relates to conscience formation and an informed conscience. While she certainly agrees that “Each judgment of conscience is based on the moral truth that the person has come to know,” she distances herself from Grisez when she makes the point that the fundamental reason underlying our obligation to follow our decision of conscience is that “we must be guided by the moral truth *as we understand it*.”¹⁹⁸ Such a subjectivist attitude towards moral truths contrasts with Grisez’s terse objectivistic observation that moral principles are “truths which cannot be otherwise.”¹⁹⁹ For Hogan, however, such truths simply do not exist; there is no abstract, complete-in-itself, objective entity out there, which human beings can refer to and aspire to fully embrace during the course of their lives. She maintains instead that

the moral truth as we understand it may be incomplete or even incorrect. History is replete with examples of people who followed their consciences and yet committed acts of atrocity, acts that most reasonable people find objectionable. . . . It is possible that a soldier might believe that the massacre of an entire village or ethnic group is right in particular circumstances. The soldier may indeed be acting on the moral that he knows. This is just one example from the many occasions when a person’s apprehension of moral truth can be seriously wrong.²⁰⁰

In making the above argument, however, Hogan is unwittingly demonstrating that when that soldier was in the process of forming and informing his or her conscience, he or she was in need of being presented with objective moral yardsticks against which he or she could judge his or her decisions and subsequent behaviour. It would be Grisez’s argument,

¹⁹⁷ Ibid., 97. [italics mine]

¹⁹⁸ Linda Hogan, *Confronting the Truth*, 13 [italics mine]

¹⁹⁹ Germain Grisez, *Christian Moral Principles*, 107.

²⁰⁰ Linda Hogan, *Confronting the Truth*, 13-14.

for example, that it was the failure to acquire such yardsticks that gave the soldier the freedom to arbitrarily and [im]morally cherry pick a subjective way through the slaughter of innocent villagers and ethnic groups. Such an individual, in Grisez's opinion, needed to have his or her subjectivist notions of freedom to ethnically cleanse confronted with objective norms that unequivocally stated otherwise.²⁰¹ For some, for example, such cherry picking assumes the form of accepting that while moral truths apply to some areas of their lives, this may not be the case when it comes to other areas. Hence, as has already been noted, while some Catholics might have little difficulty in designating acts of abortion, paedophilia or ethnic cleansing as being intrinsically evil, they might adopt a more subjectivist approach in such matters as homosexuality, contraception or euthanasia. Indeed, from a personalist perspective even the aforementioned acts of intrinsic evil must be open to assessment in terms of contextual and intentional factors. Hence, conformists, for example, would argue that such a weakening of the notion of objective moral truths leads to a form of opportunistic morality whereby moral truths are enthusiastically embraced when the consequences suit the actor, but denigrated as anachronisms when they do not. What such opportunists fail to acknowledge is that objective morality demands to have its say in unpopular as well as in fashionable causes. John Paul II, for example, argues quite strongly that human persons, in their consciences, are expected to encounter moral truth, freely embrace it, and personally commit themselves to its enactment,²⁰² rather than encountering a process that attempts to rationalise "contempt for human life after conception and before birth; the ongoing violation of basic rights of the person; the unjust destruction of goods minimally necessary for a human life."²⁰³ In making this argument, John Paul II is simply reiterating Newman's teaching on conscience as comprising the human person's free adoption of God's law. Also reiterating Newman's stance on this matter is an observation by George Cardinal Pell, which maintains

²⁰¹ See Germain Grisez, *Christian Moral Principles*, 104.

²⁰² John Paul II, *VS*, nn.54-64.

²⁰³ *Ibid.*, n.84.

that: “For Newman, conscience is a hard, objective thing—a challenge to self, a call to conversion, and a sign of humility. And this sits uncomfortably with those who see conscience as a sign of freedom, and freedom as the right to reject what is unpalatable.”²⁰⁴

Pell also points out that John Paul II’s observation about conscience actually builds on Newman’s theory of conscience in that both would agree that:

Conscience . . . is neither the apprehending of an alien law nor the devising of our own laws. Rather, conscience is the free acceptance of the objective moral law as the basis of all our choices. The formation of a Christian conscience is thus a dignifying and liberating experience; it does not mean a resentful submission to God's law but a free choosing of that law as our life's ideal.²⁰⁵

It can be argued that what John Paul II and Newman find dignifying and liberating about the sources of moral wisdom, formation of conscience and the binding force of informed conscience is that such a process is focused exclusively on the pursuit of moral truth at all levels of conscience. We might conclude then that an “informed conscience” is one that has undergone a process of conversion whereby conscience/1 with assistance from either revelation or church teaching or both proceeds to conscience/3 that is *judgement, concrete decision or event*, an outcome that has been achieved through the dialectics of conscience/2 in its capacity as *process*.

One important fact about informed conscience that is not always explicitly acknowledged is stated clearly by Pell. He believes that “while we should follow a well-formed conscience, a well-formed conscience is hard to achieve.”²⁰⁶ Numerous factors such as political, socio-cultural and religious are responsible for this. For instance, the late President John F. Kennedy’s, as a Catholic Senator, campaigning for the U.S. presidency,

²⁰⁴ George Cardinal Pell, “The Inconvenient Conscience,” 23.

²⁰⁵ Ibid.

²⁰⁶ Ibid., 24.

famously addressed the Greater Houston Ministerial Association in Houston, Texas, on September 12th, 1960²⁰⁷ and made it clear that he believed in an

America where the separation of church and state is absolute—where no Catholic prelate would tell the President (should he be Catholic) how to act, and no Protestant minister would tell his parishioners for whom to vote . . . , these are my views . . . for contrary to common newspaper usage, I am not the Catholic candidate for President. I am the Democratic Party's candidate for President who happens also to be a Catholic. I do not speak for my church on public matters—and the church does not speak for me. . . . Whatever issue may come before me as President—on birth control, divorce, censorship, gambling or any other subject—I will make my decision in accordance with these views, in accordance with what my conscience tells me to be the national interest, and without regard to outside religious pressures or dictates. And no power or threat of punishment could cause me to decide otherwise.²⁰⁸

There can be no clearer explication of the distinction between a politically informed conscience and a religiously informed one than this. This begs the question as to the moral position of the individual. This then raises a key issue that all Catholic models of conscience must address, namely the question of dissenting from the moral teachings of the church. Is a Catholic entitled to dissent from the church's moral teachings? How should that dissent be expressed? How should the Catholic Church treat both the act of dissent and the dissenter?

6. Conscience and Moral Teachings of the Church – To Dissent or not to Dissent

Early on in *Confronting the Truth*, Hogan makes it clear that, in her view, since “The role of conscience involves a complex process of evaluation . . . [it] may find itself in conflict

²⁰⁷ See Michael J. Sandel for his exploration of the speech in relation to religion, politics and the exercise of conscience in *Justice: What's the Right thing to Do?* (New York: Penguin Group, 2009), 244-269.

²⁰⁸ John F. Kennedy, Speech to the Greater Houston Ministerial Association, September 12, 1960, in <http://www.presidentialrhetoric.com/historicspeeches/kennedy/houstonministerial.html> [accessed June 13, 2013].

with magisterial teaching.”²⁰⁹ Furthermore, she claimed that disagreement on moral matters must be seen as an inevitable feature of the business of ethics, while faithful dissent from particular church teaching should also be accepted.²¹⁰ As her work progresses, however, she apparently seeks to steer the debate away from being solely concerned with “conflicts of authority” by which she means that the issue should no longer revolve around

whether and to what extent one has the right to dissent from a particular church teaching, but [on] how one can understand oneself as a loyal and committed member of the church, while at the same time disagreeing with a particular teaching.²¹¹

More specifically, and relevant to a dissenting relationship between the individual conscience and the teaching authority of the church she argues that her

approach reflects the reality that ultimately the issue is not about legalistic requirements but about seeking to do the good. *Our attention should be directed toward working out how a person should act on her/his conscientious decisions and what one’s response should be when church teaching does not coincide with one’s best estimation of the right thing to do in a particular situation.*²¹²

This is essential as she draws on the writings of the theologian Kevin Kelly, who with reference to the Charles Curran case, elaborated on the negative aspects that go with the notion of dissent. According to him,

The term *dissent* has no feel for all that is positive in such a position—respect for tradition, concern for the truth, love of the Church, shared responsibility for the Church’s mission in the world. It does not express the respect for teaching authority in the Church which motivates someone adopting this kind of stance.²¹³

He also points out that dissent serves to create a climate of confrontation, makes true dialogue impossible and deflects attention away from the respective roles of the teaching authority,

²⁰⁹ Linda Hogan, *Confronting the Truth*, 33.

²¹⁰ Ibid.

²¹¹ Ibid., 176.

²¹² Ibid., 175 [italics mine].

²¹³ Kevin Kelly, “Serving the Truth,” in *Readings in Moral theology No 6: Dissent in the Church*, eds, Charles E. Curran and Richard A. McCormick, (New York: Paulist, 1988), 480.

theologians and of all believers in the Church's mission of serving and proclaiming the truth.²¹⁴ Hence, according to Hogan, what Kelly is doing here is attempting to point the way to a different approach, one that would be seeking to avoid constructing two distinct moral authorities, one individual, and one institutional, or one political and the other religious, each vying with the other for prominence.²¹⁵ Thus, she suggests that Kelly's approach be followed by focusing primarily on what she describes as the central concern in all moral debates, namely, "the issue of how best to understand and articulate the good and loving thing to do in each given situation."²¹⁶

Hogan is not simply interested in citing aspirations, but recognising the inevitability of disagreements occurring, given the nature of the moral enterprise, she recognises that the manner of harmonising the insights of each perspective would need to be considered in terms of "creating a dialogue to achieve agreement and to find ways of living fruitfully in the midst of difference."²¹⁷ Once again, she draws on Kelly who provides her with a formula for expressing dissent, which embodies the model proposed by both of them. Therefore, instead of just simply saying "I dissent from the Church's teaching" which, in Kelly's view fails to capture the essence of the person's stance, he recommends the following formula:

... drawing on the richness of the Church's tradition and in the light of the Church's deeper knowledge of this aspect of human life gained through its dialogue with the human sciences today, I believe that what I and many Christians are saying is a more adequate expression of the richness of our present Christian understanding than is found in the current statement of the Church's teaching.²¹⁸

Hogan maintains that such an approach: (i) acknowledges the important role that the Church has in the formation of conscience; (ii) reflects the reality that the Church operates within the

²¹⁴ Ibid., 478.

²¹⁵ Linda Hogan, *Confronting the Truth*, 177.

²¹⁶ Ibid.

²¹⁷ Ibid., 178.

²¹⁸ Kevin Kelly, "Serving the Truth," 479-480.

constraints of culture, politics and time; (iii) conveys a sense of the Church's tradition as being developmental and dynamic rather than unchanging; and (iv) reminds us that one's ultimate concern must be with what is good and true in a given context.²¹⁹ According to Hogan, this is what the duty of conscience consists of, not simply to assent to magisterial teaching, but to work earnestly and courageously for the articulation of the good in each context.

In the case of Hogan, herself, however, it can be argued that while her aspirations and views are noble, she still has to address how moral theologians, and indeed, politicians, and economists, for example, respond to teachings emanating from the magisterium, with which they do not agree. What is expected of Catholic moral theologians who are in receipt of magisterial orders to maintain silence in their areas of expertise? David E. DeCosse and his group, for example, asserted that "The one who defines the problem sets the terms of the debate and, in the last decades, the Catholic advocates of the ecclesial view have defined the problem of conscience in American society as relativism."²²⁰ In consultation with some other moral theologians, Hogan has sought to bring some reasoned clarity to this situation, not just for moral theologians but for all believers. In this vein, she explores Ladislav Örsy's challenging of what is described as creeping infallibility within the church today, and his argument that teachings representing the Church's current but inconclusive thinking on a range of issues are being presented with excessive weight and authority.²²¹ She reminds us of Örsy's observation that this can leave the faithful with the choice of either obeying or of being excommunicated.²²² Hogan, herself, then proceeds to point out that the commentary accompanying John Paul II's apostolic letter, *Ad Tuendam Fidem*, which discussed the notion of "definitive teaching more fully" points out that as regards certain doctrines or teaching (not

²¹⁹ Linda Hogan, *Confronting the Truth*, 178.

²²⁰ David E. DeCosse, "Conscience Issue."

²²¹ Linda Hogan, *Confronting the Truth*, 170.

²²² Ibid.

infallible) “whoever denies these truths would be in a position of rejecting a truth of Catholic doctrine and would therefore no longer be in full communion with the Catholic Church.”²²³ Örsy posed the question as to how a point of teaching not guaranteed by the assistance of the Holy Spirit (as infallible definitions are) could actually be irreformable.²²⁴ Two worrying aspects that Hogan mentions on this point are that the logic of this ecclesial position is that the faithful cannot continue a respectful and loyal dialogue with the Church on a number of unresolved issues on the one hand, while, on the other hand, a person may be declared to be out of the Church because of the desire to continue to discuss certain issues. Indeed, what Hogan actually finds puzzling about all of “this turn to the definitive” is that, in her view at any rate, it is in the field of morality that most conflict tends to arise over the nondefinitive authoritative teachings of the Church, a category containing much of the church’s moral pronouncements over the centuries.²²⁵

It is at this stage that, one could say, the gloves come off for Hogan with respect to the magisterium and advocates of the ecclesiastical, conformist or legalist model of both Church and conscience. The magisterium and the faithful are reminded that:

The distinctive aspect of this type of teaching is that there is a recognition that we are dealing with issues on which the church cannot make a definitive statement. It may not be able to do so for a variety of reasons. It may realize a possibility that its view may be in error, or there may be a degree of uncertainty regarding how the church should respond to a particular issue. In addition, particularly in the moral field, there are many issues that cannot be properly considered or answered in unambiguous statements about right and wrong. Many ethical issues require a degree of nuance and attention to detail that the general statements of formal teaching cannot provide. As a result they are more properly discussed and considered by other means.²²⁶

²²³ Ibid.

²²⁴ Ibid.

²²⁵ Ibid., 173.

²²⁶ Ibid., 173-174.

Could this be a suggestion on her part to Grisez and other like-minded moral theologians not to be so fast about reaching for the moral statute books for complete resolutions that may simply not be there? As noted at the outset of this section, and mentioned throughout this chapter, one of the most problematic aspects of the debates between Christian personalists and legalists is that, in Hogan's own words, they tend to facilitate the creation of false distinctions between respect for church teaching and the necessity for personal moral responsibility, and thus perpetuate the mistaken assumption that the teaching Church corresponds to the magisterium, and the learning Church to the clergy and the laity.²²⁷ Hogan, herself, has no problem in acknowledging that careful consideration must be given to the teachings that emanate from the magisterium, but she is uncompromising in her assertion that "the Christian tradition has continuously insisted that moral responsibility and choice reside ultimately with each individual . . . [and as] such we must be obedient to our own discernment of the spirit; we must adhere to our own consciences."²²⁸

It is obvious that while Grisez champions loyalty to Church teaching when it comes to mediating between church and conscience, Hogan is the vanguard of those who insist on the autonomy of individual conscience. The problem of exercising one's conscience, whilst simultaneously striving to be informed by it and be accountable to normative Church teachings is therefore complex. For instance, in an extract already referred to in chapter one of this thesis, the United States Conference of Catholic Bishops (USCCB) affirmed that the matter of political participation for American citizens and of their treating public service as a vocation was of grave importance to preserving and promoting traditional Church teachings, especially in terms of opposing "intrinsic evil".²²⁹ It is in this context, then, that the bishops make their call on Catholics to always bear in mind that the intentional taking of innocent

²²⁷ Ibid., 170.

²²⁸ Ibid., 171.

²²⁹ United States Conference of Catholic Bishops (USCCB), *Forming Consciences for Faithful Citizenship*, n.14 and n.22.

human life, such as abortion and euthanasia, are actions that “must always be rejected and opposed and must never be supported or condoned.”²³⁰ They remind Catholic electorate preparing to go to the polls that “a well-formed Christian conscience does not permit one to vote for a political program or an individual law which contradicts the fundamental contents of faith and morals.”²³¹ Furthermore, they unequivocally caution their Catholic flock that: “Those who knowingly, willingly, and directly support public policies or legislation that undermine fundamental moral principles cooperate with evil.”²³² Some would take such cautionary advice as an implicit directive by the Catholic bishops to American Catholics on what should be the uniform outcome to the exercising and following of their individual consciences. In fact, it could be claimed that there is nothing implicit in their assertive reminder to their followers that: “A Catholic cannot vote for a candidate who takes a position in favour of an intrinsic evil, such as abortion or racism, if the voter’s intent is to support that position.”²³³ American Catholics are simply being strongly reminded what their church expects of them in this particular situation.

American Catholic politicians are not exempt from this call from the Bishops. They too are reminded that they are expected to vote in “good conscience” against any legislation that could be seen to promote intrinsic evil under any of its guises. Much of this matter has already been addressed in terms of conflicts that can arise in terms of exercising one’s political or religious conscience, and also in terms of the contribution of then Senator John F. Kennedy to that debate. Suffice it here to state his observation “I believe in a president whose religious views are his private affair, whatever issue may come before me as president . . . I will make my decision . . . in accordance with what my conscience tells me to be the

²³⁰ Ibid., n.22.

²³¹ Ibid., n.30.

²³² Ibid., n.31.

²³³ Ibid., n.34.

national interest, and without regard to outside religious pressures or dictates.”²³⁴ Had President Kennedy survived longer than he did, would he eventually have found himself in situations where he would have been politically required to make decisions that would have placed him on a collision course with the teachings of the Catholic Church? As it was, in the short years he exercised office, he was engaging thousands and thousands of American troops in the war in Vietnam, a war that was even then causing grave moral headaches for many Christians, both Catholic and Protestant. Such an approach by Kennedy to the exercise of a political and or religious conscience would have definitely placed him at odds with moral theologians such as Grisez, and his contention that the conscience of faithful and clearheaded Catholics must conform to Church teaching. That same approach, however, would definitely have found favour with Hogan, who maintained, for example, that Catholics were free to reject particular teachings of the Church, provided they held views that were well-informed and sincerely held. With regard to the role of the Church in this “political conscience” controversy, Hogan, herself points out that “the church teaches in many different ways and with different gradations of authority and that not all instances of church teaching are equally contentious.”²³⁵ More telling, however, in terms of most politicians’ personal experience of being in opposition or of having to take measures that are demonstrably unpopular with the electorate, is Hogan’s observation that:

Rather than being ruled out, loyal opposition is essential if a community is to flourish. Loyal opposition signals a primary commitment to seek the truth, even if it leads one to depart from one’s community’s understanding of that truth. But it also signals a degree of confidence in the community, so that even when there are differences of opinion, one remains faithful to it.²³⁶

²³⁴ John F. Kennedy, Speech to the Greater Houston Ministerial Association.

²³⁵ Linda Hogan, *Confronting the Truth*, 175.

²³⁶ *Ibid.*, 179.

While Grisez's and Hogan's contrasting approaches to carving out a Catholic understanding of conscience serve as a stark reminder as to how deeply divided people are in their conscientious exercise of the Church's moral teachings, it can be argued that Newman's approach seems to stand apart from such infighting, occupying a niche of its own. Newman, for example, teaches that "conscience cannot come into direct collision with the Church's or the Pope's infallibility; which is engaged in general propositions, and in the condemnation of particular and given errors."²³⁷ To an extent, then, it can be argued that Grisez is correct in maintaining that 'faithful and clearheaded' Catholics are required to "conform their consciences exactly to the Church's moral teaching."²³⁸ On the other hand, it can also be argued that neither is Hogan wrong in stating that "we must adhere to our own consciences."²³⁹ As to the subjective aspect of conscience, it appears that Newman, Grisez and Hogan acknowledge its necessity as a potentially valid component of the process of conscience. Not surprisingly, however, for Grisez the activities of that element must be so 'well-policed' and monitored, that the Catholic conscience, on reaching conscience/3, which is the level of the *event* or concrete judgement or decision, should have reached an *event* that corresponds with the objective aspect of conscience, namely that taught by the magisterium. This is not necessarily the case, according to Newman. Reiterating much of what Aquinas has to say on the matter of conscience, and also putting his own erudite twist on the controversy, Newman has the following advice to offer the individual in the matter of conscience/2, specifically when the *event* subjectively arrived at in conscience/3 is judged not to correspond with the objective teachings of the Church. Newman advises as follows:

If in a particular case [conscience] is to be taken as a sacred and sovereign monitor, its dictate, in order to prevail against the voice of the Pope, must follow upon serious thought, prayer, and all available means of arriving at a right judgment on the matter in question. And

²³⁷ John Henry Newman, *Letter to the Duke of Norfolk*, 256.

²³⁸ Germain Grisez, *Christian Moral Principles*, 871.

²³⁹ Linda Hogan, *Confronting the Truth*, 171.

further, obedience to the Pope is what is called ‘in possession;’ that is, the *onus probandi* of establishing a case against him lies, as in all cases of exception, on the side of conscience. Unless a man is able to say to himself, as in the Presence of God, that he must not, and dare not, act upon the Papal injunction, he is bound to obey it, and would commit a great sin in disobeying it. *Primâ facie* it is his bounden duty, even from a sentiment of loyalty, to believe the Pope right and to act accordingly. He must vanquish that mean, ungenerous, selfish, vulgar spirit of his nature, which, at the very first rumour of a command, places itself in opposition to the Superior who gives it, asks itself whether he is not exceeding his right, and rejoices, in a moral and practical matter to commence with scepticism. He must have no wilful determination to exercise a right of thinking, saying, doing just what he pleases, the question of truth and falsehood, right and wrong, the duty if possible of obedience, the love of speaking as his Head speaks, and of standing in all cases on his Head's side, being simply discarded. If this necessary rule were observed, collisions between the Pope's authority and the authority of conscience would be very rare.²⁴⁰

Firstly, Newman points out that it is a Catholic's ‘bounden duty’ to believe the Pope right and to act accordingly, and that the onus therefore rests with the individual conscience to prove otherwise in any particular case. The individual is also required to look to his or her motivations in carrying out any act of dissent; in particular, they must establish for themselves that their dissent is not simply a matter of being either self-willed or innately anti-authority. On the positive side, Newman points out that the road to dissent must be one of engaging in serious thought and prayer, and of seeking all available means “of arriving at a right judgement on the matter in question.”²⁴¹ Pell, referring to Sermon 17, “The Testimony of Conscience,” reemphasises Newman's advice to present day dissenters. Pell writes: “Where a Catholic disagrees with the Church on some serious matter, the response should not be ‘that's that—I can't follow the Church here.’ Instead we should kneel and pray that God will lead our weak steps and enlighten our fragile minds, as Newman recommends.”²⁴²

If these strategies are implemented, then in Newman's view, two highly significant outcomes will follow. Firstly, the individual will be in a position to say “in the Presence of

²⁴⁰ John Henry Newman, *Letter to the Duke of Norfolk*, 257-258.

²⁴¹ *Ibid.*, 258.

²⁴² George Cardinal Pell, “The Inconvenient Conscience,” 22-23.

God, that he must not, and dare not, act upon the Papal injunction, [and that] he is bound to obey it, and would commit a great sin in disobeying it,” - ‘it’ in this regard is “the side of conscience.”²⁴³ Secondly, in Newman’s opinion, the adoption of the above strategies would ensure that collisions between conscience/2 and conscience/3 or “between the Pope’s authority and the authority of conscience would be very rare.”²⁴⁴

Following such responsible strategies in matters of either dissent or assent would be to elevate conscience/3 to a position wherein it could be validly and objectively lauded or blamed by the individual and his or her peers for its decisions. Indeed, Colavechio, from a personalist perspective, augments Newman’s advice to avail of all possible aids in assessing moral teachings, with the following recommendation: “When the Christian chooses to manifest himself by any action, when he wishes to express himself authentically, he must consider among all the relationships which converge at this point in time, the relationship with the Body of Christ.”²⁴⁵ In Colavechio’s opinion, therefore, should the Catholic “Christian choose to act in a way which does not reflect his awareness of the authoritative teaching of the church, [the Catholic] is not manifesting the relationship with Christ which was established in Baptism.”²⁴⁶ Overall, Colavechio is making an argument, one that Grisez would certainly support, that if Catholics choose to ignore their responsibilities as members of the Body of Christ, and choose willy-nilly to dissent from Church teaching and to engage in acts of intrinsic evil, then they cannot be considered to be morally reflecting human nature or to be responsible and authentic Catholics. In a way, such individuals may be deemed to have excommunicated themselves from the authentic Body of Christ.

²⁴³ John Henry Newman, *Letter to the Duke of Norfolk*, 258.

²⁴⁴ *Ibid.*

²⁴⁵ Xavier G. Colavechio, “Conscience: A Personalist Perspective,” 209.

²⁴⁶ *Ibid.*

In concluding the section, while it has to be acknowledged that conscience/3 as an *event* must be considered the overall high point of the activities of conscience, note must be made of the fact that both conscience/2 and conscience/3 are levels where errors can and do occur, and so stand in constant need of ongoing and thorough formation. It is for this reason, according to all three scholars that there exists an essential role for the Church in the realm of conscience. In fact, it can be argued that the greatest challenge facing the Church in the 21st century is how it should assist and engage with the individual in the highly personal process of forming his or her conscience. We have just noted some comments from Newman on this matter. As regards Grisez, the kernel of his teaching on the subservient role of conscience to the will of God, as unerringly mediated to his Creatures by both His Spirit and an infallible Catholic Church, is to be found in an opening piece to his article “The Duty and Right to Follow One’s Conscience,” which reads:

Christians . . . believe that God’s loving wisdom is the highest standard of morality, and that he guides those who believe in him not only by the natural light of reason but by faith. Therefore in forming their consciences, they conform their judgements to moral truth derived from this source. . . . By the authorisation of her divine founder, the Catholic Church speaking through her magisterium teaches all her members what they must do to be saved. So, faithful and clearheaded Catholics consider the moral guidance offered by the pope and the bishops in communion with him to indicate moral truths by which they must form their consciences. Therefore, for faithful and clearheaded Catholics, the duty to follow one’s judgement of conscience cannot conflict with the duty to live according to the moral teaching which the magisterium proposes. . . . For unless they fulfil the latter duty, they have only their own subjective opinion to follow, not an authentic judgement of conscience.

And finally there remains Hogan, whose views, as shall be seen in the conclusion, contrast starkly with those of Grisez. While she has made strong arguments for the inclusion of context, intention, traits and memory, for example, throughout her account, it is her stance vis-à-vis the Church’s magisterium and the believer in the pew that stands out in her attempts

at Catholicising Personalism. Even though parts of this have already been alluded to, her note of almost defiance, contrasts sharply with Grisez's obeisance. Thus, she asserts that

within the personalist paradigm differences of opinion between individuals and the magisterium can be regarded as an inevitable aspect of the dynamic nature of human growth and aspect of the dynamic nature of human growth and understanding. Furthermore, they are recognised as arising necessarily from the unity-in-difference that is the essence of vibrant communities. Rather than being ruled out, loyal opposition is essential if a community is to flourish. Loyal opposition signals a primary commitment to seek the truth, even if it leads one to depart from one's community's understanding of that truth. But it also signals a degree of confidence in the community, so that even when there are differences of opinion, remains faithful to it.²⁴⁷

Of the three scholars, Hogan appears to be more resolute and blunt about the need for the Church as a moral teacher to be clear and unambiguous in her moral teachings. But then, so is Grisez in his call to believers to follow the teachings of the magisterium, and Newman that Christians should recognise the link between conscience and the Moral Judge. In fact, Colavechio put it simply that for Christians to express themselves authentically they "must consider among all the relationships which converge at this point in time, the relationship with the Body of Christ."²⁴⁸

7. Conclusion

Basically the point that we have analysed in this work can be summed up as an enquiry into the understanding of conscience in the teaching of Newman, Grisez and Hogan in relation to church teaching. This we have approached through the theological development of the concept from its Greek word—*synderesis* which is the level at which conscience is a distinctive *characteristic* of the human person in contrast to brutes, the level at which the

²⁴⁷ Linda Hogan, *Confronting the Truth*, 179

²⁴⁸ Xavier G. Colavechio, "Conscience: A Personalist Perspective," 209.

human person is believe to possess the *capacity* to know and distinguish right from wrong, good from evil. It is the level of moral instinct for virtuous principles.

The second level designated as *conscientia* is the Latin word used by Roman scholars. It is the level of application, conclusion and action. It is the stage where all of human personality and dynamics engages with the level of *synderesis*. The role or function of conscience is made manifest at this stage. We become illumined with all innate and acquired knowledge (informed conscience) as we scrutinise, evaluate, and discern what to do or avoid *hic et nunc*.

The outcome of judgment, action or concrete event brings us to a third and vital level of conscience — the consequent conscience — the level of approval or disapproval of the concrete event executed. Conscience lauds and blames the human person if the concrete event is good or evil respectively. The experience of this level can motivate future action or help us avoid such actions. It is necessary then for the teaching Church to use the experience of individuals, faith or ecclesial community on the consequent level of conscience as a whole to foster formation of conscience.

Thus the meaning of conscience should take into account its wider scope and should not be restricted or based on only one of its levels or an aspect of one of the levels. Its meaning must be understood from a holistic perspective since in its nature, conscience is composed of different components. However, we may admit first and foremost, with Daniel C. Maguire, that “to understanding conscience is to see it as the morally conscious self in his [or her] actual state of moral awareness.”²⁴⁹ It is a matter only of a person in relation to himself or herself.²⁵⁰ Hence it remains a person’s only moral whip. Vatican II provides the

²⁴⁹ Daniel C. Maguire, *The Moral Choice*, 371.

²⁵⁰ See John F. Crosby, *Personalist Papers* (Washington D.C.: The Catholic University of America Press, 2004), 103.

most fundamental faith meaning as the Council Fathers teach: “Conscience is the most secret core and sanctuary of the human person. There they are alone with God whose voice echoes in their depths.”²⁵¹ Conscience in this sense is first and foremost subjective but engages with objective truth as the human person relates with the self and other.

Newman, Grisez and Hogan all agree on the understanding of conscience as summed up above. A major point of difference is noticeable especially between Grisez and Hogan. While Grisez believes that conscience at the point of judgment or concrete decision or event must conform to objective truth as taught by the church, Hogan’s personalist teaching opposes such a stand because it limits freedom of choice, the autonomy of individual conscience thereby putting pressure on Catholics to yield to external moral authority other than the self. Newman’s contribution on the other hand is very theonomous, theocentric and christocentric. This earns him a special niche above Grisez and Hogan. Thus, he deserves the appellations: “Doctor of Conscience” and “Teacher of Conscience”.

Despite the fact that our scholars have approached the understanding of conscience from different perspectives, the fact is that its presence, role in the human person and the constant need for formation cannot be denied or overlooked. Various terms may be used to refer to conscience in different cultures such as: heart, *καρδία*, *cor*, *ἔδο*, *anamnesis* or even the Freudian psychological term of “superego” but one thing is obvious, it is the “morally conscious self”, the “most secret core and sanctuary of the human person” and the role of the Church as a moral teacher in enlightening it cannot be over emphasised.

²⁵¹ *Gaudium et Spes*, n.16.

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