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## CONSCIENCE AND CONVERSION

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### Abstract

*This paper examines current controversies over the rights and responsibilities of personal conscience in the light of Vatican II's call for the renewal of moral theology. It reviews magisterial statements on conscience since the Council, which culminated in the critique of "creative conscience" in Veritatis Splendor. Finally, there is a brief outline of a virtues' approach to conscience, and to the relationship between formation of conscience and the continuing conversion which is constitutive of Christian discipleship.*

VATICAN II is sometimes described as "Newman's council" because so many theological and religious concerns he advocated found expression in the council documents. One such concern was conscience; indeed Newman has been called the "Doctor of Conscience". In the years since Vatican II, conscience has become one of the more contested topics in Catholic theology and practice. The most critical intervening event of course was *Humanae Vitae*, whose publication triggered a renewed interest in the relationship between personal conscience and church teaching. Catholic couples in the late 1960's, otherwise used to accepting Church teaching, now had to "form their consciences" and take responsibility for their lives in the face of a teaching many found both unconvincing and difficult to live by. To the extent that *Humanae Vitae* led to a deeper appreciation of the importance of conscience and so fostered moral maturity among Catholics, it has had a positive effect. To the extent that the Church at all levels was unprepared for the theological and pastoral challenges raised by the encyclical, the reception of *Humanae Vitae* remains essentially incomplete. Yet, while

some welcome the fact that many Catholics are now more confident in their own decision-making capacities, even if this leads to conflict with official Church teaching, others believe there has been too much emphasis on freedom of conscience, and not enough on the responsibility to form one's conscience in the light of Church teaching.

In the debate over conscience in the last four decades, proponents on all sides have appealed to paragraph 16 of *Gaudium et spes*. Like many Vatican II texts this was a compromise formulation. On the one hand, it says that through conscience we discover “a law inscribed by God” in the human heart, the law by which we will be judged. Conscience makes known to us the twofold law of love of God and neighbour. This “law” is a voice telling us what to do, here and now. On the other hand, it says that conscience is a person's “secret core”, the “sanctuary” where we are “alone with God whose voice echoes” in our hearts. The text thus invokes both *legalistic* and *religious* understandings of conscience. It directs our attention both to the objectivity of the moral law and to the unique and inviolable character of a person's response to God's call. What the text does not do is explain how these two realities are to be understood in relation to each other. At the time when they left this question in abeyance, the council fathers could not have anticipated the crisis *Humanae Vitae* would generate, nor that issues of conscience, obedience and orthodoxy would come to take precedence over the presenting issue of contraception itself.

This paper is in three parts. First, I examine Vatican II's call for the renewal of Catholic moral theology, and one aspect of this renewal – the development of a “personalist” understanding of conscience as a “creative” power in one's life. Secondly, I review magisterial statements on conscience since Vatican II, culminating in the critique of “creative conscience” in *Veritatis Splendor*. Finally, I briefly outline an approach to conscience in relation to the virtues, both moral and theological, with a view to suggesting a way forward.

## I. VATICAN II, THE RENEWAL OF MORAL THEOLOGY, AND A PERSONALIST UNDERSTANDING OF CONSCIENCE.

Vatican II's explicit call for the renewal of moral theology is found in the document on the training of priests (the word “training” reflects a distinctive approach to ministerial formation!), *Optatam Totius* (OT) 16: Moral theology should be presented in a “scientific” way, drawing more upon the Scriptures, and throwing light on the Christian vocation and the obligation “to bring forth fruit in charity for the life of the world”. Implicitly, of course, many other themes in the council were relevant to the renewal of moral theology: the teaching on revelation and doctrinal development in *Dei Verbum*, the teaching on religious freedom and the salvation of non-Catholics, and indeed, non-Christians, in *Dignitatis Humanae*, the teaching on the Church as the People of God and as Communion, as well as the greater recognition of the role and responsibilities of bishops in their local churches (Lumen Gentium), and finally in the many sided pastoral concern, especially in *Gaudium et spes*, to bring the church into dialogue with the “modern world”.

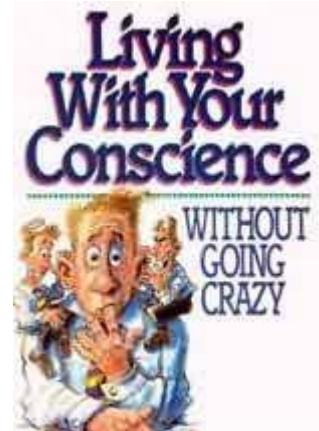
### The need for a renewal of moral theology

In what ways did pre-Vatican II moral theology need to be renewed (or “perfected” as OT puts it, rather optimistically)? The brief remarks in OT imply that moral theology needs to give more attention to its scriptural foundation and to the link with Christian discipleship, and thereby to become a more “scientific” endeavour – that is, a systematically organised body of knowledge rightly linked to its proper foundations rather than a heterogeneous and unwieldy collection of laws and rules.

Pre-Vatican II moral theology was hamstrung in two ways: 1) it was dogged by a post-Tridentine legalistic model of morality, and 2) it was constrained by the context of the sacrament of Penance. In the years following the council of Trent, “manuals” for the use of priests as confessors came to dominate moral theology. Trent required the confession of sins *by kind and number*, and priests needed to be able to identify sins accurately if they were to act as “judge” and spiritual advisor. The manuals, often structured around the Ten Commandments, were guides to both the moral law and its intricacies, and to the application

of laws in particular cases. The moral theologian was an expert casuist – able to provide authoritative opinions on whether and how a law should be applied in particular circumstances.

The manualist approach is now much maligned, and with good reason. Nonetheless, it is worth recognising that the casuistry of the manualists was designed “for the benefit of souls”, and that the “salvation of souls” was understood to be the supreme law of the church! By the time of Vatican II, a strict understanding of the moral law had come to be combined with a fairly benign conception of God; even if by tortuous and not very convincing paths, the manualist/confessor was typically a fount of common sense about what could be expected of people in the concrete circumstances of their lives. There were few more sympathetic advisors than a well-trained Roman confessor, deeply imbued with St Alphonsus’ maxim that while a priest should be a lion in the pulpit, he should be a lamb in the confessional!



In the years since Vatican II, moral theology – or Christian Ethics, as it now more likely to be called – has moved out of this sacramental context. As with theological studies more generally, laywomen and laymen represent the future of academic moral theology. One clear advantage of this move has been to separate normative questions of right and wrong, from spiritual/pastoral questions of moral accountability, guilt and blame. I cannot help observing, however, that many of those contemporary Catholic moralists who are anxious to defend the most cautious interpretations of Catholic moral teaching are lay people, and that their writings are marked by the kind of rigorism that one would not have found in the priest-confessors of old. This fact raises a question to which I will return, namely, about the relationship between normative ethics and spiritual and moral growth. The old manuals may have muddled these issues in a way we now find unsatisfactory, but just how separate they should be remains an open question. In removing moral theology completely from the sacramental context, we have run the danger of isolating moral theology from any religious context whatsoever, though the recent interest in the relationship between moral theology and spirituality is beginning to offset this danger.

The most unsatisfactory aspect of pre-Vatican II moral theology was its *third-personal juridical methodology*. The moral life was understood in terms of obedience to a set of laws determined by God or the Church. The predominant concerns were the identification of the particular law relevant to one’s proposed course of action, the determination of whether that law obliged or not, and the resolution of any conflict of laws and obligations if more than one law applied to the situation. The manuals relied on “reflex principles” to adjudicate between laws – e.g. the rule that a doubtful law does not bind; or the rules about how “probable” an interpretation of the law had to be before one could follow it. (Rules about “probable opinions” made it important to know whether or not an authority’s opinion could be taken as “probable”, i.e. worthy of probity and trust; in those good old days, magisterial documents had no hesitation advising people to follow the advice of their recognised moral theologians!) Till recently this approach was still to be found on the ethics committees of some Catholic hospitals: difficult cases were referred to the committee of trusted “authorities” who would determine whether a patient could have a particular procedure performed in the Catholic hospital as an exception to a general rule prohibiting it.

What this approach left out was the *first-personal* moral judgment of the individual concerned. Instead of reaching my own decision, it was enough for me to know that if there was an irresolvable doubt about whether a law was relevant to my situation, I could ignore it; to know that if there was a probable opinion that suited me, I could follow it; that if the ethics committee, or the priest in confession, gave me permission to do something, then I might do so. In each case, I was spared the responsibility of making my own moral judgment as to what I ought to do. I didn’t have to think about right and wrong for myself – the law, or the authorities would tell me. Moreover, on this account, fulfilment of the moral law seems to have

had little to do with my own moral character, with the truth that acting rightly should make me a better, more fulfilled and happier person.

This approach was also allied to a separation between the law as an ideal and personal culpability, between sin and sinner, a separation that many have come to find unsatisfactory. Particularly in the context of sacramental confession, priests would resort to “pastoral solutions” – in which penitents were more or less “given permission” to do something forbidden by the law on the grounds that in the circumstances they were not capable of fulfilling the law in its strictness. As recently as 1971, the Vatican Congregation for the Clergy (not the CDF) in the famous “Washington Document” (to which we will return), could say, “Particular circumstances surrounding an objectively evil human act, while they cannot make it objectively virtuous, can make it ... *subjectively defensible*” (n. II.4)

The phrase “subjectively defensible” is highly curious – and not likely to be heard again in Vatican documents! Acquiescence to a distinction between the law as an ideal and the less than ideal facts of human compliance seems to work well in many cultures, especially the Italian culture, as foreign tourists quickly realise when negotiating the traffic. However, it is not a distinction with which we in the Anglo-American world are happy. Our penitents are no longer content to be told that while their *conduct* is objectively wrong, they may be subjectively excused. If a person’s conduct is subjectively excusable or defensible, then – many will respond – surely that amounts to its being ethically *justified*.

The tension between law and practice was exacerbated by the controversy over contraception that wracked the church just three years after the council’s call for the renewal of moral theology. Paul VI had moved this topic from the council hall to his own commission of inquiry. Since then Catholic moral theology has been torn apart by two debates in particular: 1) about the universality of moral norms, and 2) about the rights of conscience in relation to church teaching. As we will see, these debates are linked.

### Revisionism in moral theology

The first debate centres on the “revisionist project” associated with proportionalist moral reasoning. The question is whether there are some kinds of action (such as the use of contraception) which are “always wrong”, no matter what the circumstances or intentions of the people the involved. The second debate centres on the primacy of conscience. The question is whether it is possible for a Catholic with a “well formed” conscience to reach a conclusion at variance with that of the magisterium, at least in relation to a non-definitive teaching.

I believe that, among its other attractions, the proportionalist methodology offered a rationalisation and justification for what an old-fashioned moralist might have treated as excusable conduct. As many of you will know, the proportionalist methodology holds that while some kinds of action (whether killing, lying or contraception) considered “in themselves” may involve an evil or a disvalue, whether an instance of that kind of action is “*morally evil*” (wrong to do) depends on whether the evil it involves is or is not proportionate to the goods and values that will also be brought about. The proportionalist methodology thus advises a person who believes that using contraception will achieve more good overall than would not using contraception, that their decision may be *objectively correct*, and not merely “subjectively excusable”.

Critics of the proportionalist methodology appeal to the long standing “absolutist” conviction in both the Bible and Catholic tradition, that there are some kinds of action that are always and everywhere wrong. What these action-kinds are, and how their “intrinsic evil” is to be explained, varies according to the different theories employed by different ethicists. In addition, “absolutist” approaches are tempered by use of a principle of double-effect (or side-effect) to cover “indirectly” causing evil – a principle which again takes different forms – and by reflex principles for dealing with cases of conflict. In many situations the proportionalist and the absolutist will reach the same practical conclusion about what one ought to do. Nonetheless, a gulf remains between these two approaches to moral reasoning: the absolutist



is guided by the principle that directly doing evil always constitutes a moral evil, and so is never permitted; the proportionalist is ever open to the possibility that on a particular occasion an evil done in the interests of the good is not actually a moral evil, and so is permissible.

While many will argue that proportionalism was not in keeping with the renewal of moral theology that Vatican II called for, few will doubt that a more personalist approach to moral reasoning and to conscience formation is in keeping with the Council's vision. To the extent that Vatican II encouraged the *discipleship* of all believers, openness to the "signs of the times", respect for the *sensus fidelium*, and a more inclusive understanding of Church as "the people of God", we would expect a post-conciliar theology of conscience to affirm the dignity of the human person and the active responsibility of men and women in determining how they are to live their lives. Representative of this thoroughly post-Vatican II approach is Linda Hogan's recent study, *Confronting the Truth – Conscience in the Catholic Tradition* (1).

Hogan emphasises Vatican II's call for moral norms to be understood in relation to the good of the human person "integrally and adequately considered" (p. 127) – that is to say, considered not in terms of an abstract and static account of "human nature", but in terms of the history, moral and spiritual development, and moral authenticity of individual men and women. She explains why a personalist model of ethics involves:



(1) a greater recognition of the role of history and change in ethics; (2) a focus on the moral significance of intentions and circumstances in addition to the act itself; (3) a greater degree of sophistication in categorizing the different kinds of moral norms and the kinds of claims they make; and (4) a rethinking of the relationship between the individual and the magisterium on the basis of a the relocation of moral authority. (p. 127).

In particular, Hogan writes insightfully of conscience as "both the fundamental orientation of the person to seek and do the good, and the actualisation of this desire in decisions of conscience... Conscience also refers to the integrated and consistent thrust of the person towards goodness. It is the dimension of one's character that determines the direction of one's moral life, one's self-conscious option for good" (129). This leads her to examine a number of key topics: the relationship between persons and individual acts, the inner dynamic of choices and conscience judgment, the roles of reason, intuition, emotion, and imagination, and the relationship between conscience and spiritual discernment, moral failure and self-deception, and sin both personal and social.

### Proportionalism and Personalism

Hogan's work provides an excellent, creative synthesis of recent reflection on all these topics. However, she relies on a presupposition that needs further examination, viz. about the link between proportionalism and a personalist understanding of conscience. She believes that a personalist understanding of conscience is incompatible with any ethical theory which holds that some kinds of action are always wrong. She therefore endorses the revisionist project – i.e. proportionalism – on the grounds that without it conscience becomes redundant!

Moral norms [e.g. that killing is wrong] perform a valuable task in helping us to discern the right thing to do in each situation. But in themselves they are no substitute for the serious, honest and personal judgment of conscience, which must be at the centre of any genuine moral decision-making. (123)

In other words, Hogan argues that if a moral norm holds always and in all situations, there will often be nothing left to one's personal conscience judgement. "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.... conscience can never entertain the possibility of performing that act." (123). This claim is obviously too sweeping – even for defenders of “intrinsic evil”, the list of “intrinsically evil” action kinds that are never permissible is small. If I accept that killing the innocent is always wrong, then, for example, in caring for a terminally ill patient, I know that one course of action, euthanasia, is ruled out. But that exclusion leaves plenty of scope and need for me to conscientiously discern what is the best way to treat the patient here and now. Acceptance of some intrinsically wrong action kinds does not, in principle, eliminate the role of personal conscience altogether.

Nonetheless, Hogan's claim highlights precisely what is at stake in the current controversy over freedom of conscience. If no action-kinds are intrinsically evil and therefore always wrong, then in principle there is always room for an individual to judge that here and now a course of action commonly taken to be wrong in itself, might be morally right. As Hogan puts it succinctly, “Revisionists... insist that it is not possible to judge any action without taking account of the intentionality of the person and the circumstances in which the action is performed... The core of the revisionist strategy for morality has been to expand the meaning of the moral act and to define it in terms object, circumstances and intention, and not in terms of object alone.” (124).

On this revisionist view, church teachings, e.g. that contraception is (always) wrong, “remind us that we are dealing with a very grave situation. They retain a very important role in informing and educating our consciences in moral sensitivity. However, they do not replace the conscience, nor do they provide us with shortcuts to making the right decisions.” (124). On this account, a person might accept *Humanae Vitae* as the church's way of teaching that there is, in principle, something wrong or bad about using contraception, while leaving open the possibility that contraception could be the right course of action in some (many?) circumstances. Given this is such an attractive proposal, the popularity of the proportionalist methodology in textbooks and in confessional practice over the last three decades is understandable. Whether this revisionist methodology is consistent with the Catholic moral tradition is another question. As you know, proportionalism and its allied “creative” understanding of conscience was the chief target of *Veritatis Splendor*. Before looking at that encyclical, I will briefly survey some magisterial discussions of conscience between Vatican II and *Veritatis Splendor*.

[I note in passing that to my knowledge proportionalists have spent little time examining just what is wrong with contraception in the first place. In keeping with their earlier training in a legalistic approach to moral theology, they simply accepted the teaching in *Humanae Vitae* as a law or norm, and then sought a way of reconciling this norm with the complexities of life in the late 20th century and with respect for the increased moral maturity of the Catholic laity. In many ways the confessional practice of the proportionalist and the pre-Vatican II moralist would have been similar – with the crucial difference that the proportionalist would offer an in-principle justification for conduct the traditional moralist would only be willing to excuse.]

## 2. THE MAGISTERIUM ON CONSCIENCE SINCE VATICAN II.

The key documents are *Humanae Vitae* itself (1968), *Veritatis Splendor* (August, 1993), the *Catechism of the Catholic Church* (June, 1994), and some related Episcopal and curial documents. Curiously, *Humanae Vitae* did not mention conscience. Paul VI's aim was “to teach the law that is proper to human life restored to its original truth and guided by the Spirit of God” (s. 19). His pastoral concern focused on people's ability to keep this law. He acknowledged how difficult this is, and indeed said that without “the abundant grace of God” this law cannot be kept! In addition, keeping this truth of the moral law requires discipline, self-mastery, and wider social and cultural conditions that are conducive to chastity. He tells priests to combine a refusal to compromise the truth of this teaching with “tolerance and charity”, so that people may “never become discouraged because of their weakness.” (s. 29). In his famous address to the Teams of Our Lady in 1970, Paul VI said that:

It is only little by little that the human being is able to order and integrate his many tendencies harmoniously in this virtue of marital chastity... Conscience demands to be respected, educated and formed in an atmosphere of confidence and not of anguish. (2)

In many ways, Paul VI's pastoral approach reflects the best of the pre-Vatican II approach to the moral life. Notice that he assumes the moral law is *the law of life lived in the grace of Christ*, a law that it is beyond our fallen human condition to keep. The context for trying to keep this law is the religious context of prayer and sacramental practice, supported by a Catholic culture. There is no mention of conscience because Paul VI did not countenance disagreement with the truth of the law, though he was well aware of the practical difficulties involved in keeping it. Nor is there any mention of "mortal sin" – words that biographer Peter Hebblethwaite claims the pope had removed from earlier drafts.

In the wake of *Humanae Vitae*, however, it was apparent that many Catholics did not share Paul VI's presuppositions. First, many did not see that there was anything obviously wrong with using contraception, let alone that using contraception was incompatible with new life in Christ. Secondly, those who believed they needed to use contraception were unwilling to think of themselves as "failing to live up to", or even as "excused from", the moral law – for the most part, they simply thought they were doing the "best thing" in the circumstances. Thirdly, therefore, the topic of conscience had to be addressed explicitly, and this was done in the numerous statements by bishops conferences around the world – all of which accepted the teaching in *Humanae vitae*, while to a greater or lesser extent endorsing respect for the conscientious decisions couples might make in this matter.

The Australian Catholic bishops did not published their Pastoral letter on *Humanae Vitae* until September, 1974 (though some bishops had privately advised their priests prior to this late date). The Australian bishops followed the lead of the *Washington Document* – a letter to the Archbishop of Washington in April 1971 from the Vatican Congregation for the Clergy – a letter prompted by argument about the way priests were responding to the needs of penitents. This letter affirmed the Thomistic view that "conscience is the practical judgment or dictate of reason by which one judges what here and now is to be done as being good, or to be avoided as evil" and that "in the final analysis conscience is inviolable and no man is to be forced to act in a manner contrary to is conscience". Our bishops went on to emphasise, of course, that conscience judgements do not make actions right or wrong, that conscience is not "a law unto itself", and hence that "I must do my utmost to form a correct conscience", and this "implies a spirit of openness to the teaching of the Church". Nonetheless, the bishops recognised that: "It is not impossible... that an individual may... reach a position after honest study and prayer that is at variance with the papal teaching. Such a person could be without blame; he would certainly not have cut himself off from the Church.... he could be without subjective fault." In some cases even, a priest "using the psychological insight, pastoral care and human understanding that good confessors have always used, ... will appreciate that at this stage of spiritual growth the penitent may be incapable of accepting this teaching fully and in practice. Indeed at times – and this is in accordance with the teachings of sound moral theology – he may leave such a person in good faith".



For some critics, this pastoral letter was too lenient; the bishops were lobbied successfully to produce another statement supporting *Humanae Vitae* and Natural Family Planning, and emphasising the responsibility to form one's conscience. However, this second statement did not (and could not) alter the sound doctrinal position of the 1974 pastoral. Yet, the critics had a point: how could the Church combine the demand for allegiance to the truth of a papal teaching with an acceptance of the judgment of so many

Catholic couples that that teaching was either wrong or, at the very least, not applicable to them? This damaging cognitive and emotional dissonance between official Church teaching, on the one hand, and the practice of many, probably most, Catholics, on the other hand, continues to undermine Catholic life and energy in countless ways – especially in the area of

catechesis and religious education, which is largely in the hands of the laity for whom this teaching is of great practical relevance. It is in this context that some bishops are now re-emphasising the responsibility to form one's conscience in line with Church teaching; in the memorable words of one bishop, "there's no such thing as freedom of conscience in the Catholic church"! This, of course, is a dangerously misleading half-truth. While conscience is never free simply to make right conduct that is objectively wrong, a person is always obliged to follow their conscience even when it errs. Whether a person is responsible for their erring conscience, of course, is another matter.

### *Veritatis Splendor and the Catechism*

*Veritatis Splendor* and the *Catechism* appeared within a year of each other. As Brian Johnstone has noted, there are significant differences in their treatments of conscience and in their use of GS 16 (3). The compromise in GS 16, between a legal and a personalist understanding of conscience, continues to haunt these documents. Johnstone observes that the *Catechism* "shows a preference for an interpretation which gives priority to law over conscience, and favours a submissive model of conscience" (p. 117). For example, whereas the *Catechism* says that Christians are ignorant, erring in conscience, and often culpably so, *Veritatis Splendor* follows GS in saying that Christians are often ignorant and erring in conscience, *but inculpably so*.

I will focus on *Veritatis Splendor* since it is the most detailed magisterial treatment of conscience in recent times. One obvious target of the encyclical was the theory of proportionalism. The wider concern, however, was the relationship between human freedom and the moral law. John Paul II agrees that the "heightened sense of the dignity of the human person... and of the respect due to the journey of conscience certainly represents one of the positive achievements of modern culture" (s.31). The pope worries, however, about the exaltation of freedom "to such an extent that it becomes an absolute, which would then be the source of values" (s. 32.). Rather, Christian freedom of conscience is always the freedom of someone created in the image of God, called to responsibility and stewardship before God (s.38). "The moral life calls for that creativity and originality typical of the person" with his or her "rightful autonomy" (s.40).

John Paul endorses Thomas Aquinas' teaching that human beings have a "connaturality for", or "instinctive attunement to", the right ordering of human actions (s.64). When human beings understand and love the right ordering of their conduct they realise that this ordering is a truth or "moral law" they do not make up for themselves since it is founded ultimately in the providence and goodness of God. This is why it is in the sanctuary of conscience that the "voice" of God echoes within the heart of each person (s.55). In listening to this voice, one is recognising that one's judgment of conscience about what ought to be done here and now always remains answerable to the truth about what is in conformity with human dignity and the vocation to follow Christ.

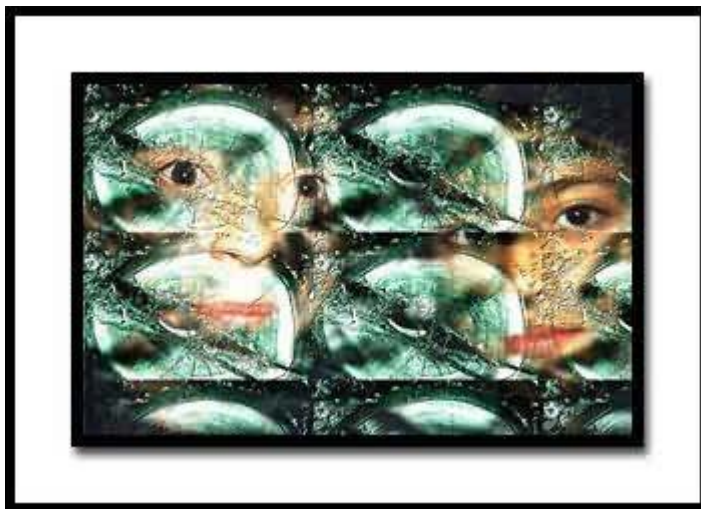
It is significant that the only theologian of the last three centuries to be quoted by the pope is John Henry Newman: "Conscience has rights because it has duties" (s.34; *Letter to the Duke of Norfolk*). The primary duty of conscience is to seek what is truly good (s.64). The fundamental right of conscience is not to be coerced from without: "each individual has a right to be respected in his own journey in search of the truth" (s.34). Accordingly, we are obliged to follow our conscience judgments, even our erroneous judgments, because there can be no other source of authentic moral living (cf. s. 63). Nonetheless our conscience judgments may be in error, and we may be more or less responsible for that error (s.62). And sometimes an error of conscience may be such that a person "is unable to overcome [it] by himself" (s. 62).

Clearly, a critical test case for a Catholic theology of conscience is that of *erroneous conscience*. On the one hand, the sincerity of one's striving to know what is good, to reach a conscience judgment, is the basis for the respect we should give to the exercise of conscience; on the other hand, even good people sometimes get it wrong, and because conscience is ordered to the truth about the good, an erring conscience involves some kind of deficiency or disorder. As Brian Johnstone notes, there are three disputed questions in



particular to which the theological tradition – and various magisterial documents – offer somewhat different answers: Why does an erroneous conscience still bind a person? What is the moral status of an action performed when following an erroneous conscience? What, finally, is the nature of moral truth? *Veritatis Splendor* develops (without explaining) Catholic teaching on erroneous conscience when it says that the dignity of personal conscience always derives from the truth, even in the case of error; in the case of error, it is what someone “subjectively considers to be true”. By this, I assume that the pope means that the sincerity of the person’s quest for the truth gives dignity to his or her conscientious action (s. 63). Still, the pope quickly reminds us that it is never acceptable to equate the moral value of actions proceeding from a correct conscience and to that of actions proceeding from an erroneous conscience (s. 63).

### 3. CONSCIENCE IN A VIRTUES PERSPECTIVE



The topic of *erroneous conscience* will need to be the subject of extensive theological exploration in the years to come. In the final part of this paper, as an alternative the proportionalist approach endorsed by Linda Hogan, I briefly outline the way in which conscience (and erroneous conscience) might be understood in relation to the theological and moral virtues. I make this proposal in terms of a number of points, each of which would require more elaboration than can be given here.

connect the rightness of human actions with the rightness of a person’s character, his or her beliefs, attitudes, dispositions, emotional responses, relationships, commitments, and spirituality.

2. Moral reasoning is to be conducted “in the first person”, as an “acting subject” choosing the good to be done as a means to one’s desired end. Conscience is not a “special faculty” separate from who I am; to speak of conscience is to speak of my use of reason, will, imagination, emotion, prayer, etc. with a view to making a practical judgment as to what I ought to do here and now. Conscience judgments should aim at the truth about the good.

3. The soundness of my conscience judgment, as an exercise of the virtue of *prudence*, depends on the soundness of my character, attitudes and beliefs, which in turn depends on my moral formation, upbringing, teachers, past choices, continuing commitments, etc.

4. My conscience judgments do not make my actions right or wrong, but my judgments provide my best access to what is right or wrong. In striving to form my conscience I am trying to gain greater access to the truth about the good, and to become the kind of person who will be able to make sound moral judgments in the future. In forming my conscience I look to all relevant sources of wisdom about the good, especially the moral tradition to which I belong.

5. The Judeo-Christian tradition provides a new context for the exercise of conscience – viz. the *revelation* of God’s wisdom and will as to what is good for us, and about how we ought to act. The Christian conscience thus involves more than *prudence* (i.e. Aristotelian practical wisdom about pursuit of the human good), since our goal is life in Christ and supernatural happiness, and the enabling “power” of the Christian life is *charity* (“the mother of the virtues”) in conjunction with *faith* and *hope*.

6. Without a revealed measure of moral truth, moral reasoning would be a matter of doing one's best – disagreements about right and wrong would just have to be lived with until consensus is achieved (if ever), and even then there would be no external test of correctness. However, given Christian faith in a revealed measure of moral truth, the conscience judgments that represent my best perspective on the truth about the good need to remain open to that God-given "external" measure in the Catholic tradition.

7. In principle, there is no conflict between conscience and revelation. To the extent that we are rightly ordered (virtuous) people, we will be attuned to the right (God-given) ways of acting for the sake of the good, the right ways of pursuing our happiness. Moral maturity as a Christian thus involves the (inner) personal appropriation of the tradition that we initially encounter in the (external) words of teachers and pastors.

8. In practice, the story is more complex. First, there is the need to establish who or what are the *authorities* about what has been revealed on a particular moral issue (Bible, Church, Magisterium etc.), as well as what exactly has been revealed on a particular issue. Secondly, there has to be "space" and "freedom" to enable my personal appropriation of my moral tradition. Teachers and role models are essential, but no substitute for my emerging personal responsibility. *Veritatis Splendor* says that the Church's teachings are "always and only *at the service of conscience*" (s. 64; original emphasis), helping men and women come to acknowledge as their own the truth about the good to which their hearts are already predisposed.

9. There are two obvious religious paradigms for the exercise of individual conscience:

a. Where one is compelled in conscience to oppose an accepted or authoritative interpretation of revelation or tradition, e.g. Luther: "Here I stand, I can do no other". The principle that no one may be forced to act against his or her conscience is most relevant to this paradigm.

b. Where I seek to determine what it is God is asking of me in this situation, what is the right thing for me to do, what is my "next step". Conscience is the sanctuary of encounter with God, involving an interior dialogue of a person with himself or herself and with God (cf. *Veritatis Splendor* 58).

10. Ultimately, there may be no sharp distinction between these two paradigms; however, their different emphases are worth exploring. The first involves an experience of compulsion *after I have reached a conscience decision* – I must do (or not do) something at the risk of failing to be true to myself and my grasp of the good. I *find myself* thrust into a situation in which conscientious action is required (e.g. the whistle-blower; the religious convert).

11. The second paradigm is more about discernment than compulsion, about *coming to reach a conscience decision* – it may begin in perplexity or even conflict, in looking for a way forward. Here conscience prompts a religious question in the context of prayer and faith: "What is God asking of me, here and now?"

12. Questions for a discerning conscience ("What is God asking of me, here and now?") typically concern *choices between goods* (e.g. to take a job promotion or not, to rebuke an erring neighbour or not, to choose a state in life etc.), but may also concern my response in relation to a Church teaching, or a moral principle or law that I cannot yet appreciate, or cannot as yet, live up to. Since the Christian life involves continuing *conversion*, the recognition of our inability to grasp the moral significance of our actions, or to live up to what we know to be "the law" should be a "normal" dimension of Christian consciousness. Failure to live up to the law needs to be understood not in legalistic terms, but more deeply as symptoms of our stumbling attempts to live the life of Christian discipleship in the power of the Holy Spirit who is the "New Law".

13. According to our spiritual tradition at its best, Christian repentance begins in the acknowledgement of weakness, the acknowledgement of our inability to love and to do good.

In this moment of weakness (the prayer of the tax collector), God's grace is most powerful. Christian conversion is not *from* sin to grace, but to sin *and* grace i.e. to one's continuing need for conversion (4). (From this perspective, the purportedly "objective justifications" of proportionalism begin to look like the "self-justifications" of the Pharisee.) (cf. *Veritatis Splendor* 104).

14. Dilemmas about "erroneous conscience" arise in the Catholic tradition because a Catholic recognises two "measures" or authorities in relation to moral truth: the person's own proximate judgment and the tradition as articulated by the magisterium. There is my own best attempt to understand what I should do, here and now, and there is a teaching authority to which I owe allegiance as a Catholic. When these two "authorities" differ, a Catholic will seek a resolution through further reflection and prayer. But what if agreement cannot be attained? Let us ask a more fundamental question: from *what perspective* should this disagreement be understood?

15. From an impersonal, third-personal perspective, it is apparent that the tradition is in itself "more authoritative" than the judgment of the individual. This is why magisterial teaching always has a presumptive force in the life of the Catholic. From this objective precedence of the magisterium it does not follow, however, that the mere fact of disagreement shows that an individual has not in fact properly "formed their conscience", on the grounds that a well-formed Catholic conscience could not reach a different conclusion to that of the magisterium. This conclusion is too ambitious for it overlooks the fact that, in the case of non-definitive magisterial teachings, it is in principle possible for the magisterium to be wrong. Furthermore, as an impersonal perspective it gives little guidance as to how the magisterium should act in relation to those who disagree with it. (In the case of clearly definitive teachings, conscientious disagreement will raise questions of Church affiliation for the individual concerned.)

16. The situation looks rather different from the first-person perspective of the acting subject, the perspective to which *Veritatis Splendor* gives primacy. First, the individuals concerned, who realise that their judgment differs from a non-definitive judgement of the magisterium, do not believe they themselves are "in error", they think it is the tradition or magisterium that it is in error. (Of course such individuals should not overlook the possibility of being mistaken). Such individuals thus face new first-personal questions about how they should act in relation to the tradition or the magisterium. In some instances, their disagreement may have no practical implications. In other instances, the implications will be extremely practical – doing nothing may not be an option. In all instances, the topic of disagreement should be held within the attitude of faith (5).

17. Secondly, in the case of the magisterium, notwithstanding its objective priority over the individual, it is crucial to emphasise that the magisterium is not an abstract impersonal entity; it is a responsibility, a ministry, exercised by certain persons, primarily the bishops, whose actions and statements, therefore, ought to be properly "personal" – addressed by persons to other persons within the *communio* of the faith. Any disagreements should be approached through a meeting between persons. Hence, for their part, individuals who find they cannot accept the truth of a non-definitive magisterial teaching should continue to be open to that truth and to dialogue with the magisterium. For their part, the bishops – even when they regard an individual's judgment as "erroneous" – should continue to respect that individual in his or her sincere search for the truth. Mutual listening and dialogue, not authoritarian heavy-handedness, is the only properly *Christian* way of working through such conflicts.

18. The principle that moral reasoning is to be understood from *the perspective of the acting subject* does not imply that there are no independent, objective, moral judgments about what kinds of action are right and wrong. Christian ethics should indeed recognise that some kinds of actions are always wrong – "incapable of being ordered to God, because they radically contradict the good of the person made in God's image" (*Veritatis Splendor* 80). The perspective of the acting subject does, however, shed light on the way both individuals and magisterium should address one another, especially in situations of disagreement, about what is right and wrong.

19. Above all Christians should avoid the “self-satisfied” conscience of the Pharisee, confident in their own justifications and excuses. In *Veritatis Splendor* John Paul describes how Christians ought be marked by the “repentant” conscience of the tax collector who “might possibly have had some justification for the sins he committed, such as to diminish his responsibility” (s.104), but who does not dwell on such justifications because he looks simply to the grace of God to sustain him in his continuing weakness. A truly “repentant conscience” is “fully aware of the frailty of its own nature and [sees] in its own failings, whatever their justifications, a confirmation of its need for redemption” (s. 104).

20. *Veritatis Splendor* also emphasises that prudential judgments of conscience may be “prophetic” - challenging prevailing conceptions of what is right and wrong. The great moral reformers have been those whose conscience judgments were ahead of their time. John Paul notes that “the whole Church... has been made a sharer in the prophetic mission of the Lord Jesus through the gift of his Holy Spirit” (s.109).

21. Finally, Christian morality “involves holding fast to the very person of Jesus, partaking of his life and his destiny, sharing in his free and loving obedience to the will of the Father” (VS s.19). This is only possible as a gift of divine grace (s.23), and a conscience, even when it errs, in which one does not “seek to eliminate awareness of one’s own limits and of one’s own sin” (s.105) will surely keep one close to God’s truth and love. For a sincere conscience always remains “the sanctuary of men and women, where they are alone with God whose voice echoes within them” (VS s. 55; *Gaudium et Spes*, 16).

#### Footnotes

1. Linda Hogan, *Confronting the Truth – Conscience in the Catholic Tradition* (London, DLT: 2001).

2. Pope Paul VI, “The Family, A School of Holiness”, Address to the Teams of Our Lady, May 4, 1970 (in *The Teachings of Pope Paul VI*, 3.) Vatican City: Libreria Editrice Vaticana (1970).

3. Brian V. Johnstone, “Erroneous Conscience in *Veritatis Splendor* and the Theological Tradition”, in *The Splendor of Accuracy An Examination of the Assertions Made by Veritatis Splendor*. Joseph A. Selling and Jan Jans (eds.). Grand Rapids, Michigan: Eerdmans, 1994, 114-135.

4. See Andre Louf, *Tuning in to Grace: The Quest for God*. London: DLT, 1992.

5. I have explored some of these issues in my study, “A Living Catholic Conscience”, in *Redefining the Church*. Edited by Richard Lennan. Alexandria: E. J. Dwyer, 1995. Pp. 103-128.

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