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CONSCIENCE IN CONTEXT

**A study of the nature of conscience
relating to its historical development
and existential environment**

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*I appeal to you, therefore, brothers and sisters, by the mercies of God,
to present your bodies as a living sacrifice,
holy and acceptable to God, which is your spiritual worship.
Do not be conformed to this world,
but be transformed by the renewing of your minds,
so that you may discern what is the will of God –
what is good and acceptable and perfect. (Romans 12:1-2)*

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Introduction

1. Background to the Thesis and a Discussion of its General Outlook

The topic of conscience has fascinated me for a number of years. In the course of my pastoral work in different parishes, and chaplaincy work with young people and those in hospital, whether for mental or physical reasons, I have encountered countless people who struggled with moral dilemmas or who felt crushed by guilt owing to the gap between their practice and their knowledge of what they were called to do. I have also met individuals who seemed to be unaware that, despite the gravity of the action, what they were doing was in any way wrong. Whether mentioned or left implicit, the conscience of each of these individuals played a vital role in the decision to choose one course of action over another, in judging a completed action to have been right or wrong, or even in exhibiting a state of perplexed uncertainty as to what should be done next. Thinking over these different problems led me to reflect further on the question of erroneous conscience. Could an action that was considered to be wrong by others (particularly by the Magisterium of the Church) be good, virtuous or meritorious if the individual believed it to be so? Do we live in parallel moral universes, where the person ultimately defines what is moral solely by belief or conviction, or do we have access to a ground of universal truth, rooted in our created nature, as gifted by God? Therefore, should the pastor leave the individual in blissful ignorance, or should he try to deepen moral understanding or help develop the moral capacities of the people he encounters?

Consideration of questions such as these led me to investigate the possibility of making conscience the subject of doctoral research. However, the resultant thesis is not a study of pastoral problems, in the style of a manualistic analysis of cases of conscience. Rather the study is at the level of fundamental moral theology, presented

in the hope that a deepened awareness of the nature and function of conscience will shape my future pastoral activity, and in the hope that it might help others, too, in their understanding of this core notion of morality. As a result, I have attempted to present a detailed study of the notion of conscience with the purpose of highlighting that it cannot operate, or be understood as operating, in isolation, but rather is dependant upon the context of virtue and grace (and a community of people living in grace and virtue) for its flourishing. Such a context is ultimately an expression of the universal call to holiness: a call to seek union with God that shapes our judgements of conscience, our choices and actions, including those which have an impact on others. This conclusion may seem to be either obvious, unreal or facile to different readers, but a brief response to these objections may offer some justification for the content of this thesis.

The idea that conscience needs virtue and grace may be considered obvious by some people. What is perhaps not obvious, however, is how these concepts fit together and support each other. A key concept concerning how conscience develops or relates to other human capacities and gifts is the notion of 'formation of conscience'. Yet, it appears to me that the idea is often presented with insufficient detail, such that the blueprint offered for that formation often lacks the necessary, positive anthropological underpinning. In this situation, formation of conscience could be misread in two radically different ways. Firstly, conscience formation could be viewed through the lens of a morality of obligation as simply doing what the Church tells you to do; tantamount to what appears to be a restriction of the freedom of conscience in this moral mindset. Alternatively, other writers present formation of conscience as engaging oneself in sufficient moral education so as to free oneself from the psychological burden of a super-ego, or a childish conscience based on

obligation, so that one arrives at an adult conscience which is able to think fully for itself. Each of these understandings of formation involves a negative tension between conscience and external authority, where conscience is either the slave or the master, and gives insufficient attention to formation as a process of growth in moral disposition, in tune with reality on all levels: personal, interpersonal, relating to the world around us, and to God himself. This leads us to the question of the place of prayer in the moral life. As Christians, this may also seem to be so obvious as not to require any further reflection. Yet, again, this is not the case, since prayer can also be misconstrued as some kind of irrational bypass, or an excuse for justifying selfish motivation or actions that would go against the moral teaching of the Church. I would suggest that these possible uses of prayer give further evidence that research is needed into the relationship between conscience, grace and reason.

To others this thesis may seem unreal or facile. Clearly, a study discussing the nature of conscience and its relationship to virtue and grace may appear to be merely an academic exercise, with little potential for application, especially if the concept of virtue is met with scant regard and the idea of grace is faced with unbelief. Virtue is a little-used word in everyday speech, and it, as well as its particular forms, suffers from misconceptions, which often reduces it to being synonymous with a lack of dynamism or being a killjoy. Yet, this could hardly be further from its real meaning. Even in academic circles, virtue ethics is still only slowly recovering some of its former strength, as its language is still considered by many to be out of date or superseded by other approaches to morality, in such a way that it no longer has much to contribute to moral theory. However, it is hoped that this thesis will contain sufficient coherence so as to uphold virtue's role in conscience, particularly through the notion of *habitus* in offering a way of acknowledging conscience's capacity for

development, as well as through the virtue of prudence, in recognising and applying the moral law. As to the role of grace in conscience, this will only make sense within the framework of belief. Indeed, as such this thesis is written as a work of theology, believing in the reality of God's presence and action in our lives, from within the understanding of the Catholic faith. Here the capacity of conscience for growth and development also encompasses the capacity to be forgiven, healed and helped by the Spirit of the living God. Our conscience, understood as the moral sense of seeing the truth, needs to develop, and the two main aspects of that development are our efforts in virtue, and our openness to God's efforts in gracing our lives in holiness.

Lastly, while acknowledging the legitimacy of virtue and grace, other readers may still consider my conclusion of the need for virtue and grace in conscience to be a facile or neat and tidy conclusion which fails to acknowledge the complexities and limitations of human existence. Yet, thinking back to pastoral experience, it is precisely the acknowledgement of these limitations that prompted this conclusion in the first place. At certain points I will draw the reader's attention to the limitations or flaws in the operation of conscience. This at first might seem to be evidence against the possibility of virtuous life, as if it were an unobtainable goal, but this would be looking at virtue from the wrong end. Rather than seeing the definition of virtue as a cause of defeatism or resignation in the face of one's limitations, one should consider the virtuous life as the model for the possibility of moral improvement or persistent striving, so long as it is placed in the context of hope in God's love, mercy and providence. Thus, ultimately we depend upon God's grace for spiritual-moral growth, as our own efforts are never sufficient.

2. Form and Method of the Thesis

In effect, this thesis consists of three parts: a premise of moral fragmentation, an analysis of the nature of conscience in order to reveal the inadequacies of subjectivist notions (whose absolutism eschews the need for constant growth or assistance), and a study of virtue, grace and holiness as the necessary context for the growth and assistance that conscience requires.

Relying upon the evidence presented by a variety of authors that contemporary morality and moral theory is suffering from fragmentation, I will propose that this fragmentation has affected the common understanding of conscience, and is therefore in need of renewal, particularly in terms of reintegration with its proper setting. In order to verify that proposal, it is necessary to study how conscience has been understood over the centuries, particularly in the context of Christian faith, as well as focus upon particular issues concerning its nature and function. This investigation, contained in chapters two, three and four, will necessarily be lengthy, as it is my hope that, rather than paint a caricature of conscience, whose omissions would betray the reality, the conducting of a detailed study will both recover an awareness of the richness of this human capacity, as well as duly acknowledge its limitations. Conscience is neither a redundant, empty term, nor an excuse for subjective absolutism, where it knows no limits. Its nature lies in its relationship to our created being, created in the image and likeness of God (Gen 1:27), who calls us to a life of true freedom and authenticity through our capacity to see the truth and to act upon it in goodness.

With regard to method, to the best of my ability, and within the constraints of availability of texts and the time allotted to me, I will endeavour to return to source material in its original language, with an eye also to the context in which the passage

was written. (Accordingly, all translations are my own, unless specified otherwise.) This, at times, will lead to chains of research which, hopefully, will reveal the original understanding of the author, be he or she from the classical, biblical, medieval, modern or contemporary period. The thesis is synthetic in approach, in that, given my concerns regarding fragmented understandings of conscience, I have drawn from a variety of authors from different periods in an attempt to bring together something of the wealth of thought on conscience presented down through the ages. This synthesis will also attempt an interdisciplinary link with psychology, particularly cognitive psychology, to give further support to the medieval view that conscience was both capable of moral reasoning and yet limited in its success.

In this way, much of the purpose of the thesis is summed up by the word "context." The context of the historical review will serve to provide us with much material to reflect upon the nature of conscience, and the consideration of the existential context or environment of conscience will assist us in drawing conclusions about the circumstances and goal of its development. Therefore, we begin our exploration of conscience with a study of its history, starting with a presentation of current moral fragmentation and its impact on the contemporary understanding of conscience. This question of fragmentation will then prompt us to review the major stages of the history of its development, relating to its interpretation as a notion.

Chapter One

Setting the Scene: Fragmentation

1. Introduction

The term ‘conscience’ holds many connotations, from the momentous decisions and actions of Saint Thomas More and Martin Luther,¹ to the cartoon character Jiminy Cricket sitting on your shoulder, counselling the right course of action. Someone may make an appeal to conscience for different reasons. It may be an expression of serious deliberation or simply a means of excusing oneself from having to follow a less selfish or more demanding path. Indeed, after many centuries of using the term, we have reached a point in history, and also more particularly in moral theology, where the term conscience is suffering from such contradictory or unclear usage that the concept has lost much of its moral impact. Popular usage of the concept would probably only resemble a fraction of its rich and complex history. As a result, even the basic question of what conscience is leads modern writers of different fields to produce a series of possibilities. Some would hold that it is an intellectual faculty closely related to the process of moral reasoning. Others would consider it to be an affective faculty, or the unpleasant emotional response to wrong action, whose role is to curb or modify such behaviour. Another school would reduce it to a connatural disposition to carry out what is thought to be right. Others would identify it with the voice of God whispering in the depths of our being. And yet, still others would argue that it does not exist at all, attributing all of its functions purely to the sphere of moral reasoning, or to the workings of a superego that judges our actions and threatens

¹ D. Vincent Twomey, “A Discourse on Thomas More’s Great Matter: Conscience,” in *Contemporary Irish Moral Discourse: Essays in Honour of Patrick Hannon*, ed. Amelia Fleming (Dublin: Columba Press, 2007), 156-80.

punishment on the basis of contravening the dictates of parental authority in its varying forms.²

This list is by no means exhaustive, but at least gives some idea of the challenge that one faces in trying to understand the meaning and function of conscience. Is it really the case that conscience does little more than “make cowards of us all,”³ or does it occupy a broader, more positive role in our lives? Is it related to other human capacities, or is it completely self-contained in its function and in the formation or provision of its content? Some would even question whether conscience has any content at all.⁴ I will explore these questions in this thesis, but I will do so in the light of a fundamental premise, namely, fragmentation. It is my concern that conscience is itself a victim of the fragmentation of moral theory, which has affected moral theology for some time, though particularly over the past four decades. This fragmentation has left conscience in danger of being isolated, weakened in its function or seen largely as simply the locus of personal opposition to external authority.

According to Jean Porter’s analysis, contemporary moral theology is afflicted with a markedly fragmented and divided set of approaches.⁵ For the past forty years “Catholic moral theology has been dominated by an intense and sometimes acrimonious debate between those who follow [Germain] Grisez and John Finnis in asserting that there are some determinate kinds of actions that are never morally

² See Douglas C. Langston, *Conscience and Other Virtues: From Bonaventure to MacIntyre* (Pennsylvania: Pennsylvania State University Press, 2001), 99-100, 82, 111, 89-90.

³ William Shakespeare, *Hamlet*, ed. T.J.B. Spencer (London: Penguin, 1980; 1996), act 3, scene 1, line 83.

⁴ For two types of this view, see Peter Fuss, “Conscience,” and Bernard Wand, “The Content and Function of Conscience” both contained in *Conscience*, ed. John Donnelly and Leonard Lyons (Staten Island, NY: Alba House, 1973), 34-50 and 133-143 respectively. At 47: “The role of conscience is purely and simply to ‘enforce’ our moral knowledge or belief with a tendency to act in accordance with what we know or believe.”

⁵ Jean Porter, *The Recovery of Virtue: The Relevance of Aquinas for Christian Ethics* (Louisville, Kentucky: Westminster/John Knox Press, 1990), 14-15; *idem*, *Moral Action and Christian Ethics* (Cambridge: Cambridge University Press, 1995), 11.

justified, and those, sometimes called proportionalists, who disagree.”⁶ Initially the divisions may seem even more surprising, given the fact that, on an even broader spectrum, so many leading Protestant and Catholic ethicists are “significantly indebted to one figure,” namely Saint Thomas Aquinas.⁷ However, Porter concludes that such divided opinion over moral matters among Christian ethicists should come as no surprise, since “the roots of the fragmentation of Christian ethics are similar to those that Alasdair MacIntyre has identified for secular moral discourse.”⁸ As a result, it may be useful to review MacIntyre’s analysis in order to set the scene for Porter’s assessment of contemporary moral theology.

2. MacIntyre’s Analysis of Moral Fragmentation

In his seminal work *After Virtue*, MacIntyre states that modern moral discourse is radically flawed and that a pluralism of traditions has created a situation of an incommensurability of rival premises and argumentation in moral problems.⁹ His claim of a morally deficient modernity is based upon a review of the current context of moral disagreement and of the view that a masked emotivism has become widely accepted as the form of moral reasoning that best directs our actions and best sums up the sociological reality of humanity.¹⁰ MacIntyre believes that a moral “catastrophe” has occurred,¹¹ without the majority being aware of the fact, and so his book charts

⁶ Porter, *The Recovery of Virtue*, 14.

⁷ Ibid., 15. For a summary of contrasting approaches, see *ibid.*, 16-31.

⁸ Ibid., 15.

⁹ Alasdair MacIntyre, *After Virtue: A Study in Moral Theory*, 2nd ed. (London: Duckworth, 1985), 8-10.

¹⁰ Ibid., 11-35.

¹¹ Ibid., 3. More recently, David Walsh has written about what he calls the “schizophrenia of modern world,” which is the “irrational rationality of a technological world bereft of any ultimate order.” Like MacIntyre, he believes that society has lost its way and meaning, and that much of the foundations of modernity are illusory. The difference in approach is that, while MacIntyre looks to redress the balance by returning to some form of teleological virtue-based morality, Walsh’s teleology is overtly Christological. See David Walsh, *The Third Millennium: Reflections on Faith and Reason* (Washington, DC: Georgetown University Press, 1999), 67-110; 193-232, at 77 and 98.

the loss of the purpose of morality, and then attempts a reconstruction of our fragmented ethical discourse on Aristotelian lines. Indeed, it is the central thesis of *After Virtue* that it is in the Aristotelian moral tradition that we are to find the surest “epistemological and moral resources” for the grounding of moral discourse.¹²

MacIntyre says that modern moral disagreement has three fundamental characteristics.¹³ Firstly, public disagreement is interminable, because of the incommensurability of rival arguments. Secondly, although this interminability has at its heart a private arbitrary basis for the choice of a position, the discourse is still couched in terms of objective standards and rational argument. Lastly, this paradox is further complicated by the fact that the premises of the rival arguments have very different historical origins, and that in turn the meaning of moral terms of the arguments has changed over time. He considers this change of meaning to be the root cause of our current disorder in discourse, and also of the flourishing of emotivism as the end product of this moral decay. MacIntyre sees this change in moral meaning as the result of the failure of the Enlightenment Project to give an isolated rational justification for morality. This failure was cumulative and so is examined by the author in the form of historical narrative.¹⁴

The Enlightenment was a period of secularisation and change, which led to the questioning of belief in general and of moral belief in particular. Authors such as Diderot, Hume and Kant began the process of unwittingly weaving together old and new styles of philosophy, leading to inherent contradictions in their philosophical systems. Largely, this old background would be supplied by the residue of the Enlightenment philosophers’ religious and social upbringing: Diderot in French Jansenist Catholicism, Hume in Scottish Presbyterianism, Kant in Prussian

¹² MacIntyre, *After Virtue*, 277.

¹³ *Ibid.*, 8-10.

¹⁴ *Ibid.*, 36-78.

Lutheranism, and Kierkegaard in Danish Lutheranism. Although there are clear differences in the style and philosophical approaches of these men, MacIntyre argues that they are remarkably similar in their ethical content. This implies that, although there are some radical gestures, such as Hume's denial of the Christian objection to suicide,¹⁵ overall they remain quite conservative in their moral content. This, in turn, implies that on their part there is a presupposition of the general content or normative standard of morality, for which they then strive to find a new foundation. While inadvertently keeping much of the inherited moral content intact, paradoxically they sought to reject the classical-theistic Aristotelian tradition that helped to make the content intelligible. Their rejection of the metaphysics and teleology of this tradition pulled the rug from under their feet. The Enlightenment's rejection of both an essential human nature and of any notion of *telos* or goal to human existence, leaves morality without its necessary framework, which leads to a fundamental breakdown in the purpose of ethics.¹⁶ As a result, morality came to require redefinition. Attempts were supplied by utilitarianism and analytical philosophy.

In the utilitarianism of writers such as Bentham and J.S. Mill, the benchmark for morality became the greatest pleasure or happiness to the greatest number.¹⁷ Despite the positive social reforms that stem from this philosophical period, in the end, pleasure is an unquantifiable concept and so is useless in providing an ultimate criterion for solving moral problems. Utilitarianism gave way to intuitionism in Britain and pragmatism in North America, both being the immediate preparation for a

¹⁵ David Hume, *Essays on Suicide & the Immortality of the Soul*, reprints of the 1757 and 1783 eds., (South Bend, IN: St. Augustine's Press: 1992, 1995), 1-107.

¹⁶ Kant is forced to admit the necessity of a form of teleology for the intelligibility of ethics, but his teleology is radically different from the classical form, given that "the order of nature forming the context for the moral Idea is not itself teleological." See MacIntyre, *After Virtue*, 56; Thomas Auxter, *Kant's Moral Teleology* (Macon, GA: Mercer University Press, 1982), 74.

¹⁷ Jeremy Bentham, *An Introduction to the Principles of Morals and Legislation* (New York: Hafner, 1948). See pages 1-4 for a definition of utility and its role as the measure of right and wrong. Cf. John Stuart Mill, *Utilitarianism* (London and New York: Longmans, Green and Co., 1895), 8-38.

decline into emotivism. Intuitionism stripped the truth-value from judgements and actions by separating the 'is' of fact from the 'ought' of moral obligation. The 'ought' can no longer be deduced by moral judgement since it is claimed that there is no such thing as moral reasoning, and so the person arrives at the dutiful action through simple intuition. This individualistic morality resulted in the view that moral conflict is resolved not by the inherent quality of the argument, but by the opponents' capacity to convince or subdue. Thus, in this view, the winning or deciding criterion for moral problems is reduced to a matter of being able to shout the loudest or being the most eloquent in one's conviction.¹⁸

Analytical philosophy quickly dismissed intuitionism, because it is clear that in reality moral reasoning does in fact take place. Thus, analytical philosophy sought to revive the Kantian attempts at a rationalist explanation for moral objectivity and authority. However, given the fact that the moral agent is now seen as unencumbered by the heteronomies of divine law, natural teleology or hierarchical authority, the project fails to reach its goal, since ultimately objective moral authority cannot be found in the individual moral agent.

MacIntyre argues that the current moral crisis is caused by a difference between the meaning and use of moral terms. Secular modern moral discourse draws its meaning from utilitarian or neo-Kantian thought, but the apparent success of such thought is betrayed by the emotivist use for which it is employed. Emotivism is the doctrine which holds that all moral and evaluative judgements are without objectivity, and are nothing but expressions of preference and feeling towards something.¹⁹ Society has absorbed this historical process of philosophical deterioration, and so the emotive aftermath of the Enlightenment is the creation of an illusory social theory of

¹⁸ See Cahal B. Daly, *Moral Philosophy in Britain: From Bradley to Wittgenstein* (Dublin: Four Courts Press, 1996), 26-94, at 72.

¹⁹ On the emotivist theories of Ayer and Stevenson, see *ibid.*, 137-199.

value-neutrality and desire-fuelled manipulative power, where preference is justified by bureaucrats and so-called experts.

What can we draw from this description of the moral breakdown of society? It leads us to face up to the stark choice of full acceptance or radical reform of the current situation. For MacIntyre this choice is symbolised by the adoption of either Nietzschean²⁰ or Aristotelian styles of thought, and his writing clearly advocates the choice for Aristotelian reform with a revival of attention to virtue.

3. Porter's Analysis of Fragmentation in Moral Theology

It is MacIntyre's description of moral crisis²¹ that leads Jean Porter to see fundamental similarities between the fragmentation of Christian ethics and the decline of secular moral discourse:

²⁰ Nietzsche, as the nihilist logical conclusion to this process, continues the rejection of past foundations, but also has the honesty to encourage the elimination of vestigial references to pre-modern morality. Cf. Friedrich Nietzsche, *Beyond Good and Evil*, trans. Judith Norman, ed. Rolf-Peter Horstmann and Judith Norman (Cambridge: Cambridge University Press, 2002), 13 (emphasis in text): "Life is itself will to power. [...] In short, here as elsewhere, watch out for *superfluous* teleological principles!"; idem, *The Will to Power*, trans. Walter Kaufmann and R.J. Hollingdale, ed. Walter Kaufmann (New York: Vintage Books, 1967), 404: "Profoundest gratitude for that which morality has achieved hitherto: but now it is only a burden which may become a fatality! Morality itself, in the form of honesty, compels us to deny morality." Elsewhere, MacIntyre offers further reflections on the effects of a Nietzschean philosophy on society, commenting that it contains the material for the collapse of friendship, pity and the acknowledgement of our mutual dependence, which is basic to the notion of the common good and to the care and protection of vulnerable members of society. See *Dependent Rational Animals: Why Human Beings Need the Virtues* (London: Duckworth, 1999), 155-166.

²¹ MacIntyre's analysis is not without its critics, both at the broad level and at the level of detail. Although I would support his views on fragmentation, I would join those who consider the conclusion of his presentation of human teleology in *After Virtue* to be incomplete. His use of 'quest' as the narrative key to human existence leads him to suggest that the definition of a good life for man is a life spent seeking for the good life, and that virtues assist him in his search. To my mind, this incomplete form of teleology leaves itself open somewhat to the relativism MacIntyre seeks to redress. He says that what is better or worse for a person depends upon the character of the intelligible narrative of that individual, in that the narrative not only bestows intelligibility on the person's actions, but also presumes a certain objectivity. If this is the case, then the narrative should prescribe more clearly the good that man is to seek in his quest. Linked to this comment would be MacIntyre's lack of attention to divine law, both natural and revealed, as part of the Aristotelian tradition, which is a significant omission to an examination of the content of the concept of the medieval teleological quest.

Jean Porter describes MacIntyre's substitution of Aristotle's metaphysical biology with narrative unity of human existence as "inadequate as the basis for a reconstruction of an Aristotelian account of the virtues," because it is "too imprecise" and "says too little about what a good human life

Like their secular counterparts, today's Christian ethicists have seized on fragments of what was once a unified moral tradition as the basis for their interpretations of Christian ethics. The Catholic moral theologians mentioned above [Germain Grisez, John Finnis, and proportionalists, such as Richard McCormick] have attempted to construct a moral theory on the basis of accounts of human goods and their relation to human action, and Protestant thinkers have attempted to develop theories of Christian ethics out of some account of Christian love, an appeal to the goodness of nature, or a reflection on the virtues. But unfortunately, while those fragments once fitted together and made sense as a part of a unified theory of morality, none of them on its own seems to be adequate as a basis for a convincing, contemporary theory of morality. If this line of analysis is correct, then no one of these theories will have the cogency to be fully adequate on its own terms, much less to convince those who adopt different starting points in their interpretations of the Christian moral tradition. Hence, we would expect to see what we do see in the field of Christian ethics, namely, either interminable debate or a frustrated suspension of all attempts at conversation.²²

Like MacIntyre, Porter also turns to the past for a way out of the problem, but neither of them is merely turning the clock back with the intention of proposing that an ancient or medieval approach should simply be re-employed without the slightest

should be," particularly in that, unlike Aquinas, it lacks reference to supernatural happiness (beatitude) as the point of reference also for achieving natural happiness. Thus, one can say that MacIntyre's reasoning in *After Virtue* stands, but, as he admits himself, requires further elaboration, which is something he seeks to address in his later works and in his replies to objections. I would suggest that in *Three Rival Versions of Moral Enquiry* he breaks the cyclical paradox of seeking the good life by introducing the notion of teaching authority as presented through hypothesis by Plato in the *Meno*. The authoritative teacher is thus able to lead the way and draw the good potential from the apprentice in the moral life. It is here that the notion of institution comes to the fore, with its roles of providing laws and exemplars for the exercise and development of particular practices. To this we should add that the Church as institution also has a maieutic purpose in drawing forth the inherent narrative and moral keys, which would shape and direct an individual's life. We shall return to the role of others in moral growth later on in this thesis. Cf. MacIntyre, *After Virtue*, 275-278, 219, 225; idem, *Three Rival Versions of Moral Enquiry: Encyclopaedia, Genealogy, and Tradition* (London: Duckworth, 1990), 61-63; Plato, *Meno*, trans. G.M.A. Grube, in *The Complete Works*, ed. John M. Cooper (Indianapolis and Cambridge: Hackett, 1997), 99a: "And that only these two things, true belief and knowledge, guide correctly, and that if a man possesses these he gives correct guidance"; D. Vincent Twomey, *Pope Benedict XVI: The Conscience of Our Age: A Theological Portrait* (San Francisco: Ignatius Press, 2007), 137. For critical points of view, see Porter, *The Recovery of Virtue*, 82-83, at 82; John Horton and Susan Mendus, eds., *After MacIntyre: Critical Perspectives on the Work of Alasdair MacIntyre* (Notre Dame, IN: University of Notre Dame Press, 1994).

²² Porter, *The Recovery of Virtue*, 15-16. For a brief summary of Hauerwas's views on the shortcomings of proportionalism, see Stanley Hauerwas, "Virtue, Description and Friendship," *Irish Theological Quarterly* 62 (1996-97): 170-184, at 173-75: (at 174) "What has bothered me about the proportionalists is not their attempt to provide an alternative to the 'old legalistic moral theology', but that even in their attempt to provide an alternative to the legalist framework they continued to presuppose a law-like framework. Actions continued to be treated in abstraction from virtues, but now in the name of pastoral sensitivities such actions are assumed to be infinitely redescribable."

alteration.²³ Rather, in the broadest of terms, both see the re-establishment of a coherent moral model as the way out of the present impasse and likewise both turn to the past for clues to the nature of such a cohesive structure.

4. Pinckaers and the Fragmentation of Freedom

Servais Pinckaers, another major figure on the moral stage, has also presented an analysis of the past to understand the present and to propose renewal and growth in moral theology. A primary focus for him has been not only the role of freedom in moral choice, but also how the notion of freedom has changed through history, and consequently resulted in changing our understanding of morality.

Although the history of the concept of free will is turbulent and complex, present-day society would be largely unaware of the radical transformation that has befallen this idea over the centuries. Indeed, Servais Pinckaers observes that “we are so accustomed to thinking of freedom as the power to choose between contraries that we can hardly imagine any other concept of it.”²⁴ This notion of freedom is what he classes as “freedom of indifference,”²⁵ which is the prevailing concept in today’s society, thereby affecting the cultural air we breathe, and leading to attitudes such as the consumerist ‘use and abuse’, or to a diminished regard for the needs of others, particularly the most vulnerable of society, through a growth of utilitarianism and the atomisation of morality. At times, especially in dogmatic theology, much attention has

²³ Porter, *The Recovery of Virtue*, 174: “I do not intend to argue that Aquinas’s theory of morality could be accepted as it stands today. However, I do believe that some version of that theory, reformulated in the light of contemporary problematics, would offer the best prospect for recovering a cogent account of human goodness and human virtue from the chaos of contemporary moral discourse.” MacIntyre’s Aristotelian analysis of virtue also contains alteration through his notion of ‘practice’. See *After Virtue*, 181-203.

²⁴ Servais Pinckaers, *The Sources of Christian Ethics*, trans. from the 3rd ed. by Sr. Mary Thomas Noble (Edinburgh: T&T Clark, 1995), 354.

²⁵ *Ibid.*, 328-53.

been given to the battles of Luther and Erasmus on the subject of *liberum arbitrium*,²⁶ but their own struggles over the relationship between freedom and God, and their concepts of human nature reflect a much earlier rupture in the fundamental understanding of freedom, stemming from nominalism and its initiator, William of Ockham, who died in 1349.²⁷

Pinckaers describes the impact of Ockham's thought as "the first atomic explosion of the modern era."²⁸ Our fundamental understanding of the human soul with all its faculties was blown apart by a new concept of freedom, and "successive after-shocks [...] destroyed the unity of theology and Western thought."²⁹ Thus, it is quite ironic that someone who achieved such a devastating effect should have been nicknamed "Venerable Inceptor."³⁰ Ockham's thought was like an atomic bomb, in that it was both fundamentally divisive and disruptive. Ockham's universe was "essentially *discontinuous*, the universe of division and not the universe of order and harmony."³¹ Thus, the age-old notions of order and harmony, brought to their zenith in the thought of St Thomas Aquinas, were turned on their head in favour of absolute

²⁶ For example, Luther concludes "if we believe it to be true, that God fore-knows and fore-ordains all things; that He can neither be deceived or hindered in His Prescience and Predestination; and that nothing can take place but according to His Will, (which reason herself is compelled to confess;) then, even according to the testimony of reason herself, there can be no 'Free-will' - in man, - in angel, - or in any creature." See Martin Luther, *The Bondage of the Will*, trans. Henry Cole (Grand Rapids, MI: Baker Book House, 1976), 390. Cf. Bernhard Lohse, *Martin Luther: An Introduction to His Life and Work*, trans. Robert C. Schultz (Edinburgh: T&T Clark, 1986), 68.

²⁷ In his analysis of Luther's theology, Albrecht Ritschl "freely admitted that Luther occasionally demonstrated that he had been influenced by Nominalism." See Lohse, *Martin Luther*, 220. On Ockham and nominalism, see also Pinckaers, *Sources of Christian Ethics*, 241-53.

²⁸ Pinckaers, *Sources of Christian Ethics*, 242.

²⁹ *Ibid.*

³⁰ *Ibid.*, 241. Vereecke concurs with this assessment of Ockham. He says that "his influence on the evolution of the Western world has been enormous. For more than a century and a half his doctrine has created the background upon which modern thought has been developing." Louis Vereecke, *Da Guglielmo d'Ockham a Sant'Alfonso de Liguori: Saggi di Storia della Teologia Morale Moderna, 1300-1787*, trans. Giancarlo Vendrame (Cinisello Balsamo, Milan: Edizioni Pauline, 1989), 215-16: "l'influsso di Guglielmo d'Ockham nell'evoluzione del mondo occidentale è stato enorme. Per più d'un secolo e mezzo la sua dottrina ha creato lo sfondo sul quale è venuto elaborandosi il pensiero moderno."

³¹ Vereecke, *Da Guglielmo d'Ockham*, 174: "Pertanto quello che Ockham ci presenta è un universo essenzialmente *discontinuo*, l'universo della divisione e non l'universo della ordine e dell'armonia" (emphasis in text).

separation, through Ockham's concept of singularity.³² Hence in Ockham's revolution we find the root of our modern problems with individualism. His far-reaching revision brought this divisive outlook to bear upon a whole raft of key issues: "freedom was separated from nature, law and grace; moral doctrine from mysticism; reason from faith; the individual from society."³³ Equation of reality solely with the individual meant that in the moral sphere reality was now to be found in the individual decision of free will, which, according to Ockham, is something indifferent and contingent.³⁴

William of Ockham's primacy of an indifferent, independent will is a rejection of the position taken by St Thomas, who saw free will as a faculty of reason and will, thereby identifying freedom, in Pinckaers's summation, as "the outcome of the mind's inclination to truth and the will's inclination to goodness."³⁵ In other words, the free choice of the individual is an extension of the reason and will and an expression of the individual's natural inclination towards the good.³⁶

This shift in understanding had a serious impact upon the importance of the final end in morality. St Thomas's study of moral theology in the *Summa* starts with the end in order to show the unity of all actions in our last end, namely final and

³² Ibid., 171-73; Pinckaers, *Sources of Christian Ethics*, 242.

³³ Pinckaers, *Sources of Christian Ethics*, 242.

³⁴ Ibid., 242-43; cf. William of Ockham [Guillelmus de Ockham], *Quodlibeta Septem*, in *Opera Philosophica et Theologica*, vol. 9 (St. Bonaventure, New York: Editiones Instituti Franciscani, 1980), I, q. 16, a. 1: "Circa primum sciendum quod voco libertatem potestatem qua possum indifferenter et contingenter diversa ponere, ita quod possum eundem effectum causare et non causare, nulla diversitate existente alibi extra illam potentiam."

³⁵ Pinckaers, *Sources of Christian Ethics*, 381.

³⁶ St Thomas Aquinas, *Summa Theologica*, Leonine ed. (Rome: Forzani, 1894), Ia IIae q.1, a.1: "liberum arbitrium esse dicitur facultas voluntatis, et rationis" (emphasis in text). An assessment of the views of the different thinkers is often made harder to understand simply by the way terms are commonly translated. See Brian Davies, *Aquinas* (London and New York: Continuum, 2002.), 105: "And, though translators of Aquinas often render this phrase [*liberum arbitrium*] by the English expression 'free will', its significance is different. For the thesis that people have free will is commonly taken to mean that freedom belongs only to the will, that is, if you like, the prerogative of the will or a peculiar property of it. And Aquinas does not share this assumption." Herbert McCabe is equally keen to clear up the confusion, preferring to translate *liberum arbitrium* as "free choice." Quoted in Martin McKeever, "Ethics as Language in Herbert McCabe, O.P.," *Studia Moralia* 41 (2003): 137-152, at 149.

perfect happiness, or beatitude, in the vision of God.³⁷ Ockham did not accept this universal description of finality, and downplayed the importance of an ultimate end by emphasising the immediate end contained in the individual act. This had the effect of separating acts from one another, and led to the casuist analysis of individual cases of conscience in later centuries.³⁸ The Venerable Inceptor's rejection of natural inclinations and his downplaying of virtues also served his absolutist liberation of human freedom. Thus, natural inclinations, including happiness, were no longer seen as helping man achieve a freely-chosen, morally good act and good end, but were now considered a threat to freedom and morality. Thus, we can see the root cause of the ousting of the treatise on happiness from the modern moral manuals.³⁹ Previously the virtues had been seen as dispositions that developed and perfected the natural inclinations, thereby leading man to happiness by following his God-given nature.⁴⁰ The manuals also gave less emphasis to the virtues, as a result of the nominalist revision of the nature of virtue. "For ethicists, virtue became simply a traditional, convenient category for listing moral obligations."⁴¹ For Ockham obligation became the central focus because he understood the nature of both God and man to be

³⁷ Aquinas, *Summa Theologica*, Ia IIae, qq.1-5, at q.3, a.8, resp.: "Respondeo dicendum, quod ultima, et perfecta beatitudo non potest esse nisi in visione divinae essentiae." Cf. Fergus Kerr, *After Aquinas: Versions of Thomism* (Malden, MA, Oxford, Melbourne, and Berlin: Blackwell, 2002), 133: "The best way of describing the moral considerations in the *Summa Theologiae* is not as virtue ethics, let alone as divine command ethics, but as an ethics of divine beatitude."

³⁸ Pinckaers, *Sources of Christian Ethics*, 243-44, 336: "Free actions followed one upon another in a person's life without any bond of unity to weld them together into a basic whole, as the vision of a last end or even personal sentiment might have done."

³⁹ *Ibid.*, 332; 244-45.

⁴⁰ *Ibid.*, 336; Davies, *Aquinas*, 114. St Thomas identifies five natural inclinations: inclination to the good; to self-preservation; to sexual union and the rearing of offspring; to the knowledge of the truth; and to live in society. See Aquinas, *Summa Theologica*, Ia IIae, q.94, a.2, Pinckaers's analysis in *Sources of Christian Ethics*, 400-56.

⁴¹ Pinckaers, *Sources of Christian Ethics*, 336. Vereecke, *Da Guglielmo d'Ockham*, 181: "In the moral life, therefore, there remains only one specific virtue, *obedience*, to which all other virtues are referred. Moral virtue is the response of man to an exterior obligation" ["Nella vita morale resta quindi una sola virtù specifica, l'*obbedienza*, alla quale si riconducono tutte le altre virtù. La virtù morale è la risposta dell'uomo ad un'obbligazione esteriore"] (emphasis in text).

absolute, isolated in their singularity.⁴² Obligation and the law became the only principle that could link God and his creature, but the link was one of opposition.⁴³ God is therefore not bound by any obligation and his supreme freedom is only limited by the principle of non-contradiction.⁴⁴ However, man is subject to obligation and to following the divine will because of his created status.⁴⁵ This was the only limitation to man's freedom: God's freedom. Thus moral theology came to be reduced to a battle of liberties, where there could only be one outcome, man's compliance with God's will, known through Revelation and reason.⁴⁶

From this overview of Ockham's position, we can see that freedom of indifference creates a reductivist morality of obligation, severed from teleology and natural order. Indeed, Ockham's morality became so detached that, without the existence of a specific obligation in the form of a precept or commandment, or a personal awareness of the commandment, the act remains morally indifferent, since

⁴² Vereecke, *Da Guglielmo d'Ockham*, 174, 178.

⁴³ *Ibid.*, 178.

⁴⁴ Indeed Ockham upheld the thesis that, provided he did not contradict himself, God could change his will arbitrarily, even to the point of commanding that man should hate him, and if man obeyed, then he would not be committing a sin, but acting morally. Moreover, in Ockham's understanding, "natural law is therefore not the human translation of the eternal demands of being, nor the expression of our natural inclinations and of our virtues: it is the simple echo, the simple blind transmission of the orders of the arbitrary divine will." See Pinckaers, *Sources of Christian Ethics*, 344; Vereecke, *Da Guglielmo d'Ockham*, 183: "La legge naturale non è quindi la traduzione umana delle esigenze eterne dell'essere, né l'espressione delle nostre inclinazioni naturali e delle nostre virtù: è la semplice eco, la semplice trasmissione cieca degli ordini dell'arbitraria volontà divina." Richard Cross comments on the writings of Blessed John Duns Scotus, who seems to follow Ockham's voluntarism. "Scotus holds that God is bound neither by external nor by internal constraints in his actions towards creatures. [...] For this reason, we should reject Scotus's account of God's contingent action and the ethical theory which it grounds." Richard Cross, "Duns Scotus on Goodness, Justice and What God Can Do," *Journal of Theological Studies* 48 (1997): 48-76, at 76.

⁴⁵ Vereecke, *Da Guglielmo d'Ockham*, 179.

⁴⁶ Pinckaers, *Sources of Christian Ethics*, 345-49. Despite Ockham's morals being typically described as 'voluntarist', there is still a significant, though diminished, role for reason in his system. Moral reason now had the task of revealing and proclaiming divine commands, instead of weighing up the content of precepts to understand them and justify action. Hence we can see Ockham as a forerunner to Kant's rationalist philosophy, with its application of imperatives.

the goodness of the act is purely determined by whether the individual has conformed to an obligation or not.⁴⁷

Without a reconciliation of morality with the teleology of happiness in terms of joy in Christ, as opposed to simply passing pleasure, there remains a tug of war between the universal and the particular, between God and the individual, between authority and conscience. This is because we are relying upon a disjunctive freedom of indifference, which both begets and rebels against a morality of obligation. It had been the aim of St Thomas to “deconstruct the sin-dominated moral theology in the pastors’ handbooks of his day, by dispersing the standard list of vices and virtues throughout a systematic consideration of the human being as moral agent, with goals, capacities, emotions, dispositions, and so on, which have to be integrated, with the help of law and grace, for them to attain the beatitude which is their ultimate end.”⁴⁸ Clearly, St Thomas sought to present an “organic” moral theology and analysis of the human act.⁴⁹ However, Kerr points out that, even early on, Thomas’s plans ran into difficulty, primarily because of the size of the *secunda pars* of the *Summa*. Thus, the *secunda secundae*’s analysis of vices and virtues was being read independently of the *prima secundae*, despite its essential role in contextualising the moral analysis. Yet, even this reduction of reading was insufficient, and so “by 1290, at the behest of the Master of the Order, even Dominican friars were provided with a slimmed-down version of the *secunda secundae*.”⁵⁰ Thus, the clergy of St Thomas’s time turned the *Summa* into what he had intended it to eradicate, namely a morality dominated by lists

⁴⁷ Vereecke, *Da Guglielmo d’Ockham*, 184, at 181: “That the act is good, therefore, it is not enough to carry out materially what is commanded, because *every action is in itself indifferent; but it is necessary to carry it out because it is obligatory*” [“Perché l’atto sia buono, quindi, non basta compiere materialmente quanto è comandato, perché *ogni azione è in se stessa indifferente; ma occorre compierla perché è obbligatoria*”] (emphasis in text).

⁴⁸ Kerr, *After Aquinas*, 118.

⁴⁹ Pinckaers, *Sources of Christian Ethics*, 337.

⁵⁰ Kerr, *After Aquinas*, 119.

of sins. We must therefore be wary in apportioning all blame to William of Ockham for the deconstruction of St Thomas's vision and for the reduction of the ambit of moral theology. Nevertheless, Ockham remains pivotal in the creation of a freedom of indifference and of the development of a morality of obligation. Thus, through his analysis of Ockham and St Thomas, Pinckaers hopes to encourage a revival of the Thomistic organic model, which is firmly rooted in a freedom for excellence.

As its name suggests, freedom for excellence differs radically from its indifferent counterpart, in that the use of man's freedom is channelled towards striving for and achieving the good. The word 'for' implies that the freedom that man enjoys has a purpose, and so immediately we can see that this way of looking at freedom is teleological in approach. 'Excellence' should also indicate to us that there is a greater role in this model for virtue.

Servais Pinckaers offers the examples of learning to play the piano and learning a language to highlight the contrast between the two notions of freedom. In both examples, long-term effort is required to achieve good results, be it beautiful playing or fluency. Likewise, "a minimum of predisposition is needed in the beginning" to permit musical or linguistic development, built up "by means of regular, progressive exercises."⁵¹ What seems to be a constraint upon the freedom and pleasures of the moment turns out to be a gateway to greater opportunity. Where previously the individual could only make poor choices (to play or speak badly or not at all), now the person has the capacity to do things well, and so has greater freedom in the realms of language and music, through a fuller freedom of expression and performance. The key distinction between freedom of indifference and freedom for excellence as understood through these examples is that in the former one is free to

⁵¹ Pinckaers, *Sources of Christian Ethics*, 355.

make mistakes, whereas in the latter one has freely cultivated the ability to avoid mistakes.⁵² Thus, rather than consider freedom as simply a careless choice between contraries, there is a positive quality to the notion. Hence, we can apply this to the moral sphere to observe that the virtue of courage or fortitude develops progressively through trials and pressures to enable the individual to achieve worthwhile actions, which he would have otherwise avoided.⁵³

While freedom of indifference precedes and dominates all natural inclinations, freedom understood as for excellence is rooted in the natural inclinations, particularly the natural longing for truth, goodness, a sense of uprightness and love, and a desire for knowledge and happiness. The ancients described these roots of freedom as the *semina virtutum*, or the seeds of virtue. Thus, these natural dispositions are developed, giving a direction to our desires by influencing our moral judgements.⁵⁴ While the freedom of indifference saw natural inclinations as an obstacle to freedom, freedom for excellence sees them as the source of our freedom, and the opportunity to grow in freedom by following our God-given nature (*sequi naturam*).⁵⁵ Thus, freedom is no longer characterised by moral indifference, but by the spontaneous attraction to what is good and true. We can also see here that while Ockham's freedom was considered to be fully present from the beginning of a person's existence, freedom for excellence is "bestowed in embryo" and grows to maturity through education.⁵⁶ Pinckaers outlines the process of development of personal morals and freedom as described by St Thomas in the *secunda secundae*, which is divided into three stages: beginners, progressives and the perfect. Beginners in the order of charity (*incipientes*) are

⁵² Ibid., 356. Pinckaers calls freedom for excellence the "ability to act with excellence and perfection whenever one wishes." See Servais Pinckaers, *Morality: The Catholic View*, trans. Michael Sherwin (South Bend, IN: St. Augustine's Press, 2001), 74.

⁵³ Pinckaers, *Sources of Christian Ethics*, 356.

⁵⁴ Ibid., 357-58.

⁵⁵ Ibid., 358.

⁵⁶ Ibid., 375.

schooled by the law of the Decalogue in avoiding sins and in fighting against inclinations opposed to charity.⁵⁷ “Progressives” or proficientes (*proficientes*) at the second level aim to strengthen their active charity through developing the qualities of the heart, namely the virtues. Thus a limited moral theory of avoiding evil is expanded to progress in seeking the good.⁵⁸ Pinckaers points out that the Sermon on the Mount is most suited to this stage, taking the person to a different level of law now “based on a generosity that always exceeds the demand with the spontaneity of true love.”⁵⁹ This law, which penetrates to the heart, is the New or Evangelical Law, which develops the practice of the virtues through the illumination and attraction of the Holy Spirit.⁶⁰

Far from a juridical concept of law, the New Law is the motion of the Spirit in us leading us to wisdom, right living and love.⁶¹ Therefore, the New Law is “the rule of love infused by the Spirit.”⁶² As an infused interior law,⁶³ its primary element is the grace of the Holy Spirit, with the written law of the New Testament, particularly the Sermon on the Mount, being its secondary element.⁶⁴ Pinckaers identifies the root of

⁵⁷ Aquinas, *Summa Theologica*, IIa IIae q.24, a.9; Pinckaers, *Sources of Christian Ethics*, 362-63. Here in a morality of happiness and virtue the law has an educational role in the growth of freedom, rather than simply being a limit to freedom through obligation, as it is viewed in a morality of obligation. Both moralities use the rules of the Decalogue, but the morality of obligation fails to see it as a first step in moral development, by reducing morals to mere compliance with commands. See Pinckaers, *Morality*, 74; idem, *Sources of Christian Ethics*, 362.

⁵⁸ Aquinas, *Summa Theologica*, IIa IIae q.24, a.9.

⁵⁹ Pinckaers, *Sources of Christian Ethics*, 365.

⁶⁰ *Ibid.*, 365, 369; Aquinas, *Summa Theologica*, Ia IIae qq.106-108. As such, St Thomas called the New Law the “law of freedom” since it enables us to reach our potential through the grace of the Holy Spirit. See Aquinas, *Summa Theologica*, Ia IIae q.108, a.1. See also Servais Pinckaers, “The Recovery of the New Law in Moral Theology,” trans. Hugh Connolly, *Irish Theological Quarterly* 64 (1999): 3-15.

⁶¹ Pinckaers, *Morality*, 85.

⁶² *Ibid.*; Vereecke, *Da Guglielmo d'Ockham*, 161: “The law of the Gospel is not an imperative imposed on man from outside; it is the Holy Spirit who lives in him, who enlightens him on what he must do and who gives him the strength to progress ever more on the path of grace” [“La legge del Vangelo non è un imperativo imposto all'uomo dall'esterno; è lo Spirito Santo che vive in lui, lo illumina su quanto deve fare e gli dà la forza di progredire sempre di più sulla via della grazia”].

⁶³ While the interior natural law is instilled in man by being part of his very nature, in addition to this, man is endowed with the New Law by a gift of grace. See Aquinas, *Summa Theologica*, Ia IIae q.106, a.1.

⁶⁴ Vereecke, *Da Guglielmo d'Ockham*, 160-61.

this Evangelical Law as faith in Christ.⁶⁵ This act of faith and our relationship with Christ radically transforms the nature of morals. If the root is faith, then Pinckaers observes that the sap of the Law nourishing the tree of our lives is charity, working through us to produce the fruit of good works.⁶⁶ Therefore, given the potentially powerful influence of the Spirit of love in developing the believer's moral growth, the fact that little is written about the New Law should be a matter of concern to those wishing a spiritual renewal of morals.⁶⁷

Pinckaers states that "our freedom reaches maturity precisely with our capacity to balance the twofold dimension of personality and openness to others, interiority and outreach, living 'for self' and 'for others'."⁶⁸ He proposes that, while freedom for excellence enables the individual to balance moral responsibility towards self and others, freedom of indifference destroys the relationship by "breaking it down into contraries," thereby stunting moral growth.⁶⁹ This balance is perfected through reaching the third level of moral development, namely, spiritual maturity. St Thomas calls those who have become moral and spiritual adults "the perfect" (*perfecti*),⁷⁰ who are such because of the perfection of their love of God and of their attainment of union with and enjoyment of God in contemplation.⁷¹

⁶⁵ Pinckaers, *Morality*, 85-87.

⁶⁶ *Ibid.*, 87.

⁶⁷ Vereecke is of the opinion that the lack of attention by modern moralists to the New Law in St Thomas's thought seriously threatens the success of a revival of Thomistic morals. See *Da Guglielmo d'Ockham*, 431.

⁶⁸ Pinckaers, *Sources of Christian Ethics*, 367.

⁶⁹ *Ibid.*

⁷⁰ Aquinas, *Summa Theologica*, IIa IIae q.24, a.9; Pinckaers draws our attention to the fact that this should be understood in a human sense, relative to our created condition. Pinckaers, *Sources of Christian Ethics*, 368.

⁷¹ Aquinas, *Summa Theologica*, IIa IIae q.24, a.9; Ia IIae q.106, a.1; Pinckaers, *Sources of Christian Ethics*, 368.

The inclusion of spiritual joy as goal and prize in this vision of morality allows us to break away from the stale morality of obligation.⁷² In the light of Christ's teaching in John 15:8-11, Pinckaers shows that freedom for excellence succeeds in marrying God's commandments with joy in Christ, in that only through bearing much fruit in love will our joy be complete.⁷³ Thus, above all else, the excellence we are to strive for through the exercise of our freedom is that of an imitation of the love of Christ, achieved by life in the Spirit.⁷⁴

⁷² Such a morality of obligation is not only stale according to Pope John Paul II, but also ultimately, "dehumanising" through the constraints of his "voluntaristic and arbitrary" nature. See John Paul II, Encyclical Letter *Veritatis Splendor* (London: Catholic Truth Society, 1993), 76. Official text in *Acta Apostolicae Sedis* (hereafter *AAS*) 85 (1993), 1194-95.

⁷³ Pinckaers, *Morality*, 80. Vereecke points out "the most serious limitation to Ockham's system is in not seeing that, beyond being a morality of obedience to God, Christian morality is a morality of charity." See *Da Guglielmo d'Ockham*, 188: "Il limite più grave del sistema di Ockham sta nel non aver visto che la morale cristiana, oltre che una morale dell'obbedienza a Dio, è una morale della carità." Pinckaers also uses the philosophy of Henri Bergson to support his argument concerning his views on freedom and happiness in relation to the moralities of obligation and of happiness and virtue. Clearly, they would differ over the role of reason in morality, given the "diminished idea which Bergson had of intelligence in general and of its role in the moral life in particular," as Maritain notes. Nevertheless, it appears that Pinckaers has found resonances in Bergson's philosophy to complement his Thomistic analysis of moral theology. For example, there is clearly a theological teleology in Bergson's analysis, albeit limited in its development. Bergson states that everyone is to aspire to mysticism, which has the purpose of transforming humanity so that all may share in being open to all people, and open to the creative impulse of God. Joy is another significant goal in both writers' thought, with both identifying the Beatitudes as the model for a rounded morality, instead of a restricted morality of obligation. See Jacques Maritain, *Moral Philosophy: An Historical and Critical Survey of the Great Systems* (London: Geoffrey Bles, 1964), 431; Henri Bergson, *The Two Sources of Morality and Religion*, trans. R. Ashley Audra and Cloudesley Bereton (Westport, Connecticut: Greenwood Press, 1974), 225, 243: "Creation [is] ... God undertaking to create creators, that He may have, besides Himself, beings worthy of His love." On the importance of joy, cf. Bergson, *Two Sources*, 50, 306; Pinckaers, *Sources of Christian Ethics*, 131-2; idem, *Morality*, 78-81, at 80-81: "The reconciliation of morality and happiness by means of joy is, in my view, an essential condition for the renewal of moral theology. To establish this reconciliation firmly, we must even revise our understanding of freedom by rediscovering our spiritual nature." On the Beatitudes, cf. Bergson, *Two Sources*, 50-51; Pinckaers, *Sources of Christian Ethics*, 145-55, 369; idem, *Morality*, 78-81.

⁷⁴ St. Thomas Aquinas, *Summa Contra Gentiles*, Leonine ed. (Rome: Foranzi, 1894) IV, 22: "Filii igitur Dei libere a Spiritu Sancto aguntur ex amore, non serviliter ex timore." See also Maritain on freedom for love. Thus Maritain considers Christian morals to be a morality of inspiration (from the Holy Spirit) rather than a Bergsonian morality of aspiration. See Maritain, *Moral Philosophy*, 436-37.

5. *Summing up the Evidence*

Even in the wake of writers such as Pinckaers and despite the shift in methodology found in the moral section of the *Catechism of the Catholic Church* and the call for renewal made by Pope John Paul in his encyclical *Veritatis Splendor*, the loss of cohesion and dynamism in moral theology seems to have persisted.⁷⁵ Indeed, Vincent Twomey observes that “the recovery of the original, Aristotelian/Thomistic notion of virtue as the context for moral reflection has yet to make any significant impact on the mainstream of the academic discipline of moral theology,” as it is “still dominated by the rival schools of a teleological approach (proportionalism) or the deontological approach (principles).”⁷⁶ Therefore, given the body of material presenting arguments to show a situation of moral decay, it is my contention that if moral theory in general is struggling to emerge from a fragmented state, this fragmentation will also affect our understanding and use of conscience. This would appear to be so, as different authors will testify.

⁷⁵ The approach to morality presented in the first section of Chapter 3 of the *Catechism* closely resembles Pinckaers’s approach, namely, action understood in the context of life in the Spirit, seeking to live positively and generously in keeping with the Beatitudes through the exercise of our conscience, assisted by the virtues, both human and theological. See *Catechism of the Catholic Church* (Vatican City: Libreria Editrice Vaticana, 1994), nos. 1700-1877. This model is maintained in the revised edition. See *Catechism of the Catholic Church* (London: Geoffrey Chapman, 1999). Hereafter, all references to the *Catechism* will refer to the revised edition, using the abbreviation *CCC*. *Veritatis Splendor* was presented in the light of the *Catechism* to address “certain tendencies” which were seen to be undermining the foundations of moral theology, particularly the relationship between freedom and truth, faith and morality, objectivity and universal moral norms. See *Veritatis Splendor*, 5, 32, 78, 84, 88, 90; *AAS* 85 (1993), 1137-38, 1159-1160, 1196-97, 1200-01, 1203-04, 1205. Livio Melina, responding directly to Pope John Paul’s call to renewal in moral theology in *Veritatis Splendor*, also points to a present-day moral crisis rooted in subjectivisation, pluralism and fragmentation, where the individual and his/her freedom have been made absolute. See *Sharing in Christ’s Virtues: For a Renewal of Moral Theology in the Light of “Veritatis Splendor,”* trans. William E. May (Washington DC: Catholic University of America Press, 2001), 13-33.

⁷⁶ D. Vincent Twomey, “Moral Renewal Through Renewed Moral Reasoning,” *Josephinum Journal of Theology* 10 (2003): 210-229, at 211. Twomey also considers the diminished impact of virtue ethics on moral theology to be the result of little reflection upon related issues, particularly the passions, thus perpetuating the “blandness” of contemporary moral discourse. It may also be caused by looking at ethics based on virtue as simply one school among many (hence the danger of the term ‘virtue ethics’) rather than as a wholesale shift in attitude. See *ibid.*, 211, including n.6, and *idem*, “Recovery of the Passions in Moral Theology,” *Irish Theological Quarterly* 67 (2002): 224, 240.

It may be useful for us to summarise the elements of fragmentation identified by the authors and magisterial documents mentioned above, in order to see whether the same elements are present in studies on conscience. The collective concerns are as follows:

1. a pluralism of traditions establishing a situation of an incommensurability of rival premises and argumentation in moral problems.
2. a moral deficiency owing to emotivism in various guises undermining moral reasoning, by eschewing objectivity or detaching it from its end.
3. changes to the meaning of moral terms, especially the transformation of freedom into a disjunctive notion, thus creating opposition between those involved in forming a moral decision (the individual and external authorities, both human and divine).⁷⁷

It should be the case that these main issues are also to be found in current writing on conscience, if my observation on fragmentation is to have plausibility. I also acknowledge that such an assessment will not be shared by all, given that a variety of moral theologians would consider the changes to the notion of conscience as necessary for the development of a mature, responsible and flexible morality.⁷⁸

⁷⁷ One could give other examples of moral terms that are subject to significant difference in understanding, such as natural law, which has a whole variety of qualifying terms attached to it: fixed or dynamic, transcendental or categorical, physicalist or personalist. Gustafson presents a summary of contrasting views of moral terms, as well as the bases for different moral traditions. He concludes that persistent polarities in moral views are based upon differences of outlook on “being and becoming, structure and process, order and dynamics, continuity and change, determination and freedom, nature and history, nature and grace, law and gospel.” However, a more fundamental problem is the notion of polarity in the first place, since this pulls elements apart. Jean Porter argues that a unified moral theory has become fragmented, with the individual pieces being taken as separate starting points for different moral traditions. I would therefore propose that Gustafson gives a summary of moral traditions that affirms Porter’s thesis, in that his analysis does not attempt to approach the above notions in a complementary manner. See James Gustafson, *Protestant and Roman Catholic Ethics: Prospects for Rapprochement* (London: SCM Press, 1979), 144-156, at 144.

⁷⁸ For example, Timothy E. O’Connell, “An Understanding of Conscience,” in *Readings in Moral Theology No. 14: Conscience*, ed. Charles E. Curran, (New York and Mahwah, NJ: Paulist Press, 2004), 25-38; Ewert H. Cousins, “The Mature Christian Conscience,” in *Conscience: Its Freedom and Limitations*, ed. William C. Bier (New York: Fordham University Press, 1971), 369-378; Paul Tillich, “A Conscience Above Moralism,” in *Conscience: Theological and Psychological Perspectives*, ed. C. Ellis Nelson (New York, Paramus, and Toronto: Newman Press, 1973), 46-61. Here Tillich proposes the notion of a *transmoral* conscience to overcome the internal conflict between its guilty and good dimensions.

6. Corresponding Fragmentation in the Notion of Conscience

With regard to incommensurability of premises and equivocal terminology, Josef Römelt says that when recourse is made to the notion of conscience in discussing everyday moral problems “often a lot of confusion is created,” because of the contradictory meanings applied to conscience. This in turn is due to a complex and contradictory hidden background of philosophical and cultural influences, both theistic and atheistic. In short, Römelt concludes that “conscience can mean everything or nothing.”⁷⁹ He considers careful and accurate analysis of the different layers of meaning in the term to be the only starting point available to the move away from the impasse of conflict in understanding.⁸⁰

On the basis of a historical study exploring the effects of different philosophies and schools of psychology on the notion of conscience, Terence Kennedy comes to the conclusion that “we should not be surprised that so often conscience becomes the shield for arbitrary opinions and even for outright subjectivism and emotivism. ‘What I do has nothing to do with other people. It’s a matter for my conscience alone.’ *This is the ultimate devaluation of conscience in an unauthentic ethic.*”⁸¹ Carlo Caffarra goes further by concluding that we are witnessing a “gradual emptying of conscience.” The first stage of this is an “increasingly radical subjectivism.” However, he also notes that the institutional use of utilitarianism and proportionality, such as found in civil law, results not in the strengthening of the autonomy of conscience won by subjectivism, but rather its loss, through the

⁷⁹ Josef Römelt, *La Coscienza: Un Conflitto delle Interpretazioni*, Quaestiones Morales, no. 13 (Rome: Editiones Academiae Alphonsianae, 2001), 12: “Quando nella discussione etica dei problemi morali della vita quotidiana si ricorre al concetto di coscienza si crea perciò spesso molta confusione. Spesso si confondono fra di loro i diversi significati filosofici e culturali che si nascondono dietro di esso, nonché i diversi piani a tali significati collegati. Non si riconosce la loro contraddittorietà. E infine il termine coscienza può dire tutto o nulla.”

⁸⁰ Ibid., 13.

⁸¹ Terence Kennedy, *Doers of the Word: Moral Theology for Humanity in the Third Millennium*, vol. 1, *Tracing Humanity’s Ascent to the Living God* (Middlegreen, Slough: St Pauls, 1996), 168-175, at 175 (emphasis mine).

complexity of weighing up each good in new and technical contexts forcing complete reliance on the judgement of “so-called experts.”⁸² Finally, taken to its logical conclusion, Pope John Paul writes that a completely individualistic ethic not only empties conscience of its meaning, but also “leads to a denial of the very idea of human nature.”⁸³

Taking the opportunity to apply his general theory to conscience, Pinckaers observes that the reinforcement of the notion of freedom of indifference by the manualist tradition left freedom and law as opposites, where “freedom and law can be compared to two landlords who are contesting the field of human behaviour.”⁸⁴ In this context of moral voluntarism the conscience of the subject fluctuates between rigorism and laxism. As a result, the role of conscience also swings between forcing the individual to obey the law through obligation, to submitting the law always to personal freedom. Pinckaers considers this “pendulum of conscience” to be caused by a separation of freedom and law from truth.⁸⁵

Other theologians also focus their attention on the issues of freedom and opposition. Alojzy Drózdź considers contemporary culture to contain a radical shift in the notion of man and conscience, caused by the opposition of humanity and God, which forces us to make a choice between us and God. He sums up this attitude with the term “modern prometheanism,”⁸⁶ which he says is either an open or hidden

⁸² Carlo Caffara, “The Autonomy of Conscience and Subjection to Truth,” in *Crisis of Conscience*, ed. John M. Haas (New York: Crossroad, 1996), 149-168, at 152. This comment on experts shows close similarity to the conclusions of MacIntyre, and may be dependent upon them.

⁸³ *Veritatis Splendor*, 32, *AAS* 85 (1993), 1159-60, at 1160: “Extrema si attingit, individualismus ad ipsam notitiam naturae humanae negandam perducit.”

⁸⁴ Servais Pinckaers, “Conscience, Truth, and Prudence,” in *Crisis of Conscience*, ed. John M. Haas (New York: Crossroad, 1996), 79-92, at 81.

⁸⁵ *Ibid.*, 79-81, at 79: “Our freedom is not an absolute; it is a freedom for truth. [...] The love of truth, at the core of freedom and conscience, is certainly the most profound, the most decisive point of the present moral debate.”

⁸⁶ Alojzy Drózdź, “Il Problema della Coscienza Morale nel Prometeismo di Oggi,” in *La Coscienza Morale Oggi: Omaggio al Prof. Domenico Capone*, ed. Marian Nalepa and Terence

reference to the spectral vision of nihilism, “which casts onto man and onto moral ‘conscience’ a type of ‘atheistic and radical shadow’, since in it man and conscience are considered as self-sufficient realities in themselves.”⁸⁷ Drózdź points out that starting from the nineteenth century, through authors such as Shelley (1792-1822), the myth of Prometheus (who was punished for stealing fire from the gods to give it to mankind, which he had created from clay) became a symbol of modern self-liberation and autonomy.⁸⁸ Other figures who take on this symbolic role in literature are Job and Zarathustra.⁸⁹ Thus, through this lens, man is no longer defined in terms of *homo sapiens*, but rather *homo rebelans*.⁹⁰ For Drózdź, this idea of rebellion is highly significant in that it creates an attitude of opposition towards every ‘other’, including God. This has an effect on the notion of conscience by shifting its foundation to that of “hubris,”⁹¹ which establishes the relationship between human conscience and God

Kennedy, *Quaestiones Morales*, no. 3 (Rome: Editiones Academiae Alphonsianae, 1987), 505-25. Grisez and Shaw also allude in passing to this notion when giving examples of mistaken ideas about the nature of conscience: “There is conscience on a Promethean model, where one’s solitary conscience is the only gauge of right and wrong that matters. And, perhaps especially for some Catholics, there is conscience as rebel: ‘The Church can’t tell *me* what to do.’” Drózdź would consider the latter to be an expression of the Promethean model. See Germain Grisez and Russell Shaw, *Fulfillment in Christ: A Summary of Christian Moral Principles* (Notre Dame, IN: University of Notre Dame Press, 1991), 26 (emphasis in text).

⁸⁷ Drózdź, “Il Problema della Coscienza Morale, 505: “Il prometeismo moderno fa riferimento, palese o nascosto che sia, a questa visione spettralizzante, che proietta sull’uomo e sulla ‘coscienza’ morale una sorta di ‘ombra atea e radicale’ perché in esso l’uomo e la coscienza sono considerate come realtà a sé stesso l’autosufficiente.”

⁸⁸ Unlike Aeschylus’ poem, where Prometheus’ defiant unrepentance results in him eventually being cast down to eternal punishment in Tartarus, in Shelley’s version, Prometheus’ pain comes to an end when Demogorgon dethrones Jupiter (in act 3, scene 1) and they both sink down to the abyss instead, proving Prometheus, “monarch of the world”, victorious, rather than defeated, through his defiant endurance. Cf. Percy Bysshe Shelley, *Prometheus Unbound*, in *Plays, Translations and Longer Poems*, Everyman’s Library, vol. 258 (London: J.M. Dent; New York: E.P. Dutton, 1907), 144-219; Aeschylus, *Prometheus Bound*, in *Aeschylus*, vol.1, *Suppliant Maidens, Persians, Prometheus, Seven Against Thebes*, with English trans. by Herbert Weir Smyth, Loeb Classical Library (Cambridge, MA: Harvard University Press; London: Heinemann, 1922, 1988 ed. consulted), 209-315.

⁸⁹ Drózdź, “Il Problema della Coscienza Morale, 507; Friedrich Nietzsche, *Thus Spoke Zarathustra*, in *The Portable Nietzsche*, ed. and trans. Walter Kaufmann, (New York: Viking Penguin, 1954), 103-439; C.G. Jung, *Answer to Job*, trans. from German by R.F.C. Hull (London and Princeton: Routledge and Paul, 1954; Ark Paperbacks, 1984), 23. Jung claims that in Job standing his ground to argue against the injustice he has experienced, he reveals the antinomy in God’s nature.

⁹⁰ Drózdź, “Il Problema della Coscienza Morale, 507.

⁹¹ *Ibid.*, 515-16.

as *aut...aut* instead of *et...et*,⁹² with the consequence that morals are reduced to taste or whim.⁹³ The solution for this Polish author is to interpret human conscience with a “christological key,” along with the call to conversion.⁹⁴ Drózdź sees *metánoia* as the route to putting things back in order. Thus, “conversion touches human ‘conscience’ in its essential relationship with God: it is not simply a conversion to a doctrine to be believed in or to a norm to be observed, but rather the ‘return’ to God the Father, a return from the eccentric orbit. This return to God involves, as a consequence, the openness (*disponibilità*) of conscience to renew its full normative authority which exhorts [one] to produce ‘fruits in keeping with conversion’ (Mt 3:2).”⁹⁵

We can observe a similar analysis in the writings of Pope Benedict XVI, at that time Joseph Cardinal Ratzinger. He also identifies the issue of the relationship between self and other as central to the contemporary discussion of morality in general and of conscience in particular. He says that the question of conscience:

centers on the concepts of freedom and norm, autonomy and heteronomy, self-determination and determination by an external authority. Conscience appears here as the bulwark of freedom against those who seek to narrow our lives through the use of authority. Two antithetical conceptions of Catholicism are proposed. On the one hand, we find a renewed understanding of Catholicism that understands Christian faith on the basis of freedom and sees this faith as a principle that sets people free. On the other hand, we find a superseded, ‘pre-conciliar’ model that subjects Christian existence to authority that issues norms to regulate people’s lives even in the most intimate spheres and attempts in this way to maintain its power over them. It seems therefore that

⁹² Ibid., 519.

⁹³ Ibid., 523-24.

⁹⁴ This follows Pope John Paul’s understanding of humanity in Christ, as presented in his Encyclical letter *Redemptor Hominis*, particularly at numbers 18 and 20. Cf. *AAS* 71 (1979), 257-327, at 301-305, 309-16. For an English translation see *Redemptor Hominis* (Milan: Editrice Ancora, 1979).

⁹⁵ Ibid., 524: “La conversione tocca la ‘coscienza’ umana nel suo essenziale rapporto con Dio: non è semplicemente una conversione a una dottrina da credere o a una norma da osservare, bensì il ‘ritorno’ al Dio-Padre, un ritorno dall’orbita eccentrica. Questo ritorno a Dio comporta, di conseguenza, la disponibilità della coscienza a rinnovare la sua piena autorità normativa la quale esorta a produrre ‘frutti conformi alla conversione’ (Mt 3,2).” Although the call to repentance is announced in Mt 3:2, John the Baptist’s challenge to produce fruit worthy of repentance or conversion is actually found at Mt 3:8.

we have a conflict between two antithetical models, *morality of conscience* and *morality of authority*.⁹⁶

Like Drózd, Ratzinger says that this attitude of conflict colours the notion of conscience. Thus, being considered as “*the highest norm* and that one must follow it even against authority,”⁹⁷ conscience is employed to protect an individual’s freedom. According to this understanding, the Magisterium would have the opportunity to speak on morality, but conscience would have the final say on matters. Indeed, some authors take this to its extreme by declaring conscience as infallible.⁹⁸ Ratzinger’s concern is that this exaltation of conscience leads to a loss of a sense of objective truth, a weakening of the meaning of human existence and a deterioration of solidarity.⁹⁹ However, Ratzinger also considers this absolute “subjective obstinacy” to be only one possible type of misdirected or underdeveloped conscience,¹⁰⁰ pointing to situations where people under the control of a totalitarian regime come to misinterpret the memory of repeated propaganda as the “‘voice of God’ from inside

⁹⁶ Joseph Ratzinger, “If You Want Peace... Conscience and Truth,” in *Values in a Time of Upheaval*, trans. Brian McNeil (San Francisco: Ignatius Press; New York: Crossroad Publishing, 2006) 75-99, at 75 (emphasis in text).

⁹⁷ Ibid. (emphasis in text).

⁹⁸ Ratzinger points to Fichte as the first to declare this view. However, other authors point to Butler as arriving at this unerring, supreme moral authority first (Butler died in 1752, ten years before Fichte’s birth). Cf. *ibid.*, 76, n. 1; Joseph Butler, *Five Sermons Preached at the Rolls Chapel*, in *Five Sermons Preached at the Rolls Chapel and A Dissertation upon the Nature of Virtue*, ed. with introduction and notes by Stephen L. Darwall (Indianapolis: Hackett, 1983), Preface, no. 24 (page 17): “neither can any human creature be said to act conformably to his constitution of nature unless he allows to that superior principle [conscience] the absolute authority which is due to it.” See also Edward G. Andrew, *Conscience and its Critics: Protestant Conscience, Enlightenment Reason and Modern Subjectivity* (Toronto: University of Toronto Press, 2001), 107-11, and Langston, *Conscience and Other Virtues*, 80-82.

⁹⁹ Ratzinger, “Conscience and Truth,” 76. Edward Andrew charts a history of the development of an individualist conscience, which lacks “love, compassion or benevolence”. Indeed, the thesis of his book is that a subjective, “inner-directedness of conscience may be in inverse relationship to responsiveness to others” and their needs. In other words, the more concerned with self-justification or self-preservation, the less interest an individual’s conscience will have in the common good. See Andrew, *Conscience and its Critics*, 12-13, 187.

¹⁰⁰ Joseph Ratzinger, “Conscience in its Age,” in *Church, Ecumenism and Politics: New Essays in Ecclesiology*, trans. Robert Nowell (Middlegreen, Slough: St Paul Publications, 1988), 165-179, at 168-69.

themselves,”¹⁰¹ or where an individual’s human development is stunted through fear by misconstruing the content of their superego as true conscience. Thus, the future Pope underlines the fact that “the concept of conscience needs continual refining, and laying claim or appealing to conscience stands in need of a cautious honesty that is aware that one abuses something that is great when one rashly calls it into play.”¹⁰²

7. Conclusion

In the light of these comments by different authors, I would propose that the current state of the understanding of conscience is often confused,¹⁰³ distorted or fragmented, and the result of this is that its present-day application is open to isolation, misuse or even redundancy in different moral approaches.¹⁰⁴ With this in mind, it is the aim of this thesis to analyse the nature of conscience,¹⁰⁵ and with the help of things both new and old to offer a description of conscience that is, hopefully, more integrated with other parts of moral theory, and that emphasises a more positive and dynamic outlook, rooted in human growth, in virtue and grace.

I would suggest that a presentation on Christian conscience needs to be located in a fuller context, and that concentrating on only one of its foundations or points of

¹⁰¹In contrast, as an example of someone with a great strength of conscience who did not fold under external pressure, Ratzinger tells of the nuclear scientist Andrey Sakharov and his challenge to the morality of nuclear weapons in the face of the Communist regime. See “Freedom, Law and the Good: Moral Principles in Democratic Societies,” in *Values in a Time of Upheaval*, trans. Brian McNeil (San Francisco: New York; Ignatius Press: Crossroad Publishing, 2006), 45-52.

¹⁰²Idem, “Conscience in its Age,” 169.

¹⁰³James Gaffney also considers the understanding of conscience to be “remarkably ambiguous, and that its ambiguity has increased over the course of its history.” See *Matters of Faith and Morals* (Kansas City, MO: Sheed & Ward, 1987), 87-88.

¹⁰⁴Indeed it is Edward Andrew’s view that over the centuries since the Enlightenment, “the liberal tradition of the English-speaking world has simultaneously attempted to deconstruct conscience and to champion its rights.” With such a state of affairs, no wonder it is difficult to define what conscience is and how it is used. See Andrew, *Conscience and its Critics*, 177.

¹⁰⁵Gaffney sees neither sense nor value in trying to establish what conscience “really” means, and instead prefers a Socratic style of definition of terms to offer a starting point to reflection on the matter. It is my hope that an exploration of sources and an analysis of problems regarding content will provide adequate reasons to avoid my conclusions on conscience being completely arbitrary. Cf. *Matters of Faith and Morals*, 88.

reference will result in a restricted vision of its role. Therefore, just as criticism by various authors has been made of looking at conscience in relation to freedom (and therefore law) without sufficient reference to objective truth, likewise, an analysis of conscience in terms of virtue without combining it with grace and holiness will also be in danger of fragmentation.¹⁰⁶ Having one without the other is like having the cart without the horse. Thus, although Jean Porter aims at avoiding fragmentation in *The Recovery of Virtue*, as she deliberately separates the philosophical from the theological in Aquinas's writing, I would suggest that this pulls apart what Aquinas would have considered as an integrated whole.¹⁰⁷ Therefore, it is with this intention of integration that I set out on the first aim of this thesis, namely to offer some background to the notion of conscience.

¹⁰⁶ Twomey, "Moral Renewal," 212: "Grace, it might be said, is a subject in need of immediate attention by moral theologians, if moral theology is to recover its authentic theological dimension." See also Kennedy on his exhortation to a "unified and comprehensive vision of morality," since the isolation of virtue from other moral elements is just as fragmented as moral theories based on deontology or teleology. In Terence Kennedy, *Doers of the Word: Moral Theology for Humanity in the Third Millennium*, vol. 2, *Light to the Nations: Making the Life of Humanity Worthy of the Gospel* (Middlegreen, Slough: St Pauls, 2002), 138-39.

¹⁰⁷ Porter, *Recovery of Virtue*, 32: "Moreover, I have not attempted a complete account of the moral theory even of the *ST* [the *Summa Theologica* of St Thomas Aquinas]. Rather, what I offer in this book is a reconstruction of the more strictly philosophical components of that theory, and I have generally bracketed its more properly theological components." Pinckaers also cautions against a reading of the *Summa* which is either myopic (looking no further than subject of interest) or suffering from double vision (where we separate the content into different preconceived categories, such as philosophy and theology). See *Sources of Christian Ethics*, 169-71.

Chapter Two

Conscience in Classical Culture and Sacred Scripture

1. Introduction

C. S. Lewis once wrote that the analysis of the term ‘conscience’ was far from easy. Indeed, not content with describing conscience as a “maze,” where there is at least a discernible start and finish, he preferred to liken the concept to “a simmering pot of meanings,”¹ where the whole idea seems to be in constant, bubbling turmoil. Certainly, there are many contradictions and inconsistencies in the history and interpretation of conscience. However, we should not think that the use of the term is so variable that it defies all definition, like some kind of boiling alphabet soup. Instead, while giving due acknowledgment to the complexity of the word’s early use, it is possible to discern trends and stages in its development, which will lead us to draw some conclusions about how the concept was understood and employed. These, in turn, will give us some points of reference in our search for an integrated notion of conscience. I will therefore begin this exploration into the background of the concept by examining the early use of conscience (*syneidēsis*) in classical culture and Sacred Scripture, particularly in the New Testament, since this will allow us to recognise the characteristics of early Christian usage, before turning our attention to Scholastic analysis in the next chapter.²

¹ C. S. Lewis, “Conscience and Conscious,” in *Studies in Words* (Cambridge: Cambridge University Press, 1960), 181-213, at 196.

² The purpose of the historical chapters is to provide sufficient background to allow us to proceed to an exploration of an integrated notion of conscience. Therefore, in no way is it intended that the presentation will be an exhaustive history. As a result, although other periods, such as the patristic era, are also rich in material, in order not to lose sight of the main object of the thesis, reference to the patristic period and other points in history will be made only when relevant to the issue in hand. For useful notes on the style and understanding of conscience in the Church Fathers, see Philippe Delhaye, *The Christian Conscience*, trans. Charles Underhill Quinn (New York: Desclée, 1968), 69-99.

2. Semantic Background to the Use of Conscience in the New Testament

The word *syneidēsis* is to be found only thirty times in the New Testament as a whole, with St Paul laying claim to the greatest use of the word.³ Although Paul did not coin the term himself,⁴ it can be safely said that he was the first to introduce it into Christian literature, since fourteen of the occurrences are found in the Pauline corpus, with all remaining usage coming after him.⁵ With this in mind, it follows that we should begin our exploration of New Testament usage of conscience with St Paul.

³ Gerd Lüdemann, "Syneidēsis," in *Exegetical Dictionary of the New Testament*, vol. 3, ed. Horst Balz and Gerhard Schneider, trans. Douglas W. Stott (Grand Rapids, MI: Eerdmans, 1993), 301-303, at 301 (hereafter cited as *EDNT*). St Paul's use of the term is to be found in Rom 2:15, 9:1, 13:5; 1 Cor 8:7.10.12, 10: 25.27.28.29 (twice); 2 Cor 1:12, 4:2, 5:11.

⁴ St Paul showed a certain flair for creating "words compounded with the preposition *syn*," meaning 'with', in his efforts to describe the reality of the Christian life. However, as we shall see, *syneidēsis* is not one of his inventions. See Brendan McGrath, "'Syn' Words in Saint Paul," *Catholic Biblical Quarterly* 14 (1952): 219-26, at 219.

⁵ The word also occurs in Acts 23:1, 24:16, in the pastoral letters 1Tim 1:5. 19, 3:9, 4:2; 2 Tim 1:3; Titus 1:15, in Heb 9:9.14, 10:2. 22, 13:18 and 1Pet 2:19, 3:16. 21, which leads Coune to observe that the word is absent from the more Jewish styled parts of the New Testament. At first, one might be surprised at this conclusion, given that the term occurs five times in Hebrews. However, their appearance seems to be less of an inconsistency than initially imagined. Firstly, chapter 13, which is the most "Pauline" in style of the whole letter, is possibly a later addition to the text, perhaps for the purpose of giving the homily "the appearance of a letter to allow its admission into the canon." Of the other four instances, their appearance is explained by the background of the author of Hebrews. Raymond Brown notes that "the quality of his Greek and his control of the Scriptures in Greek suggest that he was a Jewish Christian with a good Hellenistic education and some knowledge of Greek philosophical categories." It is this Hellenistic background which contributes significantly to the *style*, in contrast to the content, of Hebrews and hence allows Coune to draw his conclusion on the uses of *syneidēsis*. Cf. Michel Coune, "Le problème des idolâtres et l'éducation de la syneidēsis," *Recherches de Science Religieuse* 51 (1963): 497-534, at 497, n. 2; George Wesley Buchanan, *To the Hebrews*, The Anchor Bible, vol. 36, 2nd ed. (Garden City, New York: Doubleday 1981), 267-68, at 268; Raymond E. Brown, *An Introduction to the New Testament*, (New York: Doubleday, 1997), 693-95, at 695.

Although further nuancing of the concept is found in these letters, it is clear that the previous Pauline usage would have had some influence on these later occurrences. This is true also of "a late Greek gloss" added to John 8:9 in a few manuscripts, concerning the woman caught in the act of adultery. The additional clause describes the departing scribes and Pharisees as "being convicted by their conscience." Although a late interpolation, Pierce considers its guilt-based understanding similar to the early Pauline uses of *syneidēsis*. As a result, he feels justified in concluding that St Paul's use "is normative for the N.T. and has at least a strong claim to be normative for Christianity as a whole." I think Pierce overreaches himself in this conclusion, since the significance of the Johannine gloss "written later than any of the other occurrences," would only prove the complete normativity of Paul if all other intervening uses of *syneidēsis* in other texts, including some Pauline texts, were of the same type and content, namely, a negative guilty conscience. This, however, is not the case, and so all we can say is that St Paul's early usage forms a *major part* of the norm for the New Testament understanding of the term. Cf. C. A. Pierce, *Conscience in the New Testament* (London: SCM Press, 1955), 104, 117, 68; Raymond E. Brown, *The Gospel According to John (i-xii)*, The Anchor Bible, vol. 29 (Garden City, New York: Doubleday 1966), 332-338.

However, before attending to Paul's use of the word, we should ask where he drew the word from in the first place. *Syneidēsis* is the noun drawn from the verb *synoida*. The prefix *syn* when combined with a verb can retain its 'with' meaning, or can be reduced to having "a vaguely intensive force."⁶ Thus *synoida* refers to someone who 'has knowledge of something with' another person or oneself, or knows something well.⁷ This double meaning of *syn* also applies to all the cognates of *synoida*. The origins of *syneidēsis* date back to about 500 B.C., with Democritus of Abdera being the first reliably recorded philosopher to have used the term.⁸ Its usage was rare at first,⁹ but became very frequent and more stable in meaning in both secular Greek writings and Hellenistic Jewish works by the time of the first century A.D., as attested to by writers such as Plutarch, Philo and Josephus. This frequency of usage continued in Roman authors, such as Cicero and Seneca, through the Latin translation *conscientia*, which is a contraction of *cum-scientia*.¹⁰ Although in time the moral significance of *syneidēsis* (and *conscientia*) came to hold sway, from early on the word was used to describe two different, though at times related, acts: physical awareness and moral awareness. Depending upon the translation, Democritus' use is possibly moral: "Many people, who, not knowing of the dissolution of mortal nature, however, being conscious of their life of evil doing, [*syneidēsei de tēs en tōi biōi*

⁶ Lewis, "Conscience and Conscious," 181; Christian Maurer, "*Synoida, Syneidēsis*," in *Theological Dictionary of the New Testament*, vol. 7, ed. Gerhard Friedrich, trans. and ed. Geoffrey W. Bromiley (Grand Rapids, MI: Eerdmans, 1971), 898-919, at 899-902 (hereafter cited as *TDNT*).

⁷ Lewis, "Conscience and Conscious," 181; Maurer, *TDNT*, 899-900. The verb came to be used reflexively in the expression *synoida emautō*, where the person who knows and the person who shares the knowledge are one and the same. Maurer describes this as an interaction between two egos in the same subject. This verbal description of an internal point of reference in personal awareness is significant in the development of the noun. See Maurer, *TDNT*, 900.

⁸ Cf. C. Spicq, "La conscience dans le nouveau testament," *Revue Biblique* 47 (1938): 50-80, at 51-52; Linda Hogan, *Confronting the Truth: Conscience in the Catholic Tradition* (New York and Mahwah, NJ: Paulist Press, 2000), 38.

⁹ Spicq comments that after its debut in the writing of Democritus and Chryssipus, apart from some rare texts, the word "practically disappears from the literature" until the first century after Christ. Ceslas Spicq, "*Syneidēsis*," in *Theological Lexicon of the New Testament*, vol. 3, trans. and ed. James D. Ernest (Peabody, MA: Hendrickson, 1994), 332-336, at 332.

¹⁰ Lüdemann, *EDNT*, 301.

kakopragmosunēs] are troubled with a lifetime of disquiet and fears, by inventing untrue fables about the time after the end.”¹¹ In contrast, Chrysippus does not use *syneidēsis* in a moral sense. He “predicates *syneidēsis* of every living creature – not exclusively of man – and means by it [...] simply the awareness or consciousness which a creature has of its own composition.”¹² Thus we can see that *syneidēsis* has two related, though distinct meanings, which C.S. Lewis describes as “two branches of meaning; that which uses the full sense (‘together’) of the prefix and that in which the prefix is [...] almost inoperative,” with only the former containing a moral overtone.¹³ This means that *syneidēsis* expresses moral knowledge of an action, shared either with another external witness, or reflexively with one’s innermost self, only when the prefix maintains its original force.¹⁴ It is this background of a double meaning to *syneidēsis* that makes interpretation of Pauline and other New Testament texts complex and liable to disagreement among scholars. However, as some arguments are more plausible than others, it is possible to arrive at a reasonably reliable understanding of New Testament use.

¹¹ Hermann Diels, *Die Fragmente der Vorsokratiker*, vol. 1, Greek with German trans., 2nd ed. (Berlin: Wiedmannsche, 1906), 55, B, 297: “Manche Leute, die von der Auflösung der menschlichen Natur nichts wissen, sich dagegen des menschlichen Elends wohl bewußt sind, mühen sich ihre Lebenszeit in Unruhen und Ängsten ab, indem sie über die Zeit nach dem Ende erlogene Fabeln erdichten.” (Own translation, with reference to the Greek.) Spicq is certain that the text refers to moral consciousness. See, “*Syneidēsis*,” 332, n. 1. Cf. also Hogan, *Confronting the Truth*, 39. Some would argue, however, that *kakopragmosynēn* can also be taken in a non-moral sense to mean “the distressing situation of life,” instead of “evil conduct.” As a result, this alters the translation to mean, “Some people who are not aware of the dissolution of mortal nature but know the misery of life, and pass their time wretchedly in unrest and anxiety, inventing lying myths about the hereafter.” Therefore, the text ultimately remains ambiguous about the content of moral responsibility implied by *syneidēsis*. If this text is not evidence of a moral use of the term, it is clear that *syneidenai*, *synesis* and *syneidēsis* are used to refer to moral conscience (mostly bad), at least by the second century B.C. in writers such as Demosthenes. See Maurer, *TDNT*, 902-903.

¹² Cf. Pierce, *Conscience in the New Testament*, 14; Lewis, “Conscience and Conscious,” 181-82, at 182: “We read in Diogenes Laertius (VII, 85) ‘Chrysippus says that the first property of every animal is its structure and the *suneidesis* of this’. *Suneidesis* here can hardly mean anything more than ‘awareness’.” For original Greek text, see C.J. De Vogel, *Greek Philosophy*, vol. 3, *The Hellenistic-Roman Period* (Leiden: E.J. Brill, 1959), 127-28.

¹³ Lewis, “Conscience and Conscious,” 181-82.

¹⁴ *Ibid.*, 182; 184-91.

Given that *syneidēsis* has an independent secular Greek history pre-dating Jewish usage, and that there is no direct Hebrew equivalent to the Greek word *syneidēsis*,¹⁵ it is clear that St Paul did not make or employ a direct translation of a Hebrew concept. Rather he adopted the term from Greek culture for his own use in response to the difficulties and challenges facing the new Christian communities in Greece and Rome. Therefore, having established that Paul drew the term from Greek culture, now we must narrow the search for the origins of his usage, in order to gain a better idea of the connotations of the concept at the time of its Christian acceptance, and also to spot whether or not the concept was significantly altered by Paul and other Christian writers.

It had been long held that Pauline moral usage had its origins directly in Stoic philosophy.¹⁶ Indeed this “seductive, but simplistic hypothesis,”¹⁷ is still accepted by some modern writers, despite major authorities’ rejection of this theory from the early 1900s.¹⁸ A major difficulty in Paul drawing the term from Stoicism is the lack of

¹⁵ Xavier Léon-Dufour, “Conscience”, in *Dictionary of the New Testament*, trans. from 2nd rev. French ed. by Terrence Prendergast (London: Geoffrey Chapman, 1980), 145. The fact that there is no direct translation in Hebrew for a word meaning conscience has led some scholars to dismiss the Old Testament as having virtually no influence upon the shaping of the Christian usage of the term. Pierce says that the term “is one of the few important Greek words of the N.T. that have not had imported into them, through use by the LXX [Septuagint], a colouring from the Hebrew experience and outlook of the O.T.” See Pierce, *Conscience in the New Testament*, 60. I would hold this to be an oversimplification, as there *are* related biblical Hebrew concepts, which other writers have shown to have a bearing upon the Christian notion. We shall return to these later.

¹⁶ Delhaye points out that early Twentieth Century rationalistic science was keen to prove that St Paul was purely Stoic in his use of conscience, but that “they had to make a singularly hasty retreat,” since “numerous works showed that the notion of *syneidēsis* is in no way specifically Stoic.” See Delhaye, *The Christian Conscience*, 49.

¹⁷ Spicq, “La conscience dans le nouveau testament,” 51.

¹⁸ For example, Terence Kennedy, *Doers of the Word*, I, 168: “The phenomenon of conscience was first elaborated by the Stoics as right decision in harmony with the *logos* which was the world-plan of human destiny.” Cf. Jayne Hoose “Conscience in the Roman Catholic Tradition,” in *Conscience in World Religions*, ed. Jayne Hoose (Leominster: Gracewing; Notre Dame, IN: University of Notre Dame Press, 1999), 62-98, at 63: “[Paul] uses the key concept of Stoicism, *syneidesis*.” Although Häring comments on the uncertainty of how much influence Stoicism had on Paul, nevertheless he says Paul “takes up the key concept of the Stoic ethics, *syneidesis*.” See Bernard Häring, *Free and Faithful in Christ: Moral Theology for Priests and Laity*, vol. 1, *General Moral Theology* (Slough: St Paul Publications, 1978), 227. As Hoose refers to Häring in the medieval background to conscience, although not cited, it is possible that she also drew her comments on Stoicism from him, given similarity of content.

occurrence in Greek Stoic texts.¹⁹ The *Melissa* fragment previously ascribed to Epictetus is now largely accepted as belonging to another author, possibly with Christian connections.²⁰ This leaves the Greek Stoic corpus with no text referring to *syneidēsis* in a moral sense. As a result, the only Stoic text to use the term is that of Chryssipus (ca 281-208 B.C.), which, as we have already seen, employs the word to mean simply ‘awareness’. Modern scholarship has thus concluded that moral use of the term is not particularly Stoic. Moreover, the second reason for severing a direct link between Paul and the Stoics is that by the time of Paul, the term is not even the preserve of the philosophical elite. Indeed Pierce notes that St Paul “wrote for professional philosophers [...] no more than other N.T. writers.”²¹ As a result, since he wrote for ordinary people, his usage of *syneidēsis* must be taken from ordinary usage. Thus the understanding of the term will reflect not technical philosophy but “popular philosophy” or “folk wisdom.”²² It is in this popular context that *syneidēsis*

¹⁹ This does not preclude the cross-over of Latin Stoicism, particularly that of Seneca through Philo. Indeed, Schrage considers it probable that Paul has “borrowed the concept from Hellenistic Judaism, where we find (especially in Philo) ideas similar to those of Seneca,” who clearly commented on *conscientia*. However, as we shall see, Philo does not use the word *syneidēsis*. Therefore, all we can say is that, at most, Paul may have borrowed the notion from Stoic influences on the culture of the time, but it is very unlikely that he derived the specific term from this particular school of philosophy. I would also side with Delhaye in the view that it is more likely that Hellenistic moral philosophy influenced the Latin writers, rather than the other way around. See Wolfgang Schrage, *The Ethics of the New Testament*, trans. David E. Green (Edinburgh: T&T Clark, 1988), 195; Delhaye, *The Christian Conscience*, 50, n.12. On Seneca and *conscientia*, see De Vogel, *Greek Philosophy*, III, 292-294.

²⁰ *Ibid.*, Pierce, *Conscience in the New Testament*, 14-15, 51. The fragment ascribed to Epictetus uses *syneidēsis* and *syneidos* to describe the adult equivalent of a nursemaid, namely, an internal guardian and protector given to us by God. Hogan cites this passage as an example of the Stoic understanding of conscience as the “divinely appointed overseer”. Maurer considers the use of *syneidos* in the passage to be an exception, given that the term used for the overseer is normally *epitropos*. Yet, Maurer does say that the latter term contributes to the Christian development of the positive, directive notion of conscience. Hogan also acknowledges that the fragment may not be by Epictetus but sides with those who think it to be by another Stoic author. Cf. Hogan, *Confronting the Truth*, 41 and 193, n. 11; Maurer, *TDNT*, 904-905. Marietta agrees that the fragment has been incorrectly attributed to Epictetus. See Don E. Marietta, “Conscience in Greek Stoicism,” *Numen* 17 (1970): 176-187, at 179.

²¹ Pierce, *Conscience in the New Testament*, 16.

²² *Ibid.*, 16-17; at 16: “There is thus always an element of ‘popular philosophy’ in popular speech: and this is no less true of Hellenistic *koinē* at the beginning of the Christian era.” For corroboration of this “*Popularphilosophie*” conclusion, see Piero Rossano, “Morale Ellenistica e Morale Paolina,” in *Fondamenti Biblici della Teologia Morale: Atti Della XXII Settimana Biblica*, ed. Associazione Biblica Italiana (Brescia: Paideia, 1973), 173-85, at 179. Alvarez points out that there is no lack of authors who claim to have found a direct relation between Pauline usage and some school or movement of the time, be it Stoicism, Neo-Pythagorism, or Hellenistic Judaism of the style of Philo.

had been more widely used for centuries.²³ Indeed, so commonplace an idea was *syneidēsis* that Pierce takes the view that, although Democritus is the first to use it in Greek literature, the term is not of his own making. Rather *syneidēsis* belongs to a category of ethical concepts that were absorbed into the formal Ethics of the philosophers.²⁴ Other scholars would not go so far as this, concluding that the widespread use of the word in society was the after-effect of professional philosophical use.²⁵ Nevertheless, whatever the order of application, the fact that it was employed regularly in the public sphere poses its own problems, since its broad usage lacked strict definition. As a result, it would be impossible to achieve complete precision in its meaning.²⁶ This, however, does not rule out the possibility of reaching sufficient common detail to outline the contemporary Greek background to Paul's use.

In his influential monograph, C. A. Pierce presents a detailed analysis of the moral branch of *syneidēsis* in Greek popular usage up to the time of St Paul. His general conclusion is that the Greeks of the time considered *syneidēsis* to be “an element of human nature as such; but at the same time of human nature as integrally

However, Alvarez says that, “the channel from which Paul drew his approach to Hellenistic thought was probably popular philosophy through which passed into the public domain a series of concepts elaborated with characteristics specific to different philosophical schools.” Lorenzo Alvarez Verdes, *Caminar en el Espíritu: El Pensamiento Ético de S. Pablo*, Quaestiones Morales, no. 12 (Rome: Editiones Academiae Alphonsonianae, 2000), 194-195, at 194: “El cauce de que se sirvió Pablo su aproximación al pensamiento helenista fue probablemente la filosofía popular, a través de la cual había pasado al dominio público una serie de conceptos elaborados con características específicas por las diversas escuelas filosóficas.” Cf. Marietta, “Conscience in Greek Stoicism,” 186-7.

²³ Pierce, *Conscience in the New Testament*, 17: “It is used by every possible sort of writer: by philosophers and poets; by tragic and comic playwrights – and who more in touch with popular usage than the comedian; by historians and novelists; by engineers and physicians; by orators and rhetoricians; by learned critics and simple commissioners of domestic inscriptions: by writers of private correspondence.”

²⁴ *Ibid.*

²⁵ Alvarez, *Caminar en el Espíritu*, 194, n. 20.

²⁶ Schnackenburg observes that “as it was used chiefly in popular ethics and not defined, we cannot expect absolute clarity in its use.” See Rudolf Schnackenburg, *The Moral Teaching of the New Testament*, trans. J. Holland-Smith and W.J. O'Hara (Freiburg: Herder; London: Burns & Oates, 1965), 288. It could be said that an absolute definition of conscience in present-day popular usage is equally impossible, as its content continues to vary.

involved in an ordered universe.”²⁷ Pierce identifies three factors that produce this conclusion. Firstly, *syneidēsis* is linked to *Anankē* – “the fixed determinate order of things-as-they are,” and therefore writers, such as Socrates, saw that those who broke this order would suffer greatly from knowing they had done so.²⁸ Secondly, by extension, it was widely held that an element of *Anankē* was an integral part of human nature, with *syneidēsis* or *synesis* acting as the means for communicating a break with that order.²⁹ Finally, in a theological context, conscience, order and God or gods were easily linked together since God was recognised as the “orderer of the universe.”³⁰ Thus, in this context, a break in the order of things recognised by conscience is an offence to God (the gods) since he is (they are) the source of the order of things.

Pierce goes on to show that statistically there is an overwhelming case for identifying one point of reference for nearly all relevant Greek texts, so much so that any text referring to *syneidēsis* or a related word, must be understood as such unless specified otherwise. There are four aspects to this point of reference. Firstly, *syneidēsis* reflexively refers to the quality of a person’s own acts and character, not anyone else’s. “No external authority need be consulted: he knows, and is his own witness to himself; and this knowledge and witness are private to him alone.”³¹ Secondly, *syneidēsis* refers to specific acts of that person, and only to his/her

²⁷ Pierce, *Conscience in the New Testament*, 40. Reference to an ordered universe could easily elicit thoughts of Stoic philosophy, and so it is understandable that some authors might see this as evidence of Stoic influence upon the formation of the concept. However, the notion of a “world-order” is far from exclusively Stoic, as can be evidenced by earlier texts. See Plato, *Gorgias*, trans. Donald J. Zeyl, in *The Complete Works*, ed. John M. Cooper (Indianapolis and Cambridge: Hackett, 1997), 508a. Thus, the idea of an order in nature in relation to an order in human nature would have also belonged to the language of popular philosophy by the time of the first century A.D. This double focus of internal and external order will prove to be a source of tension that is explored in modern writings on conscience.

²⁸ Pierce, *Conscience in the New Testament*, 40. Cf. also Römelt, *La Coscienza*, 35.

²⁹ Pierce, *Conscience in the New Testament*, 40. As a result, “Polybius asserts that there is no witness so fearful, nor accuser so terrible as that *synesis* which dwells in the soul of *every man*.” See *ibid.*, 40-41 (emphasis in text). With this understanding of the order of things being built into human nature, it would come as no surprise that *anankē* also means duty and obligation.

³⁰ *Ibid.*, 41.

³¹ *Ibid.*, 42.

character insofar as it is “determined by and expressed in specific acts.”³² Thirdly, “the reference is always to *past* acts.”³³ Lastly, it is the norm that “the act, acts, condition or character” referred to “are *bad*.”³⁴

Thus it can be summarised that for the Greeks the popular notion of *syneidēsis* signified an aspect of human nature that responded to the order of nature as a whole by reflexively identifying past bad actions. This leads Pierce to conclude that “for the N.T. period, therefore, it is safe to say that in popular usage – in default of unequivocal indication to the contrary – *syneidēsis* is concerned only with bad acts, conditions and character,” and not with the assessment of the goodness of a future action or of the good character of a person.³⁵

But how did *syneidēsis* function in order to register that a bad action had been committed against the order of things? Greek writings describe the function of *syneidēsis* in terms of pain. It is portrayed either as a pain in itself, as the inflictor of pain upon the guilty individual or as the seat of feeling pain.³⁶ Plutarch likens the gnawing, persistent pain of conscience to the suffering endured from an ulcer (*helkos*).³⁷ Philo presents conscience as the agent of pain. I will quote his description here in full, as it contains significant points to which we shall return later:

For every soul has for its birth-fellow and house-mate a monitor [*elenchos*] whose way it is to admit nothing that calls for censure, whose nature is ever to hate evil and love virtue, who is its accuser and its judge in one. If he be

³² Ibid.

³³ Ibid., 43 (emphasis in text); Maurer, *TDNT*, 904: “Moral conscience [in secular Greek writing] is not primarily concerned with preparation for approaching decisions (*conscientia antecedens*) but with assessing and condemning acts already committed (*conscientia consequens*). Hence the normal case is the bad conscience; the good conscience is an exception.”

³⁴ Pierce, *Conscience in the New Testament*, 45 (emphasis in text); Maurer, *TDNT*, 904: “By way of summary it may be said that from the 5th to the 3rd century B.C. there is varied use which is only feeling its way towards a noun to express the moral conscience in a bad sense. Only from the 1st century B.C. do the two nouns *syneidos* and *syneidēsis* outstrip *synesis* and come into common use.”

³⁵ Pierce, *Conscience in the New Testament*, 45.

³⁶ Ibid., 46.

³⁷ Plutarch, *On Tranquillity of Mind*, in *Plutarch's Moralia*, vol. 6, with English trans. by W.C. Helmbold, Loeb Classical Library (London: Heinemann; Cambridge, MA: Harvard University Press, 1970), 476F.

once roused as accuser he censures, accuses and puts the soul to shame, and again as judge, he instructs, admonishes and exhorts it to change its ways. And if he has the strength to persuade it, he rejoices and makes peace. But if he cannot, he makes war to the bitter end, never leaving it alone by day or night, but plying it with stabs and deadly wounds until he breaks the thread of its miserable and ill-starred life.³⁸

Other texts, such as the *Orphic Hymn* are worded in such a way as to present conscience “as the ‘organ’ or ‘faculty’ in which pain is felt.”³⁹ The concept of conscience as faculty is an important issue in the history of the word’s development, and we shall examine this more fully later. However, it is important to note that the description of conscience as a separate faculty or an aspect of one’s personality to which one can be true or break away from to one’s shame, is present in some early texts, and so Langston’s curious notion that conscience as a faculty is only accepted after the Protestant Reformation is well off the mark.⁴⁰ Having said that, Pierce is convinced that both agent and faculty descriptions of conscience are purely metaphorical and so in content are not so far removed from the simple description of

³⁸ Philo, *De Decalogo*, in *Philo in Ten Volumes*, vol. 7, with English trans. by F.H. Colson, Loeb Classical Library (London: Heinemann; Cambridge, MA: Harvard University Press, 1973), 87. For the purposes of comparison, here is Pierce’s translation in *Conscience in the New Testament*, 46: “It is born with every soul and makes its abode with it, nor is it wont to admit therein anything that offends. Its property is ever to hate the evil and love the good. The same thing is at once both accuser and judge. When once stirred up, as accuser it lays charge, it makes accusation, it puts to shame: then again as judge it teaches, warns and counsels the soul to repent. If its suasions but prevail, joyfully is it reconciled. But if it cannot prevail, it gives not peace but makes war. Never does it depart by day nor by night, but stabs as with a goad, and inflicts wounds that know no healing, until it snap the thread of that soul’s pitiful and accursed life.”

Although Philo uses words related to *syneidēsis*, such as *syneidos*, in this highly descriptive passage he is, in fact, referring to *elenchos* instead of *syneidos*. However, Pierce presents a language study to show that the two words are synonymous in Philo’s writing, and so the passage conserves its relevance for a study on *syneidēsis* and conscience in general. See *ibid.*, 46, n. 2. Spicq would concur with the link between the two words. See Spicq, “*Syneidēsis*,” 334. In Philo’s description of *elenchos* as that which naturally loves virtue and hates evil, we may, perhaps, also find a precursor of the medieval descriptions of *synderesis*: that faculty or habitus which naturally seeks the good and shuns evil. We shall delve deeper into *synderesis* in the next chapter.

³⁹ See Pierce, *Conscience in the New Testament*, 49.

⁴⁰ See Langston, *Conscience and Other Virtues*, 8, 71-77. Langston misrepresents history by claiming that the idea of conscience as faculty only develops much later, starting with the writings of Luther. However, one must acknowledge the presence of the idea of faculty among some Greek writers, as well as certainly among the early Scholastics through the widespread influence of Philip the Chancellor. See M.B. Crowe, “The Term *Synderesis* and the Scholastics, I: *Synderesis* and the Early Scholastics,” *Irish Theological Quarterly* 23 (1956): 151-164.

conscience as pain.⁴¹ The difficulty here is that pain itself is a metaphor, and so if he wishes to disregard metaphors as offering little insight into the real nature or function of conscience, then he is left without any descriptive terms at all.

In reading Pierce's text it becomes apparent that his approach is reductivist, in that if something does not quite fit his tight conclusions, he will swiftly explain it away as irrelevant to his investigation. At this point, his interim conclusion is this: "The fundamental connotation of the *syneidēsis* group of words is that man is by nature so constituted that, if he overstep the moral limits of his nature he will normally feel pain – the pain called *syneidēsis*."⁴² This is an important conclusion, later cited by others,⁴³ which we must bear in mind as we step into the New Testament world and into Paul's use of the word. However, from Pierce's initial conclusion, which he later applies to Paul and the New Testament in general, it is clear that he wants to show that conscience is "the painful reaction of man's nature, as morally responsible, against infringements of its created limits," and nothing more.⁴⁴

⁴¹ Pierce, *Conscience in the New Testament*, 49-50.

⁴² *Ibid.*, 50.

⁴³ For example, Terence Kennedy quotes this conclusion with no further comment, while Alvarez quotes it in full to show where he thinks Pierce has gone wrong. Cf. Kennedy, *Doers of the Word*, I, 168; Alvarez, *Caminar en el Espíritu*, 222-23.

⁴⁴ Pierce, *Conscience in the New Testament*, 108. Alvarez has problems with Pierce's reductivist approach, too, and Maurer concludes that he is "going too far" to presume a developed and largely uniform concept of conscience in the pre-Christian Greek world. Cf. Alvarez, *Caminar en el Espíritu*, 222-23, Maurer, *TDNT*, 907. I have focused my attention on Pierce's work for a number of reasons. Firstly, though dated, Pierce remains a major point of reference for scripture scholars and moral theologians writing on the topic of conscience in the ancient Greek and New Testament periods. Nevertheless, scholars now recognise that his major conclusion is reductivist, and therefore does not do justice to the rich nature of Pauline and later New Testament descriptions of conscience. His desire for a neat conclusion leads Pierce to sideline passages which do not fit his thesis, despite acknowledging their existence. For example, Alvarez states that Pierce's hypothesis of Pauline conscience as solely painful reaction runs into difficulty when a Pauline text does not refer to transgression, but rather to the issue of one's rectitude or truthfulness being subject to the judgement of others (2 Cor 4:2, 5:11; Rom 9:1) or refers to the question of proving the existence of God's law written in our hearts (Rom 2:12-16). Therefore, one must not rely wholly upon Pierce's presentation. Most moral theology books quote him without comment, which could give him greater credence than due, and thus undermines the fuller notion of conscience present in Scripture. The implication of this is that if Scripture is to be a major source for moral theology, then an inaccurate presentation of conscience would lead to a reductivist notion being applied to moral theology. See Alvarez, *Caminar en el Espíritu*, 222-23. One of the few that does make a comment is Charles Curran, who points out that the analysis of Pierce and others may be influenced by denominational bias. See Charles E. Curran, "Conscience in the Light of the Catholic

Any other description of conscience is declared to be “a near-personal metaphor” of man’s “capacity to react” to wrongdoing, adding nothing to the content of the notion.⁴⁵

I have the impression that Pierce sees conscience in the Greek and New Testament environments as operating simply like an alarm bell or warning light indicating malfunction, or like a stab of pain in reaction to a hair being pulled. I would consider that there is a serious problem with this conclusion, in that it is overly mechanistic. Even if we were to exclude the possibility of a deliberative *conscientia antecedens*, such a mechanistic approach does not do justice to the judgement or mental process involved in feeling a guilty pang of conscience, however short a process that may be, given the influence of different factors such as repetition or the influence of external authority. Therefore I am of the opinion that the other metaphors employed by writers such as Philo *are* significant, in that they describe the functions of conscience to be more than simply a painful reaction, regardless of whether that act of conscience gives evidence to conscience being a faculty or simply a part of practical reason. Pierce says that the “metaphors both of *judge* and of *prosecutor* are frequent,” in Greek texts.⁴⁶ If this is the case, then I would be wary of simply dismissing them as near-personal concretisations of the painful witness called *syneidēsis*, because the word “judge” in itself highlights a function that is more than automatic reaction, which relates to some kind of conclusion or verdict based upon reflecting upon the situation.

Moral Tradition,” in *Readings in Moral Theology No. 14: Conscience*, ed. Charles E. Curran, (New York and Mahwah, NJ: Paulist Press, 2004), 3-24, at 6.

⁴⁵ Pierce, *Conscience in the New Testament*, 108.

⁴⁶ *Ibid.*, 48-49 (emphasis in text). Although Philo’s emphasis on the juridical aspect of conscience is a result of his drawing from both Hellenistic and Jewish traditions, nevertheless, according to Pierce, the words judge and prosecutor do appear frequently in secular Greek texts which have not been influenced by Jewish thought. Cf. Maurer, *TDNT* 913.

C. S. Lewis's analysis of pre-Christian usage of *syneidēsis* is also mechanistic. He concludes that at this stage of semantic development of *syneidēsis* (and *conscientia*), conscience is not considered to be "a separate faculty of the soul. [...] *Suneidesis* or *conscientia* is rather 'a state of affairs'; knowing about your own past actions what others, or most others do not know."⁴⁷ Therefore, he says that "it would make no sense to say 'My *conscientia* tells me this is wrong'; it tells me simply that I have done this – for of course what we conscire is always in the past."⁴⁸ According to this understanding of conscience, there is no sense in relating the notion of obedience to it, since here it is not seen as lawgiver or judge, but as mere witness. Thus, as with Pierce, the conclusion is that conscience at this point in history is concerned with past actions. But although the process of analysis is quite different, yet again here we find a mechanistic description of early conscience. Despite the fact that Lewis says consciring or *syneidēsis* is an awareness of guilt,⁴⁹ he says that this state of awareness is not one that is capable of judging the act. Thus, "it bears witness to the fact, say that we committed a murder. It does not tell us that murder is wrong; we are supposed to know that in some other way."⁵⁰ Yet again, this sounds like the alarm bell description of Pierce which involves no moral judgement. Thus, it almost appears that another form of conscience is operating prior to the state of consciring to allow the person to have this awareness of guilt. Once more, if the early writers described a judging role for *syneidēsis*, albeit typically looking to the past, it makes no sense to dismiss this as pure metaphor or avoid it completely. I would therefore propose that Lewis's analysis serves only to muddy further an already murky pool, and that, while much of Pierce's

⁴⁷ Lewis, "Conscience and Conscious," 191.

⁴⁸ *Ibid.*, 190. Lewis coined the term 'conscire' to describe the notion of *syneidēsis* as moral witness, prior to what he calls "the great semantic shift" when *syneidēsis* becomes judge and not merely witness. Cf. *ibid.*, 184, 192.

⁴⁹ *Ibid.*, 188.

⁵⁰ *Ibid.*, 190.

analysis serves to give much insight into pre- and early Christian usage, Grisez hits the nail on the head when he says that “some aspects of Pierce’s treatment need to be amended.”⁵¹

Having acknowledged the need for caution in forming conclusions about pre-Christian Greek usage, we can at least say that up to that point the word *syneidēsis* is almost always related to bad past actions, and most of the attention was given to its role in drawing attention to the wrongdoing by means of eliciting painful or guilty feelings,⁵² though this did not completely exclude some limited understanding of *syneidēsis* also as an act of judgement concerning the wrongful deed. Although the varied use of *syneidēsis* has been noted earlier, there is a danger that in the desire to present a clear picture of the Greek background, we might forget the gently evolving state of the word, which was far from linear in its progression. As a result, I am somewhat wary of Pierce’s confidence that *syneidēsis* was simply absorbed into the Christian context with little struggle or change,⁵³ and would side with Maurer in acknowledging the major contribution of Christianity to the development of the word.⁵⁴

⁵¹ Germain Grisez, *The Way of the Lord Jesus*, vol. 1, *Christian Moral Principles* (Chicago: Franciscan Herald Press, 1983), 94, n.6.

⁵² As pain in some form was the experience of people with *syneidēsis*, the general norm for the Greeks was to describe pleasure or well-being in terms of an *absence* of *syneidēsis*. Therefore, once again there is an indication that the role of conscience in deliberating future action did not form part of the Greek notion up to the time of the New Testament. Divine admonition concerning future action is, however, present in the Socratic term *daimonion*. This may have contributed to the concept of antecedent conscience, which was fully developed much later. See Maurer, *TDNT*, 905.

⁵³ Piero Rossano also thinks that the word was transferred wholly and unchanged (“in blocco”) into the realm of New Testament ethics. Rossano, “Morale Ellenistica e Morale Paolina,” 179.

⁵⁴ Maurer, *TDNT*, 907.

3. *Conscience in the Writing of Saint Paul*

With this brief history of the elements of its early use, we can now investigate the understanding of *syneidēsis* in Scripture. If we look at St Paul first, we can identify a number of characteristics to his usage which show that he is not simply rehearsing the common profane understanding up to that point. Firstly, Pauline use cannot be reduced merely to self-awareness, but rather primarily it denotes critical reflection upon oneself, particularly of a moral nature.⁵⁵ For example, Paul refers to the judgement of his conscience when affirming his evaluation of how decently he has treated people (2 Cor 1:12). Paul describes this locus of reflection and assessment almost as if *syneidēsis* is a second ego that submits the first personal ego to critical judgement.⁵⁶ This indicates that Paul trusts that conscience has a certain objectivity and neutrality.⁵⁷ That is not to say that he is unaware that conflicts of conscience can arise, as we shall see. Nevertheless, Paul's description of *syneidēsis* presents it as a benchmark for reliable judgement. If this were not the case, there would be no point in making an appeal to it in his defence.

⁵⁵ Alvarez, *Caminar en el Espíritu*, 196-204. In his assessment of Paul, Maurer would downplay the religious or moral nature of *syneidēsis* in Paul, reducing it to a "percipient and active self-awareness." However, such a conclusion is itself contradictory, given that Maurer has already concluded, contrary to Pierce, that "at all events [Paul] means something more comprehensive than a subsequent bad conscience." A subsequent bad conscience responds to wrongdoing of the past. If Paul's notion is more comprehensive than this, it must also be on a moral level, for to be defined purely as self-awareness would surely be a complete redefinition, in non-moral terms, rather than expansion of the notion as presented by Pierce. See Maurer, *TDNT*, 914. Alvarez sees *syneidēsis* in Paul as combining critical awareness on both a noetic and pragmatic level, thus combining the two branches of the term's meaning. Spicq would consider it to be purely moral. Cf. *Caminar en el Espíritu*, 196-97; Spicq, "La conscience," 76. Horsley follows Maurer in translating *syneidēsis* in Paul as 'consciousness'. Yet, he then proceeds to use this word in a moral manner, rather than only as pure perception. I would suggest that Horsley's translation is based upon a fear that 'conscience' might immediately be misunderstood as exclusively *conscientia antecedens*. However, if the nature of Paul's moral use of *syneidēsis* were to be fully and clearly explained, I think this fear would be unfounded. Horsley also thinks that Paul encounters the word *syneidēsis* in Corinth for the first time. Alvarez states that the fact that Paul first uses *syneidēsis* in writing to the Corinthians is insufficient reason to suggest that he did not know it beforehand. Cf. Richard A. Horsley, "Consciousness and Freedom among the Corinthians: 1 Corinthians 8-10," *Catholic Biblical Quarterly* 11 (1978): 574-89; Alvarez, *Caminar en el Espíritu*, 195.

⁵⁶ Cf. *Ibid.*, 199; Maurer, *TDNT* 900.

⁵⁷ Alvarez, *Caminar en el Espíritu*, 197-98. Schrage uses the term "independent" rather than neutral. See Schrage, *The Ethics of the New Testament*, 195.

The second characteristic we can observe in the writings of Paul is that *syneidēsis* is capable of judging not only our own actions, but also those of others.⁵⁸ Throughout the Second Letter to the Corinthians, Paul is trying to convince the church community, sometimes with great emotion, that he is a credible witness to our Lord and to the message of salvation, and therefore should be listened to.⁵⁹ He hopes that the community are able to recognise his sincerity, and that there is no deceit in what he says. Aware that the Lord will judge him for the quality of his actions (2 Cor 5:10), Paul carries out his mission of reconciliation in “fear of the Lord” (2 Cor 5:11).⁶⁰ Lambrecht observes that just as Paul understands himself as an “open book” to God, so he hopes that he and his letter are equally transparent to the Corinthians,⁶¹ and he considers the community capable of judging his integrity through their consciences. This is therefore an appeal to the perception and moral judgement of a conscience other than his own, showing that Paul understands *syneidēsis* as not simply a personal critical instance, but one that is capable of judging the actions of others.

Paul also considers every individual to be endowed with *syneidēsis*.⁶² He refers his preaching of the truth of the Gospel to the judgement of the conscience of everyone (2 Cor 4:2).⁶³ He also uses conscience as a motive to exhort the obedience of every person to governing authorities (Rom 13:1.5) Here the text does not talk of

⁵⁸ Alvarez, *Caminar en el Espíritu*, 204.

⁵⁹ Cf. Jan Lambrecht, *Second Corinthians*, Sacra Pagina, vol. 8 (Collegeville, MN: Michael Glazier and Liturgical Press, 1999), 1-7, 35, 92.

⁶⁰ NB: In this dissertation all biblical quotations made in English are taken from the *New Revised Standard Version*, 1989 ed., unless specified otherwise. However, in cases where I have translated a passage by a writer which contains a biblical quotation, I have translated the biblical citation on the basis of what is contained in the passage, rather than substituting it for an English edition.

⁶¹ Lambrecht, *Second Corinthians*, 92.

⁶² Alvarez, *Caminar en el Espíritu*, 204-205; Martin Dibelius and Hans Conzelmann, *The Pastoral Epistles*, trans. Philip Buttolph and Adela Yarbro, ed. Helmut Koester (Philadelphia: Fortress Press, 1972), 19: “In Paul (Rom 2:15) conscience appears as a general human phenomenon.”

⁶³ Note, however, that here he offers a further qualification to the capacity of an individual’s conscience to judge rightly. He says “*pros pasan syneidēsin anthrōpōn enōpion tou Theou*” – literally ‘every conscience of men before God, or in the sight of God.’ Clearly, Paul considers the relationship of the person to God as having a bearing on right judgement.

every conscience, as in the previous passage, but attests to the universal nature of *syneidēsis* in reverse, by talking of every person (*pasa psychē*) and appealing to their conscience for compliance (*dia tēn syneidēsin*). He also alludes to universality when comparing Jews to Gentiles in their compliance to God's law, stating that the Gentiles have their conscience to bear witness to the law written in their hearts (Rom 2:14-15).

A fourth element of the Pauline understanding is his distinction between the judgement of God and the judgement of *syneidēsis*. He marks a clear difference between the two, although, as commented on earlier, Paul considers the human action to be realised before God (cf. 2 Cor 4:2).⁶⁴ The Apostle's eschatological understanding of God's judgement provides the background to the historical function of conscience.⁶⁵ Thus, while maintaining a link between the two, the non-identification of the judgement of *syneidēsis* with the judgement of God means that conscience does not have the last word. It is therefore a human judgement inasmuch as it can be subject to the possibility of error.⁶⁶ In fact, unlike the later instances of use in the Scriptures, which are concerned directly with the moral quality of the conscience itself, St Paul is more concerned about the capacity and maturity of an individual's conscience. Therefore St Paul does not use the terms *agathē* (good) and *ponēra* (evil) to *syneidēsis*, but frequently applies the adjective *asthenēs* (weak) to describe it. Given its subordination to God and its capacity for error, this shows that Paul understands *syneidēsis* to be neither "autonomous, absolute, [n]or definitive."⁶⁷

⁶⁴ Alvarez, *Caminar en el Espíritu*, 205-206; Schrage, *Ethics of the New Testament*, 195.

⁶⁵ Alvarez, *Caminar en el Espíritu*, 206. Cf. Rom 2:12-16; 1 Cor 4:4-5: "It is the Lord who judges me. Therefore do not pronounce judgment before the time, before the Lord comes, who will bring to light the things now hidden in darkness and will disclose the purposes of the heart."

⁶⁶ Alvarez, *Caminar en el Espíritu*, 206.

⁶⁷ Schrage, *Ethics of the New Testament*, 195. Schrage highlights 1 Cor 4:4 here as an example of the distinction between the judgement of *syneidēsis* and God, since Paul declares here that his conscience could have missed something.

Following on from the idea that human conscience has its limits and is susceptible to error, Paul concentrates some of his correspondence on the matters of the rights of the weak conscience and conflict between consciences.⁶⁸ These issues are explored by Paul in the context of the interface between Christian and pagan custom or interaction, particularly regarding the matter of meat sacrificed to idols. One might imagine that Paul's pharisaic background would lead him to a straightforward and outright refusal to allow any contact with people or articles exposed to idol worship. Indeed, he encourages the Christians of Corinth to flee from anything related to the worship of idols (1 Cor 10:14-21) and in doing so is following Isaiah's injunction to "touch nothing unclean" (2 Cor 6:16-17; Isaiah 52:11). However, Paul is forced to give a fuller answer than this, since the community at Corinth was divided over the matter.

Some Corinthian Christians reasoned that if there is only one God and only one Lord Jesus, then one cannot be harmed by eating anything because the idols are unreal. Others had not fully shaken off the moral impact of their past beliefs (1 Cor 8:7), and so thought they would be contaminated by eating meat sacrificed to idols. As a result their consciences were 'weak' (*asthenēs*) and were susceptible to being "defiled" by those acting freely according to their fuller knowledge of the facts (*gnosis*).⁶⁹ Here, therefore, St Paul shows us that judgements of consciences can differ, even among members of the believing community. Through its careful word-

⁶⁸ Alvarez, *Caminar en el Espíritu*, 207-17.

⁶⁹ Scholars are divided over the identity of the 'weak' Christians in Corinth and Rome. Typically the weak are identified as either Christians with either a Jewish or Gentile background (I would favour the Jewish Christian explanation). For a description of differing views, see Joseph A. Fitzmyer, *Romans*, The Anchor Bible, vol. 33, (New York: Doubleday 1993), 686-88; Raymond F. Collins, *First Corinthians*, Sacra Pagina, vol. 7 (Collegeville, MN: Michael Glazier and Liturgical Press, 1999), 325. More recently, Mark Nanos has proposed that they are Non-Christian Jews, but this has been criticised as implausible by Robert Gagnon. For Nanos's thesis and its rejection, see Robert A. J. Gagnon, "Why the 'Weak' at Rome Cannot be Non-Christian Jews," *Catholic Biblical Quarterly* 62 (2000): 64-82. For the purposes of this thesis, it is, however a moot point, with little effect on the moral implications or the relationship between the weak and the strong of the community.

play, 1 Corinthians 8 also criticises any form of Gnostic superiority, indicating that acting without charitable concern for others is the true weakness.⁷⁰ The issue is turned around by Paul, so that what seems to be a legitimate action becomes a sin because of its harm to other people (1Cor 8:12; cf. Rom 14: 16-17). Thus, Paul strikes out against the violation of another person's conscience, showing that the guiding principle to our activity is to be charity, and not cold reason.

While charity (*agapē*) is proposed as the criterion for resolution of conflict, nevertheless occasions will arise where it is harder to find a solution. As a result, in 1 Corinthians 10, Paul offers an analysis of particular thorny issues, such as eating meat from common butchers (v. 25), accepting an invitation to eat with a Gentile friend (v. 27), and what to do if at the meal one is informed that the meat has in fact been sacrificed to idols (v. 28), so that in all instances other people's conscience should not be wounded through perplexity or scandal. Paul uses this charitable approach for a salvific purpose by making himself weak with the weak and "all things to all people" (1 Cor 9:22). Again the Apostle presents a carefully nuanced explanation by pointing out that although something is lawful, it may still not be appropriate (1Cor 10:23-24). Therefore, our freedom through our knowledge finds its limit through our relation with others, and the love that is due to them.⁷¹ Thus, in Chapter 10 we find brief examples of cases of conscience, where, as well as pointing to occasions of consequent moral reflection, Paul is introducing the idea that *syneidēsis* is involved in the act of moral deliberation and judgement, prior to the moral act itself (for example, thinking and judging before buying the meat from the local market).⁷² Therefore, there may be some signs of the development of *conscientia antecedens*, but it is

⁷⁰ 1 Cor 8:9: "But take care that this liberty of yours does not somehow become a stumbling block to the weak." 1 Cor 8:11: "So by your knowledge those weak believers for whom Christ died are destroyed."

⁷¹ Schrage, *Ethics of the New Testament*, 213-14.

⁷² Hogan, *Confronting the Truth*, 53-54.

probably inappropriate to claim that this is a fully developed concept in Paul's writings.⁷³ Indeed Schrage points out that "Paul sees the function of conscience as more evaluative than directive and normative, even though it may precede the act." Thus at this point conscience still holds more the role of "critical authority" rather than "guiding authority".⁷⁴

Paul's analysis of these cases of conscience should not be taken as an exhaustive thesis or a complete model, but it is clear that, for him, charitable concern for others and responsibility for one's actions are key fundamentals to reaching a decision. Conflict of consciences is not to be an occasion for people to despise one another (Rom 14:3), and one must always recognise that ultimately the only judgement that counts is God's (Rom 14:4).

From this we can summarise that in the writings of Paul *syneidēsis* has the characteristics of being an instance of critical reflection on oneself and on the actions of others, which is found in all people. It is a human capacity which, though related to God's presence is not without the possibility of error or conflict with another person, and so should not be considered as the ultimate judge of our actions, since this is, in fact, God. Therefore, it is clear from these various points that Pauline usage should not simply be equated with the former profane notion, which focused on past bad actions. Equally, it is evident from the content of the texts that the critical reflection and deliberation of *syneidēsis* for Paul cannot be reduced to an experience of pain. Indeed, such a description is absent from his letters.⁷⁵ Thus, Paul's writing presents a

⁷³ Indeed Maurer points to the Latin philosophers as the major cause for the shift to *conscientia antecedens* as the norm. See *TDNT*, 907.

⁷⁴ Schrage, *Ethics of the New Testament*, 195.

⁷⁵ The nearest Paul gets to the idea of pain is the description of wounding someone's conscience through scandal in 1 Cor 8:10. This is quite a different notion from that of the pain of a guilty conscience.

definitive step in the development of the notion of conscience, upon which later writers would depend.⁷⁶

4. Jewish and Hellenistic Influences on the Notion of Syneidēsis

Before briefly looking at later New Testament usage, one should stop to ask whether Jewish anthropology had any role in shaping the use of *syneidēsis* by Paul and subsequent Christian writers. As I commented earlier, there is no direct equivalent to *syneidēsis* in Hebrew. This is probably due to the different framework found in Jewish anthropology. Rather than attention being focused upon the application of general norms to concrete situations as in Greek understanding, attention is centred upon conformity of the individual's conduct to the Law.⁷⁷ This attitude is widespread in the Old Testament, but is summed up well by Psalm 118 [119]. Rather than taking the typical Hebrew poetic form, this huge psalm constitutes an "anthology" of aphorisms concerning observance of the law. Here it will suffice to quote one verse to give an idea of the tenor of the psalm:

Give me understanding,
that I may keep your law
and observe it with my whole heart." (v. 34)

However, despite the differences in anthropology, it could hardly be said that Jewish observance was purely mechanical, as if it were done without reflection, and so we do find terms in Jewish anthropology which relate to personal awareness and decision. Among these words, we find the key term 'heart' (*leb*). The heart, according

⁷⁶ Maurer observes that "with few exceptions" there had "never been anything like this before in literature," thus indicating Paul's significant development. Spicq agrees, commenting that "none of these texts, even those of Seneca, approach St. Paul's in density and precision." However, others would argue that one must not over-exaggerate the import of the texts, given much later developments. I would suggest that both sides can be accommodated by acknowledging St Paul's understanding as a major step in an ongoing history of conscience. Thus, just as Paul's understanding cannot be reduced to the pre-Christian notion, neither can later writings be fully defined by Paul's use. Cf. Maurer, *TDNT*, 917; Spicq, "Syneidēsis," 335; Römelt, *La Coscienza*, 47-48, including n. 87.

⁷⁷ Alvarez, *Caminar en el Espíritu*, 192: "El sujeto, considerado como un todo, debía simplemente velar por la conformidad fáctica conducta-ley."

to the Hebrew mindset clearly has a broader metaphorical remit than the emotional concept prevalent nowadays, and so beyond emotions, the heart comes to represent “all that is within” a person, including memory, mind and awareness,⁷⁸ thereby also incorporating judgement of one’s actions. While the Greeks saw *syneidēsis* as the locus for critical awareness or judgement, reacting painfully to the wrongdoing, in the Hebrew world the heart, as “the seat of intelligence and decision making,”⁷⁹ is affected by sin and guilt due to its personal relationship with God through his covenant.⁸⁰ This understanding is clearly summed up in Psalm 50 [51], as an awareness of wrongdoing, the burden of sin on the heart and the desire to regain purity and joy of spirit are all in evidence in its verses:

Have mercy on me O God,
according to your steadfast love;
according to your abundant mercy
blot out my transgressions.
Wash me thoroughly from my iniquity,
and cleanse me from my sin. (vv.1-2)

Create in me a clean heart, O God,
and put a new and right spirit within me.
Do not cast me away from your presence,
and do not take your holy spirit from me.
Restore to me the joy of your salvation
and sustain in me a willing spirit. (vv. 10-12)

⁷⁸ Jean de Fraine and Albert Vanhoye, “Heart,” trans. W. Jared Wicks, in *Dictionary of Biblical Theology* ed. Xavier Léon-Dufour, trans. under the direction of Joseph Cahill, (London, Dublin, and Melbourne: Geoffrey Chapman, 1967), 200-202. Deidun describes the Hebrew notion of heart as “the core of the moral and religious personality and the locus of God’s interior communication with man.” See T.J. Deidun, *New Covenant Morality in Paul*, *Analecta Biblica*, no. 89 (Rome: Biblical Institute Press, 1981), 53. Delhaye observes five main aspects to the moral understanding of heart in Scripture as (1) a witness to the moral value of acts, (2) the place where the divine law is interiorised, (3) the source of moral life, (4) being involved in our understanding of moral value and (5) the focus of conversion to God. See Delhaye, *The Christian Conscience*, 51-58.

⁷⁹ Helen Costigane, “A History of the Western Idea of Conscience,” in *Conscience in World Religions*, ed. Jayne Hoose (Leominster: Gracewing; Notre Dame, IN: University of Notre Dame Press, 1999), 3-20, at 6.

⁸⁰ Unlike in the ancient Greek world, where guilt had a cosmocentric focus, for the Hebrew the issue is one of remaining faithful to or falling short of God’s will or command. See Römelt, *La Coscienza*, 30-31; Kennedy, *Doers of the Word*, I, 176.

Therefore, although the term *leb* is not identical to *syneidēsis*, given the different anthropological background and its broader significance, nevertheless, one can discern areas of convergence which allowed some notions related to *leb* to be translated in the Hellenistic period as *syneidēsis*. For example, in Job 27:6 we find “my heart does not reproach me for any of my days,” and in the Septuagint *lebab* is translated as “*synoida emautō*”. *Syneidēsis* also appears in a few texts of Greek sapiential literature, namely the Codex Sinaiticus variant of Sirach 42:8, Ecclesiastes 10:20 (a mistranslation of the Hebrew) and Wisdom 17:10 (clearly referring to a guilty conscience),⁸¹ and also in the Pseudepigrapha of the late Jewish writings. The existence of a cross-over of ideas and translation is thus considered by Alvarez to be evidence of a “progressive rapprochement” between Jewish and Greek thought.⁸² The meeting of mindsets also affected associated ideas, such as ‘good’, ‘clean’ and ‘pure’, which are applied in texts to both *leb* (as *kardia*),⁸³ and *syneidēsis*.⁸⁴ Maurer also sees the application of positive adjectives like good, clean, pure to *leb* as influencing the development of “a concept hitherto unknown in the Greek world, that of a good conscience, which also includes the *conscientia praecurrens*.”⁸⁵

Given St Paul’s history of being a Christian with a Hellenistic, Jewish background, it should come as no surprise if his background would colour his language and presentation of the Christian message.⁸⁶ Thus, given the interplay

⁸¹ Cf. Spicq, “*Syneidēsis*,” 332; Maurer, *TDNT*, 909; Marvin H. Pope, *Job*, The Anchor Bible, vol. 15 (Garden City, New York: Doubleday 1965), 172.

⁸² Maurer, *TDNT*, 910, Alvarez, *Caminar en el Espíritu*, 193: “Esta progresiva aproximación entre el pensamiento judaico y el griego se acentuará en los escritos tardíos, como el *Testamento de los XII Patriarcas*, donde se hace mención explícita del dinamismo ‘acusador’ que funciona en el interior del hombre, atribuyéndolo sea al corazón (*Test Gad* 5,3), sea explícitamente a la *syneidēsis* (*Test Rub* 4,3).”

⁸³ For example, the Septuagint translates *lebab tōb* in Deut 28:47 as *agathē kardia*, which shifts the Hebrew understanding of a glad heart to that of a morally good heart. Cf. Maurer, *TDNT*, 909-10; Alvarez, *Caminar en el Espíritu*, 193, n. 15.

⁸⁴ *Ibid.*, 193. We shall also see application of these adjectives in post-Pauline texts.

⁸⁵ Maurer, *TDNT*, 910.

⁸⁶ Alvarez, *Caminar en el Espíritu*, 193-94.

between *leb* and *syneidēsis* already present before Paul's time it would be sensible to infer that some of the meaning of *leb* forms part of Paul's understanding or use of *syneidēsis*, and also constitutes a basis for Paul's development of the pre-Christian notion. The application of qualitative words to *syneidēsis* comes after Paul, but it may be that the mindset of the human heart relating to God's law influences Paul's understanding of conscience. As noted earlier, the profane notion of *syneidēsis* frequently related to the law of cosmic order. However, St Paul's notion of an underlying law to human nature may have also included the idea of "a law known to all men which was initially communicated by the Hebrew God, and which entailed a notion of a non-particular covenant between Him and the entire human race."⁸⁷ Paul's fullest description of the universal law, which also shows the close proximity of *syneidēsis* and *kardia* is Romans 2:15-16, where Paul refers to the Gentiles:

They show that what the law requires is written on their hearts, to which their own conscience also bears witness; and their conflicting thoughts will accuse or perhaps excuse them on the day when, according to my gospel, God, through Jesus Christ, will judge the secret thoughts of all.

I have included verse 16 in this quotation, as it gives a fuller context to the understanding of heart and conscience in Paul. If the first half of verse 15 is presented in isolation, it can misrepresent Paul as having a notion of humanity which should have no difficulty in working out God's will, since it is written on the heart and testified to by the conscience. However, he continues the sentence by describing the human situation of conflict, where hearts hardened by sin will be accused, but

⁸⁷ David Greenwood, "Saint Paul and Natural Law," *Biblical Theology Bulletin* 1(1971): 262-279, at 266. Greenwood's argument is that, for Paul, acting morally is not just based on nature, but on divine general revelation (as well as particular), and so Paul is not simply replicating the Stoic motto *sequi naturam*. He refers to the Rabbinic literature commenting on the Noachic covenant indicating a tradition of a deep and lasting bond between God and all people in existence prior to the more exclusive Sinaitic covenant made with Moses and the chosen people. See pages 267-69. For the opposite view, see Dibelius and Conzelmann, *The Pastoral Epistles*, 19.

confused minds may be excused on the day of judgement. Thus, once again, as in the case of his advice regarding food sacrificed to idols, we find Paul giving a carefully constructed argument, which both exhorts to holiness, but also admits the possibility of human perplexity in moral matters.

Paul therefore believes that God has revealed his will not only to the Jews but to all nations, through a law whose requirements are written in the heart (*ergon tou nomou grapton en tais kardiais*, Rom 2:15).⁸⁸ In this passage we see *syneidēsis* operating in relation to *kardia*,⁸⁹ and so I would suggest that, to a certain extent, Paul's understanding of *syneidēsis* is clearly influenced by *leb*.

Since words never stand in isolation, in addition to the connection of *leb* to *syneidēsis*, one should also acknowledge the relationship of *syneidēsis*, through *leb*, to concepts such as truth, justice and integrity (e.g. Ps 7:8-10; 43:3; 101; 119:36). The particular understanding of these terms will, in turn, colour the understanding of *syneidēsis*. This implies that the notion of *syneidēsis* will always incorporate and reflect a particular world view. Thus, as well as offering ideas surrounding the word *leb*, the biblical works of Sapiential literature also offer a particular world-view, which would have also left its mark on Christian understanding of *syneidēsis*. This

⁸⁸ Deidun points out that in his writings on God's influence on the heart, St Paul is following the prophetic tradition exemplified by the Jeremiah and Ezekiel texts which refer to God's people following his law from their hearts (Cf. Ezek 36:26-27; Jer 31:31-34). The novelty in these texts is not simply the interiorisation of God's law, but the fact that God himself will intervene. In the same vein, Paul talks of the law written on the heart and also God himself teaching the people (1 Thess 4:10). This shows that in Paul's theology the ethical role of the Holy Spirit takes far greater prominence than the prophetic and charismatic dimensions of the Spirit associated with Old Testament passages such as Joel 3:1-5. We shall return to the role of the Holy Spirit in moral action later. Cf. Deidun, *New Covenant Morality*, 54. See Pietro Dacquino, "La Vita Morale e lo Spirito secondo S. Paolo," in *Fondamenti Biblici della Teologia Morale: Atti Della XXII Settimana Biblica*, ed. Associazione Biblica Italiana (Brescia: Paideia, 1973), 357-73 at 365-66.

⁸⁹ This relationship of conscience and heart remains in the patristic period. For example St Augustine talks of *conscientia cordis*. See *In Joannis Evangelium*, in *Patrologiae Cursus Completus (Series Latina)*, gen. ed. J.-P. Migne (Paris, n.p., 1844-1855) [hereafter cited as PL], 35, 1643, 4: (related to drinking the water of life) "Venter interioris hominis conscientia cordis est." Delhaye points out that both physical and ethical awareness continue to be expressed through *syneidēsis* in the writings of the Church Fathers. Cf. Delhaye, *The Christian Conscience*, 69.

Weltanschauung was deeply imbued with an understanding of the world not as neutral experience, but as something that is “very good” (cf. Gen 1:31), since it is created by God.⁹⁰ It is through this experience of creation that God is understood as revealing his will to the individual,⁹¹ and the efforts to attune oneself to that will is considered to be true wisdom.⁹² In this context, therefore, *leb* also acts as the “listening heart” which is able to sense the meaning of the world.⁹³ This idea of an openness to meaning and to order as designed by God may well have contributed to the background to Paul’s use of *syneidēsis*. The extent to which the Sapiential tradition influenced Paul’s notion of *syneidēsis* would be hard to determine with any degree of certainty. Nonetheless, it would be difficult to exclude all influence of this tradition from his thought.

5. Later New Testament Usage

We pass now to the later usage of *syneidēsis* in the New Testament. My comments here will be brief, since the additions or alterations to the Pauline understanding are few, though still significant. The obvious difference between St Paul’s use and the later appearances of *syneidēsis* is that, by and large, conscience is now characterised by its attributes,⁹⁴ nearly all of which are positive. A number of the passages refer to

⁹⁰ Gerhard von Rad, *Wisdom in Israel*, trans. James D. Martin (London: SCM Press, 1972), 298-99.

⁹¹ *Ibid.*, 175. Von Rad notes a shift in emphasis from Israel to the individual as the addressee of revelation.

⁹² *Ibid.*, 296. Talking of King Solomon’s prayer (1 Kings 3:9), von Rad points out that Solomon, as the exemplar of the wise man, sums up the Sapiential attitude in his desire for “an ‘understanding’ reason, a feeling for the truth which emanates from the world and addresses man.” With this attitude of a “listening heart”, the wise person was “totally receptive to that truth,” but not in passivity, but rather in intense activity, so as to achieve “prudent articulation” of that truth. See *ibid.*, 296. Note the NRSV translation of Solomon’s request for an “understanding mind” obscures the reference to heart.

⁹³ Von Rad indicates that the notion of a listening heart “seems to come originally from Egyptian wisdom,” in which the heart was understood as the organ by which man is able to take in the meaning and order of the world. See *ibid.*, 297, n.12

⁹⁴ The two exceptions are Heb 10:2 and 1 Pet 2:19, where both passages employ the term without adjective to refer to a consciousness of sin and to an awareness of God respectively.

“a good conscience” (*agathē*: 1Tim 1:5; 19; 1 Pet 3:16, 21, and *kalē*: Heb 13:18), or a “clear conscience” (*kathara*: literally clean, 1 Tim 3:9; 2 Tim 1:3; Acts 23:1), with others using “blameless” (*aproskopos*: Acts 24:16), or describing the need to purify or perfect our conscience (Heb 9:9,14). A smaller portion of the texts refer to damaged or corrupted conscience (1 Tim 4:2, “branded” by deceiving spirits; Titus 1:15) or an evil conscience (*ponēra*: Heb 10:22). Thus, in comparison to the profane Greek notion, the focus has shifted completely, and the good or clear conscience (linked to our relationship with God) is now the norm rather than the exception.⁹⁵ As such “the good conscience reflects an actual state of affairs with God, not just a lack of guilty feelings.”⁹⁶ A number of the passages express a much stronger connection to belief in the tenets of the faith, and in some instances continue to relate the state of the conscience to the state of the heart.⁹⁷ These positive descriptions therefore indicate a concentration on fidelity to God and integrity of life, rather than on guilt or perplexity.⁹⁸ As a result, in many of the post-Pauline texts the notion “good conscience” is an expression which relates to “Christian good citizenship,”⁹⁹ as well as accentuating the ecclesial dimension of an individual’s conscience. Thus, the contribution of these later New Testament texts is to further emphasise the positive role of *syneidēsis* in the context of the Christian faith.

⁹⁵ Maurer, *TDNT*, 919.

⁹⁶ Dan G. McCartney, “Conscience,” in *Dictionary of the Later New Testament and its Developments*, ed. Ralph P. Martin and Peter H. Davids (Downers Grove, IL, and Leicester: InterVarsity Press, 1997), 241-43, at 242.

⁹⁷ For a positive example, oft-quoted by St Augustine, see 1 Tim 1:5: “a pure heart, a good conscience and sincere faith” or in 1 Tim 3:9 “hold fast to the mystery of the faith with a clear conscience.” A negative example referring to Baptism is found in Hebrews: “our hearts sprinkled clean from an evil conscience.”

⁹⁸ Alvarez, *Caminar en el Espíritu*, 220-21.

⁹⁹ Dibelius and Conzelmann, *The Pastoral Epistles*, 20.

6. Conclusions

This overview of classical and scriptural use of the term *syneidēsis* has revealed certain key elements which define how the term was understood. It is clear that the term came to mean far more than at its origins. Even in classical writing it moved away from being simply a term to describe consciousness or awareness of our surroundings and focused on chosen human action. *Syneidēsis* came to be solely understood in moral terms, at first almost exclusively relating reflexively to one's past actions, where one had done wrong. *Syneidēsis* as a notion summed up the experience of the gnawing pain of guilt. However, this witness to wrongdoing was also understood in time to be the judge and guide of the individual, through the influence of other terms such as *elenchos* and *daimonion*, though application of these ideas to *syneidēsis* took much longer to develop. St Paul further adapted the term by placing it in relation to God. Thus, *syneidēsis* came to be understood as a capacity of moral awareness, that operates in acts of critical judgement with a certain degree of objectivity. Here *syneidēsis* is considered as judging not only one's own actions, but also those of others, and is a capacity with which all people are endowed. The acts of judgement described by Paul relate mostly to past actions, but also include some moral deliberation of future action. The objectivity of *syneidēsis* relates to its role in mediating the natural and divine law. As such, *syneidēsis* does not operate from its own authority, but acts in service of the living God. Nevertheless, *syneidēsis* is a flawed, human capacity for moral judgement, guilt and approbation which is imperfect in its operation. Therefore, *syneidēsis* is not the last word in judging our actions; we are ultimately subject to God's judgement in all its righteousness and mercy. The later New Testament writings emphasise the positive role of *syneidēsis*, particularly on the basis of a right relationship with God and with the community of

faith. Here we can see the role of *syneidēsis* expanding and developing so that the classical emphasis on conscience as the seat of remorse over bad actions of the past is clearly secondary to the idea of keeping one's conscience pure in the present, as a means of striving to live the Christian vocation.

We have observed that the development of *syneidēsis* in its usage resulted from the influences of different schools of philosophy on the popular language of the time, as well as drawing upon elements of Jewish and Christian anthropology and theology in its Christian form. The comments made in this overview have been offered in an attempt to arrive at a description of the constitutive elements of the understanding and use of *syneidēsis* in New Testament times. This description has, understandably, focused upon passages containing the term. However, the fact that the passages containing *syneidēsis* only contain references to a certain number of themes should not imply that no connection to any other idea was ever made or presumed; nor, indeed, should the lack of a direct connection limit current theological reflection on relating *syneidēsis* to different biblical themes. In other words, just as the Sapiential literature provides a backdrop for the understanding of *leb*, so the whole of the Christian message made up of the Old and New Covenants, provides a background to the fuller understanding of *syneidēsis*. In this way, for example, it is therefore legitimate and helpful to understand conscience in relation to humanity being made in image and likeness of God (Gen 1:27), and to the themes of the light of truth and the light of Christ (Ps 43:3; Is 2:5; Eph 5:9; Jn 1:9-13, 12:36), seen as interpretive keys to an understanding of the being and action of the human person, as well as to an understanding of the human capacity for growth in wisdom and grace. We shall return to some of these ideas in later chapters, but, in the meantime, mention of such examples should indicate that the Scriptures provide a rich source for

continued reflection upon the reality of conscience in the light of the Christian calling. We can see evidence of this continued reflection stimulated by Scripture throughout the history of the Church. Probably one of the most fertile periods of analysis of conscience, with its marriage of Scripture with philosophy and the writings of the Church Fathers, was that of the Middle Ages, and so it is appropriate that we turn our attention now to exploring the detailed analysis of that period.

Chapter Three

Medieval Investigations on Conscience

1. Patristic Sources and Medieval Application

It is, without doubt, essential to any study of the history of conscience that considerable attention be paid to the contribution of the Scholastic Period, since the writers of this era were both the first to present a detailed analysis of the concept within the Christian context, and also to provide the standard point of reference for centuries afterwards. However, the key text at the root of medieval advances was, in fact, from the Patristic period, namely, a passage from St Jerome's *Commentary on Ezekiel*,¹ in which he presents the various interpretations of the prophet's vision of the four living creatures (Ezek 1:4-24). Although Jerome's text referred to *conscientia*, it was of little interest to scholars for nine centuries.² St Jerome's renewed popularity in the twelfth century is due to Peter Lombard's reference to the passage in his *Sentences*,³ a work which subsequently came to be the standard theological textbook for Scholastics until the sixteenth century.⁴ Even Peter Lombard's passing reference was enough to oblige further investigation by consulting the *Glossa Ordinaria*, and so this gave rise to the widespread study of a copyist's error, which had substituted

¹ Delhaye, *The Christian Conscience*, 107: "When men of the Middle Ages spoke of *synderesis*, they were referring essentially to the text from St. Jerome's commentary on Ezekiel." See, St Jerome, *Commentaria in Ezechielem*, PL 25, 22.

² Crowe, "*Synderesis* and the Early Scholastics," 152: "Of the commentators on Ezechiel between the end of the fourth century, when Jerome wrote, and the last third of the twelfth century only Hrbanus [Rabanus] Maurus seems to have preserved an echo of Jerome. Writing in 842, he quotes, with one insignificant omission and without comment, the passage concerning *synderesis*. Others give entirely different explanations of Ezechiel's vision and make no reference at all to *synderesis* (or *synteresis*)." Cf. Rabanus Maurus, *Commentaria in Ezechielem*, I, PL 110, 508C.

³ Peter Lombard, *Sententiae in IV Libris Distinctae* (Grottaferrata, Rome: Saint Bonaventure College, 1971), II, dist. 39, cap. 3,3: "Recte igitur dicitur homo naturaliter velle bonum, quia in bona et recta voluntate conditus est. Superior enim scintilla rationis, quae etiam, *ut ait Hieronymus, in Cain non potuit exstingui*, bonum semper vult et malum odit" (emphasis mine).

⁴ M.B. Crowe, "The Term *Synderesis* and the Scholastics, II: St. Thomas and *Synderesis*," *Irish Theological Quarterly* 23 (1956): 228-245, at 245.

syneidēsis for *synderesis* at an unknown point in the history of Jerome's text. Thus, the key portions of the text studied and quoted by many Scholastics ran as follows:

Most [authors], in accordance with Plato, relate the rational, irascible and the concupiscible [elements] of the soul [...] to the man, and the lion and the ox [...]. Above and beyond these three they place the fourth, which the Greeks call *synderesis*: that spark of conscience which was not extinguished even in Cain, just as [by which], when overcome by pleasures or by rage, and sometimes when having been deceived by reason itself, we likewise feel our sinfulness. [It is this] which they properly consider as the eagle, who does not mix with the [other] three, but corrects their errors. This is the spirit who intercedes for us with indescribable groanings. [...] Yet, as it is said in Proverbs, 'When the wicked man has come to the depths of sin, he acts in contempt', often we see this conscience being cast down and losing its place.⁵

By chance, this substitution had found its way into the *Glossa Ordinaria*, which was a twelfth century biblical commentary, long held to be the work of Walfrid Strabo, but which was actually compiled by various authors under the leadership of Anselm of Laon.⁶ The *Glossa* had rapidly become an authoritative text, and so soon the inaccurate passage of Jerome located in its pages became not only widespread, but

⁵ [Walfrid Strabo], *Biblia Latina cum Glossa Ordinaria: Facsimile Reprint of the Editio Princeps Adolph Rusch of Strassburg 1480/81*, vol. 3 (Turnholt, Belgium: Brepols, 1992), page 224: "plerique iuxta platonem rationabilitatem animae et irascentiam et concupiscentiam [...] ad hominem et leonem et vitulum referunt [...]. Quartam supra haec et extra haec tria ponunt quam greci vocant *synderesim* quae scintilla conscientie in chaim quoque non extinguitur quasi [*qua* in Jerome] victi voluptatibus vel furore et ipsa interdum rationis decepti similitudine nos peccare saentimus quam proprie aquile deputant non se miscentem tribus· sed ipsa errantia corrigentem hic est spiritus qui interpellat pro nobis gemitibus inerrabilibus. [...] hanc tamen conscientiam sicut in prouerbiis dicitur. Impius cum venerit in profundum peccati contemnit· sepe praecipitari videmus et suum locum amittere" (spelling and punctuation as in original). See also [Walfrid Strabo], *Biblia Sacra cum Glossa Ordinaria, primum quidem a Strabo Fuldensi Monacho Benedictino collecta*, vol. 4 (Antwerp: Joannes Meursius, 1634), col. 1062-63; Alexander of Hales, *Glossa in Quatuor Libros Sententiarum Petri Lombardi* (Quaracchi, Florence: Saint Bonaventure College, 1952), II, dist. 40, I, a, n.1; Delhaye, *The Christian Conscience*, 107, with Latin text at 107, n. 10; Alexander of Hales, *Summa Theologica* (Quaracchi, Florence: Saint Bonaventure College, 1928), II, Inq. 4, tract. 1, sect. 2, q. 3, tit. 4, memb. 2, cap. 6 (page 500): "Hanc autem conscientiam, cum impius in profundum peccatorum praecipitari", and idem, II, Inq. 4, tract. 1, sect. 2, q. 3, tit. 4, memb. 1, cap. 3 (page 493) for a close variant with reference to St Gregory instead of the direct mention of the *Glossa*. St Bonaventure also makes direct mention of the *Glossa* as his source. See St Bonaventure, *Commentaria in Quatuor Libros Sententiarum Magistri Petri Lombardi*, in *Opera Omnia*, vol. 2 (Quaracchi, Florence: St Bonaventure College, 1885), II, dist. 39, a. 2, q. 1. See Appendix 2 at the end of this chapter for a comparison of the key commentary passages.

⁶ For comment on Anselm of Laon and Strabo's role, see *The Oxford Dictionary of the Christian Church*, 2nd ed., ed. F.L. Cross and E.A. Livingstone, s.v. "Glos(s)a Ordinaria." Cf. Delhaye, *The Christian Conscience*, 107, n. 10; Crowe, "*Synderesis* and the Early Scholastics," 155.

also definitive.⁷ Indeed, if a scribe happened to see a full copy of Jerome's *Commentary*, the tendency "would have been to correct Jerome by the *Glossa*, i.e. substitute *synderesis* for *syneidesis*."⁸ Thus, eventually not only the *Glossa* was corrupted, but subsequent editions of the full *Commentary* by Jerome were also similarly affected, leading to the presumption that the word *synderesis* had been there from the outset; a presumption that only started to be questioned from the late nineteenth century onwards.⁹

The cause for the error is as unknown as the person who committed it,¹⁰ though the mystery has produced different theories. One is a simple misspelling when copying the word in Greek capitals from one text to another, a common event given the lack of knowledge of Greek among the Latin Scholastics.¹¹ Others, owing to the indiscriminate medieval use of *synteresis* as well as *synderesis*, see in the substitution a conscious or unconscious attempt to reflect "the early scholastic idea of a faculty

⁷ Crowe, "Synderesis and the Early Scholastics," 155: "The *Glossa ordinaria* was so widely accepted that it succeeded in giving currency to the false reading of Jerome." Cf. Delhaye, *The Christian Conscience*, 107, n. 10; 109. Lottin also points out that, given the influence of the *Glossa*, medieval scholars made such little reference to the actual *Commentary* of Jerome that some even failed to attribute the extract passage to him, citing it as the work of St Gregory. For example, Philip the Chancellor and Alexander of Hales both do this. See Odon Lottin, *Psychologie et morale au XII^e et XIII^e siècles*, vol. 2, part 1 (Louvain: Abbaye du Mont César; Gembloux: J. Duculot, 1948), 140, n. 1, 147; Alexander of Hales, *Glossa Sententiarum*, II, dist. 40; idem, *Summa Theologica*, II, Inq. 4, tract. 1, sect. 2, q. 3, tit. 4, memb. 1, cap. 1 and 3 (pages 491 and 493).

⁸ Crowe, "Synderesis and the Early Scholastics," 155. Cf. Jacques de Blic, "Syndérèse ou conscience?" *Revue d'Ascétique et de Mystique* 25 (1949): 146-157, at 156.

⁹ Crowe, "Synderesis and the Early Scholastics," 153.

¹⁰ The least plausible explanation, owing to gross inaccuracy in detail, is Timothy O'Connell's account, in which he claims that Jerome made the mistake himself when translating from an unclear Greek manuscript while preparing the first Latin text of the Bible. See O'Connell, "An Understanding of Conscience," 26. De Finance proposes that Rabanus Maurus made the change, when copying Jerome's passage almost in its entirety into his own commentary. However, De Blic proposes that the manuscripts of Rabanus Maurus were later altered, in a similar fashion to those of Jerome, and I would consider this to be more convincing. Cf. Joseph de Finance, *An Ethical Inquiry*, trans. Michael O'Brien (Rome: Editrice Pontificia Università Gregoriana, 1991), 436, n. 2; De Blic, "Syndérèse ou conscience?", 154.

¹¹ Delhaye, *The Christian Conscience*, 109. Indeed, it is not only the Greek that was a problem. Poorly written Latin was also misread, and transcribed into other passages, thus starting other chains of error. One example related to this passage is the Assisi manuscript of Alexander of Hales's *Glossa Sententiarum*, II, dist. 40, 77, which states in medieval Latin "hec est sententia conscientie que in chain non potuit extinguui," instead of 'scintilla conscientiae', as in the original. See Lottin, *Psychologie et morale*, II, 177.

preserved after original sin,” owing to the significance of the word *synterein*, meaning ‘conservation.’¹²

It is clear, however, that the original text of Jerome made no mention of anything other than *syneidēsis* and its Latin counterpart, *conscientia*. A number of reasons are given by scholars to justify this assertion. First of all, is the sense of the passage itself. The context calls for *syneidēsis* rather than *synderesis* (or *synteresis*). Crowe, following De Blic’s detailed study, states that the use of *synteresis* historically “is exceedingly rare,” which would not fit with a description of something that matches the more common term *syneidēsis*, nor indeed correspond to the “*plerique*” at the start of the text, which indicates that the word forms part of an understanding that is followed by many Greek authors.¹³ Jerome also describes *synderesis* as “*hanc ipsam conscientiam*” (this very conscience) towards the end of passage, something which is overlooked in extracts where the quotation is cropped too early. Thus, “between, *suneidesis* and *conscientia*, the equivalence is indeed total, something which dictionaries exclude for *sunteresis*.”¹⁴ However, it is the phrase “*scintilla conscientiae*” (spark of conscience) which supports the confusion, because the notion of a spark implies that *synderesis* is a part of the greater whole known as *conscientia*. De Blic points out that in classical Latin *scintilla* was used to describe the remains of something.¹⁵ Yet, equally, as Lieber notes, *scintilla conscientiae* could also be interpreted as a “metaphorical circumlocution, just as we use ‘reason’ and ‘the light of

¹² Cf. Crowe, “*Synderesis* and the Early Scholastics,” 155; De Finance, *An Ethical Inquiry*, 436. The term ‘conservatio’, has in itself a rich history, given its Latin Stoic roots, and so various explanations can be found as to what *synteresis* is meant to preserve, for example, the principles of natural law, human nature or human reason, with the former being the most common understanding. Potts points out that *syntēreō* can also draw a reflexive force from the *syn-* prefix, thus giving the sense of preserving oneself from wrongdoing. See Timothy C. Potts, *Conscience in Medieval Philosophy* (Cambridge: Cambridge University Press, 1980), 11.

¹³ Cf. Crowe, “*Synderesis* and the Early Scholastics,” 154; De Blic, “*Syndérèse ou conscience?*”, 150.

¹⁴ De Blic, “*Syndérèse ou conscience?*”, 150: “Entre *suneidesis* et *conscientia*, l’équivalence est en effet totale, ce que les dictionnaires excluent pour *sunteresis*.”

¹⁵ *Ibid.*, 148, n. 6.

reason' with equal meaning."¹⁶ Thus, the ambiguity of the text could have been interpreted in either way, but given the influence of the first writers' conclusions on the matter, the distinction between *synderesis* and *conscientia* was set in stone for centuries to come.

A second reason for declaring *synderesis* inauthentic is the background to the text. It is suggested that St Jerome was influenced by Origen in his understanding of Ezekiel.¹⁷ Two passages are significant in this regard. The first, surviving as a translation by St Jerome, presents the eagle as an interior *spiritus praesidens animae*.¹⁸ It is clear that Origen understands this *spiritus (pneuma)* as *syneidēsis*, when his analysis of Ezekiel is compared to his comments on St Paul, in which he asks:

That which the Apostle calls conscience, what might it be? [...] I think it might be the spirit, which is said by the Apostle to be with the soul, [...] as if a kind of guide and ruler is joined to it, that it might instruct it [the soul] about better things, or punish it concerning faults, and accuse it; in which connection the Apostle also said, "No one among men knows that which is of a man, except the man's spirit which is within him (1 Cor 2:11)."¹⁹

¹⁶ Robert Leiber, "Name und Begriff der Synteresis (in der mittelalterlichen Scholastik)," *Philosophisches Jahrbuch* 25 (1912): 372-92, at 380: "'Scintilla conscientiae' bedeutet in der Stelle entweder etwas, was mit 'conscientia' nicht identisch ist, oder es ist nichts als eine bildliche Umschreibung für 'conscientia' – wie ja auch wir 'Vernunft' und 'Licht der Vernunft' in gleichem Sinne gebrauchen." De Blic rejects "the remains of..." as the meaning of the term in this case and clearly sees the expression as equivalent to simply using the word *conscientia* on its own. See "Syndérèse ou conscience?," 150.

¹⁷ Leiber, "Name und Begriff der Synteresis," 378-79; De Blic, "Syndérèse ou conscience?," 150-51; Crowe, "Synderesis and the Early Scholastics," 154-55.

¹⁸ St Jerome, *Translatio Homiliarum Origensis in Jeremiam et Ezechielem: In Ezechielem, Homilia I*, PL 25, 706d-707a, at 707a: "Spiritus vero qui praesidet ad auxiliandum, non est a dextris, ut homo, vel leo: non est a sinistris, ut vitulis; sed super omnes tres facies consistit. Aquila quippe in alio loco nuncupatur, ut per aquilam, spiritum praesidentem significet. Spiritum autem hominis dico, qui in eo est. Cf. De Blic, "Syndérèse ou conscience?," 150-51.

¹⁹ Origen, *Commentarium in Epistolam B. Pauli ad Romanos*, II, in *Patrologiae Cursus Completus (Series Graeca)*, gen. ed. J.-P. Migne (Paris, n.p., 1857-1866) [hereafter cited as PG], 14, 893: "Quid istud sit quod *conscientiam* Apostolus vocat? [...] Arbitror quod ipse sit *spiritus*, qui ab Apostolo esse cum anima dicitur, [...] velut paedagogus ei quidam sociatus, et rector, ut eam de melioribus moneat, vel de culpīs castiget, et arguat; de quo et dicit Apostolus, quia 'nemo scit hominum, quae sunt hominis, nisi *spiritus* hominis qui in ipso est' (1 Cor 2:11)" (emphasis mine). In this passage, the *quia* is being used in an otiose manner and is therefore not translated. This is because it was a convention of the time to use it to signal quotations, as well as to mean 'because'.

Further evidence is given by a passage once attributed to St Gregory Nazianzen, but now considered also to be Origen's.²⁰ This fragment is significant, in that it includes the Greek words for rational, irascible and concupiscible (*logikon*, *thumikon* and *epithumētikon*) listed in Greek in Jerome's passage, but also, more importantly, it contains *syneidēsis* instead of *synderesis*.²¹

Finally, a comparative study of existing manuscripts of the Jerome passage on Ezekiel reveals that, instead of *synderesis*, 26 of them contain *syneidēsis*, or variants of the word owing to poor transcription.²² Therefore, with such a weight of scholarly argument, it is beyond doubt that St Jerome did not use the word *synderesis*, which leaves the introduction of the term *synderesis* into Scholastic teaching as an "accident" of history.²³ Thus, without being aware of the error, through the influence of Peter Lombard and the *Glossa Ordinaria* the corrupted passage of Jerome became "a point of departure" for any subsequent reflection on ethics, and conscience in particular.²⁴ But was the arrival of *synderesis* an aberration, or a helpful clarification? The answer would depend upon whether it shaped the medieval understanding of conscience, or merely facilitated it. De Blic is of the opinion that it is the latter, making the appearance of *synderesis* one of those "happy accidents" of history, since "in helping to delimit the fallible zone and the truly universal zone of moral judgements, the denomination 'synderesis' greatly contributed to the doctrine of conscience of Latin Scholasticism the solidity and precision which it had searched for

²⁰ De Blic, "Syndérèse ou conscience?", 151.

²¹ St Gregory Nazianzen (now attributed to Origen), *Significatio in Ezechielem*, PG 36, 666: "Nomizomen ton anthrōpon einai to logikon; ton leonta, to thumikon; ton moschon, to epithumētikon; ton aeton, tēn syneidēsīn epikeimenēn tois loipois, ho esti pneuma para Paulou legomenon tou anthrōpou."

²² In addition to the evidence of four manuscripts first presented by Friedrich Nietzsche, De Blic finds a further 22, all of which contain *syneidēsis*. For a detailed list including a presentation of how the word appears in each text, see "Syndérèse ou conscience?", 149, 152-53.

²³ Ibid., 157: "En somme, du point de vue de la philologie et de l'histoire doctrinale, l'enseignement scolastique de la *synderesis* est un accident."

²⁴ Eric D'Arcy, *Conscience and its Right to Freedom* (London: Sheed & Ward, 1961), 18.

in vain everywhere else.”²⁵ Therefore, it is often presented as if the discovery of *synderesis* forced Scholasticism to change the understanding of conscience significantly,²⁶ and some would wish to remove the term altogether and replace it with something else.²⁷ However, it is more the case that the unexpected arrival of the new term helped to express what was already held by the Scholastics. So let us now explore how the Scholastics applied the term in their writings.

²⁵ De Blic, “Syndérèse ou conscience?”, 157: “Et nul doute qu’en aidant à délimiter la zone fallible et la zone vraiment universelle des jugements moraux, la dénomination de ‘syndérèse’ n’ait beaucoup contribué à donner à la doctrine de la conscience de la scolastique latine la fermeté et la précision qu’on cherchait en vain partout ailleurs.” Potts would also defend *synderesis* as a useful addition to terminology, regardless of its unusual provenance: “Disagreement with the medieval interpretation of Jerome does not force us, though, to write off the distinction between *synderesis* and conscience as an unfortunate mistake. There would be independent reasons for drawing a distinction within what we simply call ‘conscience’ – never mind the labels for it – and the right question to ask is whether the medieval distinction, in spite of its muddled origin, turned out to be productive. Do the two terms mark a distinction which is essential for understanding and speaking clearly about the notion of conscience? If so, then the original motivation for its introduction need not trouble us further.” See Potts, *Conscience in Medieval Philosophy*, 11.

²⁶ Curran, “Conscience,” 6-7; Hogan, *Confronting the Truth*, 60: “The introduction of this new word, although in error, determined all subsequent discussions of conscience. [...] All subsequent moral theology made this formal distinction between the innate disposition toward good, which is called the habitual conscience and the specific judgments of conscience, which is called actual conscience. While these distinctions were occasionally hinted at in earlier authors, the actual source of the distinction can be traced to an error in a text of Jerome that was copied and continued by subsequent commentators.” The last sentence of Hogan’s historical summary is confusing, in that it indicates that the distinction of roles of conscience is “hinted at in earlier authors”, and yet also claims that “the *actual* source of the distinction can be traced to an error in a text of Jerome.” If the distinction is present even only as a rough idea before the Jerome textual error, then that “hint” is the “actual source of the distinction,” and not the text of Jerome. This leaves *synderesis* with the role of facilitator rather than originator.

²⁷ Talking of *syneidēsis* and *synderesis*, Timothy O’Connell says: “There are not two words in Greek for conscience, but only one. The distinction between the two concepts may very well be useful, and indeed we shall find it so. But in making that distinction, we must be clear that it is ours, not the Bible’s.” This statement is strange for two reasons. Firstly, O’Connell says that *synderesis* is useful, but then proceeds to replace it with a tripartite description of anterior conscience, without an explanation of why it needs to be replaced. Secondly, the fact that a technical term which facilitates precision and clarity in Christian philosophy or theology is not found in the Bible does not render it less desirable or inappropriate. If this were the case, O’Connell would not be able to use “*anterior* conscience” or “ordinary magisterium” in his article, nor, indeed, any other non-biblical technical term. See O’Connell, “An Understanding of Conscience,” 26, 34.

2. Early Scholastic Definitions of Synderesis

Until 1200 *synderesis* only makes a sporadic appearance in theological works.²⁸ The first to make use of the term is Master Udo, who, sometime between 1160 and 1165 wrote the first in the long line of commentaries on Peter Lombard's *Sentences*.²⁹ Although Lombard does not use the word *synderesis* himself, his reference to the passage by Jerome is enough to prompt Udo to use the patristic text as the source for his analysis of the term:

Indeed, the eagle signifies synderesis, that is, the higher reason which even "in Cain is not extinguished. It never mixes with the [other] three [elements of the soul], but always corrects their errors."³⁰

Next, around 1175, the canonist Simon Bisiniano includes in his *Summa super Decretum* a further qualification of the role of the rational *synderesis*, namely, operating as the seat of the natural law, which can be darkened by sin, but never eliminated:

And so, it appears to us that natural law is the higher part of the soul, namely, the very reason that is called synderesis which, Scripture attests, could not be extinguished even in Cain. Moreover, although it is of nature, that is good by nature, it could be obscured through the demerits of [our] faults, [but] it is never extinguished.³¹

Peter of Poitiers, in his *Sentences in Five Books* of 1179, when talking of the two opposing tendencies in man, similarly concludes that it is reason which inclines

²⁸ Crowe, "Synderesis and the Early Scholastics," 153; Lottin, *Psychologie et morale*, II, 105-110.

²⁹ Ibid., 106; Crowe, "Synderesis and the Early Scholastics," 153; D'Arcy, *Conscience and its Right to Freedom*, 21.

³⁰ Lottin, *Psychologie et morale*, II, 107: "Aquila uero significat sinderesim (*Vienne 1050*: sinendesim) id est superiorem rationem que etiam 'in Cain extincta non est, nunquam se miscentem tribus, sed ipsa semper errantia corrigentem'." (Spelling and parenthesis referring to manuscript variance as in original.) Cf. D'Arcy, *Conscience and its Right to Freedom*, 21.

³¹ Lottin, *Psychologie et morale*, II, 74, at 74, n.3: "Nobis itaque uidetur quod ius naturale est superior pars anime, ipsa uidelicet ratio que synderesis appellatur, que nec in Cain potuit, scriptura teste, extingui. Cum autem sit natura, id est naturale bonum, delictorum meritis offuscari potuit, nunquam extingui." Cf. D'Arcy, *Conscience and its Right to Freedom*, 21. Note that all textual peculiarities are presented as recorded in the sources, such as Lottin or Migne.

towards the good, repels the individual from choosing evil, and reins in the judgements of conscience, and this act of reason is called *synderesis*:

Reason always denies access to evil, always objects to it and judges that it should not be done. Indeed, no one is so bad that reason does not disturb his conscience, declaring this and that to be evil. This is truly that little spark of reason which could not be extinguished even in Cain, which is called *synderesis* by the Greeks.³²

Thus, the first few to write about *synderesis* identify it in some way with the faculty of reason. This continues to be the case in the work of Stephen Langton, who was “among the first to attempt a serious discussion of the term.”³³ Writing on the subject of free will, he raises the issue of the role of *synderesis*, with the purpose of distinguishing the two.³⁴ He declares that there are three factors involved in the moral life: the lower appetite, reason and *synderesis*.³⁵ The lower appetite moves the reason towards evil, *synderesis* inclines it towards good and reason judges over the two opposing inclinations (and it is the freedom of this rational judgement which defines *liberum arbitrium*).³⁶ In a question devoted to *synderesis* he concludes that it is not

³² Peter of Poitiers, *Sententiarum Libri Quinque*, II, cap. 14, PL 211, 992-993; *ibid.*, cap. 21, PL 211, 1030, A: “Ratio [...] semper recalcitrat, semper contradicit et iudicat malum non esse faciendum. Nullus enim adeo malus est quin ratio ejus conscientiam remordeat dictans hoc esse malum et illud. Haec est enim illa scintillula rationis quae etiam in Cain non potest exstingui quae a Graecis dicitur *synderesis*.” Cf. Lottin, *Psychologie et morale*, II, 108-9; D’Arcy, *Conscience and its Right to Freedom*, 21.

³³ Crowe, “*Synderesis* and the Early Scholastics,” 156. Lottin, *Psychologie et morale*, II, 110.

³⁴ Lottin, *Psychologie et morale*, II, 112: “Notre théologien ne songe nullement à exclure la syndérèse de la partie rationnelle, mais il la distingue du libre arbitre: l’activité de celui-ci est méritoire, parce qu’elle est délibérée; au contraire, le mouvement de la syndérèse, comme telle, est sans mérite, parce qu’il est naturel.”

³⁵ *Ibid.*, 110. D’Arcy incorrectly translates Lottin’s description of “trois facteurs” of moral life as three faculties. Langton does not consider *synderesis* to be a separate faculty, but rather part of the faculty of reason, as we can see in note 36. Cf. D’Arcy, *Conscience and its Right to Freedom*, 23.

³⁶ Cf. Lottin, *Psychologie et morale*, II, 110: “L’appétit inférieur incite la raison au mal; la syndérèse, au contraire, l’incline au bien; entre ces inclinations antagonistes, la raison doit, comme un arbitre, juger de ce que lui suggèrent ses deux conseillères; et la liberté de cet arbitrage, *libertas arbitrii*, consiste précisément en ce que la raison désigne elle-même à la volonté la direction à prendre.” For original Latin passage, see *idem*, *Psychologie et morale au XII^e et XIII^e siècles*, vol. 1, 12th ed. (Gembloux: J. Duculot, 1957), 60-61, at 61: Est autem quedam superior scintilla rationis, sicut dicit Ieronymus super Ezechielem, que est super tres vires anime quam Greci uocant *sinderesim* [...]. Interdum autem hoc manifestum est quod ex illa scintilla est quod hominem peccantem remordet conscientia. Ista mouet hominem ad bonum. Sic ergo uis concupiscibilis inferius mouet hominem ad malum; superius autem illa scintilla conscientie mouet ad bonum. *Ratio autem que in medio constituta est tamquam arbiter iudicat de hoc quod suggerit sensualitas et de hoc ad quod mouet synderesis*. Et

only a power (*vis*) that detests evil, it is “part of the power of reason,” which is concerned with moral judgements at the level of general principle.³⁷ Although the relationship between reason and *synderesis* would be further specified, the latter point on the role of *synderesis* in moral decision-making is significant in that it would become a “permanently accepted” notion in Thomist moral theory.³⁸

Thus, we can see that these early texts all link *synderesis* to the faculty of reason in some way or another, and to the fundamentals of choosing the good, whether as driving force or guardian of the natural law. The second attribute of *synderesis* as inclining the person to choosing the good raises the question whether it would better be described as belonging to the faculty of the will. Alexander Neckham (d. 1217) attempts to locate *synderesis* in the will, but concludes that this would not be in accord with Jerome’s analysis of Ezekiel, since the will is symbolised by the ox, whereas *synderesis* is symbolised by the eagle. He therefore concludes that *synderesis* is the *ratio superior* (by description, if not by name) or at least the *scintilla rationis*.³⁹ It is here we find the conceptual background to the flourishing of *synderesis*. As was noted earlier, the appearance of *synderesis* did not occasion a rerouting of medieval moral theology. Rather, the notion facilitated the expression of the Scholastic understanding, which sought to combine access to objective natural law with fallible

hoc consistit libertas arbitrii quod ratio designat uoluntatem ad hoc uel ad illud. Qui bene facit consentit sinderesi et refrenat motum concupiscentie; qui autem male, e contrario facit” (emphasis mine).

³⁷ Lottin, *Psychologie et morale*, II, 111: “quaedam uis qua homo naturaliter detestatur malum et est pars uis rationalis.” Cf. D’Arcy, *Conscience and its Right to Freedom*, 22-23; Lottin, *Psychologie et Morale*, II, 113: “sinderesis attenditur in genere et bonum persuadet et malum dissuadet, non descendendo ad specialia.”

³⁸ D’Arcy, *Conscience and its Right to Freedom*, 22.

³⁹ Crowe, “*Synderesis* and the Early Scholastics,” 156. Lottin, *Psychologie et morale*, II, 122: “Ratione ergo usus talis sinderesis comparatur scintillae, ratione simplicitas puero, ratione contemplationis rerum supracelestium aquilae [...] secundum dicentes sinderesim esse desiderium, deberet synderesis potius figurari per vitulum quam per aquilam.”

moral choice.⁴⁰ Thus, the backdrop for early use of *synderesis* reflects this view by means of linking it in some way to the *ratio superior*.⁴¹ Given the significance of this latter concept, and those closely related to it, it would now be opportune to give a brief explanation of their meaning.

2.1 *Ratio Superior, Ratio Inferior and Synderesis*

Although the exact terms came later, the distinction between *ratio superior* and *ratio inferior* owes its origins to St Augustine's comments in *De Trinitate*. Augustine declares that reason has two parts, identifying one as the *sublimior ratio*.⁴² The distinction does not refer to location, but rather describes the two operations of reason, namely, reasoning related to the life of contemplation, and that which is related to the practical life.⁴³ The more sublime, higher reason should direct the lower reason so that it does not become absorbed in material things, since the image of God

⁴⁰ See De Blic, "Syndérèse ou conscience?", 157. Cf. Leiber also points out the root philosophy behind *synderesis* existed long before the term does, but highlights different sources from Crowe. See "Name und Begriff der Synteresis," 392: "Die jedenfalls falsche Lesart der Hieronymusstelle hat der Scholastik den Namen gegeben für eine natürliche Seelenlage, die sie auch ohne Kenntnis dieser Väterstelle aus guten philosophischen Gründen angenommen hätte, und in deren psychologischem Ausbau sie hauptsächlich auf diese Stelle selbst und auf Aristoteles und die Araber zurückgeht." ["In any case, the false reading of the Jerome passage has given Scholasticism the name for a natural disposition of the soul which would have been accepted on good philosophical grounds, even without knowledge of this Patristic passage, and which in its psychological extension goes back chiefly to this passage itself, to Aristotle and the Arabs."]

⁴¹ Lottin, *Psychologie et morale*, II, 123.

⁴² St Augustine, *De Trinitate*, XII, 2, PL 42, 999: "Sed *sublimior rationis* est iudicare de istis corporalibus secundum rationes incorporales et sempiternas" (own emphasis). Cf. St Augustine, *The Trinity* in *The Works of Saint Augustine: A Translation for the 21st Century*, part 1, vol.5, trans. Edmund Hill, ed. John E. Rotelle (Brooklyn, New York: New City Press, 1991), XII, 2 (page 323): "But it pertains to the loftier reason to make judgments on these bodily things according to non-bodily and everlasting meanings." (Hill's translation referred to hereafter as *The Trinity*.) See also *De Trinitate*, XII, 12, PL 1007, for the idea of a superior counsel: "superioris vero auctoritate consilii ita membra retinentur."

⁴³ St Augustine, *De Trinitate*, XII, 12, PL 42, 1008: "Haec itaque disputatio qua in mente uniuscujusque hominis quaesivimus quoddam rationale conjugium contemplationis et actionis, et officii per quaedam singula distributis, tamen in utroque mentis unitate servata." Cf. idem, *The Trinity*: XII, 19 (page 332): "So we have been looking for a kind of rational couple of contemplation and action in the mind of everyman, with functions distributed into two several [*sic*, should read 'single'] channels and yet the mind's unity is preserved in each." (Note that Hill's numbering system does not match that of Migne.) Cf. Crowe, "*Synderesis* and the Early Scholastics," 156.

in man only resides in the higher reason.⁴⁴ Such a distinction has Platonic influences at its root, corresponding to Plato's understanding of the soul straddling two worlds, the immortal and the mortal.⁴⁵ However, according to Mulligan and Crowe, the primary source for Augustine's division of reason would have been the writings of Plotinus,⁴⁶ with secondary influences coming from Manichaeism and Stoicism.⁴⁷ How such a distinction came to rule in the Middle Ages, no one can be sure, but it is likely that its similarity to the distinction between *ratio* and *intelligentia*, already present in twelfth century thought, gave it greater attention,⁴⁸ and it is suggested that it was

⁴⁴ St Augustine, *De Trinitate*, XII, 7, PL 42, 1003-1004: "Sicut de natura humanae mentis diximus, quia et si tota contempletur veritatem, imago Dei est; et cum ex ea distribuitur aliquid, et quadam intentione derivatur ad actionem rerum temporalium, nihilominus ex qua parte conspectam consulit veritatem, imago Dei est; ex qua vero intenditur in agenda inferiora, non est imago Dei." Cf. idem, *The Trinity*: XII, 10 (page 328): "We said about the nature of the human mind that if it is all contemplating truth it is the image of God; and when something is drawn off from it and assigned or directed in a certain way to the management of temporal affairs, it is still all the same the image of God as regards the part with which it consults the truth it has gazed on; but as regards the part which is directed to managing these lower affairs, it is not the image of God." Cf. Crowe, "Synderesis and the Early Scholastics," 156.

⁴⁵ Plato, *Timaeus*, trans. Donald J. Zeyl, in *The Complete Works*, ed. John M. Cooper (Indianapolis and Cambridge: Hackett, 1997), 30c, 39e, 41a-e, at 41d: "Weave what is mortal to what is immortal, fashion and beget living things." See also 69c-70b on the positions of the rational, immortal soul in the head and the irrational, mortal soul of passions and appetites in the rest of the body. Cf. Crowe, "Synderesis and the Early Scholastics," 157.

⁴⁶ Plotinus, *The Enneads*, trans. Stephen MacKenna, abridged ed. (London: Penguin, 1991), IV, 8, 4: "It has fallen: it is at the chain: debarred from expressing itself now through its intellectual phase, it operates through sense; it is captive; this is the burial, the encavement of the Soul. But in spite of all it has, for ever, something transcendent: by conversion towards the intellective act; it is loosened from the shackles and soars - when only it makes its memories the starting point of a new vision of essential being. Souls that take this way have place in both spheres, living of necessity the life there and the life here by turns, the upper life reigning in those able to consort more continuously with the divine Intellect, the lower dominant where character or circumstances are less favourable. All this is indicated by Plato, without emphasis, where he distinguishes those of the second mixing-bowl, describes them as 'parts', and goes on to say that, having in this way become partial, they must of necessity experience birth." Translation shown to be complete by comparison. Cf. Plotino, *Enneadi*, Greek text with Italian trans. by Giuseppe Faggin, 3rd ed. (Milan: Bompiani, 2004), IV, 8, 4. See also Robert W. Mulligan, "Ratio Superior and Ratio Inferior: The Historical Background," *New Scholasticism* 29 (1955): 1-32, at 9-14; Crowe, "Synderesis and the Early Scholastics," 157.

⁴⁷ Mulligan points out that the Manichaean idea would have only had some slight influence, as their distinction was that of two souls in man, one drawing him to virtue, and the other to evil; something which Augustine firmly rejects. See St Augustine, *De Duabus Animabus Contra Manichaeos*, 13, PL 42, 108. The Stoics referred to the *hēgemonikon*, the upper or ruling part of the soul. However, until Philo gave this a spiritual interpretation owing to his Platonic philosophy, the Stoic term was strictly materialistic. See Mulligan, "Ratio Superior and Ratio Inferior," 5-6; Crowe, "Synderesis and the Early Scholastics," 157.

⁴⁸ The distinction between *ratio* and *intelligentia* was a reduction of three categories of the mind: *ratio*, *intellectus* and *intelligentia*. The triple structure was first described by Abbot Isaac de Stella, of the monastery of l'Etoile, who was influenced by Arabic philosophy through the writings and translations of Dominicus Gundissalinus (d. 1151). In its simplified and widespread two-part form,

ultimately popularised by its inclusion in William of Auvergne's *De Immortalitate*,⁴⁹ and Peter Lombard's *Sentences*.

As a starting point Peter Lombard quotes sections of Augustine's *De Trinitate* almost word for word and relates the lower reason to sensuality.⁵⁰ Given the staggering influence of his *Sentences*, "Lombard's text was an important factor when the late twelfth century theologians began to discuss the nature of *synderesis*."⁵¹ The split of reason into two operations allows for the divine and infallible to reside in man (*ratio superior*), as well as the human and the fallible (*ratio inferior*). Thus, with its discovery, *synderesis* is employed as a means to describe this understanding of reason, and its subsequent moral application. As we shall see, the relationship between *ratio superior*, *ratio inferior* and *synderesis* changed over time, but at the time of the early thirteenth century the common view of writers was that *synderesis*, by its identification, or at least intrinsic connection, to the *ratio superior*, was "the guardian of the moral order,"⁵² though the question of its infallibility was still being debated.⁵³ Such a significant role placed *synderesis* almost on the level of a faculty, like the reason or the will. So what was *synderesis*? Was it really a faculty or would it be better described as a *habitus*, a disposition with the purpose of perfecting a faculty? It is Philip the Chancellor who is the first to discuss this and the next writer after Stephen Langton to push forward significantly the inquiry into the nature and function

often found in highly popular commentaries on Boethius, *ratio* was concerned with material things, while *intelligentia* held immaterial, eternal things as its object. For a detailed account, see Mulligan, "Ratio Superior and Ratio Inferior," 20-23.

⁴⁹ Crowe, "Synderesis and the Early Scholastics," 157.

⁵⁰ For the collection of quotations from Augustine, see Peter Lombard, *Liber Sententiarum*, II, d. 24, cap. 5, 5, the first of which describes the part of reason relating to eternal things as "*rationis pars superior*" and that relating to temporal things as "*portio inferior*". Lombard then draws his own conclusion at lib. II, dist. 24, cap. 13: "Quod *sensualitas* saepe in Scriptura aliter quam supra accipitur, scilicet ut etiam *inferior rationis portio* eius nomine intelligatur" (emphasis mine).

⁵¹ Crowe, "Synderesis and the Early Scholastics," 157.

⁵² Lottin, *Psychologie et morale*, II, 136.

⁵³ Crowe, "Synderesis and the Early Scholastics," 159. For a detailed presentation of the variety of views of the whole period, the reader is referred to Dom Odon Lottin's *magnum opus*, which remains to this day an invaluable tool for the study of moral theology of the time. See Lottin, *Psychologie et morale*, II, 104-349.

of the term by presenting in his *Summa de Bono* the “first treatise on conscience,” where *synderesis* is Philip’s “main concern.”⁵⁴

3. *The First Treatise on Conscience – Philip the Chancellor*

In a lengthy exploration, Philip points out that there are a number of reasons why one might conclude that *synderesis* is a faculty.⁵⁵ The first is that the Jerome passage distinguishes it from the three faculties of the soul (the reason, the concupiscible appetite and the irascible appetite), and that other scripture passages use the term *spiritus* to describe aspects of its function, which, in Philip’s eyes, is a strong counter argument to identify *synderesis* with reason. Moreover, other authorities of the past ascribed *synderesis* with varying types of status and function relating to the intellect,

⁵⁴ Potts, *Conscience in Medieval Philosophy*, 12. Timothy Potts’s presentation of medieval conscience is very informative, and so is widely used, but it also contains inaccuracies, and so should be used with care. I would suggest that his use of terminology such as ‘general and particular deontological propositions’ throughout the book to describe the relationship between *synderesis* and *conscientia* is both anachronistic and unnecessarily complicated. It also implies a certain nominalism in outlook, which would not have been part of the thought of these writers. Potts also seems ill at ease with a philosophy of the mind or a medieval psychology and is continually bent upon translating it into a theory of meaning and language philosophy. He does this to make it more accessible to his students, but it distorts the approach and outlook of the Scholastics. His book also lacks precision and theological accuracy at times. For example, he presents an exegesis of Genesis 4:1-16 which declares Jerome’s analysis “inconsistent”, and suggests Jerome’s statement that “the spark of conscience [...] was not extinguished even in the breast of Cain” is “a rather surprising remark in view of the story of Cain and Abel, for at no point in the story does Cain show the slightest sign of being sorry for having murdered his brother.” Potts would consider Cain to have no guilt or remorse for his actions, thinking only of the burden of his punishment. However, Vogels points out that *'awon* can mean both fault/sin/crime and punishment, and so probably combines both ideas. This means that if *'awon* is ‘fault’, then Cain’s complaint that it is too great is an admission of regret. Even if this is not the case, the context of Cain’s banishment is placed within a dialogue with God, who explains the reason for the banishment. Thus, the punishment serves to indicate guilt, and to awaken realisation of fault (just as the pain of conscience serves to confirm guilt). The weight of the punishment would also indicate the significance of Cain’s actions, since his sentence is greater than that of his parents. They were expelled from paradise to till the soil. He is now driven away even from the soil to have nowhere to call his own, to live as a permanent wanderer. That Jerome later states in his Ezekiel passage that conscience can be “thrown down and lose its place” (“*praecipitari [...] et suum locum amittere*”) does not imply that conscience is completely lost, as Potts believes, but rather implies dysfunction or paralysis, and so Jerome is not as inconsistent as Potts thinks. Indeed the *quoque* shows that Jerome sees no contradiction, but rather only an extreme example. See Potts, *Conscience in Medieval Philosophy*, 10-12, 79-80, 107; Jerome, *Commentaria in Ezechielem*, PL 25, 22: “Et tamen hanc quoque ipsam conscientiam, [...] cernimus praecipitari apud quosdam et suum locum amittere, qui ne pudorem quidem et verecundiam habent in delictis”; Walter Vogels, “Cain: L’être humain qui devient une non-personne (Gn 4,1-16),” *Nouvelle Revue Théologique* 114 (1992): 321-340.

⁵⁵ Lottin, *Psychologie et morale*, II, 138-42.

emotions and the will, thus indicating that *synderesis* is not a separate faculty, but a power which holds an ancillary, dispositional role. The conflicting authoritative evidence leads Philip to present a compromise as his conclusion: *synderesis* is both faculty and *habitus*; it is a habitual power (*potentia habitualis*).⁵⁶ Although the term *potentia habitualis* is an invention of Philip the Chancellor, it is not entirely without influence from previous writers. Indeed, his description of the notion as meaning a power that is ready or quick to act (*facilis ad actum*),⁵⁷ refers back to the work of William of Auxerre and Gottfried of Poitiers.⁵⁸ Timothy Potts points out that there was generally a sharp distinction between faculties and various *habitus* (what he calls “potentialities and dispositions”), with the faculties as powers of the soul being part of man’s natural make-up, while, following Aristotle, the *habitus* are “voluntarily acquired.”⁵⁹ Similarly, “anything which is proper to *fallen* human nature” cannot be part of man’s natural endowment, and so the medieval writers would consider anything tainted with sin, or with the impulse to sin (*fomes peccati*) as “outside the substance of the soul.”⁶⁰ Thus, *synderesis* is given the description of a *potentia habitualis* not only out of deference to previous authors, but more importantly, to designate it as a non-acquired, innate disposition. This compromise maintains the innate goodness and righteousness of *synderesis*, but limits its impact, thus acknowledging the effects of original sin. Thus, *synderesis* is, “in terms of the doctrine of original sin, what remains after the Fall of the full control of bodily

⁵⁶ Ibid., 142: “Si ergo queratur utrum sit potentia aut habitus respondendum est accipiendo medium: potentia habitualis.”

⁵⁷ Ibid., 148: “Potentia habitualis dicitur que facilis est ad actum; et sic synderesis dicitur potentia habitualis, quia non impeditur ab actu suo, quantum in se est.”

⁵⁸ Ibid., 139.

⁵⁹ Potts, *Conscience in Medieval Philosophy*, 23: “potentialities of the soul are always aspects of what it is to be human”; Aristotle, *Nicomachean Ethics*, trans. Terence Irwin, 2nd ed. (Indianapolis and Cambridge: Hackett, 1999), III, 5, 1114b 18: “let us suppose that [how] the end [appears] is natural, but virtue is voluntary” (parentheses in text).

⁶⁰ Potts, *Conscience in Medieval Philosophy*, 24-25 (emphasis in text).

appetites which obtained before it.”⁶¹ In this way, *synderesis* is a little light (*modicum lumen*) leading to God or a “murmuring back”, a whispered objection against sinful action (*remurmurativum contra peccatum*), which thus prevents the individual from being totally absorbed or corrupted by earthly things.⁶² This is due to the inflexible nature of *synderesis* in its appetite for the good and its hatred of evil.⁶³ This description in terms of an appetite or inclination to the good shows that Philip the Chancellor wished to link this innate capacity to the faculty of the will, more than reason, although he “fudges the issue slightly by saying that it belongs to the ‘rational, not sense, appetite’ of the will.”⁶⁴ Hogan, following D’Arcy, also suggests that Philip’s qualification is made with the intention of linking *synderesis* to the rational, spiritual side of human nature, rather than its animal side, with its desires and urges,⁶⁵ since it is this aspect of the human soul that is praised in previous Christian writing.⁶⁶

In Philip’s treatise we can see his struggle to define *synderesis* according to the categories of his time.⁶⁷ His description of *synderesis* contains both rational and volitional aspects, although he emphasises the latter more readily. Lottin explains that Philip’s formula *potentia habitualis* itself implies that *synderesis* is on the one hand a rational power, and on the other an instinctive propensity to good action.⁶⁸ Philip is therefore trying to relate *synderesis* to the cognitive order and the affective order. Despite Philip’s complicated presentation, the combination of affective with cognitive

⁶¹ Ibid., 27; Lottin, *Psychologie et morale*, II, 147: “synderesis erit pars rectitudinis prime uirium, quam habebat Adam in statu innocentie.”

⁶² Lottin, *Psychologie et morale*, II, 147: “synderesis erit pars rectitudinis prime uirium, quam habebat Adam in statu innocentie, que remansit tamquam modicum lumen in Deum ductiuum, ne non esset ex toto ratio ad temporalia inclinata uel incururata. [...] hec rectitudo non ex toto sublata est. Quod ergo remansit, synderesis dici potest. Illud enim est de se remurmurativum contra peccatum et recte contemplativum boni simpliciter, et voluntarium.”

⁶³ Ibid.: “inflexibile enim a boni appetitu et mali detestatione.” Cf. Potts, *Conscience in Medieval Philosophy*, 28.

⁶⁴ Hogan, *Confronting the Truth*, 68. Cf. D’Arcy, *Conscience and its Right to Freedom*, 27; Delhay, *The Christian Conscience*, 111.

⁶⁵ Hogan, *Confronting the Truth*, 68-69.

⁶⁶ Lottin, *Psychologie et morale*, II, 143.

⁶⁷ Hogan, *Confronting the Truth*, 68.

⁶⁸ Lottin, *Psychologie et morale*, II, 156.

is, however, not as contradictory as it may seem, given that both orders are understood as functions of the *rational* soul as a whole.⁶⁹ Thus, Philip's understanding of *synderesis* is that of an innate, *non*-deliberative inclination to moral good,⁷⁰ and so differs from *liberum arbitrium* as a prior foundation, since it moves the latter to seek the good in general (*commune*).⁷¹ Therefore, he likens *synderesis* to the natural will, but distinguishes the two by the limitation of *synderesis* to rational things.⁷² Hence the link with the cognitive order is maintained, but the description differs from that of Stephen Langton. As *synderesis* is attracted to the good in general, Philip does not relate it to either superior or inferior reason, but rather to *intelligentia*, since reason (whether superior or inferior) relates to particular things, while *intelligentia* relates to apprehending the supreme good.⁷³

In the end, Philip's first attempt at a treatise on *synderesis* results in a series of compromises, caused by different motivations, including deference to past sources. However, Philip the Chancellor is significant in that his comments set much of the groundwork to future writing on *synderesis* and *conscientia*. Philip's struggle to keep *synderesis* in relation to the reason and the will provides convoluted reading, but the intention stands, even though some of the argumentation does not. Some writers

⁶⁹ Cf. *Ibid.*, 147.

⁷⁰ *Ibid.*, 157; 142: "non dico de habitu acquisito, sed innato"; *ibid.*, 148: "non est iudicium deliberationis apud synderesim, sed executionis."

⁷¹ *Ibid.*, 148: "Dico quod synderesis mouet liberum arbitrium dictando bonum et cohibendo a malo, et mouet in bonum commune quod inuenitur in isto bono aut in illo. Non ergo est in bonum particulare secundum se, sed in commune inuentum in eo."

⁷² *Ibid.*: "Uoluntas naturalis est in naturalia et vitalia et rationalia, synderesis tantum in rationalia" [...] "synderesis est idem in subiecto cum uoluntate naturali, sed nominatur per synderesim secundum quod est in bona rationalia et secundum hanc rationem est potentia habitualis."

⁷³ Here, what Stephen Langton did with superior reason, Philip is doing with *intelligentia*, in order to better explain the positions of the animals in Ezekiel's prophecy. *Ibid.*, 144, 147: "Si uero ponamus rationem et intelligentiam et concupiscibilem et irascibilem motiuas uires, *ita quod supra sit intelligentia semper ad summum bonum erectiua*. [...] Et ratio illa diuidetur per duas portiones [...] et non erit synderesis altera illarum, sed *supra utramque* et supra irascibilem et concupiscibilem que sub appetitu comprehenduntur. Et secundum hunc modum planum est quod dicit beatus Gregorius super Ezechielium I dicens quator esse vires quibus quator animalia proportionantur siue facies eorumdem" (emphasis in text).

consider Philip's conclusion as "disappointing",⁷⁴ but I would consider his combination of the cognitive and the affective as maintaining the dynamism of habitual conscience,⁷⁵ which, was lost in the stereotypical opposition of the rationalist and voluntarist approaches that grew out of it.

Although Philip's concern is primarily *synderesis* he does comment also on *conscientia*, and so is the first to make a study of conscience in relation to *synderesis*.⁷⁶ Crowe points out that the "close connection of *synderesis* and conscience was of course, natural and inevitable," given the fact that the dominant text in scholastic discussions, namely St. Jerome's corrupted text, had already described *synderesis* as *scintilla conscientiae*.⁷⁷ Thus Philip investigates whether both notions are identical. His conclusion safeguards the infallibility of *synderesis*, contrary to William of Auxerre,⁷⁸ but also admits the fallibility of reason through error and sin.⁷⁹ This means that conscience is not the same as *synderesis*, but rather is the application of *synderesis* to what is provided by reason or *liberum arbitrium*.⁸⁰

At this point, rather than attempt to give a chronological account of the development and differences of understanding of *synderesis* and *conscientia*, which, in any case, could not compete with the exhaustive presentation already given by Dom Odon Lottin, I would propose to pass from Philip the Chancellor to a study of key aspects of the understanding of Saints Bonaventure, Albert the Great and Thomas Aquinas on the matter of conscience. My reason for doing so is, first of all, to prevent

⁷⁴ D'Arcy, *Conscience and its Right to Freedom*, 27. On the other hand, Lottin considers Philip's work to be progress in comparison to his predecessors. See Lottin, *Psychologie et morale*, II, 156.

⁷⁵ Lottin, *Psychologie et morale*, II, 145: "La syndérèse [...] tend au bien rationnel; elle n'est pas une simple possibilité d'action, mais une propension vers ce bien."

⁷⁶ D'Arcy, *Conscience and its Right to Freedom*, 28; Lottin, *Psychologie et morale*, II, 157.

⁷⁷ Crowe, "Synderesis and the Early Scholastics," 160.

⁷⁸ Lottin, *Psychologie et morale*, II, 150.

⁷⁹ *Ibid.*, 148-152.

⁸⁰ *Ibid.*, 149,151-152: "Conscientia tum potest esse recta, tum erronea." [...] "Sic ergo synderesis cum ratione liberi arbitrii facit conscientiam rectam uel erroneam [...] ipsa tamen synderesis non est erronea."

losing sight of the general trends established particularly by Stephen Langton and Philip the Chancellor, and also secondly to move on to thinkers who truly developed the notion of conscience. Crowe states that Bonaventure, Albert and Aquinas share a respect for past authorities without slavishly holding to past opinion.⁸¹ Thus, in moving on to these particular Scholastics, I hope to avoid listing a lengthy succession of writers who merely present variations on the themes discussed by Philip the Chancellor, with little in the way of advancement.⁸²

As D'Arcy notes, the writing of Philip the Chancellor eventually provoked responses which differed significantly in their emphasis.⁸³ The voluntarist and intellectualist approaches of the Franciscan and the Dominican schools both sought to explain *synderesis* and *conscientia* by means of their own particular understanding of the reason and the will. The greatest exponent of the early voluntarist school is St Bonaventure, and so we will now turn our attention to his analysis of conscience, before going on to look at the intellectualist approach.

4. Saint Bonaventure

Unlike St Thomas Aquinas, whose works on conscience and its authority span his whole university teaching career, and thus reflect subtle changes in outlook over time,⁸⁴ St Bonaventure's comparatively short term as a university *magister* in Paris (1254-57) gave him less opportunity for development and offers us less material for

⁸¹ Cf. Crowe, "Synderesis and the Early Scholastics," 162; idem, "St. Thomas and Synderesis," 244-45.

⁸² D'Arcy, *Conscience and its Right to Freedom*, 28-29.

⁸³ Ibid., 29.

⁸⁴ The *Commentary on the Sentences* of St Thomas is the published result of his two years of teaching as a *baccalaureus sententiarum*, on his way to becoming *magister* (Paris, 1254-56). His *De Veritate* was written in Paris between 1256-59, with the commentary on *synderesis* and *conscientia* coming from the second year of his professorship (1257-58). The *Prima* and *Secunda Partes* of the *Summa Theologica*, which also include reflections on *synderesis* and *conscientia*, span his professorship in Italy and Paris between 1266 and 1272. See Crowe, "St. Thomas and Synderesis," 228-29, 236, 241-42; Dennis J. Billy, "The Authority of Conscience in Bonaventure and Aquinas," *Studia Moralia* 31 (1993): 237-263, at 262, n. 82.

comparison.⁸⁵ Indeed, as his only lengthy discussion of conscience is to be found in his *Commentary on the Sentences*, like Thomas, this work would have come from his obligatory teaching period on the Sentences as a *baccalaureus* (1250-52) before he occupied the chair his predecessor Alexander of Hales had secured for the Franciscans.⁸⁶ It is difficult to understand the conclusions of Bonaventure without first looking at his epistemology, so we shall now briefly examine his philosophy of knowledge, before looking at how that is applied to his moral theory of conscience.

4.1 Epistemological Background

The Seraphic Doctor is writing at a time when new philosophical influences are in the ascendancy, be they Aristotelian, Arabic or Jewish, and so the arrival of contrasting notions help to develop Bonaventure's own view. However, Bonaventure's starting point is Augustinian, and so he adopts the views of other thinkers only insofar as they are in keeping with the faith and the general understanding of St Augustine, with its Neo-Platonic influences.⁸⁷ Augustinianism maintained the primacy of faith and "preserved the essential tenets of St Augustine in refusing to divorce understanding from illumination, knowledge from the will, will from inclination, and inclination from grace. These could not start with the senses; they belonged to the realm of the

⁸⁵ Bonaventure had less opportunity for systematic theological writing for two reasons. Firstly, teaching was interrupted at Paris in 1255 when a fierce dispute between the Friars and seculars broke out. The attempt by secular masters, led by William of St Amour, to drive the mendicants out of the university failed, and in 1256 Bonaventure resumed his teaching, with a papal appointment to the Franciscan chair. However, his professorship came to an abrupt halt in 1257 when he was chosen by a general chapter in Rome to be the next minister general of the Order, charged with the task of dealing with the split among the Franciscans caused by Joachinism. See Bonaventure, *The Soul's Journey into God, The Tree of Life & The Life of St Francis*, trans. and introduction by Ewert Cousins (Mahwah, NJ: Paulist, 1978), 7-8; Gordon Leff, *Medieval Thought: Saint Augustine to Ockham* (Harmondsworth, Middlesex: Penguin, 1958), 197.

⁸⁶ Billy, "Conscience in Bonaventure and Aquinas," 262, n. 82.

⁸⁷ Leff, *Medieval Thought*, 190-98, 206: "St Bonaventure did for Augustinianism what St Thomas was shortly to do for Aristotelianism: he welded it into a coherent body of doctrine which took account of the new philosophical knowledge and which had its own distinctive tenets. Under his influence it became general throughout the Franciscan order, prevailing until the appearance of Duns Scotus, at the end of the thirteenth century."

supernatural.”⁸⁸ Thus, Bonaventure’s adoption of Aristotelian doctrine is much more limited than Aquinas, and so, in order to maintain the emphasis on divine help in human understanding, he creates “an unusual hybrid of Augustinian illuminationism and Aristotelian abstractionism.”⁸⁹ This means that *uncertain* knowledge (*minus evidentia*) comes to us by means of phantasms abstracted by the active intellect from external sensory perception. However, in contrast, all *certain* knowledge (*valde evidentia*) comes from “a light imparted to the soul” (*lumen animae inditum*), which allows us knowledge of the eternal truths which are in keeping with the mind of God.⁹⁰ This general epistemology has implications for Bonaventure’s moral theory, in that it makes room “for both certain and uncertain apprehensions of the moral good and a corresponding two-tiered understanding of conscience,”⁹¹ where erroneous conscience falls under the category of uncertain knowledge and so must always yield to the more certain knowledge of first principles provided by divine law.⁹²

4.2 Reason and Will Entwined – Bonaventure on Conscientia and Synderesis

With such an epistemology, Bonaventure declares that *conscientia* is an innate and acquired *habitus* of practical reason, which preserves the primary principles of the

⁸⁸ Ibid., 191.

⁸⁹ Billy, “Conscience in Bonaventure and Aquinas,” 237.

⁹⁰ Ibid., 237-38. Billy translates “*lumen animae inditum*” as “a light imparted to the soul.” One could also translate *inditum* as ‘endowed’. In either instance, the notion implies what Copleston describes as “the dependence of the human intellect on God and the interior activity of God in the human soul.” Cf. Bonaventure, *In II Sententiarum*, dist. 39, a. 1, q. 2, resp.: “*habitus cognitivi sunt quodam modo nobis innati ratione luminis animae inditi [...]* Omnes [Philosophi et Augustinus] enim in hoc concordant, quod potentiae cognitivae sit *lumen inditum*, quod vocatur naturale iudicatorium” (emphasis in text). Cf. Frederick Copleston, *A History of Philosophy*, vol. 2, *Mediaeval Philosophy: Augustine to Scotus* (London: Burns, Oates & Washbourne, 1950), 287.

⁹¹ Billy, “Conscience in Bonaventure and Aquinas,” 238; Bonaventure, *In II Sententiarum*, dist.39, a.1, q. 3, resp.: “Ad illud quod obiicitur, quod conscientia est lex intellectus nostri; dicendum, quod verum est, quod lex est, sed non est lex suprema; supra ipsam enim est lex alia, scilicet lex divina.”

⁹² Bonaventure, *In II Sententiarum*, dist.39, a.1, q. 3, resp.: “vero conscientia non ligat ad faciendum, vel non faciendum, sed ligat ad se deponendum, pro eo quod, cum talis conscientia sit erronea errore repugnante legi divinae.”

natural law.⁹³ The innate aspect of conscience is due to the presence of the divine light borne in our soul.⁹⁴ However, conscience is also acquired because the ideas or terms needed to apprehend the universal primary principles are obtained through sense perception,⁹⁵ and also because the particular judgements derived from the primary principles are the product of rational deliberation.⁹⁶ This description of conscience means that he ascribes to *conscientia* that which was assigned to *synderesis* by Philip the Chancellor.⁹⁷

Thus, conscience is clearly linked to the faculty of reason. However, following the voluntarist tradition of his Order, particularly in the thought of his own Master, Alexander of Hales,⁹⁸ *synderesis* is considered by Bonaventure to belong to the will.⁹⁹

⁹³ Ibid., dist.39, a.1, q. 2, resp.: “Quoniam igitur *conscientia* nominat habitum directivum nostri iudicii respectu operabilium, hinc est, quod quodam modo habitum nominat *innatum*, et quodam modo *acquisitum*. Habitum, inquam, *innatum* nominat respectu eorum quae sunt de primo dictamine nature; habitum vero *acquisitum* respectu eorum quae sunt institutiones superadditae” (emphasis in text). Cf. Lottin, *Psychologie et morale*, II, 203-204. On this Langston misreads the distinction made by Bonaventure, and so, although he recognises that “conscience is divided into two general parts by Bonaventure,” he declares both of them to be innate. See Langston, *Conscience and Other Virtues*, 25.

⁹⁴ Thus Bonaventure’s human metaphysics based on creation, exemplarism (as image of God) and illumination come to bear upon his morals, since both intellect and will are affected by their relationship with God. Cf. Copleston, *Mediaeval Philosophy*, 219, 285; St Bonaventure, *Quaestiones Disputatae de Mysterio Ss. Trinitatis*, in *Opera Omnia*, vol. 5 (Quaracchi, Florence: St Bonaventure College, 1891), q.1, a.1, resp. Potts says we can equate this innate, natural light to “‘insight’, a moment of illumination in which we can see that a certain thought, whether theoretical or practical, is true.” See Potts, *Conscience in Medieval Philosophy*, 36 (emphasis in text). The replacement of ‘light’ with ‘insight’ is an interesting suggestion, but to my mind, it disguises the Augustinian background. A further concern is the lack of reference to God as Creator as the origin of the insight. Rather, Potts describes Bonaventure’s analogy as equivalent to our common use of words related to understanding, such as ‘see’, to ‘dawn’ upon someone, or to ‘become clear’. See *ibid.*

⁹⁵ Here Bonaventure follows Aristotle by saying that the terms are acquired by perception, memory and experience: “cognitio principiorum acquiritur via sensus, memoriae et experientiae.” Cf. *In II Sententiarum*, dist.39, a.1, q. 2, resp.; Aristotle, *Posterior Analytics*, trans. Jonathan Barnes, in *The Complete Works of Aristotle: The Revised Oxford Translation*, ed. Jonathan Barnes, vol. 1 (Princeton, NJ: Princeton University Press, 1984), II, 19, 100a 4-9; Lottin, *Psychologie et morale*, II, 204; Billy, “Conscience in Bonaventure and Aquinas,” 238; Potts, *Conscience in Medieval Philosophy*, 35. Here Potts says that sense perception provides the “basic premisses”, while Lottin presents it as “*termes*.” See Copleston, *Mediaeval Philosophy*, 284 for an explanation to the relationship of innate and acquired in Bonaventure.

⁹⁶ Billy, “Conscience in Bonaventure and Aquinas,” 238; Bonaventure, *In II Sententiarum*, d.39, a.1, q. 2, resp.: Innati enim sunt quoad cognitionem *in universali*, acquisti quoad cognitionem *in particulari*; sive innati quoad cognitionem *principiorum*, acquisti quoad cognitionem *conclusionum*; unde dignitas est illa quam quisque probat auditam” (emphasis in text).

⁹⁷ Cf. Potts, *Conscience in Medieval Philosophy*, 32-33.

⁹⁸ Alexander of Hales, *Glossa Sententiarum*, II, dist. 40, II, c: “...ergo synderesis pertinet ad voluntatem.” Note that Alexander talks of the light of *synderesis* instead of conscience. *Ibid.*, II, dist.

It resides naturally in this faculty as a “bias” (*quoddam pondus*), inclining the will towards the good.¹⁰⁰ Therefore, Bonaventure distinguishes the role of conscience in achieving particular moral acts (*inquantum dirigit ad opera moralia*), from the task of *synderesis* as that which inclines the will to the good inasmuch as it is right and honourable (*inclinare ad bonum honestum*).¹⁰¹ In this way both reason and will have something to direct them to moral goodness, which is appropriate, given that both are involved in moral action.¹⁰² Thus, Bonaventure’s analysis is edging towards a description of *synderesis* as an innate *habitus* of the will, but after reflecting upon whether it is a faculty instead,¹⁰³ he concludes that “*synderesis* should be called a habit-like faculty rather than a *habitus*.”¹⁰⁴ Hence, although the Seraphic Doctor has moved *synderesis* from the reason to the will, in describing its nature he still feels it

40, I, f. Cf. Lottin, *Psychologie et morale*, II, 174-78; Gervasio Sala, “Il Concetto di Sinderesi in S. Bonaventura,” *Studi Francescani* 54 (1957): 3-11, at 4.

⁹⁹ Bonaventure, *In II Sententiarum*, dist.39, a. 2, q. 1, resp.: “*synderesis* dicit potentiam affectivam, in quantum naturaliter habilis est ad bonum et ad bonum tendit” (emphasis in text).

¹⁰⁰ Ibid.: “quemadmodum ab ipsa creatione animae *intellectus* habet *lumen*, quod est sibi naturale iudicarium, dirigens ipsum intellectum in cognoscendis, sic *affectus* habet naturale quoddam *pondus*, dirigens ipsum in appetendis. [...] Dico enim quod *synderesis* dicit illud quod stimulat ad bonum” (emphasis in text). Cf. Lottin, *Psychologie et morale*, II, 207; Potts, *Conscience in Medieval Philosophy*, 34, 116. Here, related to this point, Crowe’s usual accuracy seems to falter in that he links two parts of Bonaventure’s argument and comes up with a suprisingly false conclusion:

“Bonaventure’s own view is that *synderesis* is the faculty of reason endowed with the habitual knowledge of first principles, which he calls ‘*naturale quoddam pondus dirigens...in appetendis*.’” See Crowe, “*Synderesis* and the Early Scholastics,” 163 (emphasis in text). From the fuller quote at the start of this footnote we can see that Bonaventure attaches the *pondus* of *synderesis* to the will (*affectus*).

¹⁰¹ Potts relates Bonaventure’s double distinction of rational desire, namely, “desire for what is honourable [*appetenda in genere honesti*] and desire for what it useful [*appetenda in genere commodi*].” The desire for what is honourable is Potts’s translation of the *bonum honestum*, the good in itself as right. Cf. Potts, *Conscience in Medieval Philosophy*, 34. Cf. Lottin, *Psychologie et morale*, II, 207; Bonaventure, *In II Sententiarum*, dist.39, a.2, q. 1, resp.: “Et quemadmodum *conscientia* non nominat illud iudicarium nisi inquantum dirigit ad opera *moralia*, sic *synderesis* non nominat illud pondus voluntatis sive voluntatem cum illo pondere, nisi in quantum illam habet inclinare ad bonum *honestum*” (emphasis in text). For a fuller explanation of the *bonum honestum*, see Maritain, *Moral Philosophy*, 432-5.

¹⁰² D’Arcy, *Conscience and its Right to Freedom*, 30; Lottin, *Psychologie et morale*, II, 205.

¹⁰³ Bonaventure, *In II Sententiarum*, dist.39, a.2, q. 1, resp.: “*Appropriate* tamen *synderesis* dicit potentiam, et *conscientia* habitum et lex naturalis obiectum” (emphasis in text). Cf. Lottin, *Psychologie et morale*, II, 205.

¹⁰⁴ Bonaventure, *In II Sententiarum*, dist.39, a.2, q. 1, resp.: “*Usitatori* tamen modo loquendi, *synderesis* potius nominat *potentiam habituaalem* quam nominat *habitu*” (emphasis in text). Cf. Lottin, *Psychologie et morale*, II, 207; D’Arcy, *Conscience and its Right to Freedom*, 30.

necessary to bow to the influence of past authority, and use Philip the Chancellor's formula.¹⁰⁵

Bonaventure's presentation on the will and reason is far from straightforward at times. One cause for this, mentioned above, is his desire to give due respect to the past authorities, while also aiming to develop his own understanding of *synderesis* and *conscience*. Yet, this leads to a confusing situation whereby the same author is interpreted by modern writers as defining *synderesis* as a faculty,¹⁰⁶ a habitus,¹⁰⁷ or a habit-like faculty,¹⁰⁸ which belongs to the will or the reason. Perhaps the fact that Bonaventure finally settles for a definition of habit-like faculty rather than habit is probably less important than his view on the relationship of *synderesis* to the will or reason. Since the overwhelming majority of scholars recognise Bonaventure's link of *synderesis* to the will, as that which desires the good and prompts the search for it, it seems peculiar that Crowe should have concluded that this Franciscan Scholastic linked it to the reason.¹⁰⁹ However, upon reading the text, his false conclusion should not come as a complete surprise. The cause for the confusion is that in Question One of *Distinctio* 39, Article Two, Bonaventure prefaces his own conclusion with "two opinions, which did not please him."¹¹⁰ These opinions, though not named, incorporate the thought of William of Auxerre, Odo Rigaldus and Philip the Chancellor, who gave greater status to the reason, and to the distinction of higher and

¹⁰⁵ Lottin, *Psychologie et morale*, II, 207. Although Philip is the first to present this description, it is likely that the work of Alexander of Hales also exerted pressure upon Bonaventure to maintain this mix of faculty and habit. See, Alexander of Hales, *Glossa Sententiarum*, II, dist. 40, I, f: "Ad primum dicendum quod synderesis dicitur materialiter et formaliter. Formaliter, ut cum dicitur habitus connaturalis; et materialiter, cum dicitur iudicium innatum."

¹⁰⁶ Karl H. Peschke, *Christian Ethics: Moral Theology in the Light of Vatican II*, vol. 1, *General Moral Theology* (Alcester: C. Goodliffe Neale, 1989), 206.

¹⁰⁷ Sala, "Synderesis in S. Bonaventura," 8; Delhaye, *The Christian Conscience*, 111.

¹⁰⁸ This is by far the majority view. For example, see Lottin, *Psychologie et morale*, II, 207; D'Arcy, *Conscience and its Right to Freedom*, 30; Billy, "Conscience in Bonaventure and Aquinas," 240.

¹⁰⁹ Crowe, "Synderesis and the Early Scholastics," 163-4.

¹¹⁰ Delhaye, *The Christian Conscience*, 111.

lower reason.¹¹¹ The opinions are presented to clarify Bonaventure's own view by means of refutation. Thus, his own conclusion is that *synderesis belongs to the will because it stimulates the person towards the good*. He reinforces this with a series of contrasts, including one where he says that just as reason cannot move without the help of the will, so conscience cannot operate without *synderesis*, which, by analogy shows that *synderesis* cannot belong to the reason.¹¹² Therefore, for Bonaventure, the role of *synderesis* in moral judgement is not as the keeper of the first principles (which he ascribes to innate conscience), but rather it has the important role of *moving* things naturally and rightly towards the good.¹¹³

This in no way implies a struggle for supremacy between *synderesis* and *conscientia* according to Bonaventure. In fact, the Seraphic Doctor understands the function of the two as complementary and necessary. While *synderesis* in one way is subordinate to *conscientia* as the *naturale iudicarium*, that is, the innate *habitus* of reason, on the other hand, as the inclination to the good, *synderesis* is the perfection of conscience in its practical efficacy.¹¹⁴ In other words, "without *synderesis* there would be no moral life, being [only] ineffectual practical reason without the motion of natural will."¹¹⁵ Moreover, as well as their mutual dependency, according to Bonaventure, both *conscientia* and *synderesis* are, in turn, dependent upon natural law

¹¹¹ Mario Pangallo, *Legge di Dio, Sinderesi e Coscienza nelle 'Quaestiones' di S. Alberto Magno*, Studi Tomistici, no. 63 (Vatican City: Libreria Editrice Vaticana, 1997), 63. Pangallo's work sets the scene for his study of Albert the Great through comparison with other major figures. Interestingly, Pangallo also points out that despite the Augustinianism of Bonaventure, he does not subscribe to the *ratio superior* notion of the intellect. Cf. *ibid.*, 67; Bonaventure, *In II Sententiarum*, dist.39, a.2, q. 1, resp.

¹¹² *Ibid.*: "Unde sicut ratio non potest movere nisi mediante voluntate, sic nec conscientia nisi mediante synderesi; et ideo non sequitur, quod synderesis se teneat ex parte cognitionis."

¹¹³ *Ibid.*, (in comparison with the three faculties of the soul mentioned in Ezekiel): "*Synderesis* autem nominat *potentiam affectivam*, secundum quod movetur *naturaliter et recte*; et ideo non distinguitur ab illis potentiis secundum essentiam potentiae, sed secundum modum movendi; et quia secundum illum modum movendi semper movet recte: hinc est, quod dicitur alias *volare* et aliis errantibus *non se immiscere*, sed eas corrigere" (emphasis in text).

¹¹⁴ Pangallo, *Legge di Dio*, 66.

¹¹⁵ *Ibid.*: "Senza la sinderesi non ci sarebbe vita morale, essendo la ragione pratica inefficace senza la mozione della volontà naturale."

as their object, since for *conscientia* it acts as the measure of its commands, and for *synderesis* as the measure of the good to which we are to be inclined.¹¹⁶ Here we can see strains of Platonic exemplarism in the Christian context of grace.¹¹⁷ Through our creation we are given the capacity of reason and the revelation of divine light to be able to see the natural law, which is a participation in the divine Eternal Law. Bonaventure sees this as giving the key to the moral life, by which, through the exercise of virtue, we might reach the true end of human life, namely a fullness of life in God, who is the Supreme Good.¹¹⁸

However, for various reasons, we often fail to act in accordance with the goal of life in God. As a result, Bonaventure explores the question of how sin and ignorance affect *synderesis* and *conscientia*. In keeping with Jerome's commentary on Ezekiel, he concludes that *synderesis* cannot be extinguished or carried away by sin, but at times may become impeded or obstructed.¹¹⁹ He gives three contexts for an impeded *synderesis*: when evil is believed to be good through moral blindness (*propter tenebram obcaecationis*); when one is so absorbed in the sins of the flesh that one does not notice the pang of conscience (*propter lasciviam delectationis*); and in

¹¹⁶ Bonaventure, *In II Sententiarum*, dist.39, a.2, q. 1, resp.: "*Lex naturalis vocatur collectio praeceptorum iuris naturalis*; et sic nominat *obiectum* synderesis et conscientiae, unius sicut dictantis et alterius sicut inclinantis. Nam conscientia dictat, et synderesis appetit vel refugit" (emphasis in text).

¹¹⁷ Bonaventure, *Collationes in Hexaëmeron*, in *Opera Omnia*, vol. 5 (Quaracchi, Florence: St Bonaventure College, 1891), coll. VI, 6: "Dico ergo, quod illa lux aeterna est exemplar omnium, et quod mens elevata, ut mens aliorum nobilium philosophorum antiquorum, ad hoc pervenit.

¹¹⁸ Billy, "Conscience in Bonaventure and Aquinas," 249; St Bonaventure, *Commentaria in Quatuor Libros Sententiarum Magistri Petri Lombardi*, in *Opera Omnia*, vol. 1 (Quaracchi, Florence: St Bonaventure College, 1882), I, dist. 1, dub. 15; *ibid.*, resp; dub. 16, resp.; *idem*, *Commentaria in Quatuor Libros Sententiarum Magistri Petri Lombardi*, in *Opera Omnia*, vol. 4 (Quaracchi, Florence: St Bonaventure College, 1889), IV, dist. 49, p. 1, a. 1 q. 1; *idem*, *Breviloquium*, in *Opera Omnia*, vol. 5 (Quaracchi, Florence: St Bonaventure College, 1891), V, c. 1: "beatitudo aeterna consistit in habendo summum bonum; et hoc est Deus."

¹¹⁹ Billy, "Conscience in Bonaventure and Aquinas," 240; Bonaventure, *In II Sententiarum*, dist.39, a.2, q. 2, resp.: "synderesis quantum ad actum *impediri* potest, sed *extingui* non potest. Ideo autem non potest *extingui*, quia, cum dicat quid naturale, non potest a nobis auferri" (emphasis in text).

the damned, who are so set in their evil ways (*propter duritiam obstinationis*), that the inclination to the good is disabled.¹²⁰

If our general desire for the good can be obstructed, what about our reasoning with regard to particular moral choices? This leads to questions on erroneous or perplexed conscience and whether conscience is always binding.¹²¹ Bonaventure introduces the topic by explaining that conscience can order three types of action: that which is in conformity with God's law (*secundum legem Dei*), in addition to God's law (*praeter legem Dei*), and contrary to God's law (*contra legem Dei*).¹²² He concludes that one is bound to follow one's conscience in the case of the first two, but the latter is more problematic, since the erroneous conclusion of conscience may be contrary to God's law, and so if we are to follow our conscience, we sin by going against God,¹²³ but he also declares that we sin, too, if we go against our conscience. This obviously gives rise to a dilemma, which Bonaventure seeks to resolve.

St Bonaventure's exploration of the problem of error builds upon an earlier study of ignorance and its relation to culpability and sin. His analysis of that point is presented in terms of the level of wilfulness and rational capability, and this leads him to distinguish whether an individual is excused from sin completely (*a toto*) or only partially (*a tanto*).¹²⁴ Since ignorance in general has already been discussed, in his specific study of conscience Bonaventure focuses upon situations of error where one suspects that one might be wrong; particularly the situation of knowing that one's

¹²⁰ *Ibid.*

¹²¹ *Ibid.*, dist.39, a.1, q. 2. As these problems relate to the application of principles, Bonaventure is discussing the acquired aspect of conscience.

¹²² *Ibid.*, dist.39, a.1, q. 3; cf. Langston, *Conscience and Other Virtues*, 27.

¹²³ Bonaventure, *In II Sententiarum*, dist.39, a.1, q. 3, resp.: "Si enim faciat quod conscientia dicta, et illud est contra legem Dei, et facere contra legem Dei sit mortale peccatum; absque dubio moraliter peccater."

¹²⁴ *Ibid.*, dist.22, a. 2-3.

judgement is at odds with the teaching of the Church.¹²⁵ Langston proposes that Bonaventure's discussion of the binding nature of erroneous conscience is presented in terms of its dignity as God's "representative within us."¹²⁶ It is true that the Parisian Master describes conscience acting "as God's herald and messenger" (*sicut praeco Dei et nuntius*), which is the reason for its binding force.¹²⁷ However, over the course of the conclusion it is clear that there are limitations placed upon how far conscience may bind an individual, and the key notion which underlies his analysis is that of intention.¹²⁸

If a person acts wrongly in good faith, the act may be evil, but the intention of the will shaped by reason remains good. Thus, the sinful quality of the act is diminished or eliminated altogether. Bonaventure's discussion on ignorance covers the theory up to this point. But what if the individual lacks certainty, or is aware from an external source that what he/she plans to do is considered wrong, even though personally it has been judged to be right? At this point, Gilson is particularly helpful in presenting the essence of the problem:

Suppose, then, that the moral conscience errs in the application of principles to the detail of actions, what, in that case, ought the will to do? If it obeys conscience it wills evil, but if it disobeys it sets aside the very thing that reason presents as good; the intention, then will be bad, and thus the whole act will be bad.¹²⁹

¹²⁵ Key terms indicating the context are given in phrases such as "*credens facere contra ipsius Dei voluntatem*," describing the situation of the person's conscience as "perplexus" in relation to "*lex Dei*" and "*praeceptum praelati*" contained in the conclusion. See *ibid.*, dist.39, a.1, q. 3, resp. (emphasis mine).

¹²⁶ Langston, *Conscience and Other Virtues*, 27.

¹²⁷ Bonaventure, *In II Sententiarum*, dist.39, a.1, q. 3, resp.: "*Conscientia est sicut praeco Dei et nuntius, et quod dicit, non mandat ex se, sed mandat quasi ex Deo, sicut praeco, cum divulgat edictum regis. Et hinc est, quod conscientia habet virtutem ligandi in his quae possunt aliquo modo bene fieri.*"

¹²⁸ Earlier Bonaventure defined intention as the rational appetite. See *ibid.*, dist.38, a.2, q. 1, resp.

¹²⁹ Etienne Gilson, *The Spirit of Medieval Philosophy (Gifford Lectures 1931-1932)*, trans. A.H.C. Downes (London: Sheed & Ward, 1950), 351.

In effect, the act will lack integrity, as the person will not be convinced he is doing right; his heart will not be in it. This is Bonaventure's reason for declaring that in going against an erroneous conscience the person still sins (*adhuc peccat*). Such importance is given to intention, that Bonaventure states that the person still sins, not because of what he does (*non ratione operis*), but rather because of the bad way that he does it (*quia malo modo facit*), namely acting in contempt of God, by believing the act to be displeasing to God (even if, in fact it is pleasing to God).¹³⁰ So it is the spirit in which the act is carried out that is primary for Bonaventure.¹³¹

In the situation of conflict, the Seraphic Doctor concludes that one should refrain from acting upon the judgement of conscience so as not to incur the greater sin of breaking God's law.¹³² Here Bonaventure highlights that the dictates of conscience are not always binding, since the law of God is a higher law.¹³³ Thus the only solution is to educate one's conscience through the advice of those wiser in order to be able to act in good faith (*bono animo*) in the future. He also urges the person to seek God's help in prayer if that advice should be lacking.¹³⁴ Therefore, St Bonaventure cleverly concludes that conscience always binds the individual to do something, but not always to cooperate: at times the person is bound to act, and other times the person is morally bound not to.¹³⁵

¹³⁰ Bonaventure, *In II Sententiarum*, dist.39, a.1, q. 3, resp.: "Si vero facit oppositum eius quod conscientia dictat, ipsa manente, adhuc peccat moraliter, non ratione *operis*, quod facit, sed quia *malo modo* facit. Facit enim in contemptum Dei, dum credit, dictante sibi conscientia, hoc displicere, quamvis Deo placeat" (emphasis in text).

¹³¹ Ibid.: "... quia non tantum attendit Deus *quid* homo facit, sed *quo animo* faciat" (emphasis in text).

¹³² Although there is still an element of sin, if conscience commands something against God, it is good not to act in accordance with it. Cf. *ibid.*: "Facere *contra* conscientiam semper est peccatum, quia semper est in Dei contemptum ...non tamen facere *secundum* conscientiam semper est bonum utpote cum conscientia dictat aliquid, quod est contra Deum" (emphasis in text).

¹³³ See above, at note 91.

¹³⁴ Bonaventure, *In II Sententiarum*, dist.39, a.1, q. 3, resp.: "Et si nescit legem per se de illa iudicare, pro eo quod nescit legem Dei *debet sapientiores consulere*, vel per orationem se ad Deum convertere, si humanum consilium deest." Cf. Langston, *Conscience and Other Virtues*, 27-28.

¹³⁵ Bonaventure, *In II Sententiarum*, dist.39, a.1, q. 3, resp.: "Sic igitur patet, quod omnis conscientia aut ligat ad faciendum quod dictat, aut ligat ad se deponendum. *Non tamen omnis*

Bonaventure's answer to the question of erroneous conscience is also related to the "so-called Islamic problematic" of the "two truth theory of knowledge."¹³⁶ The Latin Averroists, such as Siger of Brabant (c.1235-c.1282) and Boethius of Dacia (died c.1284), were condemned for maintaining that the conclusions of rational syllogistic enquiry were to be upheld even if they were at odds with the major tenets of the Christian faith.¹³⁷ Given what has been said already regarding certain and uncertain opinion in Bonaventure's thought, it is clear that the Seraphic Doctor has no difficulty in declaring that the conclusions of human reasoning are subordinate to the divinely revealed truths of faith, since the former remain at the level of uncertain opinion.¹³⁸ Bonaventure does not distrust rational knowledge; indeed our understanding must start with natural reasoning. However, for him, it is impossible to reach a fullness of truth without faith and revelation.¹³⁹ Thus, Bonaventure's solution to the contradiction of truths is to say that faith is superior to reason in cases of contradiction, and that the clarity of the complete truth found in God is revealed to us in stages, from rational knowledge through faith and mystical illumination, finally to

conscientia ligat ad faciendum, quod dictat; sicut illa quae dictat, non esse faciendum illud, ad quod homo alias tenetur; sed talis conscientia dicitur erronea" (emphasis mine).

¹³⁶ Billy, "Conscience in Bonaventure and Aquinas," 242. Billy also notes here that Aquinas also vigorously refuted any contradiction between faith and reason, but his approach differed from Bonaventure.

¹³⁷ Although other lesser-known writers may have taken the theory further, modern scholars now hold that the accusation against Siger was unfounded, but the condemnation by Bishop Étienne Tempier of Paris in 1270 was sufficient to spark debate on the issue, and for authors like Bonaventure and Aquinas to produce a strong rebuttal to the idea. Cf. *ibid.*; Francesco Gentile, "Attualità e Validità Bonaventuriane," *Studi Francescani* 77 (1980): 207-51, at 229-32; Jean-Pierre Müller, "Saint Bonaventure a-t-il admis l'apossibilité d'une double vérité?" *Miscellanea Franciscana* 75 (1975): 481-494.

¹³⁸ Billy, "Conscience in Bonaventure and Aquinas," 243; Gentile, "Attualità e Validità," 232-33.

¹³⁹ Bonaventure does not dispute the value of reason, though he points out its limits. As a result, he declares that it is impossible not to fall into error without the light of faith. See St Bonaventure, *Collationes de Septem Donis Spiritus Sancti*, in *Opera Omnia*, vol. 5 (Quaracchi, Florence: St Bonaventure College, 1891), coll. IV, n. 12: "Esto quod homo habet scientiam naturalem et metaphysicam, quae se extendit ad substantias summas, et ibi deveniat homo, ut ibi *quiescat*; hoc est impossibile, quin cadat in errorem, nisi sit adiutus lumine fidei, scilicet ut credat homo Deum trinum et unum" (emphasis in text). Consequently, he cautions against the overuse of philosophy in theology, as this will turn rich wine of Scripture into water. See, *In Hexaëmeron*, coll. XIX, 14: "Non igitur tantum miscendum est de aqua philosophiae in vinum sacrae Scripturae, quod de vino fiat aqua; hoc pessimum miraculum esset; et legimus, quod Christus de aqua fecit vinum, non e converso."

the glory of the beatific vision.¹⁴⁰ The moral implication for this is to act positively in accordance with faith and Church teaching, or at least avoid acting in opposition to it by refraining from action, and to inform one's conscience to act in good faith in the future.¹⁴¹ This is why he is of the opinion that one can only be temporarily perplexed (*ad tempus*), rather than remain in a permanent state of confusion, since the dictate of conscience, once compared to the higher law of God (included that mediated by the Church) should be quickly rescinded.¹⁴² Billy proposes that it is Bonaventure's moral epistemology which offers him an escape from perplexity, since "an individual always has recourse to the certitude of knowledge that comes from the inner guidance of God's illuminating light, whenever conflict arises, there can be no question about which source will have precedence."¹⁴³

¹⁴⁰ Cf. idem, *De Donis Spiritus Sancti*, coll. IV, nn. 3-4; idem, *In Hexaëmeron*, coll. III, n. 24; Gentile, "Attualità e Validità," 233.

¹⁴¹ Bonaventure concludes the section by declaring that the precept of a prelate (i.e. a superior) has greater standing than conscience, especially (*maxime*, note: not exclusively) when it is something that can and should be ordered by him. See *In II Sententiarum*, dist.39, a.1, q. 3, resp.: "Patet, enim, quod plus standum, est praecepto praelati quam conscientiae, maxime quando praelatus praecipit quod potest et debet praecipere." Cf. Billy, "Conscience in Bonaventure and Aquinas," 253, where he limits the validity of the precept to the range of the competency of the prelate. This does not take into account the significance of *maxime*. One motivation for Bonaventure's understanding of the hierarchy of command would be his own Franciscan vow of obedience. Indeed, he would have meditated frequently upon the Rules and Admonitions written by his founder, where we find a very clear prescription on obedience to a prelate in *The Admonitions of Saint Francis*, III, 5: "And if at times the subject should see things which would be better and more useful for his soul than those which his prelate commands him, let him willingly sacrifice his [plans] and earnestly strive to fulfil what the prelate has decided" (parenthesis in original). Nevertheless, there are obvious differences in the understanding of Ss. Francis and Bonaventure, as can be observed in *The Rule of 1221*, V, 2: "If however one of the ministers should give a command to one of the Brothers which would be against our life or against his conscience, he is not to be held to obey him; for that is not obedience in which a fault or sin is committed." Both works contained in *The Writings of Saint Francis*, trans. Ignatius Brady (S. Maria degli Angeli, Assisi: Edizioni Porziuncola, 2004), 109; 67.

¹⁴² Cf. Bonaventure, *In II Sententiarum*, d.39, a.1, q. 3, resp.: "Patet, enim, quod nemo ex conscientia perplexus est nisi *ad tempus*, videlicet quamdiu conscientia manet; non tamen est perplexus *simpliciter*, pro eo quod debet illam conscientiam deponere" (emphasis mine); Billy, "Conscience in Bonaventure and Aquinas," 253; 257: "One gets the distinct impression that, for Bonaventure, an erroneous conscience would even be easy to change."

¹⁴³ *Ibid.*, 257. Billy uses the term 'moral epistemology' to describe a scholastic's theory of knowledge as it specifically relates to morals. The notion of where my knowledge and understanding come from (e.g. perception or revelation) will have direct bearing upon where my moral knowledge and understanding stem from. For example, if my theory of knowledge excludes innate ideas, then this cannot be part of my moral epistemology, and vice versa.

Bonaventure's approach of avoidance of action in the context of an erroneous, perplexed conscience might be described as a tutorist position. Perhaps this reflects the attitude of the time, as Delhaye says that there was a tradition of tutorism in the 13th century.¹⁴⁴ However, this view was not held by all, as we shall see that, to a certain extent, St Thomas takes a more nuanced approach than his Franciscan counterpart.¹⁴⁵

In contrast to Aquinas, Bonaventure is often given little space in historical presentations, even only a paragraph at times. However, I think that he has a lot to offer, particularly in terms of his notion of *synderesis* as a driving force for good, and for the significant role of grace-filled illumination in the life of the Christian. Potts considers Bonaventure's distinction between *conscientia* and *synderesis* to be "unconvincing".¹⁴⁶ However, to my mind, I find much of Pott's analysis of Bonaventure in terms of deontic propositions and intuitionism to be more unconvincing.¹⁴⁷ As a result, I would find much in Bonaventure's analysis to be both interesting and useful, and by no means the caricature that it is often reduced to in summary presentations, namely, that he considered the reason to be ruled by the will. As we have seen, reason and will operating in the *conscientia* and *synderesis* are complementary and intertwined in Bonaventure's actual view. Cognizance of their complementary nature is vital for later consideration of the role of the reason and the will in conscience as a whole, since excessive separation of the will from the reason, coupled with a nominalist approach to freedom, has led to polarisation or a fear of the

¹⁴⁴ Delhaye, *The Christian Conscience*, 217.

¹⁴⁵ Billy, "Conscience in Bonaventure and Aquinas," 253. Although the term 'tutorist' may be of some use, it should be used with caution, says Billy, so that the baggage of a later theological era is not applied to Bonaventure. See *ibid*, 262.

¹⁴⁶ Potts, *Conscience in Medieval Philosophy*, 44.

¹⁴⁷ *Ibid.*, 32-44.

will in conscience, as if it is the unruly or selfish partner to clinical reason.¹⁴⁸ St Bonaventure's writing offers an antidote to such exaggeration.

5. *Saint Albert the Great*

Saint Albert the Great was the first Christian writer to make extensive use of Aristotelian thought and to rework it for the benefit of the Latin Scholastics. This led to significant changes in the understanding of natural theology, psychology and ethics, with the result that the relationship between *synderesis* and *conscientia* came to be defined in different terms.¹⁴⁹ His impact in changing the approach and understanding of major issues denies the scholars' view of Albert held for the first half of the twentieth century, namely, that he was neither coherent nor systematic, and whose encyclopaedic approach left him at the level of a skilful exegete, capable of explaining the sense of a broad spectrum of texts, particularly that of Aristotle, but unable to produce much in the way of originality.¹⁵⁰ Another misconception of Albert's approach would be to imagine that his "assimilation on a vast scale of the Stagirite's thought" implied a purity of use of Aristotle that excludes all other

¹⁴⁸ This false polarisation of the will and reason came to the fore from the time of the moral manuals. Herbert McCabe helpfully sums up the situation: "From that line of thinking [i.e. manualist], intellect or reason and will are quite separate and even opposed faculties. The right reason of which they sometimes speak is a theoretical use of reason which gives an account of what is implied by basic laws. [...] The manuals show no serious interest in the development of the christian life, the growth in grace by which people are educated in the moral dispositions, virtues, so that they mature into being their true selves. In the place of the truth involved in Aquinas's account of action (recognition of relevant factors in the judgement of means and the discovery of the self in decision) there is an appeal simply to obedience – thought to be the work of a quite unpredictable and almost random free will" (original parenthesis, except for those in square brackets). See Herbert McCabe, "Virtue and Truth," *Irish Theological Quarterly* 62 (1996-97): 161-169, at 168.

¹⁴⁹ Pangallo, *Legge di Dio*, 69-70.

¹⁵⁰ A prominent proponent of this opinion was De Wulf. See Maurizio (Maurice) de Wulf, *Storia della Filosofia Medievale*, vol. 2, Italian version from 6th French ed., trans. V. Miano (Florence: Libreria Editrice Fiorentina, 1945), 125: "Se si considera la filosofia di Alberto dal punto di vista costruttivo, essa manca di coerenza e di spirito sistematico." ["If one considers the philosophy of Albert from a constructive point of view, it lacks coherence and systematic spirit."] Cf. Leff, *Medieval Thought*, 207: "He was essentially the critical glossator [of Aristotle] rather than the original synthesizer. [...] Albert as a thinker is disappointing and muddled."

authorities.¹⁵¹ Such a view would be a gross oversimplification, in that St Albert's approach to Aristotelianism was "contaminated by neoplatonism" and heavily influenced by Avicenna, such that the result was quite different from Bonaventure or Thomas.¹⁵² Moreover, given that his Aristotelianism was an orthodox Christian one, he was not afraid to denounce Aristotle's errors or reject that which was contrary to the Christian faith.¹⁵³ Thus, it would be more accurate to say that Albert made efforts to reconcile the eclectic Augustinianism of the time (with its influences of Avicenna and Avicbron) with Aristotelianism, while giving greater scope to the use of the latter.¹⁵⁴

Perhaps Albert has been misrepresented or underestimated at times because until recently not all of his works were readily available to scholars. For example, complete critical editions of his *De Bono* and *Quaestiones* did not appear until 1951 and 1993 respectively, meaning that establishing a chronology and understanding of the development of his thought were nigh on impossible prior to this point in time.¹⁵⁵ I would therefore propose to draw from Mario Pangallo's recent and highly detailed research in order to present a fuller sense of the development of Albert's thought,

¹⁵¹ Pangallo, *Legge di Dio*, 67: "L'aristotelismo poteva produrre importanti cambiamenti per l'impostazione del nostro tema solo in un autore convinto della necessità di operare un'assimilazione su vasta scala del pensiero dello Stagirita: e questo Autore è stato Alberto Magno."

¹⁵² Fernand Van Steenbergen, "La Filosofia di Alberto Magno," *Sapienza* 18 (1965): 381-93, at 390: "Questa filosofia è fondamentalmente *aristotelica*. Ma è un aristotelismo fortemente contaminato dal neoplatonismo, è un *aristotelismo neoplatonizzante e soprattutto avicennizzante*, molto diverso dall'aristotelismo tomista [...], molto diverso anche dall'aristotelismo neoplatonizzante di S. Bonaventura" (emphasis in text); Pangallo, *Legge di Dio*, 71.

¹⁵³ Van Steenbergen, "La Filosofia di Alberto Magno," 391.

¹⁵⁴ Pangallo, *Legge di Dio*, 71-72. Here, following Schooyans's analysis, Pangallo considers Albert's efforts not to be without success. Cf. M. Schooyans, "La distinction entre philosophie et théologie d'après les commentaries aristotéliens de saint Albert le Grand," *Rivista da Universidade Catolica de São Paulo* 18 (1959): 255-79, at 279.

¹⁵⁵ Indeed, it is clear that De Wulf's views have been coloured by an inability to establish a clear chronology. See *Storia della Filosofia*, II, 125: "Per scoprire un ordine coerente in questo complesso disparato, bisognerebbe dimostrare che in Alberto c'è stata un [*sic*] evoluzione di pensiero, ma questo è impossibile allo stato presente delle nostre conoscenze sulla cronologia delle sue opere, e sembra poco probabile" ["In order to discover a coherent order in this disparate collection, one would have to demonstrate that there has been an evolution in Albert's thought, but this is impossible in the present state of our knowledge about the chronology of his works and seems hardly probable."]

something which, despite his influence on Aquinas, is rarely done in moral works. This will enable us to see how Albert's interpretation influenced St Thomas, and also how and where his views differed over time.

5.1 Epistemological Background

As with St Bonaventure, it is necessary to understand something of the moral epistemology that lies behind Albert's view before looking at conscience itself, and so we stop briefly to examine the relevant points, particularly concerning law and its principles, whether universal or particular, since they are key notions in relation to the function of *synderesis* and *conscientia* according to Albert's understanding.

Following Aristotle, Albert distinguishes the speculative from the practical intellect, stating that the latter is an "extension" of the former.¹⁵⁶ Not only are these aspects of intellect distinguished by their function, but also by their object, which shapes their function. Hence the object of the speculative intellect is the *verum*, but the object of the practical intellect is the *bonum*,¹⁵⁷ which is the *primum movens* of the latter, since, once recognised by the practical intellect, the subject is directed towards a particular action (*bonum operabile*) by means of the appetite.¹⁵⁸ This leads Albert to identify the two aspects of the practical intellect, namely, the cognitive and the volitive. The cognitive aspect possesses the first moral principles, analogous to the first principles of truth held by the speculative intellect. Albert calls the first moral

¹⁵⁶ St Albert the Great, *Summa de Creaturis*, in *Opera Omnia*, vol. 35, ed. S. Borgnet (Paris: Vivès, 1896), II, q.63, a.4, sol.: "speculativus per extensionem fit practicus"; Pangallo, *Legge di Dio*, 83. Albert does not mention the work from which he draws his Aristotelian maxim, although it appears to be loosely based on *De Anima*, III, 10. This would seem likely, as Aquinas certainly points to this work as the source of the saying. Cf. Aristotle, *On the Soul*, trans. J.A. Smith, in *The Complete Works of Aristotle: The Revised Oxford Translation*, ed. Jonathan Barnes, vol. 1 (Princeton, NJ: Princeton University Press, 1984), III, 10, 433a 10-20; Aquinas, *Summa Theologica*, I, q.79, a.11, s.c.

¹⁵⁷ Albert the Great, *Summa de Creaturis*, II, q.63, a.4, sol.

¹⁵⁸ *Ibid.*; Pangallo, *Legge di Dio*, 81-82.

principles *universalia juris* or *dignitates*.¹⁵⁹ In the *Summa de Creaturis* Albert defines the *universalia juris* as the source of rectitude in moral action.¹⁶⁰ These first principles are the general rules of moral action, and so, in this sense, the practical intellect is always right. This notion is also drawn from Aristotle, who declares that the practical intellect can be understood in three ways, with the third relating to universals, which implies that in this sense the intellect is always right.¹⁶¹ This gives a firm basis of universal moral principles upon which moral action is built and understood.¹⁶² Thus, in the Scholastic chicken-and-egg style questioning of whether reason or the will comes first, Albert settles on the side of giving primacy to the reason, declaring that whenever this proper natural order is disrupted, the practical intellect is led into error and sin (*quandoque errat*).¹⁶³ Clearly this is a different approach to Bonaventure, who views the will in a more positive light. However, despite their differences of opinion, like the other Scholastics of their time, both shared the same patristic sources which helped to shape their understanding of the reason and the will, of natural law and conscience. At points they would equate notions offered by the Fathers; other times they would keep them distinct, but add further layers of meaning. As well as St

¹⁵⁹ *Ibid.*, 82.

¹⁶⁰ Albert the Great, *Summa de Creaturis*, II, q.63, a.3, sol.

¹⁶¹ Aristotle, *On the Soul*, III, 3, 428a 16. Albert describes the three ways in *Summa de Creaturis*, II, q.63, a.3, sol., drawing the following conclusion, which includes a clarification from Avicenna: “Si tertio modo accipiatur, tunc ipse erit circa universalia juris, in quibus non est error, et sic semper est rectus: et quia sic proprie accipitur, eo quod sit ratione intellectus, ut dicit Avicenna, quod sit circa universalia remota a materia et appendiciis materiae, dicit Philosophus, quod semper est rectus”; Pangallo, *Legge di Dio*, 82-83.

¹⁶² Note that Aristotle does not explicitly affirm that these universal practical principles are innate; it is Arab philosophy which provides this view. This would explain the appearance of Avicenna’s term *dignitates*, and the frequent reference to him regarding this issue. Cf. Albert the Great, *Summa de Creaturis*, II, q.63, a.1, sol.: “Et ideo dicit Avicenna [...] In tertia autem principalia operum quae sunt dignitates”; Pangallo, *Legge di Dio*, 83.

¹⁶³ Albert the Great, *Summa de Creaturis*, II, q. 63, a.3, sol.: “Potest tamen dici, sicut quidam dixerunt, quod intellectus ordinatur antecedenter ad voluntatem et consequenter: et quando antecedenter ad voluntatem, tunc movet voluntatem, et non errat, et ille est ordo proprius: quando vero consequenter, tunc quandoque errat, et ille est ordo indebitus et innaturalis, per quem egrediuntur mores perversi, ut dicit Avicenna”; Pangallo, *Legge di Dio*, 83.

Augustine, of course, two other major Church Fathers whose writings had a long-lasting effect on moral epistemology were St Basil the Great and St John Damascene.

5.2 Patristic Influences on Scholastic Moral Epistemology

In his *Homilia in Principium Proverbiorum*, St Basil the Great talks of “a certain natural judgement” (*judicium quoddam naturale, kritērion physikon*) by which we are able to distinguish good from evil and consequently favour virtue over vice.¹⁶⁴ The medievals identified Basil’s *kritērion physikon* with conscience, particularly *synderesis*, translating it as *naturale judicatorium*.¹⁶⁵ Basil’s concept of a natural aptitude for discovering the good is also found in the writings of St John Damascene, although couched in different terms that relate far more to the will than the reason. Damascene presents his own view in his *De Fide Orthodoxa*, which became widely known to thirteenth century Scholasticism through the Latin translation of Burgundius of Pisa.¹⁶⁶ Here the Damascene distinguishes between *thelēsis* and *boulēsis*. The terms form part of his description of the appetitive faculty (as opposed to the cognitive faculty). Thus, *thelēsis* is the natural rational appetite for the good in general as an end, *boulēsis* is the application of this fundamental drive for the good to a particular definite object and *proairēsis* is the choice of means to achieve the immediate goal of *boulēsis*. According to Damascene, different stages of rational judgement are

¹⁶⁴ St Basil the Great, *Homilia XII: In Principium Proverbiorum*, PG 31, 405-406; Pangallo, *Legge di Dio*, 15.

¹⁶⁵ For example, Aquinas, *Summa Theologica*, I, q.79, a.13. Cf. Pangallo, *Legge di Dio*, 16.

¹⁶⁶ Odon Lottin, “La psychologie de l’acte humain chez s. Jean Damascène et les théologiens du XIIIe siècle occidental,” *Revue Thomiste* 14 (1931): 631-661, at 634. Lottin presents in full the relevant section of the Burgundius translation, as well as his own, in order to highlight the inaccuracies. See *ibid.*, 633-36.

employed after *boulēsis* and before a choice is made regarding the means. Thus, the rational faculty is kept separate from *boulēsis*.¹⁶⁷

Lottin says that the first person to introduce this distinction between *thelēsis* and *boulēsis* into Scholastic writing was Philip the Chancellor in his *De Potentiis*.¹⁶⁸ However, errors in Burgundius's translation presented both *boulēsis* and *bouleusis* as *consiliatio* (deliberation), rather than *voluntas* and *consiliatio*. As a result, the transition from the will to the process of rational deliberation and judgement was obscured.¹⁶⁹ This led to a long line of writers distinguishing *thelēsis* from *boulēsis* as the natural will (*voluntas naturalis*) and the rational/deliberative will (*voluntas rationalis/deliberativa*) respectively.¹⁷⁰ Thus, St Bonaventure comments upon *voluntas naturalis* and *voluntas deliberativa*.¹⁷¹ Prior to him, Alexander of Hales offered a variant of this where he equates *thelēsis* with *synderesis* and *boulēsis* with *liberum arbitrium*.¹⁷² This view remained an important point of reference for the voluntarist Franciscan School until the appearance of Blessed John Duns Scotus, who overturned the idea of linking *synderesis* with the (natural) will.¹⁷³ Even St Thomas

¹⁶⁷ St John Damascene, *De Fide Orthodoxa*, II, cap. 22, PG 94, 945-946; Pangallo, *Legge di Dio*, 18.

¹⁶⁸ Lottin, "La psychologie de l'acte humain," 637.

¹⁶⁹ *Ibid.*, 643. See *ibid.*, 635 for the key corrupted sentence: "Deinde post consiliationem, bulisim, id iest voluntatem, inquisitio (*zētēsis*) et scrutatio (*skepsis*); et post hec, si ex his que in nobis sunt est, fit consilium (*boulē*), scilicet consiliatio (*bouleusis*); consilium autem est appetitus inquisitivus de his que in nobis sunt rebus fiens; consiliatur enim si debet pertractare rem vel non" (Greek words from the Damascene text inserted by Lottin). Cf. Pangallo, *Legge di Dio*, 19.

¹⁷⁰ Lottin, "La psychologie de l'acte humain," 636-661.

¹⁷¹ Bonaventure, *In II Sententiarum*, d.24, p.1, a.2, q. 3, obj.2; *idem*, *Commentaria in Quatuor Libros Sententiarum Magistri Petri Lombardi*, in *Opera Omnia*, vol. 3 (Quaracchi, Florence: St Bonaventure College, 1887), III, d.17, a.1, q.2, sed contra obj.3.

¹⁷² Alexander of Hales, *Summa Theologica*, II, Inq. 4, tract. 1, sect. 2, q.3, tit. 2, cap. 2 (pages 465- 466). Here Alexander uses the terms *voluntas naturalis* and *voluntas electiva sive deliberativa*.

¹⁷³ Blessed John Duns Scotus, *Ordinatio II*, in *Opera Omnia*, vol. 8 (Vatican City: Vatican Press, 2001), dist. 39, qq.1-2, resp.: "Si synderesis ponatur aliquid habens elicited, semper tendentem in actum iustum et resistentem peccato, - cum nihil tale sit in voluntate, non potest ibi poni; ergo est in intellectu. Et non potest aliud poni quam habitus principiorum, qui semper est rectus, quia ex ratione terminorum, virtute luminis intellectus naturalis, statim intellectus acquiescit illis." Cf. translation contained in *Duns Scotus on the Will & Morality*, selected and translated with introduction by Allan B. Wolter, ed. William A. Frank, (Washington, DC: Catholic University of America Press, 1986), 164: "If synderesis is assumed to be something having an elicited act that necessarily and at all times inclines one to act justly and resist sin, then since nothing of this sort is in the will, we cannot assume it to be

Aquinas also includes this tradition in his work by distinguishing *voluntas ut natura* (*thelēsis*) from *voluntas ut ratio* (*boulēsis*), but he is careful not to confuse this with *synderesis*, which he locates in the intellect.¹⁷⁴ However, from Aquinas's comments we can observe that he, unlike St Albert, is imprecise in his use of St John Damascene's terms, since he incorporates choice of means into his notion of *boulēsis*,¹⁷⁵ something which Albert is at pains to avoid, when he describes it as a general appetite for something, whether possible or impossible.¹⁷⁶ Thus, Albert distinguishes between three modes of operation of the will: natural will (*thelēsis*), rational will and the will as concerned with particulars (*boulēsis*).

With this summary of the notions provided by St Basil the Great and St John Damascene, and their application in the middle ages, we can observe that in the voluntarist description of the *synderesis* there is a confluence of the ideas of *naturale iudicatorium*, as the natural capacity to judge what is good, with *thelēsis* as the natural desire for the good. The intellectualist school maintains a separation between the two

there. Consequently, it is in the intellect, and it cannot be assumed to be anything other than that habitual knowledge of principles which is always right. For the intellect, in virtue of its own natural light, assents to these principles immediately on the strength of their terms." Note Scotus appears to have assigned to *synderesis* what Bonaventure ascribes to the innate part of *conscientia*.

¹⁷⁴ Cf. St Thomas Aquinas [S. Tommaso d'Aquino], *Commento alle Sentenze di Pietro Lombardo e Testo Integrale di Pietro Lombardo*, vol. 5, *Libro Terzo, Distinzioni 1-22: L'Incarnazione del Verbo e la Redenzione*, Latin-Italian ed., trans. Roberto Coggi (Bologna: Edizioni Studio Domenicano, 2000), dist. 17, q.1, a.1, qc. 3, ad. 1; idem, *Summa Theologica*, Leonine ed. (Rome: Forzani, 1894), III, q. 18, a.3; *ibid.*, I, q. 83, a.4.

¹⁷⁵ See Aquinas, *Summa Theologica*, III, q.18, a.3, resp. As well as the terms given above, here, *thelēsis* is described as *simplex voluntas*, which concerns basic desires, such as health, and *boulēsis* is described as *consiliativa voluntas*, where the will concerns itself with a desire in keeping with the basic desire. For example, the *will as reason* thus desires to take medicine to achieve health. What is not expressed, but is implied is that this counselling will is choosing the means to health, rather than concerning itself with the desire to get better from a particular situation of illness. Lottin points out that Albert is far more precise than any of his contemporaries on this matter, in that he clearly comments on the Damascene's distinction between the acts of the will prior to the acts of reason. See Albert the Great, *Summa Theologica*, in *Opera Omnia*, vol. 32, ed. S. Borgnet (Paris: Vivès, 1895), II, tract. 4, q.14, memb. 4, a.1; idem, *Summa Theologica*, in *Opera Omnia*, vol. 33, ed. S. Borgnet (Paris: Vivès, 1895), II, tract. 16, q. 99, memb. 1, sol., ad 2. Lottin suggests that Albert must have used a corrected copy of Burgundius's translation. See Lottin, "La psychologie de l'acte humain," 647.

¹⁷⁶ Albert the Great, *Summa De Creaturis*, II, q. 65, art. 1: "Has tres voluntates nominat tribus modis. Prima enim dicitur *thelēsis*, hoc est naturalis voluntas. Secunda autem proprie dicitur voluntas rationalis. Tertia vera *boulēsis* dicitur hoc est qualiscumque voluntas, eo quod generalis est appetitus impossibilium, et possibilem, sive per nos sive non per nos operandum."

notions and presents the *naturale judicatorium* as the seat of natural law and identifies this with *synderesis*. The separation is caused by placing both *synderesis* and *conscientia* in the practical reason. Thus, for Albert, while St John Damascene provides the basis for other aspects of his moral epistemology, such as the interplay of acts of reason, will and *liberum arbitrium*,¹⁷⁷ in the stages of deliberation leading to moral action,¹⁷⁸ his notion of *thelēsis* proves to be less important than that of Basil's *naturale judicatorium*.

5.3 St Albert's Early Analysis of Synderesis and Conscientia

Having set the scene, we are now in a position to look at the Universal Doctor's analysis of conscience. I will look mostly at *synderesis*, as this will reveal his understanding of *conscientia* by contrast. The brief references to the views of Albert contained in moral textbooks largely limit themselves to the opinions presented in Book Two of the *Summa de Creaturis*, subtitled *De Homine*.¹⁷⁹ This is obviously Albert's most detailed treatise on the matter of *synderesis* and *conscientia* in the early stage of his career, and so we will refer to other later works only insofar as they offer further detail, or change tack altogether. However, his first, albeit brief, mention of

¹⁷⁷ For Albert, *liberum arbitrium* is neither part of the reason nor the will, but a third faculty that is distinct from both, though involving both. Here Albert shows the influence of St Augustine, in understanding *liberum arbitrium* as a faculty of both the reason and the will. Cf. Pangallo, *Legge di Dio*, 89; Albert the Great, *Summa de Creaturis*, II, q.70, a.3, sol.

¹⁷⁸ The process consists of investigation of a means (*perquirere/perscrutari*), deliberation (*consilium*), judgement (*judicium*), choice (*electio, eligentia/prohairesis*), command (*imperium rationis*) and completion of the act. Cf. Albert the Great, *Summa de Creaturis*, II, q.69, a.2, sol. For a full description of Albert's analysis, see Pangallo, *Legge di Dio*, 87.

¹⁷⁹ For example, Delhaye, *The Christian Conscience*, 112-13; D'Arcy, *Conscience and its Right to Freedom*, 31-33. D'Arcy only briefly mentions one other work, namely the *Commentary on the Sentences*, which he says adds little to that presented in the *Summa de Creaturis*. (Pangallo agrees with this opinion, though presents far more detail. Cf. Pangallo, *Legge di Dio*, 120-25.) Unfortunately, this leaves unmentioned other works which do have something to add. Moreover, D'Arcy's note on page 31 dates the *Summa de Creaturis* to "c. 1132". This is about one hundred years out. Granted even a typographical error, modern scholarship can now present a more accurate date of 1242-43. For a more probable chronological reconstruction of Albert's works between 1233-1268, see Pangallo, *Legge di Dio*, 98.

synderesis appears in his *De Resurrectione*, written between 1236 and 1242.¹⁸⁰ The remarks are of significance, in that they comment upon *synderesis* in terms of its motivating role.¹⁸¹ St Albert distinguishes between intellective powers (*de actibus apprehensivarum virium*) and motivating powers (*de actibus motivarum virium*).¹⁸² Here *synderesis* is identified as a motivating power, along with the will, the *liberum arbitrium*, and superior and inferior reason.¹⁸³ For John Damascene, as well as identifying conscience as the internal law of the mind, the major motivation for action was the desire for the good. Here Albert seems to stress not the good as motivation for the reason and the will, but eternal justice in all its beauty (*pulchritudo aeternae iustitiae*).¹⁸⁴ This is not to say that the notion of the good as prime mover and end has no place in the thought of Albert: far from it.¹⁸⁵ However, this text highlights the context in which conscience is placed primarily in Albert's thought, namely divine justice and the eternal law of God. Indeed, perhaps the idea of eternal justice should be considered in tandem with the notion of the good, rather than separately, in order to give further shape to how Albert sees the good. Hence, the Universal Doctor comments that both *synderesis* and the will participate directly in eternal justice (*immediate participant*), while higher and lower reason, in deliberating on things eternal and earthly, and *liberum arbitrium*, in its choice of action, participate in eternal justice as an effect of the *synderesis* and the will, overflowing from them (*per redundantiam*). Albert explains in the passage that the will participates in the splendour of the law of God because of its relationship with the ultimate end.

¹⁸⁰ Pangallo, *Legge di Dio*, 98.

¹⁸¹ *Ibid.*, 99-100.

¹⁸² St Albert the Great, *De Resurrectione*, in *Opera Omnia*, vol. 26, ed. W. Kübel (Aschendorff: Monasterii Westfalorum, 1958), tract. IV, q.2, a.5.

¹⁸³ *Ibid.*, q.2, a.5, sol.: "Ratio omnium meritorum est pulchritudo aeternae iustitiae ad quam convertuntur *potentiae motivae* secundum ordinem, ita quod superiores immediate participant eam sicut *synderesis et voluntas*, quae est ultimis finis; aliae autem participant per redundantiam sicut *liberum arbitrium et utraque portio rationis*" (emphasis mine).

¹⁸⁴ *Ibid.*

¹⁸⁵ For example, *idem*, *Summa De Creaturis*, II, q. 63, a.4, sol.

However, he does not elaborate here on how *synderesis* participates directly in divine law. That, as we shall see, is left to the *Summa de Creaturis*. However, for now, the first key notion Albert offers to us is the idea that *synderesis* motivates moral action on account of its direct relationship to divine justice.

5.4 *The Summa de Creaturis and the Commentary on the Sentences*

In the *Summa de Creaturis* Albert asks the traditional set of questions on *synderesis*: its definition, whether it can err, and whether it can be extinguished. After a series of pros and cons, Albert is convinced particularly by the authority of Augustine to conclude that *synderesis* is none other than the *naturale iudicatorium* (the translation of St Basil's *kritērion physikon*),¹⁸⁶ which holds the seeds of justice (*semina iustitiae*) and the universal principles of natural law (*universalia iuris*),¹⁸⁷ and therefore operates like the eagle in Ezekiel by directing in accord with divine justice.¹⁸⁸ As such, it is a special power of the soul (*specialis vis animae*), which operates not in the will, but in the practical intellect,¹⁸⁹ since it provides the universal principles which

¹⁸⁶ At points, terms (even including *synderesis*) are attributed to St Augustine, when they were in fact, created long after his death. One cause for this is the layering of commentary on texts of Augustine by later Augustinian writers. Thus, Lottin identifies Alexander of Hales, John de la Rochelle and Jean of Trevisa as the first to use the Latin term *naturale iudicatorium* roughly based on Basil's words. Cf. Lottin, *Psychologie et morale*, II, 210, n. 2; Pangallo, *Legge di Dio*, 26-27. The same goes for the notion of *universalia iuris*, which even Lottin was unable to find in Augustine's works. Page 590 of the Borgnet edition of Book II of Albert's *Summa de Creaturis* directs the reader to Augustine's *De Libero Arbitrio*, II, 10, PL 32, 1256. However, the notion is absent, as Augustine talks here of wisdom, its rules and lights of virtues (*lumina virtutum*) instead. Lottin proposes *De Libero Arbitrio*, III, 20, PL 32, 1298, which at least talks of *naturale iudicium*, but there is no sign of *naturale iudicatorium* or *universalia iuris*. See Lottin, *Psychologie et morale*, II, 211, n. 2.

¹⁸⁷ Albert the Great, *Summa de Creaturis*, II, q. 71, a.1, sol.: "Sine praesudicio dico, quod *synderesis* est specialis vis animae, in qua secundum Augustinum universalia iuris descripta sunt" (emphasis in text); *ibid.*, ad 1: "sed notabile est quod dicit Basilius, quod in ipsa inserta sunt semina iustitiae et universalia iuris naturalis."

¹⁸⁸ *Ibid.*: "Et etiam debet significari per aquilam in Ezechiele: eo quod alta conspicit, quae concordant iustitiae divinae." The link with divine justice matches that presented in *De Resurrectione*. See Pangallo, *Legge di Dio*, 106. The connection of natural law to divine justice, as illuminated by Revelation, shows that, for Albert, natural law participates in divine law. This shows that there is a theological context for morals and law in Albert. See *ibid.*, 119.

¹⁸⁹ Albert the Great, *Summa de Creaturis*, II, q. 71, a.1, solutio: "ex parte operabilium quaedam sunt universalia dirigentia in opere, per quae intellectus practicus iuvatur ad discretionem turpis et honesti in moribus [...] et subjectum illorum *synderesis* est." cf. *ibid.*, ad 6. Here we observe

reason then applies to particular cases. The application is not the job of *synderesis*, says Albert. Rather, this is the task of reason itself,¹⁹⁰ by means of positive human law.¹⁹¹ Here, the Universal Doctor is making an implicit reference to the Aristotelian notion of the practical syllogism, something he will make explicit in the subsequent question on conscience. He then reinforces the fact that *synderesis* operates on the universal level, both in terms of content, but also in terms of natural appetite for the good.¹⁹² It is this aspect of *synderesis* which moves the intellect to act. Thus, Albert is reaffirming *synderesis* as a motivating power, as well as keeper of universal principles.¹⁹³

From the above we can observe that Albert's conclusion contains aspects which continue to hold past pronouncements in esteem. This would account for the multiple references to Saints Augustine and Jerome, as well as forms of definition inspired by Philip the Chancellor, thus describing *synderesis* as *vis cum habitu*

the influence of William of Auxerre's understanding of *ratio superior*, which is in even greater evidence in Albert's *Commentary on the Sentences*. Cf. Pangallo, *Legge di Dio*, 107; 31-36; Albert the Great, *Commentarium in Secundum Librum Sententiarum*, in *Opera Omnia*, vol. 27, ed. S. Borgnet (Paris: Vivès, 1894), dist. 24, a.14, ad 3 et 4.

¹⁹⁰ *Ibid.*, q. 71, a.1, sol.: "sed non applicat ea [universalia juris] ad particularia, quia hoc est officium rationis."

¹⁹¹ *Ibid.*, ad 1 et 2: "quia oportet universalia juris *per jus positivum applicari* ad particularia: jus enim positivum a ratione circa particulares casus est inventum" (emphasis mine).

¹⁹² *Ibid.*, ad 7.

¹⁹³ Cf. Albert the Great, *In II Sententiarum*, dist. 24; art 14, ad 3 et 4. D'Arcy suggests a neat comparison between Albert and Bonaventure with regard to the soul's inclination to moral goodness. For Bonaventure he says it is "an inclination of the will," and for Albert it is "an innate intellectual grasp of the first moral principles." It is true that in the *solutio* to *Summa de Creaturis*, II, q.72, a.1, Albert says that the major premise that *synderesis* provides is to incline to the good through the good universal principles ("Major autem istius syllogismi est synderesis, cujus est inclinare in bonum per universales rationes boni."). However, if one combines this comment with those made in q. 71, a.1, ad 7, Pangallo points out that Albert's inclusion of a fundamental appetite to the good in *synderesis* is not solely due to the principles themselves, but also concerns the motivating activity of the rational appetite, that is, the will. How the will and the reason fit together in general is a complex matter, about which Albert is inconsistent, giving primacy to reason in some works and primacy to the will in others, especially his *Commentary on the Sentences* and his *Summa Theologiae*. Ultimately, probably given the inconsistency, Pangallo helpfully points out that how the reason and the will relate is not essential to Albert's anthropological doctrine. However, it is this kind of loose end which I would suggest is significant for our definition of conscience, which would lead me to the same conclusion as that of Bernard Häring, namely, that both reason and will are inseparably involved. See D'Arcy, *Conscience and its Right to Freedom*, 31; Pangallo, *Legge di Dio*, 109-10; Bernard Häring, *Free and Faithful in Christ: Moral Theology for Priests and Laity*, vol. 1, *General Moral Theology* (Slough: St Paul Publications, 1978), 234-35.

principiorum juris naturalis,¹⁹⁴ and *potentia cum habitu*.¹⁹⁵ However, the shift from the will to the intellect as the major focus, is a significant departure from the prevalent Augustinian approach in favour of adopting a reconstructed Aristotelian approach that also has God in mind as the ultimate end and source of justice.¹⁹⁶ This reconstruction is essential for Albert, as attention must be given to both natural and supernatural levels of human existence in order to obtain its full meaning.¹⁹⁷

Albert's analysis of the Jerome passage on Ezekiel leads him to equate *synderesis* to the *scintilla conscientiae*, and as such it admits no error, unlike *conscientia*, which is dependent not only upon *synderesis*, but also reason, which is deceived at times.¹⁹⁸ As well as being the keeper of the seeds of justice and the infallible universal moral principles,¹⁹⁹ Albert says that *synderesis* is also so much more at a distance from the inclination to sin than anything else, which is why it neither errs or sins.²⁰⁰

Probably the most influential change which Albert made to the understanding of how *synderesis* and *conscientia* functioned and related to each other was to explain it in terms of an Aristotelian practical syllogism. In his question on conscience, he expands upon what he suggested earlier and declares that "conscience is the

¹⁹⁴ Albert the Great, *Summa de Creaturis*, II, q.71, a.1, ad 1 et 2.

¹⁹⁵ *Ibid.*, ad 6. See Lottin, *Psychologie et morale*, II, 210-15 for the influence of Philip the Chancellor on Albert's thought.

¹⁹⁶ Pangallo, *Legge di Dio*, 107.

¹⁹⁷ *Ibid.*, 110-11. This, in effect is the thinking behind his answer to why the Saints mention *synderesis*, but the Philosophers do not. He concludes that it is a matter of different points of view, natural and eternal. See Albert the Great, *Summa de Creaturis*, II, q.71, a.1, ad quaestionem.

¹⁹⁸ Albert the Great, *Summa de Creaturis*, II, q.71, a.1, ad 3: "conscientia sequitur ex synderesi et ratione, et ex parte synderesis numquam habet errorem, licet ex parte rationis quandoque decipiatur."

¹⁹⁹ Albert's later work *De Bono* supports the view of *synderesis* presented in the *Summa de Creaturis*, but provides complementary terms, defining its content, the *universalis juris*, also as the innate (*inserta per naturam*), common principles (*principia communia*) of natural law. St Albert the Great, *De Bono*, in *Opera Omnia*, vol. 28, ed. H. Kühle, C. Feckes, B. Geyer, and W. Kübel (Aschendorff: Monasterii Westfalorum, 1951), tract. V, q.1, a.1, sol.; *ibid.*, a.3, sol. Cf. Pangallo, *Legge di Dio*, 115-119.

²⁰⁰ Albert the Great, *Summa de Creaturis*, II, q.71, a.1, ad 9: "synderesis est specialis pars animae magis inter caeteras elongata a corruptione fomitis." He concludes this part by reminding the reader that some consider it to be part of the primordial human righteous state.

conclusion of practical reason from two premises, of which the major is of *synderesis* and the minor of reason.”²⁰¹ He summarizes the process as follows:

All good is to be done.	(<i>Synderesis</i>)
This is good.	(<i>Ratio</i> : judgement of practical reason)
Therefore this is to be done.	(<i>Conscientia</i> derives conclusion) ²⁰²

The syllogism then becomes the framework within which questions and problems on conscience are examined and explained. Following Aristotle, Albert had already established that the intellect (and hence *synderesis*) as keeper of universal principles is always right, but that deliberative reason itself makes mistakes. What about conscience - is it always right? Albert declares that “conscience in itself is always right,”²⁰³ but that in actuality it is “sometimes right and sometimes wrong.”²⁰⁴ He is able to combine these seemingly contradictory answers by stating that the fault is not of the conscience itself, but rather caused by fallible reason, since he has already concluded that it is in the particulars that the error is greatest, and that in its application of the infallible universal laws reason is frequently deceived.²⁰⁵ In effect, this answer follows the process of logical deduction, declaring that conscience is the conclusion of the syllogism and no more, with the exception that as it is a practical syllogism, it has a practical, in this case moral, impact about what should be done. This means that if either of the premises is wrong, then it will reach an incorrect conclusion, however logical and right it is in itself in its process.

²⁰¹ Ibid., q. 72, a. 1, sol.: “Dicimus, quod conscientia conclusio est rationis practicae ex duobus praemissis, quarum major est synderesis, et minor rationis.”

²⁰² Ibid.: “Omne bonum faciendum. Hoc est bonum: ergo hoc est faciendum.”

²⁰³ Ibid., q. 72, a. 2, arg. 1: “ergo conscientia semper in se recta est.”

²⁰⁴ Ibid., q. 72, a. 2, sol.: “Dicimus, quod conscientia quandoque est erronea, et quandoque recta.”

²⁰⁵ Ibid., q. 71, a. 2, sol.: “et quia circa particularia est error maximus, propter hoc ratio frequenter deceptur.”

Given the description of *conscientia* in logical terms, it is clear that Albert has also placed conscience in the practical intellect, but as it is presented solely in terms of a logical conclusion, it is declared to be an act rather than a *habitus intellectus*.²⁰⁶ Based upon the view of St John Damascene, Albert considers conscience also to be the law of the intellect.²⁰⁷ It is by dint of its role as *lex nostri intellectus*, that it possesses its binding force.²⁰⁸ But is it always binding? Although Albert only draws our attention to the matter briefly in the *Summa de Creaturis*, this turns out to be his longest coverage of the topic.²⁰⁹ It does, nevertheless provide useful clarifications and a firm conclusion. Having distinguished between situations of doubt, ambiguity, opinion, belief and clear knowledge,²¹⁰ Albert the Great states that the judgement of conscience is always binding, even if it is erroneous, with the exception of cases of doubt or ambiguity.²¹¹ Thus the individual is bound to follow his/her conscience in a situation of certainty, even if the individual is mistaken.²¹² The perplexed person, however does not incur the fault of sin, since the person can lay aside the decision of conscience, and the individual receives merit or demerit for his/her actions only at the

²⁰⁶ Ibid., q.72, a.1, sol.: “Actus conscientiae est actus rationis.” Cf. Lottin, *Psychologie et morale*, II, 217; Pangallo, *Legge di Dio*, 155. However, Albert reconsiders his view in his *Summa Theologica*, describing it as a *habitus acquisitus*, since it relates to the science of moral action, and so is not simply an act, but a moral disposition which develops. Cf. Albert the Great, *Summa Theologica*, II, tract. 16, q. 99, memb. 3, a.1, ad quaest. 1.

²⁰⁷ Albert the Great, *Summa de Creaturis*, II, q.72, a.1, arg. 7. Cf. John Damascene, *De Fide Orthodoxa*, IV, cap. 22, PG 94, 1199-1200. Aquinas also uses Damascene’s idea. For example, see *Summa Theologica*, I, q.79, a.13, resp.

²⁰⁸ Albert the Great, *Summa de Creaturis*, II, q.72, a.1, ad 7. Pangallo notes that here Albert is following an etymological link between *lex* and *ligare*, a view that was widely held in the 13th century, but modern scholarship has shown to be without foundation. See Pangallo, *Legge di Dio*, 146.

²⁰⁹ Ibid., 148.

²¹⁰ Albert the Great, *Summa de Creaturis*, II, q.72, a.2, ad quaest. 1.

²¹¹ Ibid.: (talking of the *dubium* and the *ambiguum*) “Unde quod est in conscientia, habet se per aliquem istorum modorum, et secundum hoc magis et minus obligat: sed sine praeiudicio loquendo dicimus, quod non obligat faciendum, nisi sit ut opinatum, vel creditum, vel scitum id quod est in conscientia, et tunc obligat, sive conscientia sit erronea, sive ratio erronea.” Thus erroneous conscience is only binding insofar as the person does not suspect that there might be an error. Cf. Pangallo, *Legge di Dio*, 150.

²¹² D’Arcy sees this as a new development. See *Conscience and its Right to Freedom*, 85: “All previous discussions asked whether conscience, *objectively* true or false, obliges. Albert sees that any question of conscience turns attention to *subjective* states as well as objective matters; he breaks very new ground by claiming that the answer to the question is to be given, not in terms of true or false, but in terms of the subjective firmness with which the judgement of conscience is held” (emphasis in text).

moment of action.²¹³ Thus, for Albert “erroneous conscience cannot produce an invincible perplexity; the doubt can be removed.”²¹⁴ The process of moral correction presented by Albert relates directly to the syllogism. Since error occurs in the minor premise provided by moral reason, the individual should examine the minor premise and correct the mistake, in order to achieve a correct conclusion of conscience.²¹⁵

The application of the syllogism is by far Albert’s most significant contribution to the discourse on conscience. However, the *Summa de Creaturis* contains other comments which are worthy of note. The first is the place of remorse. Historically, moral theology has now long been accustomed to describing conscience as either ‘consequent’ or ‘antecedent’. The consequent aspect of conscience focuses upon judging past actions, leading to sensations of remorse or reassurance. However, in Albert’s presentation the primary function of *conscientia* is to reach the conclusion of the practical syllogism, set for it by *synderesis* and moral reason. As a result, *conscientia* is not only understood as simply an act, rather than a faculty or a *habitus*,²¹⁶ by implication it can only be antecedent in Albert’s view. However, this does not mean that guilt or remorse is absent. Remorse becomes the role of *synderesis*.²¹⁷ This draws us back to Albert’s connection of *synderesis* to the justice of God, where the habit-like faculty not only contains the divinely established universal principles of nature, it also acts as a witness to how a person has lived up to these principles. The *Commentary on the Sentences*, written soon after the *Summa de*

²¹³ Albert the Great, *Summa de Creaturis*, II, q.72, a.2, ad obj.1: “Dicendum est, quod non erit perplexus: quia potest deponere conscientiam.” Cf. Lottin, *Psychologie et morale*, II, 217.

²¹⁴ Pangallo, *Legge di Dio*, 149: “La coscienza erronea non può produrre una perplessità invincibile; il dubbio può essere rimosso, si può *deponere conscientiam (erroneam)*” (emphasis and parenthesis in text).

²¹⁵ Albert the Great, *Summa de Creaturis*, II, q.72, a.2, ad obj.1: “Qualiter deponenda sit? Dicendum, quod per examinationem minoris propositionis, quae assumitur a ratione; haec enim frequenter falsa est: et si examinaretur, ultro se offeret falsitas ejus, et tunc cessabit conscientia.”

²¹⁶ Lottin, *Psychologie et morale*, II, 217.

²¹⁷ Albert the Great, *Summa de Creaturis*, II, q.71, a.3, sol.: “Appetitus autem synderesis semper est rectus et in damnatis et vivis, *et est remordens de malo commisso et bono omissio*. Et propter hoc dicitur vermis mordens vel rodens damnatos” (emphasis mine).

Creaturis, expands upon the view presented there, when it says that it is the task of *synderesis* to *remurmurare*, or to object to sin committed, and to gnaw (*rodere*) at the individual, since it remains as the *testis iustitiae divinae*, even in the damned.²¹⁸ Although not all writers attributed remorse to *synderesis*,²¹⁹ it is clear that Albert has followed Philip the Chancellor's influential position, which I referred to earlier. However, the two scholars differ in the reason given. In Philip, *synderesis* acts this way in keeping with its nature as the remnant of primordial human righteousness. In Albert, *synderesis* objects to sin because of its relationship with divine justice.

The second point is that just as divine justice forms the overall background to Albert's concept of *synderesis*, so this theological context flows through to his understanding of *conscientia*. Thus, right conscience is linked to faith and hope ordering our life to future beatitude.²²⁰ In the scriptural analysis we observed that the later uses of conscience in the New Testament were more intimately connected with faith and hope in Christ as the ground or criterion for right judgement. In quoting 1 Tim 1:5, Albert's text reflects such an understanding.²²¹ Although Albert rightly points out that the use of faith in Rom 14:23 is about trust in one's own conviction, rather than religious belief,²²² the analysis of 1 Tim 1:5 is clearly from a starting point of faith, in that, since he agrees with the opinion of the *Glossa Ordinaria*,²²³

²¹⁸ Idem, *In II Sententiarum*, dist. 5; a.6, ad obj. 6 et 7: "synderesis remurmurat contra [...] bonum omissum [et] malum commissum [...] est vermis cuius proprius actus est rodere propter delictum vel peccatum, et testificari esse dignum poena qui talia commisit: et hoc remanet in testem iustitiae divinae, et in cumulum damnationis."

²¹⁹ For example, Stephen Langton saw that it was the role of reason to prick to conscience into a state of remorse. See Lottin, *Psychologie et morale*, II, 111-12, 114.

²²⁰ Albert the Great, *Summa de Creaturis*, II, q.72, a.1, ad 5 et 6.

²²¹ Ibid., q.72, a.1, arg. 6.

²²² Ibid., q.72, a.1, ad 5 et 6: "sed tamen in epistola ad Romanos *fides* ponitur pro fiducia securitatis, quam dat conscientia quando vere concludit" (emphasis in text); cf. Rom 14:23: "But those who have doubts are condemned if they eat, because they do not act from faith; for whatever does not proceed from faith is sin."

²²³ Ibid., q.72, a.1, arg. 6: "Videtur quod sit spes. I ad Timoth. 1,5, super illud: *Finis praecepti est charitas de corde puro, et conscientia bona*. Glossa, id est, spe" (emphasis in text).

conscience in the Timothy passage is to be understood as hope.²²⁴ I would suggest that the reason for this somewhat clumsy exegesis of the *Glossa* is to add hope to the list presented in 1 Timothy,²²⁵ and thus highlight the three theological virtues: faith, hope and charity. However, as a consequence, conscience is intimately linked to the theological virtues by the glossator, and Albert agrees with this view. Thus, although there is only passing reference to faith and hope in Albert's study of conscience in the *Summa de Creaturis*, the subtle inclusion of the theological virtues should not be overlooked, nor should its importance be underestimated, since it transforms Albert's description of conscience from some sterile, logical calculation, to a dynamic, human attempt to judge rightly with the help of a life lived in faith, hope and love.

5.5 Later Writings

Most of the works of moral theology that refer to the issue of the practical syllogism usually describe St Thomas's application of the notion,²²⁶ and no mention is made of the fact that Albert was the first to apply it to conscience.²²⁷ However, still more absent in these texts is any reference to the fact that St Albert changed his mind. Albert's later writings appear to take on a more Augustinian flavour.²²⁸ As a result, he revises his previous comments and makes some significant alterations. Nevertheless, Pangallo is careful to point out that it is an exaggeration to suggest that he totally rejected what he had previously written in the *Summa de Creaturis* and the *Commentary on the Sentences*. Rather, the revisions should be seen as a "maturing of

²²⁴ Ibid., q.72, a.1, ad 5 et 6 "In epistola vero ad Timotheum *conscientia* pro spe ponitur" (emphasis in text).

²²⁵ The actual quote of 1 Tim 1:5 is as follows: "But the aim of such instruction is love that comes from a pure heart, a good conscience, and sincere faith."

²²⁶ For example, Costigane, "A History of the Western Idea of Conscience," 10.

²²⁷ A notable exception is Eric D'Arcy. See *Conscience and its Right to Freedom*, 31-33.

²²⁸ Pangallo, *Legge di Dio*, 128-141.

the thought of the *Doctor universalis*” with regard to a deepening of his understanding of the habitual character of *synderesis*.²²⁹

Firstly, in his *De Anima* he affirms the statement previously made regarding the role of conscience as the conclusion of the syllogism, which therefore accuses or excuses the action and obliges it or not on the basis of the conclusion.²³⁰ However, the Augustinian distinction between *ratio superior* and *ratio inferior* reappears, with a resultant impact on the structure of the syllogism.²³¹ *Synderesis* continues to hold the universal principles of natural law, but higher reason can also propose divine law (*proponente id quod est iuris divini*) to the deliberative reasoning process called conscience, in order to derive a conclusion. However, the inferior reason can also propose positive human law to reach another binding conclusion (*quando proponit ratio inferior aliquid quod est iuris humani*).²³² Thus, Albert declares that an individual’s conscience can derive a syllogistic conclusion from universal principles related to natural law, divine law or human law. That the syllogism might start with a major premise of natural or divine law should come as no surprise, given Albert’s understanding of the universal, infallible character of natural law, flowing from its intimate connection to divine law.²³³ But that he is willing to suggest a universal human law as a major premise is somewhat startling, even if we do acknowledge his further clarifications. Indeed, Albert admits that no human positive law is truly

²²⁹ Ibid., 141: “Credo piuttosto che siamo di fronte ad una maturazione del pensiero del *Doctor universalis* nel senso di un opportuno approfondimento del carattere ‘abituale’ della *sinderesi*” (emphasis mine).

²³⁰ St Albert the Great, *De Anima*, in *Opera Omnia*, vol.7, part 1, ed. C. Stroick (Aschendorff: Monasterii Westfalorum, 1968), III, tract. 4, cap 10: “et ideo conscientia accusat vel excusat actum apud rhetorem; quia quasi ex quadam obligatione syllogistica obligat vel non obligat agentem.”

²³¹ Pangallo, *Legge di Dio*, 129.

²³² Albert the Great, *De Anima*, III, tract. 4, cap 10: “Et similiter est, quando proponit ratio inferior aliquid quod est iuris humani, et confert illus cogitativa ad operabilia, venit in quoddam quasi conclusum, quod idem vocatur conscientia propter similem obligationis modum, quia scilicet in omnibus his obligatio est quasi ex syllogismo.”

²³³ Albert sums this up by describing natural law as “a certain model of divine law.” Cf. *ibid.*: “Ius autem naturale quoddam exemplum est iuris divini.”

universal,²³⁴ which makes the argumentation of the syllogism defective. This implies that a human law, although appropriate for a time or a place, may be inappropriate in another setting, and if in this wrong setting it is used for the major premise of a moral syllogism, the conclusion will undoubtedly be false. This also means that Albert has admitted an increased possibility of error into his later analysis of moral decision-making, in that in the case of the use of human law as the major, both major and minor premises are open to error. The application of a local law to a universal context also probably implies a lack of prudence, in that the individual is not able to recognise the limitations of the law. Perhaps the older Albert gave greater recognition of the fallibility of humanity in not only in the application of moral principles, but also in their just discernment.

Thus, in the *De Anima* we see an expansion of the fallibility of reason, not only admitting the possibility of error in the formation of the minor premise, but now also in the major, through the lower reason. Yet, in the *Summa Theologica*, Albert admits the effects of error even into *synderesis*. The commentary starts off in the usual terms describing *synderesis* as a full faculty combined with a *habitus*, as well as that spark which always inclines us to good and objects to evil.²³⁵ However, Albert then moves towards an Augustinian line of thinking, when he proposes a distinction of two fields of operation in *synderesis*: higher (*ad superius*) and lower (*ad inferius*), reminiscent of the Augustinian *ratio*.²³⁶ Though neither the higher nor lower portion

²³⁴ Ibid., “Nihil enim in humanis statutis adeo universale est, quod ubique et semper et ab omnibus faciendum sit.”

²³⁵ Albert the Great, *Summa Theologica*, II, tract. 16, q. 99, memb. 2, a.1, sol.: “synderesis dicit potentiam cum habitu completam.”

²³⁶ Ibid., II, tract. 16, q. 99, memb. 2, a.2, sol.: “Synderesis proprium est non peccare secundum se: tamen habet duas comparationes: unam scilicet ad superius, et secundum hanc numquam peccat: alteram quae est ad inferius quod regit, hoc est ad liberum arbitrium, et ad rationem, et ad voluntatem, extra quas et supra quas est, ut dicit Gregorius: est secundum hunc modum praecipitur per accidens, sicut miles cadente equo: qui casus non est vitium militis.” This distinction of two spheres of operation of *synderesis* does not appear in Albert’s earlier work. Cf. Pangallo, *Legge di Dio*, 138-39.

of *synderesis* can sin in themselves, the inferior aspect can be overthrown *per accidens*. It is affected by error and sin through its connection to the *liberum arbitrium*, reason, and the will. Thus, although the lower *synderesis* cannot sin, the sin of reason, will or free choice is ascribed to it by their accidental relationship to it.²³⁷ Albert gives the image of a soldier being thrown by his horse to show how *synderesis* can be thrown by the lower powers. This argument is not a new one, being rooted in the Ezekiel passage and previous discussions on how *synderesis* can be thrown down. Indeed, St Bonaventure also used the same image, without using ‘*per accidens*’, attributing the fall of *synderesis* to an error of execution of reason and the obstinacy of sinfulness of the will, resulting in the loss of its power to rule.²³⁸ What is significant here is that Albert should adopt a similar approach, though with his own terms, and thus admit that *synderesis* is not impervious to the effects of bad judgement or ill will.²³⁹

²³⁷ Albert the Great, *Summa Theologica*, II, tract. 16, q. 99, memb. 2, a.2, sol.: “Ita aliquando imputatur synderesi peccatum rationis, voluntatis et liberi arbitrii: quia non tenuit ne caderet.” As a result, Pangallo says that Albert here declares that lower *synderesis* sins *per accidens*. However, I am inclined to avoid this summary description, given that Albert is at such pains to declare that *synderesis* remains without fault. Cf. Pangallo, *Legge di Dio*, 138-40; Albert the Great, *Summa Theologica*, II, tract. 16, q. 99, memb. 2, a.2, ad 1: “Sic videmus eam praecipitari, non culpa sua, sed inferiorum.”

²³⁸ Cf. Bonaventure *In II Sententiarum*, dist. 39, a. 2, q.3, resp.: “Et ponitur exemplum in milite qui, quantum est de se semper bene sedet super equum, euo tamen ruente, praecipitari dicitur.” Again here the careful distinction is made to point out that the sin is not the fault of *synderesis*. See *ibid.*, “Synderesis per peccatum non potest depravari in se, sed tantum praecipitari quoad dominium regendi. [...] dominium regendi potest perdere.” Cf. Lottin, *Psychologie et morale*, II, 209.

²³⁹ The purpose of the careful distinction between sinning and being overthrown accidentally is to maintain that *synderesis* does not fall from a state of grace. However, as the powers and capacities of the soul interconnect, is therefore impeded from operating properly. One of the *Quaestiones* of Albert, which is of uncertain provenance, sums this up clearly: “Aliter potest dici, quod praecipitari est dupliciter: primo modo, cadere in peccatum a statu gratiae, sic non convenit ipsi synderesi; aliter dicitur praecipitari, scilicet a suo effectu retardari vel impediri, et sic dicitur praecipitari; et sic potest praecipitari sine proprio peccato.” See St Albert the Great, *Quaestio de Ratione Superiori et Synderesi in Opera Omnia*, vol. 25, part 1, *Quaestiones*, ed. Albert Fries (Aschendorff: Monasterii Westfalorum, 1993), resp. ad 1. Interestingly, given the emphasis of the unity of the soul, this question also highlights that *synderesis* shares in the punishment due to the fault of a faculty. See *ibid.*, resp. ad 1: “Et dicitur hoc ratione connexionis potentiarum, sicut dicitur una puniri, cum alia punitur, non quia peccet per omnem potentiam, sed quia omnes potentiae conexas sunt in una essentia animae, ideo una non punitur sine altera.”

Although Albert's *Quaestiones* were written between the *Commentary on the Sentences* and the *De Anima* around 1250 to 1252,²⁴⁰ I have left them until last. The reason for this is that the twenty-two questions and single *quodlibetum* presented in the critical edition taken from the *Codex Vaticanus Latinus 781* are of mixed provenance. Although, owing to the handwritten title of the manuscript,²⁴¹ for a long time the questions were considered to be composed by St Thomas Aquinas, subsequently scholars became uncertain of the manuscript's authorship, and it took many years for them to establish that it is a collection of texts from different sources.²⁴² Eighteen questions are now attributed to St Albert, the *Quodlibetum VII* is from St Thomas, but three remain of uncertain provenance.²⁴³ This is all the more significant for us in that two of them relate to conscience: *De Primis Motibus*, *De ratione superiori et synderesi* and *De conscientia I*. Henquinet became convinced that these three also came from St Albert the Great.²⁴⁴ However, Albert Fries, the late editor of the full critical edition, was far more sceptical.²⁴⁵ Nevertheless, this still leaves us with two questions on conscience that are reliably attributable to St Albert: *De synderesi* and *De conscientia (II)*, as well as a question on higher and lower reason. What is worth noting is that both the questions of certain and uncertain provenance related to conscience reflect a slight shift in Albert's approach to include Augustinian and Franciscan notions found in Alexander of Hales and St Bonaventure, while maintaining the close link of *synderesis* and natural and divine law, as well as

²⁴⁰ Pangallo, *Legge di Dio*, 98.

²⁴¹ The title *Quaestiones disputate et quolibeta Thome de Aquino* [sic] was added later to the twelfth century codex. See Albert Fries, "Prolegomena," in *Quaestiones*, v; Pangallo, *Legge di Dio*, 161.

²⁴² *Ibid.*, 161-62; F.M. Henquinet, "Vingt-deux questions inédites d'Albert le Grand dans un manuscrit à l'usage de s. Thomas d'Aquin," *New Scholasticism* 9 (1935): 283-328, at 283-88.

²⁴³ Pangallo, *Legge di Dio*, 162.

²⁴⁴ Henquinet, "Vingt-deux questions inédites," 322.

²⁴⁵ Fries, "Prolegomena," vii: "Quamvis hae priores tres quaestiones probaliter pro non authenticis habendae sint..."

continuing to site both *synderesis* and *conscientia* in the reason.²⁴⁶ The Augustinian flavour is most obvious in the illuminationist description of *synderesis* (in its role of *scintilla conscientiae*) as *lumen conscientiae*, whose role is to enlighten the conscience according to the universal law.²⁴⁷ Thus the *Quaestiones* serve to show the development of Albert's views, which, without submitting to any radical alteration,²⁴⁸ became more accommodating to Augustinianism as time went on, rather than becoming increasingly more Aristotelian with each work, as we might have expected.

6. Saint Thomas Aquinas

The star pupil of St Albert the Great, St Thomas Aquinas, eventually came to outshine his master in skill and popularity.²⁴⁹ In many ways, however, Thomas owed a great deal to St Albert, as we can observe in Aquinas's analysis of *synderesis* and *conscientia*.²⁵⁰ Nevertheless, as we shall see, the Angelic Doctor soon begins to plough his own furrow on the matter, reaching several different conclusions from the Universal Doctor. As well as reference to conscience in his Scripture

²⁴⁶ Pangallo, *Legge di Dio*, 301-308.

²⁴⁷ *Ibid.*, 215, 301. Cf. St Albert the Great, *Quaestio de Synderesi* in *Opera Omnia*, vol. 25, part 1, *Quaestiones*, ed. Albert Fries (Aschendorff: Monasterii Westfalorum, 1993), art. 1, ad 8: "et quia lumen conclusionis est ex maiore, ideo dicitur synderesis lumen vel 'scintilla conscientiae', et non ipsa conscientia"; idem [uncertain], *Quaestio de Conscientia I* in *Opera Omnia*, vol. 25, part 1, *Quaestiones*, ed. Albert Fries (Aschendorff: Monasterii Westfalorum, 1993), art. 3, ad 1: "Unde sequitur lumen synderesis, et sic dicitur scintilla conscientiae, non quia sit pars eius, sed quia illuminat conscientiam sive rationem, per quam formatur ipsa conscientia."

²⁴⁸ Pangallo, *Legge di Dio*, 139.

²⁴⁹ Nonetheless, it is a fallacy to think that Aquinas's thought met with immediate and widespread approval. Such was the strength of acceptance of the Augustinian approach that St Thomas's Aristotelian revision met at first with widespread opposition, even leading in 1277 to the formal condemnation of a number of its key propositions, carried out by both the Bishop of Paris Étienne Tempier, and the Archbishop of Canterbury Robert Kilwardby, and issued within the space of eleven days of each other, as part of a rejection of any form of heterodoxy, caused particularly by Averroism and Arab philosophy. See, Leff, *Medieval Thought*, 229-45.

²⁵⁰ Lottin, *Psychologie et morale*, II, 222.

commentaries,²⁵¹ or *Quodlibet* discussions, St Thomas's three major systematic explorations of the nature of *synderesis* and *conscientia* are to be found in his *Commentary on the Sentences*, the *De Veritate* and the *Summa Theologica*.

6.1 The Commentary on the Sentences

Here, in his first major systematic theological treatise,²⁵² Aquinas follows the long-established standard pattern of questions, presenting in counterpoint the diverse views of past writers. He begins by asking whether *synderesis* is a faculty or a *habitus*. Drawing on the writing of Saints Jerome and Augustine, it appears that it might be a faculty.²⁵³ Indeed, as the *liberum arbitrium* relates to judgement and is a faculty, this might also imply that *synderesis* is a faculty if it is the same thing as *liberum arbitrium*.²⁵⁴ Moreover, as a *habitus* can be lost and a faculty cannot, this would

²⁵¹ For example, the meaning of conscience is raised throughout Thomas's *Commentary on Romans*, as well as referred to in his studies of Galatians, 1 Corinthians and 2 Corinthians. For example, in studying Romans, Thomas points out our need for the help of the Holy Spirit to avoid error in conscience. See St Thomas Aquinas [S. Tommaso D'Aquino], *Commento al "Corpus Paulinum" (Expositio et Lectura Super Epistolas Pauli Apostoli)*, vol. 1, *Lettera ai Romani*, Latin-Italian ed., trans. and introduction by Battista Mondin (Bologna: Edizioni Studio Domenicano, 2005), cap.9, lectio 1, page 594: "Et quia interdum conscientia errat, nisi per Spiritum Sanctum rectificetur, subdit 'In Spiritu Sancto'" (emphasis in text). He also exhorts us not to wound others "with the sword of bad example." See St Thomas Aquinas [S. Tommaso D'Aquino], *Commento al "Corpus Paulinum" (Expositio et Lectura Super Epistolas Pauli Apostoli)*, vol. 2, *Prima Lettera ai Corinzi*, Latin-Italian ed., trans. and introduction by Battista Mondin (Bologna: Edizioni Studio Domenicano, 2005), cap.8, lectio 2, page 372: "'Sic autem peccantes in fratres', peccato scandali, 'et percutientes conscientiam eorum infirmam', gladio mali exempli." For further references to conscience, corresponding to its appearance in Paul's writing, or relating to Paul's discussion of a moral life in the Spirit, see St Thomas Aquinas [S. Tommaso D'Aquino], *Commento al "Corpus Paulinum" (Expositio et Lectura Super Epistolas Pauli Apostoli)*, vol. 3, *Seconda Lettera ai Corinzi e Lettera ai Galati*, Latin-Italian ed., trans. and introduction by Battista Mondin (Bologna: Edizioni Studio Domenicano, 2006). Cf., for example, *Super Secundam Epistolam ad Corinthios Lectura*, cap.1, lectio 4, page 44: "de testimonio purae conscientiae"; *Super Epistolam ad Galatas Lectura*, cap. 5, lectio 1, page 786: "Sic ergo dico, quod nisi faceret hoc ad quod inducit conscientia, peccaret mortaliter, non quidem ex genere operis, sed ex intentione operantis. Et similiter si facit, peccat; quia huiusmodi ignorantia non excusat, cum sit ignorantia iuris. Nec tamen est perplexus simpliciter, sed secundum quid, quia potest deponere erroneam conscientiam."

²⁵² Crowe, "St. Thomas and Synderesis," 229.

²⁵³ Saint Thomas Aquinas [S. Tommaso d'Aquino], *Commento alle Sentenze di Pietro Lombardo e Testo Integrale di Pietro Lombardo*, vol. 4, *Libro Secondo, Distinzioni 21-44: Il Peccato Originale, la Grazia e il Libero Arbitrio, il Peccato Attuale*, Latin-Italian ed., trans. Roberto Coggi (Bologna: Edizioni Studio Domenicano, 2001), dist. 24, q.2, a.3, ad 1-3.

²⁵⁴ *Ibid.*, ad 4.

suggest that *synderesis* is a faculty, as it continues to rebuke sin even after death.²⁵⁵ However, the faculty of reason is open to opposite views. Since *synderesis* does not admit this possibility and is always right, Aquinas declares that perhaps it is a *habitus* rather than a faculty.²⁵⁶

St Thomas bases his resolution of the problem largely on Aristotle's notion of an unmoved mover.²⁵⁷ The process of reasoning is changeable and open to variety in order to reach new conclusions, both valid and mistaken, and so it requires something solid and stable to start the process off.²⁵⁸ This, according to Aquinas, in the practical sphere, is *synderesis*, which provides the self-evident principles for the practical intellect.²⁵⁹ Here St Thomas describes *synderesis* as a *habitus*, seemingly feeling less obliged to try to accommodate the past opinion of it being a faculty, or a quasi-faculty, or so it appears, at first.²⁶⁰ Similar to St Bonaventure, though related to *synderesis* rather than *conscientia*, we find here an interplay between the innate and the acquired. Aquinas declares *synderesis* to be acquired, in that the terms of the

²⁵⁵ Ibid., ad 5: "Praetera, habitus amittitur per oblivionem, vel alio modo. Sed synderesis semper manet quae etiam post mortem peccato remurmurat, cuius murmur vermis dicitur. Ergo synderesis potentiam, et non habitum."

²⁵⁶ Ibid., sed contra: "Potentia rationalis se habet ad opposita. Sed synderesis se habet determinate ad unum quia numquam errat. Ergo videtur quod non sit potentia, sed habitus."

²⁵⁷ Aristotle, *Physics*, trans. R.P. Hardie and R.K. Gaye, in *The Complete Works of Aristotle: The Revised Oxford Translation*, ed. Jonathan Barnes, vol. 1 (Princeton, NJ: Princeton University Press, 1984), VII-VIII.

²⁵⁸ Aquinas, *In II Sententiarum*, dist. 24, q.2, a.3, sol.: "Sicut est de motu rerum naturalium, quod omnis motus ab immobili movente procedit [...] ita etiam oportet quod sit in processu rationis; cum enim ratio varietatem quamdam habeat, et quodammodo mobilis sit, secundum quod principia in conclusiones deducit, et in conferendo frequenter decipiatur; oportet quod omnis ratio ab aliqua cognitione procedat, quae uniformitatem et quietem quamdam habeat..."

²⁵⁹ Ibid.: "[...] oportet quod omnis ratio ab aliqua cognitione procedat, quae uniformitatem et quietem quamdam habeat; quod non fit per discursum investigationis, sed subito intellectui offertur: sicut enim ratio in speculativis deducitur ab aliquibus principiis per se notis, quorum habitus intellectus dicitur; ita etiam oportet quod ratio practica ab aliquibus principiis per se notis deducatur, ut quod est malum non esse faciendum, praeceptis Dei obediendum fore, et sic de aliis: et horum quidem habitus est synderesis."

²⁶⁰ D'Arcy, *Conscience and its Right to Freedom*, 33-34. Thomas overcomes the issue of the non-permanent nature of a *habitus* raised in arg. 5 by declaring that a natural (as opposed to an acquired) *habitus* is never lost, and so just as the *habitus* of speculative principles remains, so it is also the case for *synderesis* in the practical order. See Aquinas, *In II Sententiarum*, dist. 24, q.2, a.3, ad 5: "Habitus naturalis nunquam amittitur, sicut patet de habitu principiorum speculativorum, quem semper homo retinet; et simile est etiam de synderesi."

principles need to be learned through experience, but it is also innate, in that once the pump has been primed, as D’Arcy puts it,²⁶¹ that is, once there is familiarity with the terms, “the truth of the principles is seen without discursive reasoning.”²⁶² Thus, *synderesis* is the *habitus* of immediately-known first principles of practical reason. From the argumentation presented, Aquinas should stop there, but clearly it is still too early in his writing for him to resist the weight of past opinion. As a result, he now qualifies his conclusion with a double possibility: either *synderesis* is simply a *habitus* or a faculty with an innate *habitus*.²⁶³ Both Crowe and D’Arcy point out that there is no justification for the conclusion, except out of deference to past authors.²⁶⁴ Moreover, it is clear that Aquinas is uncomfortable with this accommodation, since there is no mention of faculty in his replies to objections.²⁶⁵

Elsewhere, St Thomas uses the neo-Platonic principle of participation, or continuity, to define *synderesis*.²⁶⁶ The idea, drawn from the *Book of Divine Names* of Pseudo-Dionysius,²⁶⁷ is that Divine Wisdom arranges the whole of creation in a

²⁶¹ D’Arcy, *Conscience and its Right to Freedom*, 37. For helpful comments on the Aristotelian background to the innate-acquired complex regarding *synderesis* and first principles, see José Antonio G. Junceda, “La Sinderésis en el Pensamiento de Santo Tomás,” *Augustinus* 6 (1961): 429-64, at 438-42.

²⁶² Cf. D’Arcy, *Conscience and its Right to Freedom*, 37; Aquinas, *In II Sententiarum*, dist. 24, q.2, a.3, sol.: “Unde dico, quod synderesis a ratione practica distinguitur non quidem per substantiam potentiae, sed per habitum, qui est quodammodo innatus menti nostrae ex ipso lumine intellectus agentis, sicut et habitus principiorum speculativorum, ut, omne totum est majus sua parte, et hujusmodi; licet ad determinationem cognitionis eorum sensu et memoria indigeamus, ut in 2 Post. (ult.) dicitur. Et ideo statim cognitio terminis, cognoscuntur, ut in 1 Poster. (1) dicitur” (parentheses in text).

²⁶³ Aquinas, *In II Sententiarum*, dist. 24, q.2, a.3, sol.: “Et ideo dico, quod synderesis vel habitum tantum nominat, vel potentiam saltem subjectam habitui sic nobis innato.”

²⁶⁴ D’Arcy, *Conscience and its Right to Freedom*, 37: “Nothing has prepared us for this; apparently Jerome’s ghost has not been laid [to rest]” (parenthesis added). Crowe, “St. Thomas and *Synderesis*,” 231. Here, Crowe says that the revised conclusion is more out of respect for St Albert’s views, something which, I would say, should come as no surprise. Cf. Lottin, *Psychologie et Morale*, II, 223.

²⁶⁵ Crowe, “St. Thomas and *Synderesis*,” 231, n.1; D’Arcy, *Conscience and its Right to Freedom*, 37-38. Nevertheless, St Thomas maintains the possibility in the solution to the next article. See *In II Sententiarum*, dist. 24, q.2, a.4, sol.

²⁶⁶ Idem, *In II Sententiarum*, dist. 39, q.3, a.1, sol.

²⁶⁷ S. Dionysius Areopagitae [Pseudo-Dionysius], *De Divinis Nominibus*, VII, 3, PG 871, B (concerning how our minds can know of God): “quoniam ipsa [Sapientia], secundum Scripturam, est omnium effectrix, quaeque semper erat cuncta componens, et indissolubilis rerum omnium connexionis

harmony (*concordiam et consonantiam concinnat*) in such a way that created beings are arranged “in an orderly series without any gaps – in a hierarchy.”²⁶⁸ The “overlap” between the states of created order means that, at its highest point of development, “the inferior participates in some measure in the perfection of the superior,”²⁶⁹ namely the lowest point of development of the latter.²⁷⁰ Thus, Aquinas declares that the rational soul follows the angel in the order,²⁷¹ and so, although generally the corporeal human being must search for truth by means of the senses, at its highest level, like the angels, the rational soul has an immediate apprehension of the first principles of nature, both in the speculative and practical spheres, without the need for investigation.²⁷²

Both the Aristotelian and neo-Platonic arguments used by Aquinas place *synderesis* in the practical intellect, which shows that he is following St Albert’s teaching. This would also account for the occurrence of some Augustinian turns of phrase, for instance, when he talks of “the light of *synderesis* that can never be extinguished.”²⁷³ In the *Commentary on the Sentences*, St Thomas’s explanation of how *synderesis* functions is left to his article on *conscientia*, which in itself shows the intimate relationship between the two, operating within the faculty of practical reason. However, the fact that both operate within reason does not imply that St Thomas’s

ordinisque causa, semperque fines praecedentium cum principiis sequentium connectit, unicamque totius universi concordiam et consonantiam concinnat.”

²⁶⁸ Crowe, “St. Thomas and *Synderesis*,” 231.

²⁶⁹ *Ibid.*

²⁷⁰ Aquinas, *In II Sententiarum*, dist. 39, q.3, a.1, sol.: “Secundum Dionysium (De div. nom. 7), divina sapientia coniungit prima secundorum ultimis primorum.”

²⁷¹ *Ibid.*: “Inter creaturas autem talis est ordo ut primo sit Angelus, et secundo sit rationalis anima.”

²⁷² *Ibid.*: “Oportet ergo quod in anima rationali, quae Angelo in ordine creaturarum configuratur, sit aliqua participatio intellectualis virtutis, secundum quam aliquam veritatem sine inquisitione apprehendat, sicut apprehenduntur prima principia naturaliter cognita tam in speculativis quam etiam in operativis; unde et talis virtus intellectus vocatur, secundum quod est in speculativis, quae etiam secundum quod in operativis est, synderesis dicitur.”

²⁷³ *Ibid.*, dist. 39, q.3, a.1, ad 1: “lumen synderesis in se nunquam extinguitur.” Cf. Crowe, “St. Thomas and *Synderesis*,” 233. See also Aquinas, *Summa Theologica*, Ia IIae, q.19, a.4, resp.: “... lumen rationis, quod in nobis est, intantum potest nobis ostendere bona, et nostram voluntatem regulare, in quantum est lumen vultus tui, idest a vultu tuo derivatum.”

position is overly intellectualist, to the exclusion of the will. On the contrary, as Billy points out, “by associating both *synderesis* and conscience with the practical intellect, Thomas establishes a close rapport between reason and will.”²⁷⁴ This is because the Angelic Doctor considers the operation of the will in moral matters to be connected to what the practical reason presents to it. Thus, in the moral realm, Thomas “sees *voluntas* as naturally drawn not toward the good *in se*, but as it is presented to it by the practical reason, with the good presented to the will by practical reason being either a *bonum verum* or a *bonum apparens*.”²⁷⁵ Given reason’s role in apprehending the good (or at least what appears to be good), for Thomas, this explains why the

²⁷⁴ Billy, “Conscience in Bonaventure and Aquinas,” 241 (emphasis in text). Cf. Terence Kennedy, “L’Idea di Coscienza Morale Secondo S. Tommaso,” in *La Coscienza Morale Oggi: Omaggio al Prof. Domenico Capone*, ed. Marian Nalepa and Terence Kennedy, *Quaestiones Morales*, no. 3 (Rome: Editiones Academiae Alphonsianae, 1987), 145-75, at 163: “*Synderesis* e coscienza sono legate fra loro ontologicamente, tramite la ragione pratica” [“*Synderesis* and conscience are ontologically linked to each other by means of practical reason”]. Surprisingly, even though Aquinas saw conscience as the conclusion of a practical syllogism, as we shall see, and hence operating in the practical sphere of reason, Leo Elders is of the opinion that “the judgement of conscience concerns reason alone and not the practical intellect” [“le jugement de la conscience relève de la raison seule et non de l’intellect pratique”]. As such “it remains purely speculative,” operating only as “an appraisal of the morality of an act or its omission” prior to the final decision to act. I find Elders’ argumentation unconvincing. The fact that Aquinas saw the judgement of conscience as preceding the final affective choice of *liberum arbitrium* should not imply that conscience does not belong to the practical order. However, Elders’ conclusion may be the result of an attempt to safeguard the rational objectivity of conscience, which he considered to be under threat. Cf. Léon Elders, “La doctrine de la conscience de saint Thomas d’Aquin,” *Revue Thomiste* 83 (1983): 533-557, at 533, 540-41; idem, “St. Thomas Aquinas’ Doctrine of Conscience,” in *Lex et Libertas: Freedom and Law According to St. Thomas Aquinas: Proceedings of the Fourth Symposium on St. Thomas Aquinas’ Philosophy*, Rolduc, November 8 and 9, 1986, ed. L.J. Elders and K. Hedwig, *Studi Tomistici*, no. 30 (Vatican City: Libreria Editrice Vaticana, 1987), 125-134, at 125-27. Delhaye, quoting Noble, gives a far more balanced presentation of this issue: “Although it [the judgement of conscience] is applied in the practical order, it assumes a ‘cognitive’ and speculative mode that is indifferent to the actual performance of the act.” Thus, the idea that conscience offers an objective moral appraisal of the problem does not conflict with its place in the practical intellect. Cf. Delhaye, *The Christian Conscience*, 169, quoting Henri-Dominique Noble, *La conscience morale* (Paris: Lethielleux, 1923), 54-55.

²⁷⁵ Billy, “Conscience in Bonaventure and Aquinas,” 241. Cf. Aquinas, *In II Sententiarum*, dist. 39, q.3, a.3, sol.: “obiectum enim voluntatis est bonum vel malum secundum quod est imaginatum vel intellectum. [...] Unde cum actus voluntatis ex obiecto specificetur, oportet quod secundum rationis iudicium et conscientiae, voluntatis actus procedat: et per modum istum conscientia ligare dicitur. [...] et similiter si ratio diceret aliquod bonum esse malum, voluntas non potest in illud tendere, quin mala sit: tendit enim in illud, ut ostensum est a ratione, et ita ut in malum simpliciter, propter apparens bonum secundum sensum.”

reason has priority in the determination of the act, while the will has priority in execution.²⁷⁶

For Aquinas, as well as being the solid point of universal, natural first principles, *synderesis* is inextinguishable and innate,²⁷⁷ and has the task of inclining the individual to the good.²⁷⁸ I would suggest that Thomas's Aristotelian emphasis on unmovability makes it difficult to see *synderesis* falling or being overthrown, and so he attributes any fault to a defect in the conclusion of conscience through false induction, or impulse of pleasure or passion. Hence the view of Albert and the Franciscan School that the sin of the lower powers might taint or impede the function of *synderesis* is firmly rejected by Aquinas.²⁷⁹ The one limitation Aquinas places on *synderesis* is its relationship to faith. As a result, a judgement of heresy is not within its ambit, since the light of *synderesis* relates to the universals of nature, and so does not include the supernatural order, neither at the general level, nor at the level of particulars of faith.²⁸⁰

Having established *synderesis* as the fixed point from which the moral act is set in motion, Thomas turns his attention to *conscientia*. This time, Aquinas follows Albert even more closely than before, by defining *conscientia* as an act rather than a *habitus* or even a faculty.²⁸¹ Thus, Aquinas defines conscience as an act of

²⁷⁶ Aquinas, *Summa Theologica*, Ia IIae, q.9, a.1, resp.: "*Dupliciter autem aliqua vis animae invenitur esse in potentia ad diversa. Uno modo, quantum ad agere, vel non agere. Alio modo, quantum ad agere hoc, vel illud. [...] indiget igitur movente quantum ad duo, scilicet quantum ad exercitium vel usum actus; et quantum ad determinationem actus. [...] Et ideo isto modo motionis intellectus movet voluntatem, sicut praesentans ei obiectum suum*" (emphases in text). Cf. Billy, "Conscience in Bonaventure and Aquinas," 241.

²⁷⁷ Aquinas, *In II Sententiarum*, dist. 39, q.3, a.1, sol.: "*haec superior rationis scintilla quae synderesis est, extingui non potest, sed semper repugnat omni ei quod contra principia naturaliter sibi indita est.*"

²⁷⁸ *Ibid.*, dist. 39, q.3, a.1, sed contra.

²⁷⁹ *Ibid.*, dist. 39, q.3, a.1, ad 1: "*Et ideo non dicit quod synderesis praecipitatur, sed quod conscientia praecipitatur.*"

²⁸⁰ *Ibid.*, dist. 39, q.3, a.1, ad 3. Cf. D'Arcy, *Conscience and its Right to Freedom*, 38.

²⁸¹ Cf. Lottin, *Psychologie et morale*, II, 227-28; Elders, "La Doctrine de la Conscience de Saint Thomas d'Aquin," 536-40; Aquinas, *In II Sententiarum*, dist. 24, q.2, a.4, sol.: "*quamdam*

consideration made by the reason.²⁸² The act of consideration in question is the judgement made by conscience necessary to reach a syllogistic conclusion from the premises presented by *synderesis* and reason.²⁸³ Here Aquinas follows his master in using Aristotelian logic to describe the workings of conscience,²⁸⁴ and therefore rehearses the application of the practical syllogism taught to him by Albert. However, St Thomas's explanatory example contains more detail than Albert's, and focuses upon a decision *not* to act:

All evil is to be avoided.	(Major premise from <i>synderesis</i>)
Adultery is evil because it is prohibited by God's law.	(Minor premise from <i>ratio superior</i>)
	<i>or</i>
Adultery is evil because it is unjust or dishonest.	(Minor premise from <i>ratio inferior</i>)
This adultery should be avoided.	(Conclusion derived by <i>conscientia</i>) ²⁸⁵

The example shows that the specific minor premise is drawn from higher or lower reason. This shows that Aquinas accepted the Augustinian distinction, but

actualem considerationem." This would be expressed even more clearly in his *Summa Theologica* I, q.79, a.13, resp: "conscientia, proprie loquendo, non est potentia, sed actus."

²⁸² Aquinas, *In II Sententiarum*, dist. 24, q.2, a.4, sol.: "quamdam actualem considerationem rationis, per conscientiam, communiter loquentes intellegere videntur." Cf. Crowe, "St. Thomas and *Synderesis*," 235, n.1 (note the reference should be dist. 24, q.2, a.4, sol, and not article 1 as cited). Crowe translates the Latin as an "actual consideration on the part of reason." 'Actual' may be unclear to a modern reader, and so I have translated it as an act of consideration made by reason.

²⁸³ Note, once again, that Thomas is careful to distinguish the judgement of conscience from the final decision of *liberum arbitrium* (*iudicium electionis liberi arbitrii*), where the sinner can still choose to carry out an act (the affective conclusion) deemed sinful previously by his conscience (the cognitive conclusion). Cf. Aquinas, *In II Sententiarum*, dist. 24, q.2, a.4, ad 2; Lottin, *Psychologie et morale*, II, 228.

²⁸⁴ Aquinas, *In II Sententiarum*, dist. 24, q.2, a.4, sol.: "Sicut in 6 Ethic. (8) Philosophus dicit, ratio in eligendis et fugiendis, quisdam syllogismis utitur." See Aristotle, *Nicomachean Ethics*, VI, 8, 1142a 22-23: "deliberation may be in error about either the universal or the particular." Book Seven contains Aristotle's expansion upon this statement in the context of incontinence and its effects on the use of knowledge in practical inference. See Aristotle, *Nicomachean Ethics*, VII, 3-6, at 1147a 1-18, 1147a 27, 1147b 3-9, 1149a 33. The detail is then drawn upon by Thomas *In II Sententiarum*, dist. 39, q.2, aa.1-2. For a detailed description of the debate over the nature of the breakdown of the practical syllogism or inference in an individual in the state of *akrasia*, or incontinence, see Mark Sultana *Self-Deception and Akrasia: A Comparative Conceptual Analysis*, Analecta Gregoriana, no. 300 (Rome: Editrice Pontificia Università Gregoriana, 2006), 285-303.

²⁸⁵ Aquinas, *In II Sententiarum*, dist. 24, q.2, a.4, sol.

Crowe points out that it is of less importance to him than previous writers. The reason for this is that he does not separate the two in terms of different objects (eternal and earthly things); rather he distinguishes them as two ways of thinking about the same thing (according to God's law or according to use and/or dignity).²⁸⁶

St Thomas's assessment of *conscientia* as an act of reason is the basis for his conclusion that *conscientia* can err by means of a faulty application of the general knowledge.²⁸⁷ Thus, while the major premise of the practical syllogism is "immune from error," neither the content of the minor premise nor the process of reaching a conclusion are similarly blessed.²⁸⁸ In terms of errors of application, Thomas distinguishes varying levels of principle. As has already been noted, the Angelic Doctor specified *synderesis* as the preserve of self-evident principles pertaining to action (*principia per se nota*). However, he also points out that we require intermediate principles, which are the source for the minor premises that enable us to reach a particular conclusion. These principles derived from rational discourse or through an assent of faith (*principia appropriata*) are not self-evident, and so can be subject to error.²⁸⁹ Thus, if *conscientia* is purely the result of a syllogistic application of principles, then in the case of faulty information, the judgement of conscience will undoubtedly be faulty.

²⁸⁶ Ibid., dist. 24, q.2, a.2, sol.: "Unde ex hoc patet quod ratio superior, prout contra inferiorem dividitur, non distat ab ea sicut speculativum et practicum, quasi ad diversa obiecta respiciant, de quibus fiat ratiocinatio; sed magis distinguuntur secundum media, unde ratiocinatio sumitur; ratio enim inferior consiliatur ad electionem tendens ex rationibus rerum temporalium, ut quod aliquid est superfluum vel diminutum, utile vel honestum, et sic de aliis conditionibus quas moralis philosophus pertractat; superior vero consilium sumit ex rationibus aeternis et divinis, ut quia est contra praeceptum Dei, vel eius offensionem parit, vel aliquid huiusmodi" (emphasis mine).

²⁸⁷ Aquinas, *In II Sententiarum*, dist. 39, q.3, a.2, sol.: "contingit in conscientia errorem esse propter hoc quod ratio decipitur in principiis appropriatis."

²⁸⁸ Crowe, "St. Thomas and *Synderesis*," 235. Cf. Aquinas, *In II Sententiarum*, dist. 39, q.3, a.2, ad 2. Aquinas will comment on errors of process in *De Veritate*, q. 17, a.2, resp.

²⁸⁹ Aquinas, *In II Sententiarum*, dist. 39, q.3, a.2, sol.: "Haec autem propria principia non sunt per se nota naturaliter sicut principia communia: sed innotescunt vel per inquisitionem rationis, vel per assensum fidei [...] ideo circa ista principia contingit errare."

This description of error in reasoning and perception also forms the root to Aquinas's analysis of whether erroneous conscience binds the individual: erroneous conscience is binding *per accidens*. In other words, the will is obliged to act depending upon the condition of the person's conscience. Conscience does not oblige the will to act wrongfully *per se*: the will is bound *per accidens* by what reason apprehends as good.²⁹⁰ Obviously, the context is that of the reason mistaking evil for good in good faith, and in moral certainty. In this situation the intention of the individual's conscience remains intact: to do good, to do God's will, and so one is obliged to act upon this erroneous judgement of conscience, since it is still intentionally understood that one is acting in accord with God's will.²⁹¹ In making this distinction, Aquinas is highlighting the importance of the intention of an act in defining its moral quality.²⁹² Thus, even in cases of material error, one may still judge

²⁹⁰ *Ibid.*, dist. 39, q.3, a.3, sol.: "Sed conscientia erronea non obligat nisi per accidens, et secundum quid: si enim dicitur aliquid esse faciendum, illud fieri in se consideratum, non est bonum necessarium ad salutem, sed apprehenditur ut bonum: et ideo cum non liget nisi secundum quod est bonum, non obligatur voluntas per se ad hoc, sed per accidens, scilicet ratione apprehensionis, qua iudicatur bonum.: et ideo si fiat aliquid quod est secundum se malum, quod errans ratio iudicat bonum, peccatum non evitat; si autem non fiat, peccatum incurritur: quia unus defectus bonitatis sufficit ad hoc quod aliquid dicatur malum, sive desit bonitas quae est per accidens, secundum quod res apprehenditur in ratione boni, sive bonitas quae est rei per se; sed si sit altera tantum, scilicet quae est per accidens, non propter hoc erit actus bonus." Cf. Aquinas, *Quaestiones Quodlibetales*, in *Opera Omnia*, vol. 9 (New York: Musurgia Publishers, 1949; reprint of 1852-1873 Parma ed.), *Quodlibetum* III, a.27, resp.: "Et ideo actus humanus iudicatur virtuosus vel vitiosus secundum bonum apprehensum, in quod per se voluntas fertur, et non secundum materiale obiectum actus: sicut si aliquis credens occidere patrem, occidat cervum, incurrit parricidii peccatum; et e contrario si quis venator putans occidere cervum, debita diligentia adhibita, occidat casualiter patrem, immunis est a parricidii crimine. (Note other editions use the questions to divide up the articles. Hence, *Quodlibetum* III, a.27 is also *Quodlibetum* III, q.12, a.2.)

²⁹¹ Cf. Delhaye, *The Christian Conscience*, 181-82.

²⁹² Aquinas, *In II Sententiarum*, dist. 39, q.3, a.3, sed contra 3 and sol., at sol.: "Intentionem autem boni vel mali ratio ipsa demonstrat. Unde cum actus voluntatis ex objecto specificetur, oportet quod secundum rationis iudicium et conscientiae, voluntatis actus procedat: et per modum istum conscientia ligare dicitur." Vereecke points out that Peter Abelard was the first to propose a morality of intention, whereby a good act is understood as having proceeded from a good intention. This theory influenced subsequent writers, including Albert, Bonaventure and Aquinas, although the theory was significantly refined in different ways, particularly with regard to what extent blame and sin could be apportioned to an individual, in the case of an objectively evil act. Cf. Louis Vereecke, "Coscienza in S. Alfonso," in *Morale e Redenzione*, ed. Lorenzo Alvarez Verdes and Sabatino Majorano, *Quaestiones Morales*, no. 1 (Rome: Editiones Academiae Alphonsonianae, 1983), 169-83, at 172-73; Albert the Great, *Summa Theologica*, II, tract. 22, q. 138, memb. 2, ad 1: "intentione confert aliquid bonitati, sed non totam bonitatem. Sed cum sit radix boni operis, influit bonitatem suam super opus, sed non totam operis bonitatem, sicut quaelibet causa influit suam causalitatem super causatum."

onself to be doing no wrong, and so be bound to follow one's conscience in the matter.²⁹³ Indeed, St Thomas states that if one rejects the judgement of erroneous conscience, even in the case of truly misjudging grave matter, such as fornication, then one sins, since one is acting against that which is presumed to be the herald of God's law, and therefore acting in contempt of God.²⁹⁴

The next obvious question regarding St Thomas's analysis is whether a person in material error, but with good intention, has sinned by following the dictate of conscience. The Angelic Doctor's answer bears a certain resemblance to that proposed by St Bonaventure. Thus, even if the individual has remained in good faith, Thomas declares that if the act is evil in itself then the person does not avoid sin, that is, some measure of subjective guilt will apply, yet, the individual still sins if he/she does not follow the dictate of conscience,²⁹⁵ since a thing only requires a single defect in goodness for it to be bad.²⁹⁶ In that case, the defect would be carrying out an act that lacked the *per accidens* perceived goodness, which the act deemed right by

²⁹³ Aquinas, *In II Sententiarum*, dist. 39, q.3, a.3, sol.: "et ideo sive ratio sive conscientia recte iudicet, sive non, voluntas obligatur hoc modo, quod si iudicium vel dictamen rationis, quod est conscientia, non sequitur actus voluntatis, inordinatus est; et hoc est obligare, scilicet astringere voluntatem, ut non possit sine deformitatis nocumento in aliud tendere, sicut ligatus non potest ire." [therefore whether reason or conscience judges correctly or not, the will is obliged in this way: that if the act of will does not follow the judgement or dictate of reason, which is conscience, it is disordered; and it is this which obliges, that is, binds the will, such that it cannot tend to something other without the injury of deformity, just as someone who is bound cannot move.] Cf. Aquinas, *Quodlibetum* III, a.27, resp.: "Et ideo dicendum est quod omnis conscientia, sive recta, sive erronea, sive in per se malis, sive in indifferentibus, est obligatoria; ita quod qui contra conscientiam facit, peccat." ["And therefore it is to be stated that every conscience, whether right or wrong, whether it concerns a things evil in themselves or indifferent matters, obliges us, such that the one who acts against his conscience sins."] Cf. Patrick Hannon, *Moral Decision Making*, ed. Eoin G. Cassidy and Patrick M. Devitt (Dublin: Veritas, 2005), 48-49. Vereecke points out that this view differed from that proposed by the first Franciscan scholars, who said that the obligation to follow one's conscience related only to morally indifferent acts, and not to those which are intrinsically evil. See Vereecke, "Coscienza in S. Alfonso," 173.

²⁹⁴ Aquinas, *In II Sententiarum*, dist. 39, q.3, a.3, arg. 3, sed contra and ad 3. In the third reply to objections, St Thomas compares the relationship between conscience and God to that of a prince passing on the commands of a king. Thus even if the prince lies, the people are to obliged to follow, since it is still understood as having been commanded by the king, and therefore deserving of obedience.

²⁹⁵ Ibid., dist. 39, q.3, a.3, sol.: "et ideo si fiat aliquid quod est secundum se malum, quod errans ratio iudicat bonum, peccatum non evitat; si autem non fiat, peccatum incurritur."

²⁹⁶ Ibid.: "quia unus defectus bonitatis sufficit ad hoc quod aliquid dicatur malum, sive desit bonitas quae est per accidens, secundum quod res apprehenditur in ratione boni, sive bonitas quae est rei per se; sed si sit altera tantum, scilicet quae est per accidens, non propter hoc erit actus bonus."

conscience had possessed. In other words, like Bonaventure, he judges that such an act would lack moral integrity. Later in his third *Quodlibet* he would expand upon this to say that ignorance of God's law does not excuse a misdeed, except in the case of the mad and the insane, whose ignorance is so invincible that they are completely excused from sin.²⁹⁷

Thus, Aquinas judges that an individual sins both in the context of evil intention (*intentione mala stante*), where one rejects what is perceived to be good, and in the situation of an erroneous conscience (*stante erronea conscientia*) where one acts upon its bad judgement.²⁹⁸ This means that one is blameworthy of a wrong act in an erroneous state of moral certainty and also in a state of perplexity, where one's view is challenged. Aquinas admits the possibility of perplexity, but concludes that one should not remain perplexed, any more than one should continue to act under a bad intention.²⁹⁹ Thus, like Bonaventure, Thomas concludes that the way out of this sinful dilemma is to eliminate the error.³⁰⁰ Indeed, Kennedy concludes that Aquinas would have seen the obligation to follow an erroneous conscience, despite its sinful consequences, as neither a real contradiction nor a true dilemma, "since the 'perplexed' man has the power to get rid of his error."³⁰¹ Kennedy identifies this as an act of conversion,³⁰² a view that is supported by Thomas's comment in the third

²⁹⁷ Aquinas, *Quodlibetum* III, a.27, ad 2: "si alicui dictat conscientia ut faciat illud quod est contra legem Dei, si non faciat, peccat; et similiter si faciat, peccat: quia ignorantia iuris non excusat a peccato, nisi forte sit ignorantia invincibilis, sicut est in furiosis et amentibus; quae omnino excusat."

²⁹⁸ Aquinas, *In II Sententiarum*, dist. 39, q.3, a.3, ad 5.

²⁹⁹ *Ibid.*: "simpliciter nullus perplexus est, absolute loquendo."

³⁰⁰ *Ibid.*: "Sed potest homo conscientiam erroneam, sicut et intentionem pravam, deponere; et ideo simpliciter non est perplexus." Cf. *idem*, *Quodlibetum* III, a.27, ad 2: "Potest enim erroneam conscientiam deponere, et tunc faciens secundum legem Dei non peccat."

³⁰¹ Kennedy, "L'Idée di Coscienza Morale Secondo S. Tommaso," 168: "l'uomo 'perplesso' ha il potere di sbarazzarsi del suo errore." St Thomas's emphasis on man's capability of escaping perplexity leads me to think that Dennis Billy has exaggerated Aquinas's acceptance that perplexity can occur and persist. See Billy, "Conscience in Bonaventure and Aquinas," 257: "One gets the distinct impression that, for Bonaventure, an erroneous conscience would even be easy to change. Thomas, on the other hand, gives the impression that an erroneous conscience can be difficult to change and can even endure for a long time."

³⁰² Kennedy, "L'Idée di Coscienza Morale Secondo S. Tommaso," 168.

Quodlibet, when he says that an individual would act without sin after having done penance.³⁰³ Therefore, we can see that Aquinas presents a thorough analysis in his *Commentary on the Sentences*. We shall now examine his later comments to see if they are consistent, or whether, like St Albert, they change with time.

6.2 *Quaestiones Disputatae de Veritate*

The views proffered by St Thomas in his *De Veritate* are the fruit of a series of discussions, or *disputationes ordinariae*, which, along with the *quodlibetales*, he was obliged to organise for the benefit of his students.³⁰⁴ The analyses of *synderesis* and *conscientia* are very similar in approach and content to those presented in his *Commentary on the Sentences*, though far more thorough in their detail.

Having acknowledged the range of views on the nature of *synderesis*,³⁰⁵ Aquinas draws once more from the neo-Platonic doctrine of participation as presented by Pseudo-Dionysius in order to define *synderesis*. The soul participates in angelic nature's capacity for reaching the truth without investigation, at least to the extent of being able to know both speculative and practical first principles, albeit with the aid of the senses.³⁰⁶ Thus, *synderesis* is the habitual knowledge of first principles of

³⁰³ Aquinas, *Quodlibetum* III, a.27, ad 2 (talking of a priest who has to sing at the liturgy while in a state of sin): "nec tamen est simpliciter perplexus, quia potest poenitentiam agere, et absque peccato cantare."

³⁰⁴ Crowe, "St. Thomas and *Synderesis*," 236. These debates differed from *disputationes de quodlibet*, which did not have a set question, as a bachelor was asked to prepare the *status quaestionis* in advance.

³⁰⁵ St Thomas Aquinas, *Quaestiones Disputatae de Veritate*, in *Opera Omnia*, vol. 9 (New York: Musurgia Publishers, 1949; reprint of 1852-1873 Parma ed.), q.16, a.1, argg.1-16 and resp.; at resp.: "circa hanc quaestionem diversae inveniuntur opiniones." For an English translation, see St. Thomas Aquinas, *Truth*, vol. 2, *Questions 10-20*, trans. James V. McGlynn (Indianapolis and Cambridge: Hackett, 1994; reprint of 1954 ed. published by Henry Regnery).

³⁰⁶ Aquinas, *De Veritate*, q.16, a.1, resp.

action,³⁰⁷ which acts as a “seedbed” for all subsequent particular thought in the practical order.³⁰⁸ It seems that Aquinas is now even more confident in shaking off past, faculty-based definitions by clearly weighting his definition of *synderesis* in favour of it being a natural *habitus*, which always inclines to good.³⁰⁹ However, he still feels obliged to accept the possibility that it is a particular power of reason with a *habitus* of principles.³¹⁰ The distinction is so slight that St Thomas has to admit that “it makes little difference,”³¹¹ giving us leave to shift our attention to its other characteristics and functions.

Having rehearsed his neo-Platonic argument to describe the content of *synderesis*, in the next article he returns to the Aristotelian notion of *primum immobile* to discuss the infallibility of *synderesis*. As in the *Commentary on the Sentences*, he concludes that all changeable things depend upon some first unchangeable thing, and that there would be no stability or certainty in nature if principles were not unchangeable and permanent.³¹² Thus, Aquinas asserts the permanence in *synderesis*’ role of inclining to the good and rejecting evil, which means that it cannot err or sin in

³⁰⁷ Ibid.: “Sicut igitur humanae animae est quidam habitus naturalis quo principia speculativarum scientiarum cognoscit, quem vocamus intellectum principiorum; ita etiam in ea est quidam habitus naturalis primorum principiorum operabilium, quae sunt universalia principia iuris naturalis; qui quidem habitus ad synderesim pertinet.” Cf. Aquinas, *Truth*, q.16, a.1, reply: “Thus, just as there is a natural habit of the human soul through which it knows principles, so, too, there is in the soul a natural habit of the first principles of action, which are the universal principles of the natural law. This habit pertains to synderesis.”

³⁰⁸ Aquinas, *De Veritate*, q.16, a.1, resp.: “quasi seminarium quoddam totius cognitionis sequentis.”

³⁰⁹ Ibid., q.16, a.1, ad 7: “synderesis ex habitu aliquo naturali habet quod semper ad bonum inclinet.”

³¹⁰ Ibid., q.16, a.1, resp.: “Restat igitur ut hoc nomen synderesis vel nominet absolute habitum naturalem similem habitui principiorum, vel nominet ipsam potentiam rationis cum tali habitu.”

³¹¹ Aquinas, *Truth*, q.16, a.1, reply. Cf. idem, *De Veritate*, q.16, a.1, resp.: “Et quodcumque horum fuerit, non multum differt; quia hoc non facit dubitationem nisi circa nominis significationem.” D’Arcy observes that in this remark Aquinas “seems to show his dissatisfaction” with having to accommodate the traditional faculty view once more. See D’Arcy, *Conscience and its Right to Freedom*, 41.

³¹² Aquinas, *De Veritate*, q.16, a.2, resp.: “principia enim manere oportet, ut dicitur in I Phys. Non enim posset esse aliqua firmitas vel certitudo in his quae sunt a principiis, nisi ipsa principia essent firmiter stabilita. Et inde est quod omnia mutabilia reducuntur ad aliquid primum immobile.”

providing first principles of action.³¹³ Indeed, as was noted earlier, he states that the error arises in a mistake in application of the first principles on account of a false deduction or a false assumption.³¹⁴

St Thomas then proceeds to make some helpful insights on the matter of whether *synderesis* can be extinguished. In his reply he distinguishes its existence (*quantum ad lumen habituale*) from its operation (*quantum ad actio*), such that although the habitual light of *synderesis* cannot be extinguished, as it belongs to the nature of the soul itself,³¹⁵ its operation can be disabled or effectively destroyed. This can happen in two ways. Firstly, an act or operation of *synderesis* (*actus synderesis*) can be completely obstructed (*omnino intercipitur*), effectively extinguished in its possibility, by means of a loss of free choice or use of reason through injury to the organs upon which reason relies for its information.³¹⁶ Secondly, the operation of *synderesis* can be deflected towards its contrary. This does not extinguish the operation altogether, as in the first case, but destroys its effectiveness in particular acts when one sins in one's moral choice.³¹⁷ In such a case concupiscence or another passion overwhelms reason, such that the universal principles of *synderesis* are not

³¹³ Ibid.: "Unde et in operibus humanis, [...] oportet esse aliquod principium permanens, quod rectitudinem immutabilem habeat [...]. Et haec est synderesis, cuius officium est remurmurare malo, et inclinare ad bonum; et ideo concedimus quod in ea peccatum esse non potest." This fundamental attribute of *synderesis* as being infallible leads Junceda to define it as a "perfect habitus". See Junceda, "La Sinderésis en el Pensamiento de Santo Tomás," 449: "diremos que la sindéresis es un hábito perfecto, esto es, en el cual no cabe error, no cabe peccado."

³¹⁴ Aquinas, *De Veritate*, q.16, a.2, ad 1, 2 and 6.

³¹⁵ Ibid., q.16, a.3, resp.: "Uno modo quantum ad ipsum lumen habituale; et sic impossibile est quod synderesis extingatur: sicut impossibile est quod anima hominis privetur lumine intellectus agentis, per quod principia prima et in speculativis et in operativis nobis innotescunt; hoc enim lumen est de natura ipsius animae, cum per hoc sit intellectualis."

³¹⁶ Ibid.: "Uno modo ut dicatur actus synderesis extingui, in quantum actus synderesis omnino intercipitur. Et sic contingit actum synderesis extingui in non habentibus usum liberi arbitrii, neque aliquem usum rationis: et hoc propter impedimentum proveniens ex laesione organorum corporalium, a quibus ratio nostra accipere indiget."

³¹⁷ Ibid.: "Alio modo per hoc quod actus synderesis ad contrarium deflectatur. Et sic impossibile est in universali iudicium synderesis extingui; in particulari autem operabili extinguitur quandocumque peccatur in eligendo."

applied to the particular act,³¹⁸ and so one sins. In short, Aquinas concludes that although *synderesis* is never extinguished absolutely, it is extinguished in some respects.³¹⁹

In his analysis of *conscientia*, St Thomas begins by reviewing comments and views from tradition which would suggest that it is a *habitus*, and contrast these with evidence which would define *conscientia* as an act.³²⁰ Acknowledging a common triple distinction, made especially by the Franciscans,³²¹ St Thomas then rehearses the varied uses of the term *conscientia*, indicating that its root meaning relates to sense knowledge, that is, being conscious of an act, or aware of a past event through memory.³²² It is only in its subsequent uses that it concerns moral awareness. It is here we find a summary of the functions of the moral *conscientia*, clearly identifying its dual role of operating before and after an action.³²³ In the former, *conscientia* is involved in deliberation and examination of the right course of action, prodding, urging or binding the person to carry it out (*instigare, vel inducere, vel ligare*); in the latter it is involved in examination, or evaluation, of the act that has been carried out, accusing or excusing the individual accordingly (*accusare vel remordere... defendere*

³¹⁸ Ibid.: “Vis enim concupiscentiae aut alterius passionis ita rationem absorbet, ut in eligendo universale synderesis iudicium ad particularem actum non applicetur.” Later Aquinas also includes vicious habits as factors which can stifle reason such that the person does not make a choice in accord with the general principles of *synderesis*. Cf. *ibid.*, q.16, a.3, ad 1 and 3.

³¹⁹ Ibid., q.16, a.3, resp.: “Sed hoc non est extingui synderesim simpliciter, sed secundum quid tantum. Unde simpliciter loquendo, concedimus quod synderesis nunquam extinguitur.”

³²⁰ Ibid., q.17, a.1, arg 1-14. Note that although the content is the same, the numbering in this question varies from edition to edition.

³²¹ Ibid., q.17, a.1, resp.: “Dicendum, quod quidam dicunt conscientiam tripliciter dici.” McGlynn says that this threefold distinction in the meanings of *conscientia* is understood to have been common among medievals. For example, Bonaventure, *In II Sententiarum*, dist.39, a.1, q. 1, resp. For a list of further examples, see McGlynn’s note in Aquinas, *Truth*, page 449, n.14.

³²² Aquinas, *De Veritate*, q.17, a.1, resp.: “in prima applicatione qua applicatur scientia ad actum ut sciatur an factum sit, est applicatio ad actum particularem notitiae sensitivae, ut memoriae, per quam eius quod factum est, recordamur; vel sensus, per quem hunc particularem actum quem nunc agimus, percipimus.”

³²³ Ibid.: “Sed in secunda et tertia applicatione, qua consiliamur quid agendum sit, vel examinamus iam facta, applicantur ad actum habitus rationis operativi, scilicet habitus synderesis et habitus sapientiae, quo perficitur superior ratio, et habitus scientiae, quo perficitur ratio inferior; sive simul omnes applicantur, sive alter eorum tantum.”

autem vel excusare).³²⁴ Aquinas therefore concludes that in all three modes of use, *conscientia* is an act, that is, an act of application of knowledge,³²⁵ which in the two moral uses, occasions the deliberation or examination of what should be or what was done.³²⁶ Thus, “conscience is neither a power [faculty] nor a habit, but an act.”³²⁷

Aquinas then tackles the now familiar question of whether conscience can err. Here his answer is based upon his description of how conscience functions as an act of application of knowledge. He states that this application is made syllogistically (or at least analogous to the syllogistic process), since in order to allow the general principles of *synderesis* to reach the particular moral situation, they must be combined with a minor premise taken from higher or lower reason.³²⁸ However, such application is not without its flaws. In the *Commentary on the Sentences* he highlighted errors of content. Here he points out that that “mistakes can happen in two ways: either from the use of false premises, or from faulty construction of the syllogism.”³²⁹ Yet, unlike St Albert in his later writings, St Thomas does not admit any error in the major premise taken from *synderesis*, but only ascribes an error of content to the minor

³²⁴ Ibid.

³²⁵ Ibid.: “Nomen enim conscientiae significat applicationem scientiae ad aliquid.”

³²⁶ Ibid.: “Examinatio tamen non solum est de factis, sed etiam de faciendis; sed consilium est de faciendis tantum.”

³²⁷ Aquinas, *Truth*, q.17, a.1, ad 9 (parenthesis added). Cf. idem *De Veritate*, q.17, a.1, ad 9: “conscientia nec est potentia nec habitus, sed actus.” I have included by ‘power’ and ‘faculty’ as both are commonly used to translate *potentia*. In this same paragraph, Aquinas concludes that the act of conscience does not exist in one who is asleep. Given the fact that the mind certainly operates during sleep, sometimes with powerful consequences in the choice of future action, or in recognising fault in past actions, I am not so sure that no act of conscience exists in sleep. Given that Thomas defined *conscientia* in syllogistic terms it is perhaps surprising that he excludes the possibility of its operation, since he admitted the possibility that the mind continues to syllogise even while asleep. Indeed, the fact that he thought the syllogism in sleep is likely to be flawed would not be sufficient cause to deny the existence of an act of conscience, since Thomas accepts that we are able to make errors of conscience while we are awake. Cf. idem, *Summa Theologica*, I, q.84, a.8, ad 2.

³²⁸ Aquinas, *De Veritate*, q.17, a.2, resp.: “non potest applicari iudicium synderesis ad actum, nisi fiat assumptio alicuius particularis, quam quidem particularem quandoque subministrat ratio superior, quandoque vero ratio inferior; et sic conscientia perficitur quasi quodam syllogismo particulari.”

³²⁹ Aquinas, *Truth*, q.17, a.2, resp.; idem, *De Veritate*, q.17, a.2, resp.: “Sicut etiam in syllogizando contingit peccatum dupliciter: vel ex eo quod quis falsis utitur, vel ex eo quod non recte syllogizat.”

premise taken from reason.³³⁰ As to error in logical process Thomas concludes that, just as in speculative formal logic one can stray from the sound form of argumentation, hence compromising the validity of the syllogism, so this can also occur in practical syllogisms.³³¹

To the general question of the binding nature of conscience, the reply given by the Angelic Doctor in *De Veritate* is straight and to the point: “without doubt, conscience is binding.”³³² However, here he introduces a study of the metaphorical use of binding in order to explore how conscience binds the will to act. In the spiritual realm, to bind something means to impose a necessity, that is, to make something happen.³³³ Just as someone is restrained physically by means of something coming into contact with him or her, such that the person is obliged to follow or rendered immobile, so in the spiritual realm the will cannot be constrained to act unless something comes into contact with it, namely, an act of the intellect: a communication of a precept. Hence one is bound by a precept (communicated by conscience) through knowledge of that precept:

Therefore, one who is not capable of the knowledge of a precept is not bound by the precept. Nor is one who is ignorant of a precept bound to carry out that precept except in so far as he is required to know it. If, however, he is not required to know it, and does not know it, he is in no way bound by the precept. Thus, as in physical things the physical agent acts only by means of contact, so in spiritual things a precept only binds by means of knowledge. [...] Consequently, since conscience is nothing else but the application of knowledge to an act, it is obvious that conscience is said to bind by the power of a divine precept.³³⁴

³³⁰ Ibid., *De Veritate*, q.17, a.2, resp.:

³³¹ Ibid.: “Ex hoc autem quod non recto modo applicatio fiat, etiam in conscientia error contingit; quia sicut in syllogizando in speculativis contingit formam debitam argumentandi praetermitti, et ex hoc in conclusione accidere falsitatem: ita etiam contingit in syllogismo qui in operabilibus requiritur, ut dictum est.”

³³² Aquinas, *De Veritate*, q.17, a.3, resp.: “conscientia procul dubio ligat.”

³³³ Ibid.: “quod ligatio metaphorice a corporalibus ad spiritualia assumpta necessitatis impositionem importat.”

³³⁴ Translation from Aquinas, *Truth*, q.17, a.3, resp. Cf. idem, *De Veritate*, q.17, a.3, resp.: “Unde nullus ligatur per praeceptum aliquod nisi mediante scientia illius praecepti. Et ideo ille qui non

Clearly, as well as showing the connection between knowledge and obligation, this passage also raises the issue of ignorance and whether a lack of knowledge of a precept is excusable.³³⁵ Aquinas is stating that there are certain things which we are “required to know,” and as such error regarding these matters would be inexcusable. Patrick Hannon observes that Aquinas arrives at this view because he “found it difficult to think that one might bona fide be mistaken about or ignorant of the moral law.”³³⁶ As a result, St Thomas concludes that conscience cannot err with regard to propositions such as “I ought to love God” or “evil should not be done,” by thinking that the opposite is acceptable, since general principles of *synderesis* are directly applied to the particular circumstance in these instances, such that both the major and minor premises are self-evident, given that the minor premise contains ideas from the major premise, which are even expressed in the same terms.³³⁷ Obviously this raises the thorny question of the content of *synderesis* and its accessibility, which we shall attempt to explore in the next chapter. In the meantime, assuming his view on the matter of that which we are able and required to know, we arrive at Aquinas’s

est capax notitiae praecepti, non ligatur praecepto; nec aliquis ignorans praeceptum dicitur esse ligatus ad praeceptum faciendum, nisi quatenus tenetur scire praeceptum. Si autem non teneatur scire, nec sciat, nullo modo ex praecepto ligatur. Sicut igitur in corporalibus agens corporale non agit nisi per contactum, ita in spiritualibus praeceptum non ligat nisi per scientiam. [...] Unde, cum conscientia nihil aliud sit quam applicatio notitiae ad actum, constat quod conscientia ligare dicitur in vi praecepti divini.”

³³⁵ Cf. also Aquinas, *Quodlibeta* VIII, q.6, a.5, resp.; IX, q.7, a.2, resp.

³³⁶ Hannon, *Moral Decision Making*, 55, n. 3.

³³⁷ Aquinas, *De Veritate*, q.17, a.2, resp.: “Sciendum tamen, quod in quibusdam conscientia nunquam errare potest; quando scilicet actus ille particularis ad quem conscientia applicatur, habet de se universale iudicium in synderesi. Sicut enim in speculativis non contingit errare circa particulares conclusiones quae directe sub principiis universalibus assumuntur in eisdem terminis, ut in hoc quod est, hoc totum esse maius sua parte, nullus decipitur; sicut nec in hoc, omne totum est maius sua parte; ita etiam nec in hoc quod est, Deum a me non esse diligendum, vel, aliquod malum esse faciendum, nulla conscientia errare potest; eo quod in utroque syllogismo, tam speculabilium quam operabilium, et maior est per se nota, utpote in universali iudicio existens; et minor etiam in qua idem de seipso praedicatur particulariter; ut cum dicitur: omne totum est maius sua parte. Hoc totum est totum. Ergo est maius sua parte.” Aquinas concludes here with a speculative example of the whole being greater than its part. Perhaps it would help to spell out one of his moral examples. Thus: “All evil is to be avoided; this is an evil; therefore it is to be avoided.” This would exclude the validity of the statement “some evil should be done”. What the self-evident minor premise might be in the case of “I should love God” is harder to fathom, given that there is a non-self-evident act of faith involved. As a result, it may be “You are (my) God; therefore I should love you.” We shall return to the question of self-evident principles in the next chapter.

conclusion that an erroneous conscience is insufficient grounds to absolve an individual from sin if the issue should have been known in the first place.³³⁸

Aquinas repeats this conclusion in his next article dedicated specifically to the binding force of an erroneous conscience.³³⁹ Although presented with greater explanatory detail, his analysis of how erroneous conscience binds the will is identical to that found in his *Commentary on the Sentences*, concluding that false conscience binds only *per accidens*, on account of the false understanding.³⁴⁰ Correct conscience binds on account of the good nature of the act in itself, while erroneous conscience binds because of an extrinsic reason: the perceived goodness of an act which is bad in itself.³⁴¹ This forms the basis for an important distinction: objectively correct conscience binds absolutely, without qualification, in every circumstance, while objectively false conscience binds only conditionally, that is, upon the condition of the subject continuing under the misapprehension that the evil act is in fact good.³⁴² This conditional limitation on one's duty to follow one's wrong conscience offers an escape from sin and hence the opportunity to grow in virtue,³⁴³ since if one were obliged absolutely to abide by the judgement of an erroneous conscience, even though one now knew that the judgement was surely wrong, one would have the desperate situation of being obliged to do something that is knowingly sinful.

³³⁸ Ibid., q.17, a.3, ad 4: "Ad quartum dicendum, quod tunc conscientia erronea non sufficit ad absolvendum, quando in ipso errore peccat, ut quando errat circa ea quae scire tenetur. Si autem esset error circa ea quae quis non tenetur scire, ex conscientia sua absolvitur; sicut patet in eo qui ex ignorantia facti peccat, ut cum quis accedit ad alienam uxorem, quam credit suam."

³³⁹ Ibid., q.17, a.4, ad 3.

³⁴⁰ Ibid., q.17, a.4, resp.: "Dico etiam quod conscientia recta per se ligat, erronea autem per accidens."

³⁴¹ Aquinas, *Truth*, q.17, a.4, resp. 'Intrinsic' and 'extrinsic reason' are not literally found in Aquinas's original Latin text, but seem to be a useful dynamic equivalent in McGlynn's text.

³⁴² Ibid.: "Dico autem rectam ligare simpliciter, quia ligat absolute et in omnem eventum. [...] Sed conscientia erronea non ligat nisi secundum quid quia sub conditione."

³⁴³ Ibid.: "Ille enim cui dictat conscientia quod teneatur ad fornicandum, non est obligatus ut fornicationem sine peccato dimittere non possit, nisi sub hac conditione, si talis conscientia duret. *Haec autem condicio removeri potest et absque peccato*. Unde talis conscientia non obligat in omnem eventum (emphasis mine)."

Change in one's understanding is dependant upon probability, doubt and external counsel. Thus, "when conscience is not probable, it should be changed."³⁴⁴ This leads Delhaye to draw from Aquinas that if the individual "has the slightest doubt, he must interrupt his action, think about it and ask for advice."³⁴⁵ However, what should one do if one disagrees with the advice given by Church authority? St Thomas's understanding is that, in indifferent matters, the bond of conscience is more binding than the command of a superior, since conscience binds through its conformity to a divine command (whether real or perceived), either in the form of a written law or on the basis of the natural law that is inherent to us.³⁴⁶ Therefore, since a divine precept is more binding than the command of a prelate or superior, the command of conscience binds more strongly than that of the superior, even in the case when the superior has commanded the contrary.³⁴⁷ However, Aquinas does make a distinction between correct and erroneous conscience. Correct conscience binds simply and perfectly, such that to reject it to follow the command of the prelate would be a sin. Indeed its binding force is such that one is free from sin, regardless of what the prelate commands, if one follows it.³⁴⁸ On the other hand, erroneous conscience is

³⁴⁴ Aquinas, *Truth*, q.17, a.4, ad 4: "When a conscience is not probable, it should be changed. But, as long as such a conscience remains, one sins mortally if he acts against it." Cf. idem, *De Veritate*, q.17, a.4, ad 4: "quando conscientia non est probabilis, tunc debet eam deponere; sed tamen dum manet, si contra eam faciat, mortaliter peccat." Another possible translation of *probabilis* is 'credible'. This translation may be helpful in giving further explanation to Aquinas's comment: "When conscience is not credible, it should be changed."

³⁴⁵ Delhaye, *The Christian Conscience*, 182.

³⁴⁶ Aquinas, *De Veritate*, q.17, a.5, resp.: "conscientia non ligat nisi in vi praecepti divini, vel secundum legem scriptam, vel secundum legem naturae inditi. Comparare igitur ligamen conscientiae ad ligamen quod est ex praecepto praelati, nihil est aliud quam comparare ligamen praecepti divini ad ligamen praecepti praelati."

³⁴⁷ Ibid.: "Unde, cum praeceptum divinum obliget contra praeceptum praelati, et magis obliget quam praeceptum praelati: etiam conscientiae ligamen erit maius quam ligamen praecepti praelati, et conscientia ligabit, etiam praecepto praelati in contrarium existente." Cf. Aquinas, *Quodlibetum VIII*, q.6, a.3, resp.

³⁴⁸ Aquinas, *De Veritate*, q.17, a.5, resp.: "Conscientia enim recta simpliciter et perfecte contra praeceptum praelati obligat. Simpliciter quidem, quia eius obligatio auferri non potest, cum talis conscientia sine peccato deponi non possit. Perfecte autem, quia conscientia recta non solum hoc modo ligat, ut ille qui eam non sequitur peccatum incurrat, sed etiam ut ille qui eam sequitur sit immunis a peccato quantumcumque praeceptum praelati sit in contrarium."

imperfect in its binding force, since it does not oblige in all circumstances, but only for as long as it lasts.³⁴⁹ Thus since error should be removed as soon as possible, while the error lasts the individual sins against the superior by refusing to follow his/her command. However, given the dignity of conscience, the individual incurs a greater sin by going against his erroneous conscience in favour of the superior's command.³⁵⁰ One should bear in mind that here Aquinas is discussing situations of conflict over morally indifferent acts. Therefore, one should not assume that by extension he is sanctioning conscientious objection to the Church's moral teaching; such an issue is left untouched. Yet, given the historical and theological context of St Thomas, one could probably surmise that he would not have admitted the possibility of an opposition between conscience and authority on serious moral matters, given the Church's role as external herald of God's law.³⁵¹

From our review of the questions on *synderesis* and *conscientia* in *De Veritate* it is clear that most of the key ideas offered there by St Thomas are a repetition of those first articulated in his *Commentary on the Sentences*, although the arguments are now presented in much greater detail.³⁵² The similarity leads Crowe to conclude that its content lacks "any startling development" in contrast to the thought already found

³⁴⁹ Ibid., "Sed conscientia erronea ligat contra praeceptum praelati etiam in indifferentibus secundum quid et imperfecte. Secundum quid quidem, quia non obligat in omnem eventum, sed sub conditione suae durationis: potest enim aliquis et debet talem conscientiam deponere. [...] in tali enim casu peccat, sive non faciat, quia contra conscientiam agit, sive faciat, quia praelato inobediens est."

³⁵⁰ Ibid.: "Magis autem peccat si non faciat, conscientia durante, quod conscientia dictat; cum plus liget quam praeceptum praelati."

³⁵¹ He does make passing reference to the question of acting according to conscience even in the face of excommunication, but this is in the context of exploring the difficulties with the question of a binding false conscience, and so does not reflect his own view on the matter, which is, in fact not declared in the response or reply to the argument. Cf. idem, *De Veritate*, q.17, a.4, arg. 4; ad 4.

³⁵² Crowe, "St. Thomas and *Synderesis*," 241. Junceda states that *De Veritate* is St Thomas's most detailed analysis of *synderesis*. See Junceda, "La Sinderésis en el Pensamiento de Santo Tomás," 447.

in the *Commentary*.³⁵³ Nevertheless, the detail serves to clarify Thomas's viewpoint, and will assist us in our understanding of his analysis in the *Summa Theologica*.

6.3 *The Summa Theologica*

Given the amount of detail provided in *De Veritate*, one might have presumed that St Thomas's study of *synderesis* and *conscientia* in the *Summa Theologica*, his crowning achievement, would be similar in its detail, or developed even further. However, this is not the case. Crowe comments that the relevant articles are "surprisingly laconic."³⁵⁴ Although the lack of material may surprise us, its absence should lead us to expect little change in the direction of Aquinas's thought, and this is, in fact, what we discover.

The Angelic Doctor makes mention of *synderesis* and *conscientia* in the *Prima* and *Secunda Partes*. In the *Prima Pars*, discussion of the two divisions of conscience takes place within a study of the intellectual faculties of the soul. The two articles dedicated to whether *synderesis* and *conscientia* are faculties (that is, powers) almost take on the semblance of a rapid summary of what he has said elsewhere.³⁵⁵ Thus, after only three brief objections in each article, drawn from Scripture and the writings of Saints Jerome and Augustine,³⁵⁶ Aquinas concludes that "*synderesis* is not a power, but a *habitus*," and that "*conscientia* [...] is not a power, but an act."³⁵⁷ *Synderesis* is, once again, identified as the natural habit endowed with the first practical principles,

³⁵³ Crowe, "St. Thomas and *Synderesis*," 241.

³⁵⁴ *Ibid.*, 242.

³⁵⁵ Aquinas, *Summa Theologica*, I, q.79, aa.12-13.

³⁵⁶ D'Arcy suggests that in the *Summa* Aquinas is far more confident in expressing independent views, and so feels far less obliged to try to accommodate previous, conflicting Patristic comments. D'Arcy, *Conscience and its Right to Freedom*, 44-45.

³⁵⁷ Aquinas, *Summa Theologica*, I, q.79, a.12, resp.: "*synderesis non est potentia, sed habitus*"; *ibid.*, I, q.79, a.13, resp.: "*conscientia, proprie loquendo, non est potentia, sed actus*."

which incite to good and murmur at evil in the process of discovering what we are to do, or in judging what we have done.³⁵⁸ Aquinas provides an etymological reason for his conclusion regarding *conscientia*, namely, that it comes from *cum alio scientia*, which implies knowledge shared with something. As a result, conscience is an act of application of knowledge to an individual case,³⁵⁹ which falls under the three categories of recognising what is happening, judging what is to be done or not done, and judging that something has been well done or done badly.³⁶⁰ Here Aquinas also neatly accommodates the faculty-based definitions of *conscientia*, with their Patristic background, by stating that sometimes a cause is identified by its effect, and vice versa.³⁶¹ Accordingly, *synderesis*, the *habitus* at the root of every act of conscience, is sometimes called *conscientia*. Thus, we find ourselves having gone full circle in the history of conscience, with the two precise terms melting into each other, leaving us, for a moment, back where we started, with one term: *syneidēsis* or *conscientia*.

Having established the basic nature of *synderesis* and *conscientia* in the *Prima Pars*, we find further mention of the topic in the moral section of the *Summa*. Here we might have imagined a lengthy presentation of the issues related to conscience, as so much detail is provided in Aquinas's analysis of the different aspects of the human act, from its end, its means and its relation to sin, passion and virtue, and yet the coverage is far from exhaustive.³⁶² In the context of a discourse on the natural law, passing reference is made to *synderesis*, as the habit containing the precepts of natural

³⁵⁸ Ibid., I, q.79, a.12, resp.: “unde et synderesis dicitur *instigare ad bonum, et murmurare de malo*, in quantum per prima principia procedimus ad inveniendum, et judicamus inventa” (emphasis in text).

³⁵⁹ Ibid., I, q.79, a.13, resp.: “Conscientia enim secundum proprietatem vocabuli importat ordinem scientiae ad aliquid: nam conscientia dicitur cum *alio scientia*” (emphasis in text).

³⁶⁰ Ibid.

³⁶¹ Ibid.: “consuetum enim est, quod causae, et effectus per invicem nominentur.”

³⁶² Although the treatment is significantly reduced in the *Summa*, Crowe's account implies that Aquinas barely mentions *synderesis* and omits *conscientia* altogether in the *Pars Secunda*. This is because Crowe fails to mention St Thomas's analysis of error in Ia IIae, q.19, aa. 5-6. This is quite a significant omission. Cf. Crowe, “St. Thomas and *Synderesis*,” 243.

law; the indemonstrable first principles of human action,³⁶³ and the term makes another brief appearance in the course of Thomas's study on the virtue of prudence. Here he makes the familiar parallel between the operations of the speculative and practical intellect, pointing out that *synderesis* moves prudence in a similar way to the understanding of the speculative principles moves science, in that *synderesis* dictates the end of moral virtues, namely the human good, because of its fundamental drive for the good.³⁶⁴

Apart from these brief references, no other mention of *synderesis* is made. However, *conscientia* is given somewhat greater attention, when Aquinas discusses the will in the light of erring reason.³⁶⁵ Firstly, he dismisses the early Franciscan theory, which Johnstone describes as "absolute objectivism."³⁶⁶ According to this viewpoint, if *conscientia* judges that an act which is evil in itself (*per se malum*) to be good or an act which is good in itself (*per se bonum*) to be evil, then the judgement of conscience is not binding.³⁶⁷ In this analysis the object is considered completely separately from the subject, and so the judgement of the reason, namely conscience, is bypassed in such a way that the goodness or badness of the object is imposed directly on the will of the subject.³⁶⁸ Johnstone points out that "this kind of bypass or detour is not tenable" according to St Thomas. As we have already observed, Aquinas offers a

³⁶³ Ibid., Ia IIae, q.94, a.1, ad 2: "synderesis dicitur lex intellectus nostri, in quantum est habitus continens praecepta legis naturalis, quae sunt prima principia operum humanorum."

³⁶⁴ Ibid., IIa IIae, q.47, a.6, ad 1: "virtutibus moralibus praestituit finem ratio naturalis, quae dicitur synderesis"; Ibid., IIa IIae, q.47, a.6, ad 3: "synderesis movet prudentiam, sicut intellectus principiorum scientiam." We shall look at the relationship between conscience and prudence, as well as other virtues in more detail in the fourth chapter.

³⁶⁵ See Aquinas, *Summa Theologica*, Ia IIae, q.19, aa. 5-6. In article six he states that article five is equivalent to the question of whether an erring conscience binds, and article six is the same as asking whether an erring conscience excuses.

³⁶⁶ Brian V. Johnstone, "'Objectivism', 'Basic Human Goods' and 'Proportionalism': An Interpretation of the Contemporary History of Moral Theology," *Studia Moralia* 43 (2005): 97-126, at 99.

³⁶⁷ Aquinas, *Summa Theologica*, Ia IIae, q.19, a.5, resp.: "sed ratio, vel conscientia errans praecipiendo ea, quae sunt per se mala, vel prohibendo ea, quae sunt per se bona, et necessaria ad salutem, non obligat: unde in talibus voluntas discordans a ratione, vel conscientia errante, non est mala. Sed hoc irrationabiliter dicitur."

³⁶⁸ Johnstone, "'Objectivism', 'Basic Human Goods' and 'Proportionalism'," 99-100.

more nuanced approach which identifies the importance of apprehension and intention. Thus, the goodness or badness of the will depends not so much upon the quality of the object itself (*propter objectum secundum sui naturam*), but rather upon how it is perceived by reason (*secundum quod per accidens a ratione apprehenditur*),³⁶⁹ since a good act can take on *per accidens* the character of an evil act, and vice versa.³⁷⁰ Thus, in the case of the will disobeying the dictate of erroneous conscience, where the chosen act is perceived to be good, the will is evil, even though the act is good in itself. Aquinas summarises this by concluding that “every will which is at odds with reason, whether right or wrong, is always evil.”³⁷¹

This obviously leads Aquinas to ask the opposite question, namely, whether the will is good when it abides by erring reason. St Thomas declares that the issue depends upon our understanding of ignorance and its effect on culpability.³⁷² As a result, he distinguishes between three states of ignorance: involuntary, directly voluntary and indirectly voluntary ignorance. In the case of involuntary ignorance, the moral character of an act is removed, since the moral evil or goodness of an act depends upon its voluntary nature.³⁷³ However, the moral character of an act is

³⁶⁹ Aquinas, *Summa Theologica*, Ia IIae, q.19, a.5, resp.: “In indifferentibus enim voluntas discordans a ratione, vel conscientia errante est mala aliquo modo propter objectum, a quo bonitas, vel malitia voluntatis dependet, non autem propter objectum secundum sui naturam, sed secundum quod per accidens a ratione apprehenditur ut bonum, vel malum ad faciendum, vel ad vitandum.”

³⁷⁰ Ibid.: “Non solum enim id quod est indifferens, potest accipere rationem boni, vel mali per accidens: sed etiam id quod est bonum, potest accipere rationem mali, vel illud quod est malum, rationem boni, propter apprehensionem rationis.”

³⁷¹ Ibid.: “omnis voluntas discordans a ratione, sive recta, sive errante, semper est mala.”

³⁷² Ibid., Ia IIae, q.19, a.6, resp.: “Haec autem quaestio dependet ab eo, quod supra de ignorantia dictum est; dictum est enim supra (*q.6. art.8*), quod ignorantia quandoque causat involuntarium, quandoque autem non” (parenthesis and emphasis in text).

³⁷³ Ibid., Ia IIae, q.19, a.6, resp.: “Et quia bonum, et malum morale consistit in actu, in quantum est voluntarius, ut ex praemissis patet (*art.2. huj. q.*), manifestum est, quod illa ignorantia quae causat involuntarium, tollit rationem boni, et mali moralis; non autem illa, quae involuntarium non causat” (parenthesis and emphasis in text). Earlier Aquinas had further qualified involuntary ignorance as *antecedent*, that is, lacking particular knowledge of the circumstances (which was not the person’s duty to know) that would otherwise have changed the course of the action had it been known. In effect, this is the definition of an accident, lacking any blame. Cf. *ibid.*, Ia IIae, q.6, a.8., resp.: “*Antecedenter* autem se habet ad voluntatem ignorantia, quando non est voluntaria, et tamen est causa volendi, quod alias homo non vellet” (emphasis in text).

affected by the voluntary forms of ignorance, since direct voluntary ignorance describes the situation of wilfully not wishing to know what should be known, while indirect voluntary ignorance refers to a situation of plain negligence.³⁷⁴ The distinction is fine in its character, but made clearer by an earlier comment. Aquinas defines direct voluntariness as proceeding from an act of the will, while indirect voluntariness is an inaction of the will.³⁷⁵ Thus, one could say that both are occasions of negligence, but that the direct form contains deliberate wilful avoidance of what should be known, while the indirect form is an occasion of blameworthy carelessness. In addition to this, in another article Thomas defines these two forms of consequent ignorance as “affected ignorance” (*ignorantia affectata*) and “ignorance of evil choice” (*ignorantia malae electionis*).³⁷⁶

Having clearly established the differences between these forms of ignorance, Aquinas is now in a position to declare their effect upon the will. Voluntary ignorance does not excuse the will from sin in the case of acting upon the judgement of an erroneous conscience, since the person is ignorant of what should have been known.³⁷⁷ Once again, we observe that Aquinas presumes an obligation to know the general principles or fundamental tenets of the moral law, both natural and divine.³⁷⁸ Here St Thomas is referring to a principle of Roman law, much used in the Middle Ages, which differentiated between ignorance of the law (*ignorantia iuris*) and

³⁷⁴ Ibid., Ia IIae, q.19, a.6, resp.: “Si igitur ratio vel conscientia erret errore voluntario, vel directe, vel propter negligentiam...” From this quote one can see that Aquinas does not elaborate upon the nature of direct voluntariness, as he presumes the reader has read the earlier article on the matter.

³⁷⁵ Cf. *ibid.*, Ia IIae, q.6, a.3, ad 1.

³⁷⁶ *Ibid.*, Ia IIae q.6, a.8.

³⁷⁷ *Ibid.*, Ia IIae, q.19, a.6, resp.: “Si igitur ratio vel conscientia erret errore voluntario, vel directe, vel propter negligentiam, quia est error circa id, quod quis scire tenetur, tunc talis error rationis vel, conscientiae non excusat, quin voluntas concordans rationi, vel conscientiae sic erranti sit mala.”

³⁷⁸ Cf. *ibid.*, Ia IIae, q.19, a.6, resp.: “quod error iste provenit ex ignorantia legis Dei, quam scire tenetur”; Ia IIae q.6, a.8, resp.: “*ignorantia universalium juris*, quae quis scire tenetur, voluntaria dicitur, quasi per negligentiam proveniens” (emphasis in text).

ignorance of fact (*ignorantia facti*).³⁷⁹ Thus, error regarding God's law does not excuse sin, while a genuine error about the facts of a case is simply a mistake, and so the will is excused from acting sinfully, since this is involuntary ignorance.³⁸⁰ From this Aquinas concludes that in the case of conscience erring through inexcusable ignorance the will would be evil. Yet, although an erroneous conscience is binding, there is really no dilemma in this instance, since "the ignorance is vincible and voluntary."³⁸¹ This means that the person can lay aside the error and act uprightly with a pure conscience.

Combining what Aquinas stated in his third *Quodlibet* with his comments here, we can conclude that the will is excused the sin caused by an erroneous conscience only in cases where an individual is not morally culpable through grave mental incapacity or through simple factual error affecting the circumstances, and not the law applied to the circumstances.³⁸² Thus, Kennedy is right in pointing out that

³⁷⁹ See Hermann Kantorowicz, *Studies in the Glossators of the Roman Law: Newly Discovered Writings of the Twelfth Century* (Cambridge: Cambridge University Press, 1938), 77-80, 244-46. Kantorowicz describes the influence of the writings of Bulgarus on Gratian, quoting their comments on ignorance. See pages 244-46 for a fuller extract from the *summula* of Bulgarus on ignorance of fact and law, written around 1140, and page 80 for a synopic comparison of the two authors. Thus, Bulgarus states "In *iuris* errore distinguitur *naturale* et *civile ius*, quia plus est culpe, *naturale ius ignorare* quam *civile*. [...] Cum enim facti *ignorantia* in lucro captando prosit, multa fortius *in evitando dampno* non nocet (emphases in text)." The portion of Gratian's *dicta* (IV, par. 2, c. 1, q. 4) quoted by Kantorowicz, is remarkably similar in its wording. Cf. Kennedy, "L'Idée de Coscienza Morale Secondo S. Tommaso," 166; 167, n.52. Cf. Aquinas, *Quaestiones Disputatae de Malo*, in *Opera Omnia*, vol. 8 (New York: Musurgia Publishers, 1949; reprint of 1852-1873 Parma ed.), q.3, a.7; idem, *Summa Theologica*, Ia IIae, q.76, a.2, resp.: "unde omnes tenentur scire communiter ea, quae sunt fidei, et universalia juris praecepta: singuli autem ea, quae ad eorum statum, vel officium spectant."

³⁸⁰ Aquinas, *Summa Theologica*, Ia IIae, q.19, a.6, resp. Brian Johnstone offers some helpful insights with regard to Aquinas's understanding of involuntary ignorance. Thomas can say that the will is excused from evil because in an involuntary act the inculpably erroneous judgement "disengages the subject from the disorder which is really present in the act because the act is not in accord with the divine reasoned will." He points out that Aquinas neither says the person is "excused from 'subjective' guilt," nor that the erroneous act of the person is "'objectively' evil," since these phrases belong to "a later period, where the object and subject are considered as separate." See Johnstone, "'Objectivism', 'Basic Human Goods' and 'Proportionalism'", 100-101.

³⁸¹ Aquinas, *Summa Theologica*, Ia IIae, q.19, a.6, resp.

³⁸² Thus, St Thomas attributes the former understanding of the Germans (as reported by Julius Caesar) that theft was not wrong to a perversion of reason through the effects of passion, an evil habit or an evil disposition of nature. The list of causes implies that Aquinas would not have seen this as excusable. As a result, Grisez's description of primitive people carrying out human sacrifices as an example of blameless error according to Aquinas's view may not have actually been understood as

Aquinas provides “strictly defined exceptions related to invincible ignorance.”³⁸³ As a result, one should be wary of presenting Aquinas’s theory without sufficient detail, as it may be misconstrued as implying greater scope for excuse than Aquinas had intended. It should also be noted that St Thomas never says that an act excused from sin is a good act, because, while it is believed to be good and true,³⁸⁴ it is still disordered in relation to God’s will.³⁸⁵ This view was to change, however, with the arrival of William of Ockham, who stated that the will that produces an act in conformity with an invincibly erroneous conscience “acts virtuously and meritoriously.”³⁸⁶

Although *conscientia* fits into Aquinas’s detailed discourse on ignorance, its only other appearance in the *Summa Theologica* relates to the binding quality of human positive law, a topic which is dealt with in one article. Aquinas declares a just law to be binding on a conscience through their relationship to the divine law (cf. Prov 8:15), but an unjust and injurious law, or one which goes against the commands of God to lack any binding quality, since, following Augustine, a law that is unjust is

such by Aquinas. Cf. Aquinas, *Summa Theologica*, Ia IIae, q 94, a.4, resp.; Grisez and Shaw, *Fulfillment in Christ*, 30-31.

³⁸³ Kennedy, “L’Idea di Coscienza Morale Secondo S. Tommaso,” 167-68: “ma egli sarà scusato dal peccato soltanto in eccezioni strettamente definite derivanti dall’ignoranza invincibile.” Aquinas defines invincible ignorance as that which cannot be removed with effort (*studium*). See *Summa Theologica*, Ia IIae, q.76, a.2, resp.: “unde horum ignorantia *invincibilis* dicitur, quia studio superari non potest” (emphasis in text).

³⁸⁴ *Ibid.*, Ia IIae, q. 19, a.5, ad 1: “tamen ratio errans iudicium suum proponit ut verum, et per consequens ut a Deo derivatum, a quo est omnis veritas.” Cf. Vereecke, “Coscienza in S. Alfonso,” 173.

³⁸⁵ See Johnstone, “‘Objectivism’, ‘Basic Human Goods’ and ‘Proportionalism’,” 100.

³⁸⁶ William of Ockham [Guillelmus de Occam], *Super Quatuor Libros Sententiarum*, in *Opera Plurima*, vol. 4, facsimile reprint of 1494-96 Lyon ed. (London: Gregg Press, 1962), III, q.13, I (second conclusion): “et ideo voluntas eliciens actum conformiter tali rationi erroneae virtuose et meritorie agit.” Cf. Michael G. Baylor, *Action and Person: Conscience in Late Scholasticism and the Young Luther* (Leiden: E.J. Brill, 1977), 87, n.57. Here Baylor incorrectly cites his source as ‘3 Sent., q.13, C’. Vereecke uses Baylor’s text as the source for his quotation of Ockham. Baylor and Vereecke correctly point out that that Ockham makes a departure from Aquinas in declaring *invincibly* erroneous acts not simply excused, but also virtuous and meritorious. Nevertheless, the authors are also careful to indicate that, for Ockham, vincibly erroneous acts remain sinful. To this extent the Venerable Inceptor repeats Aquinas’s view. Cf. Baylor, *Action and Person*, 88-89; Louis Vereecke, “La Prudenza in Guglielmo di Ockham,” in *La Coscienza Morale Oggi: Omaggio al Prof. Domenico Capone*, ed. Marian Nalepa and Terence Kennedy, *Quaestiones Morales*, no. 3 (Rome: Editiones Academiae Alphonsianae, 1987), 177-97, at 182-83; Ockham, *Super III Sententiarum*, q.13, M: “et per consequens peccat in eliciendo talem actum et non recte agit” (expanded from abbreviated Latin).

no law at all.³⁸⁷ The relatively few references to *conscientia* in the *Summa* has led to speculation by moral theologians as to why this should be so. Crowe suggests that the cause lies in Aquinas's desire to use less Augustinian theology, with its neo-Platonic influences, in favour of a moral theology linked to Aristotelian ethics, with its strong basis in virtue.³⁸⁸ Others, such as Josef Pieper, have suggested something similar, though specifically with regard to Thomas's use of the virtue of prudence, which they would propose to be the replacement of *conscientia* in Thomas's own theory.³⁸⁹ Whatever the reason, the reduction in the discussion on *synderesis* and *conscientia* is somewhat surprising, nonetheless, given the intensity of detail in St Thomas's previous works.

With these remarks on the *Summa Theologica*, we draw our study of the medieval analysis of *synderesis* and *conscientia* to a close. Given the consistency of St Thomas's writing, there is more repetition of ideas than in the previous writers. Nonetheless, I have included the major areas of repetition for the purpose of verifying

³⁸⁷ Aquinas, *Summa Theologica*, Ia IIae, q.96, a.4; Augustine, *De Libero Arbitrio*, I, 5, PL 32, 1227, "Nam mihi lex esse non videtur quae justa non fuerit." The only exception to Aquinas's comments on the non-binding nature of an unjust law, is where a person's conscience feels bound to tolerate an injustice for the sake of charity, to avoid scandal or disturbance. With regard to laws that oppose God's commands, Aquinas refers to Acts 5:29 "We must obey God rather than any human authority." See *Summa Theologica*, Ia IIae, q.96, a.4, resp.

³⁸⁸ Crowe, "St. Thomas and *Synderesis*," 245. Given that Aquinas's commentary on Aristotle's *Ethics* makes no mention of conscience, though it does refer to Scripture and Patristic writings, some see this as evidence of two approaches in Aquinas, the traditional one favouring *synderesis* and *conscientia*, and the other operating largely without them. The limited reference to *synderesis* and *conscientia* in his last major work, the *Summa*, coupled with its extensive commentary on the virtues is substantial evidence in favour of assuming that the notions of *conscientia* and *synderesis* were eventually almost eclipsed by his virtue theory. (This, however, does not necessarily imply complete replacement, as we shall discuss in chapter five). Crowe rightly points out the absence of *conscientia* in the commentary on the *Ethics*, but is inaccurate in his claim that the *Summa Contra Gentiles* does not deal with the question of conscience. It is true that there is no specific question, but Aquinas does make passing mention of *conscientia* in three places. Cf. St Thomas Aquinas, *In Decem Libros Ethicorum ad Nichomachum*, in *Opera Omnia*, vol. 21 (New York: Musurgia Publishers, 1949; reprint of 1852-1873 Parma ed.); idem, *Summa Contra Gentiles*, III, 127 (quoting Scripture); IV, 54; IV, 77; Crowe, "St. Thomas and *Synderesis*," 243.

³⁸⁹ For example, see Josef Pieper, *The Four Cardinal Virtues: Prudence, Justice, Fortitude, Temperance*, trans. Richard and Clara Winston (Notre Dame, IN: University of Notre Dame Press, 1966), 1-40, at 11. We shall return to this when we explore the nature of prudence.

his consistency, and also for the purpose of relating any detail which may expand upon Aquinas's description of conscience, or clarify his previous comments.

7. Conclusions

Surveying the analysis of the Scholastics, it should be clear that our first conclusion is that their study of *synderesis* and *conscientia* is far more detailed than is often given credit in many moral text books. This is surely understandable, as the aim of these books is to provide a summary of the views of the period. Nevertheless, I would suggest that this summarising is often probably too restricted, so as to lead the reader to misconceptions, or a disregard for the richness of the analysis of that period. For example, Scholastics are often portrayed in contrast according to rationalist or voluntarist schools. It is true that the different schools laid greater emphasis on either the reason or the will, but it should not be inferred from this that they considered the two to operate in stark opposition. Rather they function in intimate reciprocity; indeed opposition of the reason and will was understood by the Scholastics as sin.

On the other hand, one may ask whether the Scholastic study of conscience was overly complicated; simply an exercise in hair-splitting. This view would probably support the abandonment of *synderesis*, considering it to be an unnecessary, accidental complication. However, along with De Blic, I would suggest that this was a 'happy accident', which enabled Scholastics to formulate with greater precision their already existing understanding of how conscience could be linked to the natural law, while at the same time be potentially flawed in its operation. Thus, *synderesis* came to represent the firm basis for morals, both as understanding and/or appetite, without which there would be no root in objective morality. Clearly the Scholastics provided a

whole range of views and refinements, but at the core of them all, one could describe *synderesis* as an innate non-deliberative inclination to the moral good; an essential basis for our moral judgements. We shall look further into the nature of *synderesis* in the next chapter, but for now it may be useful to bear in mind Aquinas's refinement, which points out that this innate capacity nonetheless needs to acquire material from the senses in order to articulate its terms. This is a useful clarification, as it draws us away from naive immanentism or illuminationism. *Conscientia* by the time of Aquinas came to be understood as an act of judgement of practical reason, which is the conclusion of the process of an application of universal moral principles to the particular situation. Albert and Aquinas presented this in terms of a syllogism. Although this marked a definitive stage in the understanding of conscience, it was not completely unrelated to what had gone before, as even Philip the Chancellor had already alluded to some process of application being in operation. This process is subject to flaw and failure, but nevertheless, the medievals also saw it as the herald of God's law, and was thus deserving of the greatest respect.

The medieval analysis probably leaves us with a whole raft of questions to explore. However, in this thesis I will select two areas for research, not only because of the limitation of time, but also because they will serve in particular to give the necessary grounding which will justify our relocating conscience in virtue and grace. It is to these questions, therefore, that we will turn our attention in the next chapter.

Appendix 1

A Shift in the Understanding of Conscience: The Influence of the Manuals

The purpose of the historical section of this thesis was to explore the details of writings on conscience in order to present substantial evidence regarding its status as a human capacity whose moral judgement is intimately related to God's law, and as such, although it stands as the proximate subjective norm of morality, it receives that authority from its relationship to God, who created, redeemed and sustains us. This view of conscience, fully aware of its limitations, is nonetheless based upon an objective morality, where the individual does not create the truth, but seeks to find it. This would be in stark contrast to a subjectivist notion, which stands in isolation and determines what is moral for the person. Such a subjectivist understanding of conscience is a common impoverished understanding of the concept, where the proximate norm becomes the absolute norm, whose verdict is "ultimately unarguable," absolving the self from all blame, provided that one holds to one's personal convictions.³⁹⁰ Indeed, on occasion this understanding is used anachronistically to describe the motivations of people from another era, in such a way that their own understanding of conscience and morality is seriously obscured. One example of this misreading is to be found in the accounts of the conscientious decisions of Saint Thomas More, where the self and authenticity to one's beliefs, rather than fidelity to the truth, is given centre stage in some modern portrayals.³⁹¹

³⁹⁰ Herbert McCabe, "Aquinas on Good Sense," *New Blackfriars* 67 (1986): 419-431, at 421.

³⁹¹ Robert Bolt, *A Man for All Seasons*, (Oxford: Heinemann, 1963; first published in 1960), act 2, page 53: "But what matters to me is not whether it's true or not but that I believe it to be true, or rather not that I *believe* it, but that *I* believe it" (emphases in text). For some, Bolt's play has taken on considerable authoritative status in its description of conscience, and in describing Thomas More's understanding of conscience. This, however, is unjustified. As a technical description of Christian conscience, with particular reference to More, Robert Bolt's play is as accurate (though perhaps not quite as scientifically influential) as Albrecht Dürer's famous woodcut of a rhinoceros: artistically meritorious, but factually incorrect. As such, one should be wary of using *A Man for All Seasons* as a

In the first chapter I attempted to trace the development of the subjectivist notion, mentioning the influence of nominalism, the related shift in the notion of freedom and passage to casuistry as a result of the atomisation of morality. However, the period of manualistic theology deserves more attention, as the subjectivist ideal of conscience of more recent times owed its development significantly to a reaction against the prescriptive legalism of the manuals. Therefore, in this appendix we will look at the style of moral theology presented by the manuals to see how it differs from the Scholastic method, and how the description of conscience changed.

Moral Theology has been described by those who are impatient of refined analysis, as the obsession of the Decalogue, the poison and virulence of systems that make all Christian conduct to consist in obedience to a law. It is thought, by them, to be too juristic, yet it is also condemned as a system that enables one to evade obligations. It must be admitted, however, that the science cannot be anything but juristic.³⁹²

Thus in the 1930s Henry Davis, a Jesuit at Heythrop College, summed up the criticism of casuistry and the manualistic tradition. He was not unaware that the system of casuistry had gone to extremes in the past, both rigorous and lax in its analysis, such that the “extravagances of some of the casuists in the seventeenth and eighteenth centuries rendered a disservice to Moral Theology.”³⁹³ As a result, he called for “a sane legalism,” and “a sane casuistry,” in order to “determine the reasonable

solid point of reference in the serious study of conscience. At most, it should be seen as an example of the modern subject-centred notion of conscience, where one’s conviction and the good of integrity or authenticity have been severed from the good of truth. For examples of moral theologians who refer to Bolt, see Richard M. Gula, *Reason Informed by Faith: Foundations of Catholic Morality* (New York and Mahwah, NJ: Paulist Press, 1989), 14-15, 133-34, 138-39; Walter E. Conn, “Conscience and Self-Transcendence in the Thought of Bernard Lonergan,” in *Readings in Moral Theology No. 14: Conscience*, ed. Charles E. Curran, (New York and Mahwah, NJ: Paulist Press, 2004), 151-62, at 155-56. For a detailed critique, see Twomey, “A Discourse on Thomas More’s Great Matter: Conscience,” 156-80, at 163: “In a word, his [More’s] decisions of conscience were his attempt to know and do not his own will but the will of God.” McCabe also criticises the description of More’s conscience portrayed by Bolt, pointing out that it relates to the modern concern for the rights of conscience *as such*, rather than the judgement made by conscience. See McCabe, “Aquinas on Good Sense,” 421.

³⁹² Henry Davis, *Moral and Pastoral Theology in Four Volumes*, vol. 1, *Human Acts, Law, Sin, Virtue* (London: Sheed & Ward, 1935), 3.

³⁹³ *Ibid.*

and necessary implications of all law,” since “it is precisely about law that Moral Theology is concerned.”³⁹⁴ The concern for an abuse of casuistry is evident, but Davis still firmly upheld the validity of the approach which typified manualistic moral theology, namely, legalism. From this viewpoint, the law and its observance become the benchmark for moral action. This therefore restricts the focus of the science of moral theology to establishing that which is in accordance with the law, particularly either from the Decalogue, or from Canon Law. In this context, it is the task of moral theology to consider “the obligation in conscience [...] that arises whenever the Church through its canons, imposes such definite rules of conduct.” In other words, moral theology does not concern itself with the growth of the individual, but only the proper fulfilment of obligation,³⁹⁵ and thus the field of morals was focused primarily on the training of priests, in order that they might adequately recognise where obligation had not been fulfilled, that is, where sin had been committed.³⁹⁶ Indeed, with this in mind, Slater goes so far as to say that “manuals of moral theology [...] are books of moral pathology.”³⁹⁷ In this context, there is no room for spiritual theology, and little space for a study of the virtues intended to help perfect the human person;³⁹⁸

³⁹⁴ *Ibid.*, 4.

³⁹⁵ Thomas Slater, *Cases of Conscience for English-Speaking Countries*, vol. 1, (New York, Cincinnati, and Chicago: Benziger Brothers, 1911), 36: “But moral theology does not cover the whole field of Christian conduct. Its object is not to place high ideals of virtue before the people and train them in Christian perfection. Its task is much more restricted and humble. It lays down rules for determining what is right and what is wrong according to the teaching of the Christian faith. [...] It is not intended for edification, nor for the building up of character.” Cf. Davis, *Moral and Pastoral Theology*, I, 4.

³⁹⁶ Slater, *Cases of Conscience*, I, 36: “Its primary object is to teach the priest how to distinguish what is sinful from what is lawful, so that he may fruitfully administer the sacrament of Penance and perform the other duties of his sacred ministry.”

³⁹⁷ Thomas Slater, *A Manual of Moral Theology*, with notes on American legislation by Michael Martin, vol. 1, 2nd ed. (New York, Cincinnati, and Chicago: Benziger Brothers, 1908), 5-6.

³⁹⁸ Coverage of virtue in manuals was typically limited to the theological virtues, of which greatest attention was given to charity. Christopher Kaczor, who offers a comparison between the influential writing of Jean-Pierre Gury (1801-1866) and St Thomas, points out that Gury’s *Compendium Theologiae Moralis* “offers no thorough treatment of human action,” since there is “no independent treatment of the cardinal virtues of temperance, fortitude, prudence or justice,” with only the theological virtues being mentioned. See Christopher Kaczor, *Proportionalism and the Natural Law Tradition* (Washington, DC: Catholic University of America Press, 2002), 173. Kaczor refers to the 1874 edition of Gury’s *Compendium*, published after his death. In order to confirm that Kaczor’s

however helpful this is for the Christian and however much it forms part of the role of the pastor,³⁹⁹ these spiritual “lofty ideals” were still presented by some as optional, non-obligatory extras.⁴⁰⁰ As a result, the fundamental moral theology of the manualists was organised around three key themes: human acts, conscience and the law, where the acts are discussed largely in isolation from the subject of those acts.⁴⁰¹

From this brief overview, it is clear that the law shaped the understanding of morality to the point that most of the content of the manuals related to obligations under different types of law.⁴⁰² Although certain periods of casuistry offered an analysis of cases which aimed at lightening the load of obligation, particularly laxism,⁴⁰³ it would be inaccurate to conceive all casuistry and the manualistic tradition as an attempt to provide an escape from “the burden of the moral law.”⁴⁰⁴ Nonetheless, the moral law was still considered explicitly or implicitly in terms of

comments applied to the structure presented by Gury himself, since later editions were co-edited and expanded with large commentaries, I consulted the original 1850 edition and the 1866 edition, which was co-edited by Antonio Ballerini. Both editions lack any study of the cardinal virtues, concentrating on the theological virtues instead. Cf. Jean-Pierre Gury, *Compendium Theologiae Moralis*, vol. 1 (Lyon and Paris: Perisse, 1850), 126-70; idem, *Compendium Theologiae Moralis*, 7th ed., revised with commentary by the author and Antonio Ballerini, vol. 1 (Rome: Typis Civiltatis Catholicae; Turin: Marietti, 1866), 177-253. Despite Davis’s continued legalist approach, his manual seems to be using the vestiges of a Scholastic model, as it contains a brief introduction concerning man’s ultimate end, and a short discourse on the cardinal virtues. See Davis, *Moral and Pastoral Theology*, I, 7-10; 259-71.

³⁹⁹ Davis, *Moral and Pastoral Theology*, I, 4.

⁴⁰⁰ Slater, *Manual of Moral Theology*, I, 6.

⁴⁰¹ Kaczor, *Proportionalism and the Natural Law Tradition*, 36.

⁴⁰² For example, one can see that law has become the defining model for Gury if we note that, in addition to his treatise on justice and right (pp. 526-708), four out of the nine sections of his *Compendium* deal specifically with laws: *tractatus de legibus* (pages 83-138), *tractatus de praeceptis decalogi* (pages 254-493), *tractatus de praeceptis ecclesiae* (pages 494-525), *tractatus de contractibus* (pages 709-835). Kaczor points out that, in contrast, Aquinas dedicates a great deal of attention to virtue and vice, and apart from a small section of the *Prima Secundae*, only deals with law in passing. Cf. Gury, *Compendium Theologiae Moralis*, 1866 ed.; Kaczor, *Proportionalism and the Natural Law Tradition*, 173.

⁴⁰³ Mahoney refers to two moralists, whose ingenuity at creating bizarre loop-holes in obligation earned them striking nicknames: one was called ‘the lamb of God’, “because he took away so many of the sins of the world,” and Juan Caramuel, a Spanish Cistercian bishop was called ‘the prince of laxists’ by St Alphonsus de Liguori. See John Mahoney, *The Making of Moral Theology: A Study of the Roman Catholic Tradition, The Martin D’Arcy Memorial Lectures 1981-2* (Oxford: Clarendon Press, 1987), 138. Cf. V. Oblet, “Caramuel y Lobkovitz, Jean,” in *Dictionnaire de Théologie Catholique*, ed. A. Vacant, E. Mangenot and E. Amann, vol. 2, part 2 (Paris: Librairie Letouzey et Ané, 1923), 1709-12, at 1711.

⁴⁰⁴ Slater, *Cases of Conscience*, I, 36: “nor, it may be added, is it [moral theology] intended to teach people how to shake off the burden of the moral law, or to minimize its obligations.”

burden, imposition and obligation, and in this voluntarist context, it should come as no surprise that attempts to allieviate the burden of prescription, or to rebel against prescriptive authority would arise, or even come to prevail.

John Mahoney offers a very helpful insight into the social background which contributed to a change in attitude toward the notion of obligation to positive law. Aquinas had taught that just, positive laws were binding in conscience, but that laws that were unjust, injurious or contrary to God's law did not obligate the person.⁴⁰⁵ From this it is clear that in situations of obvious injustice a person is not obliged to comply with a law. Mahoney gives two examples of such injustice in sixteenth century Spain, whose magnitude had such an impact upon the lives of the poor that moral theologians were forced to consider the question of law and conscience, and in doing so, created a new concept, whose influence endured in the manuals for nearly four centuries. The first injustice was caused by the expansion of sheep farming. In the desire for maximising profit from wool exports, Spain experienced a period of "widespread deforestation," which left many lacking wood for fuel and necessary construction.⁴⁰⁶ When "severe and absolute laws [were enacted] forbidding the taking of wood even from common land," many were unable to comply if they were to survive, and as a result, the people concluded that these laws did not bind their consciences.⁴⁰⁷ The second social injustice was the burdensome tax laws applied to the sale and transfer of goods, which were decreed in order to increase the royal revenue for the funding of court activities and to meet the cost of war.⁴⁰⁸ These laws also led to non-compliance, which further precipitated moral reflection upon whether the individuals had been guilty of stealing or fraud, and whether they were bound to

⁴⁰⁵ Aquinas, *Summa Theologica*, Ia IIae, q.96, a.4, resp.

⁴⁰⁶ Mahoney, *The Making of Moral Theology*, 230.

⁴⁰⁷ Ibid.

⁴⁰⁸ Ibid.

carry out restitution or pay the fine imposed by the authorities. Some theologians used this context of injustice as a stimulus to reflect upon the common good and the foundations of just law.⁴⁰⁹ However, others were less inclined to declare royal laws to be simply unjust, and so directed their efforts to offering another motivation for guiltless non-compliance. Their solution was the moral theory of the 'purely penal law', where the intention of the lawmaker was reinterpreted as not expecting that the laws themselves would bind the conscience, but only that the individual was bound to paying the penalty for breaking the law.⁴¹⁰ The theory of 'purely penal law' came to be firmly established in moral theory, and formed part of the moral manual well into the twentieth century, though the detail of the theory was much contested, and was more concerned with cases where there was uncertainty as to whether a particular civil law was just or not, rather than plain cases of injustice.⁴¹¹ Nevertheless, the convoluted thinking behind it led to a shift in the understanding of law and the relationship of the individual to law and authority, where penalty becomes the driving force behind law, rather than right.⁴¹² We can see behind this a voluntaristic view of law in operation, which had two major effects. Firstly, the relationship between law and moral goodness is disrupted, where the law is not considered so much in terms of its foundation in the goodness or wickedness of an act, but rather in terms of the will and intention of the lawgiver. In this context an act is understood as wrong not so

⁴⁰⁹ Ibid.

⁴¹⁰ Ibid., 231.

⁴¹¹ Ibid. Cf. Davis, *Moral and Pastoral Theology*, I, 142-48. Davis offers a resumé of views prevalent at the time of his work. They range from the obligation to comply with civil laws, to forms of purely penal law. For example, Davis presents Black's view which distinguishes actions which are *mala in se* from those which are only *mala prohibita*. In the latter case, Black states that "conscience is no farther concerned, than by directing a submission to the penalty, in case of our breach of these laws." Black points out that this only applies in cases lacking "public mischief or private injury," where the laws are "simply and purely penal, where the thing forbidden or enjoined is wholly a matter of indifference, and where the penalty inflicted is an adequate compensation for the civil inconvenience supposed to arise from the offence." See Davis, *Moral and Pastoral Theology*, I, 144-45.

⁴¹² Noldin thought that "most laws nowadays are penal," and so their binding nature does "not go beyond penal measures, and good people do not commonly suppose otherwise." See Davis, *Moral and Pastoral Theology*, I, 146.

much because it is bad, but because it is against the law.⁴¹³ Secondly such an approach distances the acting person from the perceived root cause of the law, such that, rather than being based upon inherent goodness and the common good of the people, it is seen to be based upon the will of an external authority, who has the power to impose arbitrary laws upon the individual. This perception of law as a purely externally imposed obligation places the person in opposition to the lawgiver, since the excessive emphasis on the (arbitrary) will of the lawgiver precipitates a defensive reaction in favour of protecting one's liberty.⁴¹⁴ This antagonism may have advanced by a context of civil injustice, as Mahoney observes, but, in the end, the voluntaristic analysis has implications for law at all levels, to the point that the authority of the Church and, ultimately, God are called into question. These implications are obviously not part of the manualistic tradition, but its emphasis on obligation played its part in a fierce reaction against authority, which has shaped the general mindset on this matter to this day.

It is from within this tension between obligation and the defence of one's liberty or implicit opposition between authority and self that the manualists' preoccupation with moral systems begins to make sense. The systems enumerated in manuals range from strict tutorism (rigorism), through mitigated tutorism, probabiliorism, equiprobabilism and (moderate) probabilism, to a laxism based on remote probability at the other end of the spectrum.⁴¹⁵ Each system pits the law

⁴¹³ Kaczor, *Proportionalism and the Natural Law Tradition*, 173. Perhaps this is also ultimately the source of the line of thought where something is only wrong if you get caught.

⁴¹⁴ Mahoney, *The Making of Moral Theology*, 229: "Conscience thus becomes the cockpit where one's freedom and another's law face each other as antagonists, and where it is the individual who judges whether or not his freedom must yield to law."

⁴¹⁵ See Gury, *Compendium Theologiae Moralis* (1850 ed.), 35. Mahoney, *The Making of Moral Theology*, 137: "Thus, to sum up the different systematic replies elaborated in the sixteenth to the eighteenth centuries to answer the question of what to do when in doubt, the tutorist would advocate obedience to the law or any other course which was the safer to follow, the probabiliorist would urge doing what seemed the more likely to be right, the equiprobabilist would judge that either

against the freedom of the individual, or vice versa, in the case of a doubtful obligation in order to establish whether the conscience is bound by the obligation or not. For example, Davis defines moderate probabilism according to the principle that “when I have a solidly probable opinion in favour of my liberty as against law, then the obligation of the law does not bind me.”⁴¹⁶ In this case, “I shall certainly act morally correctly if I disregard the doubtful obligation.”⁴¹⁷ This is likely to make more sense if we look at an example. Davis presents the case of giving alms to a beggar:

On seeing a beggar, I may reflect that I am bound to bestow an alms on him; I have, however, other obligations which probably cannot be fulfilled if I part with my money. The probability in the latter case is real and solid,⁴¹⁸ but yet it is not so great as the probability that I am bound, here and now to assist the beggar. Would anyone insist on the bestowal of alms under pain of sin? Not at all; the obligation of almsgiving does not clearly exist in the case, precisely because the contrary obligation may exist. Most people, however, would doubtless bestow the alms. They would do well and would be acting charitably, and yet when it is not a question of a graver obligation superseding a lighter one, but only a question of greater or less probabilities, either course may be rightly chosen. To insist on the bestowal of an alms in the case would be to adopt a system of conduct wherein more probable obligations would have to be always fulfilled [that is, probabiliorism].⁴¹⁹

Therefore, the moral systems were designed to assist an individual in assessing possible contrary lines of action in order to establish what was morally legitimate in cases where doubt had arisen over the person’s obligation. When the notion of obligation came to be understood as “onerous,” rather than morally necessary, this led

of equally balanced alternatives could be followed, and the simple probabilist would reply that any action was morally justified for which a good case could be made.”

⁴¹⁶ Of course, tutorism would demand the opposite view, giving way always to the law.

⁴¹⁷ Davis, *Moral and Pastoral Theology*, I, 100. Here, however, Davis also firmly points out that favouring liberty should never be misunderstood as acting immorally.

⁴¹⁸ Davis describes probable opinion as having “good and solid reasons for thinking that a certain line of action is morally correct.” In keeping with this, Mahoney suggests that *probabile* should really be translated as ‘proveable’ or ‘arguable’, that is, “something for which there is a good argument [...] irrespective of the merits of any alternative,” as the common understanding of ‘probable’ is quite different, namely, “something which is more likely than not to be the case.” Cf. Mahoney, *The Making of Moral Theology*, 136; Davis, *Moral and Pastoral Theology*, I, 78-79.

⁴¹⁹ Davis, *Moral and Pastoral Theology*, I, 101-102.

Suarez to introduce a juridical principle to moral thinking to reduce the burdensome obligation.⁴²⁰ The solution proposed was a curious introduction of the principle of possession, taken from property law, a principle which Deman considered to be “absolutely foreign” to moral thinking.⁴²¹ Thus, if there is any doubt over the dominion or claim of ownership over an individual’s conscience and actions by an externally imposed law, then the possession of one’s innate freedom of choice and action remained undisturbed: *lex dubia non obligat*.⁴²²

Such a struggle of dominion over freedom, and emphasis on obligation without sufficient emphasis on the motivation behind the obligation had two side-effects. The first was the growth in the attitude of doing the bare minimum; the second was the collapse of the power of obligation. Thus, a morality of obligation encourages a *minima moralia* to flourish, but ultimately a morality of obligation only holds sway insofar as the person feels under the dominion or under the threat of the authority. If, therefore, the power of that authority is called into question, the dominion is ruptured and the morality of obligation fractures. Two examples which affect modern times can be seen in the secular rejection of God, with the subsequent rejection of Christian moral tenets that have been upheld in society for centuries (many of which relate to the nature of life and the family), and in the challenges to the ability of the Magisterium to speak authoritatively on moral matters, made from both within and without the Church.

⁴²⁰ Cf. Th. Deman, “Probabilisme,” in *Dictionnaire de Théologie Catholique*, ed. A. Vacant, E. Mangenot and E. Amann, vol. 13, part 1 (Paris: Librairie Letouzey et Ané, 1936), 477: “la règle juridique est fondée sur une conception de l’obligation comme onéreuse, qu’il faut donc restreindre et n’imposer que si elle est certaine” [“the juridical rule is based upon a conception of obligation as (being) onerous, which it is therefore necessary to be restricted and only imposed if it is certain”].

⁴²¹ Deman, “Probabilisme,” 478.

⁴²² Mahoney, *The Making of Moral Theology*, 228, 227. Deman quotes from passages by Suarez which refer to the principle of possession. Deman, “Probabilisme,” 473: “in dubiis melior est conditio possidentis.” Cf. Suarez also emphasised an intimate connection between the letter of the law and one’s obligation. This led to minute analysis in casuistry aimed at finding excuses from obligation. Cf. Deman, “Probabilisme,” 473: “lex non obligat nisi sit sufficienter promulgata”; Mahoney, *The Making of Moral Theology*, 227-28.

Therefore, we can see that, paradoxically, the legalist morality of obligation presented by the manualists led not to greater compliance with the law, whether, divine, natural, ecclesiastical or civil, but to the opposite extreme, through a heightened opposition between authority and the self, and through casuistry which offered the means of escape. It is within this context that the relationship of conscience to sources of morality, such as the Magisterium, becomes progressively more distant, leading ultimately to an absolute subjectivist position, since more and more, the starting point is the defence of the freedom of conscience, rather than the goodness or wickedness of the action being considered;⁴²³ precisely the opposite of St Thomas More's understanding of conscience as being subject to the truth, where even martyrdom is seen as necessary at times, "when all else fails" to preserve that truth.⁴²⁴

⁴²³ As noted before, obviously for the manualists, the desire was not to permit choosing a wrong action. As a result, the action being considered was of great importance. Nevertheless, the shift of emphasis to defending the freedom of conscience as such is a significant foundation for the purely subjectivist notion, where the idea of wrong action ultimately no longer makes any sense.

⁴²⁴ Twomey, "A Discourse on Thomas More's Great Matter: Conscience," 166. Cf. *Veritatis Splendor* 90-94, *AAS* 1205-1208. See also Benedict XVI, Encyclical Letter *Spe Salvi* (Vatican City: Libreria Editrice Vaticana, 2007), 38: "the capacity to accept suffering for the sake of goodness, truth and justice is an essential criterion of humanity, because if my own well-being and safety are ultimately more important than truth and justice, then the power of the stronger prevails, then violence and untruth reign supreme. (Official text in *AAS* yet to be published.)"

Appendix 2

A Comparison of Key Commentary Passages Containing *Synderesis*

Commentaria in Ezechielem
by Saint Jerome (PL 25, 22)

Plerique, juxta Platonem, rationale animae, et irascitivum, et concupiscitivum, **quod ille λογικὸν et θυμικὸν et ἐπιθυμητικὸν vocat**, ad hominem, et leonem **ac** vitulum referunt: rationem et cognitionem, et mentem, et consilium **eandemque virtutem atque** sapientiam in cerebri arce ponentes: feritatem vero et iracundiam atque violentiam in leone, quae consistat in felle. Porro libidinem, luxuriam, et omnium voluptatum cupidinem in jecore, id est, in vitulo, qui terrae operibus haereat. Quartamque ponunt quae super haec et extra haec tria est, quam Graeci vocant *συντήρησιν*, quae scintilla conscientiae, in Cain quoque **pectore**,⁴²⁵ postquam ejectus est de paradiso, non extinguitur, et qua victi voluptatibus, vel furore, ipsaque interdum rationis decepti similitudine nos peccare sentimus. Quam proprie Aquilae deputant non se miscntem tribus, sed tria errantia corrigentem, quem in Scripturis interdum vocari legimus spiritum, “qui interpellat pro nobis gemitibus inerrabilibus” (Rom. VIII, 26). “Nemo enim scit ea quae hominis sunt, nisi spiritus qui in eo est” (I Cor. II, 11). Quem et Paulus ad Thessalonicenses scribens, cum anima et corpore servari integrum deprecatur (I Thess. V). Et tamen hanc quoque ipsam conscientiam, juxta illud quod in Proverbiis scriptum est: “Impius cum venerit in profundum peccatorum, contemnit” (Prov. XVIII, 13)⁴²⁶: cernimus praecipitari apud quosdam et suum locum amittere, qui ne pudorem quidem et verecundiam habent in delictis, et meretur audire: “Facies meretricis facta est tibi, noluisti erubescere” (Jerem III,3).

⁴²⁵ A number of manuscripts contain *peccatore* instead of *pectore*, thus changing the sense from “in the heart of Cain” to “in the sinner Cain”. De Blic considers the latter to be the original. See De Blic, “Syndérèse ou Conscience?”, 153.

⁴²⁶ This should, in fact, be Proverbs 18:3.

Commentaria in Ezechielem, Liber I
by Rabanus Maurus (PL 110, 508C)⁴²⁷

plerique juxta Platonem, rationale animae et irascitivum et concupiscitivum ad hominem et leonem et vitulum referunt, rationem et cognitionem et mentem et consilium **eandemque virtutemque atque** sapientiam in cerebri arce ponentes, feritatem vero et iracundiam atque violentiam in leone, quae consistat in felle. Porro libidinem, luxuriam et omnium voluptatum cupidinem in jecore, id est, in vitulo, qui terrae operibus haereat. Quartamque ponunt quae super haec et extra haec tria est quam Graeci vocant *συντήρησιν*, quae scintilla conscientiae, in Cain quoque **peccatore** postquam ejectus est de paradiso, non extinguitur, et qua victi voluptatibus vel furore ipsaque interdum rationis decepti similitudine nos peccare sentimus, quam proprie aquilae deputant non se miscntem tribus, sed tria errantia corrigentem, quem in Scripturis interdum vocari legimus spiritum, “qui interpellat pro nobis gemitibus inerrabilibus (Rom. VIII).” “Nemo enim scit ea quae hominis sunt, nisi spiritus qui in eo est,” quem et Paulus ad Thessalonicenses scribens, cum anima et corpore servari integrum deprecatur. Et tamen hanc quoque ipsam conscientia juxta illud quod in Proverbiis scriptum est: “Impius cum venerit in profundum peccatorum contemnit (Prov. XVIII),” cernimus praecipitari apud quosdam et suum locum **omittere**, qui ne pudorem quidem et verecundiam habent in delictis, et meretur audire: “Facies meretricis facta est tibi, **nescis** erubescere (Jerem III,3).”

⁴²⁷ Excluding minor textual differences, I have highlighted words which differ significantly between the original passage of St Jerome, and the later texts provided by Rabanus Maurus or the *Glossa Ordinaria*. The difference may be a change in word, a misspelling, or an omission.

Plerique, juxta Platonem, rationale animae, et irascitivum, et concupiscitivum, quod ille λογικὸν et θυμικὸν et ἐπιθυμητικὸν vocat, ad hominem, et leonem ac vitulum referunt: rationem et cognitionem, et mentem, et consilium eandemque virtutem atque sapientiam in cerebri arce ponentes: feritatem vero et iracundiam atque violentiam in leone, quae consistat in felle. Porro libidinem, luxuriam, et omnium voluptatum cupidinem in iecore, id est, in vitulo, qui terrae operibus haereat. Quartamque ponunt quae super haec et extra haec tria est, quam Graeci vocant συντήρησις, quae scintilla conscientiae, in Cain quoque pectore, postquam ejectus est de paradiso, non extinguitur, et qua victi voluptatibus, vel furore, ipsaque interdum rationis decepti similitudine nos peccare sentimus. Quam proprie Aquilae deputant non se miscentem tribus, sed tria errantia corrigentem, quem in Scripturis interdum vocari legimus spiritum, “qui interpellat pro nobis gemitibus inenarrabilibus” (Rom. VIII, 26). “Nemo enim scit ea quae hominis sunt, nisi spiritus qui in eo est” (I Cor. II, 11). Quem et Paulus ad Thessalonicenses scribens, cum anima et corpore servari integrum deprecatur (I Thess. V). Et tamen hanc quoque ipsam conscientiam, juxta illud quod in Proverbiis scriptum est: “Impius cum venerit in profundum peccatorum, contemnit” (Prov. XVIII, 13)⁴²⁸: cernimus praecipitari apud quosdam et suum locum amittere, qui ne pudorem quidem et verecundiam habent in delictis, et meretur audire: “Facies meretricis facta est tibi, noluisti erubescere” (Jerem III,3). Hanc igitur quadrigam in aurigae modum Deus regit, et in compositis currentem gradibus refrenat, docilemque facit, et suo parere cogit imperio.

⁴²⁸ This should be Prov. 18:3.

plerique iuxta platonem rationabilitatem animae et irascentiam et concupiscentiam quod ille λογικὸν et **cunicon** et **epimecicon**⁴³⁰ vocat. ad hominem et leonem et vitulum referunt rationem et **cogitationem** et mentem et consilium **candemque** virtutem atque sapientiam in cerebri arce ponentes · feritatem vero atque iracundiam et violentiam in leone quae consistit in felle. libidinem. luxuriam. et omnium voluptatum cupidinem. in iecore. id est. in vitulo qui **terre operibus heret**. Quartam supra haec et extra haec tria ponunt quam **greci vocant sinderesim** quae scintilla **conscientie in chaim quoque non extinguitur quasi** victi voluptatibus vel furore et ipsa interdum rationis decepti similitudine nos peccare **saentimus** quam proprie **aquile** deputant non se miscentem tribus · sed ipsa errantia corrigentem hic est spiritus qui interpellat pro nobis gemitibus inenarrabilibus.⁴³¹ Nemo enim scit ea quae hominis sunt. nisi spiritus hominis qui est in eo. **Unde paulus. integer spiritus vester et anima et corpus sine quere. etc. hanc tamen conscientiam sicut in proverbiis dicitur.** Impius cum venerit in profundum peccati contemnit · **sepe praecipitari videmus** et suum locum amittere. **cum quidam sine pudore peccant. quibus merito dicitur. facies meretricis facta est tibi. noluisti erubescere · hanc quadrigam quasi auriga deus regit. et in compositis currentem gradibus suo parere cogit imperio**

⁴²⁹ As in the 1480 Strassburg edition, vol. 3, page 224. The text is in abbreviated Latin, and so I have presented it here in complete words, following the abbreviation key provided in the facsimile edition. All significant words, however, such as *sinderesis*, are written in full in the original. The punctuation is presented as in the original.

⁴³⁰ Here the copyist has struggled with the Greek transliteration. No actual Greek is to be found in this edition.

⁴³¹ The abbreviation key notes that this edition summarises words from well-known Scripture passages with single letters. Thus, the text reads: “interpellat -p nobis.g.in.”

Commentaria in Ezechielem
by Saint Jerome (PL 25, 22)

Plerique, iuxta Platonem, rationale animae, et irascitivum, et concupiscitivum, quod ille λογικὸν et θυμικὸν et ἐπιθυμητικὸν vocat, ad hominem, et leonem ac vitulum referunt: rationem et **cognitionem**, et mentem, et consilium eandemque virtutem atque sapientiam in cerebri arce ponentes: feritatem vero et iracundiam atque violentiam in leone, quae consistat in felle. Porro libidinem, luxuriam, et omnium voluptatum cupidinem in jecore, id est, in vitulo, qui terrae operibus haereat. Quartamque ponunt quae super haec et extra haec tria est, quam Graeci vocant **συντήρησις**, quae scintilla conscientiae, in Cain quoque pectore, postquam ejectus est de paradiso, non extinguitur, et qua victi voluptatibus, vel furore, ipsaque interdum rationis decepti similitudine nos peccare sentimus. Quam proprie Aquilae deputant non se miscentem tribus, sed tria errantia corrigentem, quem in Scripturis interdum vocari legimus spiritum, “qui interpellat pro nobis gemitibus inenarrabilibus” (Rom. VIII, 26). “Nemo enim scit ea quae hominis sunt, nisi spiritus qui in eo est” (I Cor. II, 11). Quem et Paulus ad Thessalonicenses scribens, cum anima et corpore servari integrum deprecatur (I Thess. V). Et tamen hanc quoque ipsam conscientiam, iuxta illud quod in Proverbiis scriptum est: “Impius cum venerit in profundum peccatorum, contemnit” (Prov. XVIII, 13): cernimus praecipitari apud quosdam et suum locum amittere, qui ne pudorem quidem et verecundiam habent in delictis, et meretur audire: “Facies meretricis facta est tibi, noluisti erubescere” (Jerem III,3). Hanc igitur quadrigam in aurigae modum Deus regit, et in compositis currentem gradibus refrenat, docilemque facit, et suo parere cogit imperio.

Glossa Ordinaria (1634 ed.) ⁴³²

plerique iuxta Platonem rationabilitatem animae et irascentiam et concupiscentiam, quod ille λογικὸν et θυμικὸν et ἐπιθυμητικὸν⁴³³ vocat, ad hominem et leonem et vitulum referunt rationem et **cogitationem** et mentem et consilium, eademque virtutem atque sapientiam in cerebri arce ponentes; feritatem vero atque iracundiam et violentiam in leone, quae consistit in felle; libidinem, luxuriam, et omnium voluptatum cupidinem, in jecore id est, in vitulo, qui terrae operibus haeret. Quartam supra haec et extra haec tria ponunt, quam Graeci vocant **συντήρησις**⁴³⁴ synderesin, quae scintilla conscientiae **in Cain quoque non extinguitur, quasi** victi voluptatibus vel furore, et ipsa interdum rationis decepti similitudine nos peccare sentimus, quam proprie aquilae deputant non se miscentem tribus, sed ipsa errantia corrigentem, hic est spiritus, qui interpellat pro nobis gemitibus inerrabilibus. Nemo enim scit ea, quae hominis sunt, nisi spiritus hominis, qui est in eo: **vnde Paulus, Integer Spiritus Spiritus vester, et anima, et corpus sine quere. etc. Hanc tamen conscientiam, sicut in Proverb. dicitur, Impius cum venerit in profundum peccati, contemnit, saepe praecipitari videmus et suum locum amittere, cum quidam sine pudore peccant: quibus merito dicitur, Facies meretricis facta est tibi, noluisti erubescere; quadrigam quasi auriga Deus regit, et in compositis currentem gradibus suo parere cogit imperio.**

⁴³² As in the 1634 Antwerp edition, vol. 4, columns 1062-63

⁴³³ The Antwerp text contains several errors in this word. As well as additional consonants, most notable is the replacement of a *pi* with an *omega*. In the text, the accent over the *omega* is more pronounced, making it look similar to a *pi*. This gives a clear example of how easy it would have been to misread a Greek word, thereby giving rise to συντήρησις in the first place. A printed note in the margin also specifies the nominative in Latin as *Sinderesis*.
⁴³⁴ Here, I have tried to represent the unclear font, where in the Antwerp edition the ‘*υν*’ blur into each other in three rounded loops.

Chapter Four

Issues on the Nature and Function of Conscience

1. Introduction

Having gathered together historical data on the concept of conscience in an attempt to establish the key aspects of its nature as understood prior to a shift to a more subjectivist basis, I would now like to explore some issues in order to elaborate further on the nature of conscience. Here I would like to investigate questions related to two main themes: the limits of rational, deductive conscience, and the content of *synderesis*, as a basis for establishing whether *synderesis*, and conscience in general, is simply a formal principle, where the individual establishes the moral parameters, or whether the content is in some way established for us. This chapter will be made up of a series of subsections, or sub-questions, designed to build up a chain of evidence. However, in case the chain proves to be too long to see the end, I will summarise the goal before we start.

In discussing the question of deduction and conscience, I am attempting to highlight the limits of deductive reasoning in conscience in two respects. Firstly, I will aim to show, using an interdisciplinary method, that a purely deductive model of conscience is incomplete, and that the dynamic of moral reasoning incorporates a much richer mix of human capacities, which centre around deduction, but are not restricted to it. Hence conscience operates beyond the limits of deduction. Secondly, I wish to highlight that conscience as a capacity for moral reasoning has limits, most temporary, some permanent, that are peculiar to each individual. Here the purpose of discussing limitations of reasoning owing to errors of function or content, including those resulting from psychological difficulties, is to emphasise the fact that our capacity is far from perfect, and so cannot operate in isolation, but rather is in

constant need of development and of the assistance of others, as well as God's mercy and grace. Thus, in exploring these areas, I hope to present a balanced appraisal of the human conscience, which is both capable and yet limited in its recognition of moral truth, but still open to the possibility of growth or refinement, given the right environment, and I would consider the optimum environment to be not simply a life of virtue, but a life of graced virtue, lived in holiness. Therefore, with these introductory remarks in mind, we turn now to our exploration of our themes of the limits of deduction, and the content of *synderesis*.

2. The Question of Deduction in Conscience

As we have seen from the writings of Saints Albert the Great and Thomas Aquinas, both rely upon Aristotle in their application of the practical syllogism to the relationship of *synderesis* to *conscientia*. Given the importance they attribute to the deductive syllogism, it would make sense to explore the issue of deduction in conscience more fully. Kevin Flannery provides many helpful insights into the use of Aristotelian logic in the moral thought of Aquinas,¹ but as Aquinas is dependent upon Albert for his application of the syllogism to the problem, I will take it that the general comments on syllogisms apply to both. In addition to his analysis, we can draw from the field of cognitive psychology, which has made recent advances in the study of the nature of the logic of deduction and its underlying mental processes. The fruit of their experimental study has been a model theory, which alters somewhat our understanding of how people reason naturally. The research is built upon an

¹ Kevin L. Flannery, *Acts Amid Precepts: The Aristotelian Logical Structure of Thomas Aquinas's Moral Theory* (Edinburgh: T&T Clark, 2001).

accumulation of over “80 years’ worth of experiments on deductive reasoning,” which, over time, have developed markedly in their scientific rigour.²

The deductive process presented by the two Scholastics consists of a major premise from *synderesis*, minor premise from reasoning, and the conclusion from conscience. The idea seems to be very neat and tidy, but I would suggest that, while offering a clear image to show the relationship between the two parts of conscience, as well as giving an explanation of where error lies in reasoning, this neatness conceals the complicated nature of moral reasoning. Moreover, the summary caricature of their analysis presented in moral manuals further reduces the possibility of recognising the complexity of moral decision-making, or in reconciling the description with everyday experience. This should lead us to question the role of the deductive syllogism in conscience with a view to observing whether the model is in fact complete or partial. If the latter is the case what should be added to the picture? This question raises both the issue of types of reasoning and reflection, but also the moral and spiritual tools necessary to improve our ability to reach good, moral judgements, and to act upon them.

The obvious place to start is to ask: what, in general, is deduction? Johnson-Laird and Byrne sum up the process as follows:

² Philip N. Johnson-Laird and Ruth M.J. Byrne, *Deduction* (Hove: Lawrence Erlbaum Associates, 1991), 3. Although Binet and other researchers in the field of intelligence testing made the first psychological study of deductive reasoning problems, the first cognitive studies looking at the mental processes were probably those of Wilkins in 1928 and Woodworth and Sells in 1935. Much of their methodology is still in use today. See Jonathan St.B.T. Evans, Stephen E. Newstead, Ruth M.J. Byrne, *Human Reasoning: The Psychology of Deduction* (Hove: Lawrence Erlbaum Associates, 1993), 4-5. It has to be noted, however, that “early studies of syllogistic deduction were vitiated by methodological flaws.” This was because experimenters provided the conclusions, which the subjects were asked to evaluate. This meant that “subjects could use guessing and other non-inferential processes” to find the correct answer. However, in the 1970s, studies began in which the subjects were asked to provide their own propositional conclusions, which thereby excluded guessing, and showed their process of reasoning more clearly. See Johnson-Laird and Byrne, *Deduction*, 106.

What happens when people make a deduction? The short answer is that they start with some information – perceptual observations, memories, statements, beliefs, or imagined states of affairs – and produce a novel conclusion that follows from them. Typically, they argue from some initial propositions to a single conclusion, though sometimes from one proposition to another. In many practical inferences, their starting point is a perceived state of affairs and their conclusion is a course of action. Their aim is to arrive at a valid conclusion, which is bound to be true given that their starting point is true.³

2.1 Theories of Deduction and the Nature of the Practical Syllogism

Johnson-Baird and Byrne's summary describes the goal, the mental material used and refers to the issue of validity. However, what is missing is the process used by the individual to reach a (valid) conclusion. It is the process which has been the topic of study not only of philosophers, but also cognitive scientists, who over the years have proposed three main classes of theory about the process of deduction: formal rules of inference, content-specific rules of inference, and semantic procedures that search for interpretations of the premises that are counterexamples to conclusions: a process known as the mental models theory.⁴ We will look briefly at the nature of each of these theories to see which best explains everyday human deduction. The results should help us to acknowledge the complicated nature of deduction in general, and hence moral deduction in particular, thus helping us to avoid an oversimplification of the process, which either demands too much or too little of people's moral capability.

³ Johnson-Laird and Byrne, *Deduction*, 18.

⁴ *Ibid.*, 23. I am indebted to Dr Paul Kinnear, of the University of Aberdeen, for his assistance in my research for this section.

2.1.1 Formal Rules Theory

For many years formal theories were presented as the only possible explanation for the human capacity of deduction. “Theorists originally assumed without question that there is a mental logic containing formal rules of inference, such as the rule for modus ponens, which are used to derive conclusions.”⁵ The first psychologist to emphasize the issue of logic in human development was the late Jean Piaget.⁶ He argued that children internalise their own actions and reflect on them,⁷ and in doing so eventually, by their early teens, arrive at a set of formal operations, which allows them to reason logically by hypothesis.⁸ Piaget and his followers were convinced that formal logic completely explained adult deductive reasoning.⁹ Modern writers are less convinced

⁵ Ibid. In these theories of natural reasoning, a distinction is made between formal and natural logic, which further defines the quantity of rules a person uses. See Evans, Newstead and Byrne, *Human Reasoning*, 13-14: “While the validity of arguments in formal logic can be established by a method known as ‘truth table analysis’ [...], philosophers and psychologists in search of a mental logic have proposed that people adopt what are termed ‘natural logics’ for deductive reasoning. A natural logic is comprised of a limited set of abstract rules or reasoning which can be applied in combination to deduce conclusions from premises. There have been a number of different proposals about the precise number and nature of rules or inference schemata that are required to account for natural inference.”

⁶ Johnson-Laird and Byrne, *Deduction*, 23.

⁷ Jean Piaget, *Logic and Psychology* (Manchester: Manchester University Press, 1953), 8: “Psychologically, operations are actions which are internalizable, reversible [being able to return to their original starting point], and coordinated into systems characterized by laws which apply to the system as a whole. [...] Finally, since operations do not exist in isolation they are connected in the form of *structured wholes*” (emphasis in text, parenthesis added, with explanation based on page 13).

⁸ Ibid., 18 (commenting on the development of propositional or formal operations in 11-12 to 14-15 year-olds): “The final period of operational development begins at about 11 to 12, reaches equilibrium at about 14 to 15 and so leads on to adult logic. [...] The new feature marking the appearance of this fourth stage is the ability to reason by hypothesis.” Piaget saw a parallel between the intellectual/logical evolution of a child and its moral development, where, assisted by education, in the former the child interiorises formal logical rules, and in the latter it achieves a balance of autonomy and reciprocity. Cf. Jean Piaget (and collaborators), *The Moral Judgment of the Child*, trans. Marjorie Gabain (New York: Collier Books, 1962), 403-404; Sabatino Majorano *La Coscienza: Per una Lettura Cristiana* (Cinisello Balsamo, Milan: San Paolo, 1994), 39-42. Piaget’s moral conclusions were later criticised for their basis upon “faulty methodology”. See Mannes Tidmarsh, “Education and the Growth of Conscience,” *New Blackfriars* 46 (1965): 640-645, at 642.

⁹ Bärbel Inhelder and Jean Piaget, *The Growth of Logical Thinking from Childhood to Adolescence* (London: Routledge & Kegan Paul, 1958), 305: “No further operations need be introduced since these operations correspond to the calculus inherent to the algebra of propositional logic. In short, reasoning is nothing more than the propositional calculus itself.”

of Piaget's arguments,¹⁰ and are less inclined to accept that formal logic is the sum total of the process of deduction.¹¹

2.1.2 Content-Specific Rule Theory

Once research had begun to show that a formal logic theory was inadequate, cognitive psychologists started to look for a more nuanced theory. The resultant proposal was to modify the rule-based theory to include the content of past experience, which is known as content-specific rule theory. Here background information, the content of memory, is converted into rules of inference in readiness for future deductive situations. Although the theory found its origin in pioneering work on a programming language for artificial intelligence,¹² psychologists quickly saw this as a possible answer to how we make deductions.¹³ Later, the artificial intelligence specialists Riesbeck and Schank revised the theory to come up with a new form based on case-based reasoning,¹⁴ where memory and experience play such a large part in reasoning that there is, in fact, no logic involved at all, but rather the reasoning operates solely in a case-based fashion.¹⁵ According to this theory, the problem in hand reminds the

¹⁰ Johnson-Laird and Byrne, *Deduction*, 23: "Piaget's logic was idiosyncratic [...] He had a genius for asking the right questions and for inventing experiments to answer them, but the vagueness of his theory masked its inadequacy perhaps even from Piaget himself. The effort to understand it is so great that readers often have no energy left to detect its flaws."

¹¹ *Ibid.*: "Deductive competence must depend on more than pure logic in order to rule out banal, though valid, conclusions."

¹² For a description of how the *PLANNER* language functions, see *ibid.*, 31-33. For a discussion on MBRtalk, a memory-based reasoning system for computers, see Craig Stanfill and David Waltz: "Toward Memory-Based Reasoning," *Communications of the Association for Computing Machinery* 29 (1986): 1213-28, at 1213: "The intensive use of memory to recall specific episodes from the past – rather than rules – should be the foundation of machine reasoning."

¹³ Johnson-Laird and Byrne, *Deduction*, 34: "Psychologists have also proposed that the mind uses content-specific conditional rules to represent general knowledge." Cf. John R. Anderson, *The Architecture of Cognition* (Cambridge, MA and London: Harvard University Press, 1983), 23-26, 45-85. In fact, the description of a propositional code forms only part of Anderson's theory of knowledge representation. See in particular *ibid.*, 75-76.

¹⁴ Christopher K. Riesbeck and Roger C. Schank, *Inside Case-Based Reasoning* (Hillsdale, NJ: Lawrence Erlbaum Associates, 1989), 25: "A case-based reasoner solves new problems by adapting solutions that were used to solve old problems."

¹⁵ Johnson-Laird and Byrne, *Deduction*, 34.

individual of a past case, and so the person decides what to do on the basis of the outcome of an earlier scenario by following the “script” of the previously experienced situation.¹⁶ Hence, through repetition of the case, the activity begins to function like a content-specific rule, where one should do *Y* if *X* happens.¹⁷ Philip Johnson-Laird and Ruth Byrne point out that “the only difficulty with this theory is that it fails to explain how people are able to make valid deductions that do not depend on their specific experiences.”¹⁸ That experiential knowledge permeates everyday deductions should come as no surprise, but it is doubtful that it is the sole source and form of our capability of reasoning and deduction.¹⁹

2.1.3 Mental Models Theory

Some psychologists now propose that as neither formal rule theory nor content-specific theory adequately explains the mechanism of natural, untutored deduction, another theory needs to take their place.²⁰ As a result, cognitive psychologists, such as Johnson-Laird, Byrne and Newstead are proposing a mental models theory. The core of this theory, “which depends on semantic procedures,”²¹ centres around first

¹⁶ Riesbeck and Schank, *Inside Case-Based Reasoning*, 4.

¹⁷ In fact, Riesbeck and Schank identify that past experience is used in different ways to shape the understanding of new situation. Accordingly, they distinguish three types of cases: *ossified cases*, *paradigmatic cases* and *stories*. Ossified cases act like rules, “because they have been extracted from cases,” and are typified by the proverb. Paradigmatic cases are single event cases, which act as a prototype for new experiences by means of adaptation. Lastly stories combine detail with proverbial ‘rules’ to offer a depth of insight to enable creativity. See, *ibid.*, 12-13, at 12.

¹⁸ Johnson-Laird and Byrne, *Deduction*, 34.

¹⁹ *Ibid.* Such a view as presented (or criticised) by cognitive psychologists would probably be an oversimplification of Riesbeck and Schank’s original view, as they do recognise that humans also carry out spontaneous, complex thought, though only do so when a case scenario is not applicable. See Riesbeck and Schank, *Inside Case-Based Reasoning*, 5: “given a choice between thinking hard and adapting an old script, people will choose the script every time.”

²⁰ Johnson-Laird and Byrne, *Deduction*, 35. The authors’ argument is that formal rule theory is insufficient, since the content of premises (i.e. the subject matter and the order of presentation) can have a significant effect on the deductive outcome. Thus normal, everyday reasoning, in contrast to its formal philosophical counterpart, cannot be reduced to a list of rules to be employed. However, the fact that people *can* make valid deductions which only use connectives and quantifiers (once the process has been adequately explained) implies that one cannot reduce deduction or natural logical competence purely or largely to memories of past events, as the case-based theories would propose.

²¹ *Ibid.*, 35.

creating a model or problem in one's mind based upon one's understanding of the situation, followed by posing a putative solution or conclusion, and then by a process of validation, the individual either draws a valid conclusion or searches for other models until a valid conclusion is reached.²² The theory has similarities with semantic propositional calculus, but differs in that "logical accounts depend on assigning an infinite number of models to each proposition, and an infinite set is far too big to fit inside anyone's head."²³ The psychological model therefore works on the presumption of the bare minimum. This means that the psychological theory "assumes that people construct a minimum of models: they try to work with just a single representative sample from the set of possible models, until they are forced to consider alternatives."²⁴

2.1.4 The Practical Syllogism

Whether the models theory is the best possible description of the deductive process is beyond the scope of this thesis and beyond the competence of the writer. However, I am persuaded by the arguments put forward by its proponents that neither abstract rules nor memory form the whole picture of ordinary deduction, particularly given the significant factor of fallibility, to which we shall return shortly. Thus, ordinary deduction may not be purely based on following a process of logical rules as was long

²² Ibid., 36, 196: "In contrast, the model theory assumes that people reason from their understanding of a situation, and that their starting point is accordingly a set of models – a single model for a single situation - that is constructed from perceiving the world or from understanding discourse, or both. As we have illustrated for a variety of domains, models follow the principle of structural identity [...]: their structures are identical to the structures of the states of affairs, whether perceived or conceived, that the models represent. They can represent disjunctive alternatives and they can represent negation directly. [...] According to this theory, the difficulty of a deduction depends on two principal factors: whether implicit information has been made explicit, and whether the deduction depends on the construction of more than one model."

²³ Ibid., 36.

²⁴ Ibid. The mental models theory is an attempt to balance logical competence with human limitations. See *ibid.*, 43: "What is needed is a theory that reconciles the semantics of truth tables with the constraints of mental processing, and that does so in a way that explains human performance."

presumed. However, everyday deduction contains a further problem. Typically, formal logic is *monotonic*, that is,

if a conclusion follows from some premises, then no subsequent premise can invalidate it. Further premises lead monotonically to further conclusions, and nothing ever subtracts from them. Thought in daily life appears not to have this property.²⁵

The authors here give the example of Alicia having a bacterial infection. Given the premise that the preferred treatment for a patient with a bacterial infection is penicillin, then the preferred treatment for Alicia is penicillin. But, what if Alicia is allergic to penicillin? Here the conclusion is not valid, thus implying that some everyday inferences are “non-monotonic”, that is, “their conclusions can be withdrawn in the light of subsequent information.”²⁶ This shows that there is a difference between theoretical and practical syllogisms and between the two forms of reasoning in general.

In contrast to synthetic rule-based thought, Kevin Flannery describes practical reasoning as having an upward or upstream direction, starting from a basic need or good that requires to be attained, leading to the solution of how that can be achieved in a particular way or situation.²⁷ He goes on to concur with the psychologists that the practical syllogism does indeed have the characteristic of “defeasibility”, as it is sometimes called, that is, “the conclusion of the practical syllogism is ‘defeatable’ by extraneous factors.”²⁸ Thus, although the practical syllogism is still concerned with truth, the premises are also there to reach the good of the conclusion. “In the practical

²⁵ Ibid., 20.

²⁶ Ibid.

²⁷ Flannery, *Acts Amid Precepts*, 9-10. Following modern scholarship, Mark Sultana also highlights a difference between theoretical and practical reasoning, and points out that given what Aristotle says in Book Three of the *Nicomachean Ethics*, one should not presume that there is a “top-down” application of rules, but rather that one reasons “‘backwards’, in the light of the aim, to ways and means to bring this about.” Cf. Sultana, *Self-Deception and Akrasia*, 292; Aristotle, *Nicomachean Ethics*, III, 1112b 15 [Irwin trans.]: “Rather, we lay down the end, and then we examine the ways and means to achieve it.”

²⁸ Flannery, *Acts Amid Precepts*, 10.

sylllogism they [the premises] ensure (as best they can) that we get to where we are going. It establishes a link between a goal and an action in such a way that the good of the goal is preserved in the action.”²⁹ The notion of defeasibility does not negate the value of the syllogism as such as a tool for deduction, nor as a description of the deduction process. Rather, inclusion of defeasibility gives greater accuracy to our attempt to describe the process of everyday moral deduction, one which acknowledges the possibility of one revisiting the conclusion in the light of new information, something which also seems to fit the flexible, cyclical mental models theory.³⁰ The description of the movement of the practical syllogism also gives further detail to our understanding of moral deduction, showing that it does not start with the general premise, but rather an expression of need, or recognition of a good to be achieved, which sets in motion the process of determining the correct course of action. Thus, there may also be inductive inferences involved in setting the deliberation in motion.

2.2 Deduction Alone?

The second question one might ask is: Is the moral reasoning of conscience purely deductive? The first hurdle to overcome is the fact that the term ‘deduction’ is misused in everyday speech. As a result, what may at first seem to be deduction, may in fact be something else. For example, according to Johnson-Laird and Byrne, Sir Arthur Conan Doyle’s account of the analytical mind of his character Sherlock Holmes “popularized a profound misconception about deduction.”³¹ What was presented as elementary deduction, was in fact a description of induction, “where an

²⁹ Ibid., 12 (parenthesis in text).

³⁰ As we saw earlier, St Albert also talked of revisiting the syllogism to correct error, which he saw (by and large) in the minor premise provided by reason. See Albert the Great, *Summa de Creaturis*, II, q.72, a.2, ad obj.1.

³¹ Johnson-Laird and Byrne, *Deduction*, 34.

individual infers a conclusion by drawing upon assumptions or guess-work that is not part of the facts provided.”³² Others might debate the purity of the description of induction, preferring to call it pragmatic inference, which is understood to be a fusion of both inductive elaboration of the context from prior assumptions or further knowledge, followed by a process of deductive reasoning.³³ In real life, whether by choice or not, it is often the case that individuals are not in possession of all the facts, and so lack sufficient information to make valid deductions. As a result, people fill in the gaps with inductive inferences in order to be able to proceed to a conclusion.³⁴

If it is a common occurrence that human reasoning in general often uses a mix of deduction and induction, it is likely that this also applies to moral reasoning and the functioning of conscience. Indeed, rather than describing it as a mechanical or completely ‘top-down’ logical process,³⁵ it would be more appropriate to acknowledge the mixture of factors involved in a conscientious judgement. This complex nature of moral decision-making is highlighted by a number of moral

³² Ibid., 1-2, at 2: “Induction sacrifices validity for plausibility. Like Sherlock Holmes, one often does not have sufficient information to be able to draw a valid inference.”

³³ Evans, Newstead and Byrne, *Human Reasoning*, 3: [The pragmatic inference is] a type of inductive inference which is plausible given the context rather than logically necessary. Whether such pragmatic inferences are inductive or deductive is a matter of debate. Clearly, they go beyond the information given and so appear to be inductive.”

³⁴ Johnson-Laird and Byrne, *Deduction*, 205. Here a test example is given: “The old man was bitten by a poisonous snake. There was no known antidote available.” The initial conclusion of many may be “The old man died.” Yet, this is an invalid deduction, as there is insufficient information given to draw this conclusion. The study subjects provided four other possible answers, namely, “The poison was successfully removed, e.g. by sucking it out,” “The old man was immune to the poison,” “The poison was weak, and not deadly,” and “The poison was blocked from entering the circulatory system, e.g. by the man’s thick clothing.” All of these are examples of inductive reasoning, where the individual fills in the gaps in the constructed mental model of the problem posed.

³⁵ Leibniz longed for a universal system that would resolve all disputes by means of dispassionate logical calculations. It was a noble aim, but misguided in its choice of means, which failed to recognise the value of the different aspects of human nature. Cf. G.W. Leibniz, *De Scientia Universali seu Calculo Philosophico* (extracts from 1684 work), in *Scritti di Logica*, trans. and ed. Mariarosa Vignato Rizzo (Padua: Editrice R.A.D.A.R., 1972), 114-120, at 117: [Having agreed to replace the confusion of words with calculus], “when controversies arise, it will no longer be necessary to have any greater dispute between two philosophers than between two Calculators. Indeed, all that will be required will be to take up pens in hand and sit at tables for calculus and to say to one another (at the invitation of a friend of one’s choice): let us calculate.” [“Fatto questo, quando sorgeranno controversie, non sarà necessario una disputa più grande tra due filosofi, che tra due Calcolatori. Sarà sufficiente infatti prendere le penne in mano e sedere ai tavoli per calcoli e dirsi reciprocamente (con l’invito di un amico a piacere): calcoliamo.”] Cf. Johnson-Laird and Byrne, *Deduction*, 5.

theologians, who are concerned that certain aspects of human insight or experience have been downplayed or are unduly neglected.³⁶

Charles Curran presents a brief analysis of the history of moral theology which sums up the period of the moral manuals (17th - 20th centuries) as not only employing legalism and casuistry in its approach, through the influence of nominalism, but also presenting the function of conscience purely in terms of a deductive syllogism.³⁷ Clearly this was inspired by the description given by St Thomas Aquinas, but it lacked much of its original context.³⁸ However, prompted by a comment by Marcelino Zalba, Curran notes that although deduction was the primary model given as a

³⁶ For example, Hogan, *Confronting the Truth*, 135-50; Häring, *Free and Faithful in Christ*, I, 235: "One's conscience is healthy only when the person – the emotional as well as the intellectual elements and the energies of the will – is functioning in a profound harmony in the depth of one's being [...] where we are touched by the creative Spirit and brought to ever greater wholeness"; Hannon, *Moral Decision Making*, 47: "Moral knowledge is not like mathematical knowledge, nor is moral judgment like the process of reaching a conclusion in algebra or geometry or arithmetic. It would be possible to set out Fermat's theorem, say, and to follow it to its conclusion without being stirred in one's soul, but the conclusion that the torture of prisoners of war is wrong is as likely to come from, or be accompanied by, a *feeling* of revulsion as it is from an inference from the principle that we shouldn't harm people" (emphasis in text).

³⁷ Curran, "Conscience," 8. Cf. Januarius Bucciaroni, *Institutiones Theologiae Moralis secundum Doctrinam S. Thomae et S. Alphonsi*, vol. 1 (Rome: Forzani, 1892), 42-43, at 42: "Ut ergo hanc conscientiam efformare possimus syllogismum facimus." Not all manuals followed the same pattern. Indeed, Vermeersch's *Theologia Moralis* does not mention the syllogism, and instead describes conscience as the herald of the principles of moral law, a concept we noted earlier in the writing of St Bonaventure. See Arthur Vermeersch, *Theologiae Moralis Principia, Responsa, Consilia*, vol. 1, *Theologia Fundamentalis* (Rome: Università Gregoriana; Paris: Charles Beyaert; Bruges: Firme Beyaert, 1922), 289-347, at 290: "Conscientia est ergo *praeco*, quo mediante, leges actionum nostrarum nobis applicantur" (emphasis in text). Slater also describes conscience as "herald or ambassador of God" regarding the eternal, divine law, but then goes on to describe the process of arriving at the judgement of conscience in terms of the deductive syllogism. See Slater, *Manual of Moral Theology*, I, 55.

³⁸ As time went by, many of the manuals became increasingly truncated in their presentation of moral themes, replacing much of the theological content with dry formulae. By the nineteenth century, it is evident that much of the presentations of the moral theologies of St Thomas Aquinas or St Alphonsus de Liguori (whether separate or combined) lack the original spirit of these Doctors. Cf. Raphael Gallagher, "The Fate of the Moral Manual Since Saint Alphonsus," in *History and Conscience: Studies in Honour of Father Sean O'Riordan CSsR*, ed. Raphael Gallagher and Brendan McConvery (Dublin: Gill and Macmillan, 1989), 212-39, at 226. See also Janz who describes the earlier impact of excessive use of syllogisms in theology. Denis R. Janz, "Syllogism or Paradox: Aquinas and Luther on Theological Method," *Theological Studies* 59 (1998): 3-21, at 9: "Fascinated as Aquinas was with syllogisms, his followers wildly exaggerated this aspect of his thought. This development within Thomism reached its pinnacle in the person of Capponi della Porrecca who in 1588 published a five-volume work entitled *Elucidationes formales in Summam theologicam S. Thomae* in which every one of the 2,669 articles in the *Summa Theologiae* was reduced to a syllogism! Here Aquinas's masterful work was dismembered into discrete little blocks of cold logic, emptied of its richness and complexity, and hence distorted."

description of conscientious reasoning, the manuals also “contain hints that conscience can operate in a way other than deduction, but they never develop such an approach.”³⁹ Zalba’s description of conscience upheld the central role of strict deductive reasoning in conscience, but also mentioned “a certain sense or intuition of probity” as another means of reaching the conclusion of conscience from general moral principles.⁴⁰ Although Zalba only makes one mention of this intuitive means of reasoning, he does point in the footnote to St Thomas’s *Summa Theologica, Prima Secundae*, q.58, a.5 on prudence and moral virtues, for comment on the virtuous support needed for valid deduction and the eventual development of connatural right judgement,⁴¹ and *Secunda Secundae*, q.45, a.2 on wisdom, for an explanation of this gift of the Spirit which assists in connatural right judgement.⁴² Hence Zalba’s comment is sufficient stimulus to lead Curran to present a more “holistic understanding of conscience,”⁴³ which includes that which is allied to deduction. Thus, Curran is of the view that reason is employed in the judgements of conscience “in at least three different ways – a discursive deductive way, a connatural way, and a discerning and prudential way.”⁴⁴ However, he also points out that “reason acting in

³⁹ Curran, “Conscience,” 8.

⁴⁰ Marcelino Zalba, *Theologiae Moralis Summa*, vol. 1, *Theologia Moralis Fundamentalis: Tractatus de Virtutibus Moralibus* (Madrid: Rivadeneyra, 1952), 242: “Conscientia moralis est dictamen intellectus practici seu iudicium ultimo practicum rationis [...] est nimirum conscientia formaliter actus categoricus intellectivus, per modum conclusionis saltem virtualis ex principiis moralibus obtentus, sive via stricti racioncinii, sive ex quodam sensu et intuitu honestatis quo cognoscimus quid rectus ordo a nobis postulet.” Translation from Curran, “Conscience,” 8. I have kept Curran’s own translation, as ‘probity’ here seems to be the best rendition of *honestas*.

⁴¹ Aquinas, *Summa Theologica*, Ia IIae, q.58, a.5, resp.: “prudencia sine virtute morali esse non potest. Cujus ratio est quia prudentia est *recta ratio agibilium*, non autem solum in universali, sed etiam in particulari, in quibus sunt actiones. [...] oportet quod perficiatur per aliquos habitus, secundum quos fiat quodammodo homini connaturale recte judicare de fine: et hoc fit per virtutem moralem.” Cf. Zalba, *Theologiae Moralis Summa*, I, 242, n.7.

⁴² Aquinas, *Summa Theologica*, IIa IIae, q.45, a.2, resp.: “sapientia importat quamdam rectitudinem iudicii secundum rationes divinas. [...] sic ergo circa res divinas ex rationis inquisitione rectum iudicium habere pertinet ad sapientiam, quae est virtus intellectualis: sed rectum iudicium habere de eis secundum quamdam connaturalitatem ad ipsas, pertinet ad sapientiam, secundum quod donum est Spiritus Sancti.”

⁴³ Curran, “Conscience,” 14.

⁴⁴ *Ibid.*, 16.

these ways is always informed by faith.”⁴⁵ He concludes that four aspects of the individual are involved in conscience, namely “reason, grace, emotions and intuition,” placed within the context of community relationships, both natural and ecclesial.⁴⁶

Other writers also come to the same multi-faceted conclusion. For example, emphasising the importance of our relationship with God in choosing our actions, Richard Gula defines moral decision-making of the Christian conscience as “discernment”,⁴⁷ which he describes as “an art form.”⁴⁸ Consequently,

it is more than a linear sequence of stepwise logical procedures. Discernment discovers what is the reasonable thing to do by engaging not only the head but also the heart. In and around the linear flow of discursive reasoning, discernment is an experienced perception involving the back-and-forth, around-and-about movement of intuition, affective sensibility to values, and subtle assessments of the relationships of multiple factors. When we embark down the road of the practical moral reasoning of discernment, we commit ourselves to a process that, like a four-stranded cable, circles back upon itself to intertwine *faith, reason, emotion, and intuition*.⁴⁹

Here Gula acknowledges Sydney Callahan’s approach as his source of inspiration with regard to the four-fold dimensions of conscience.⁵⁰ Therefore, we can see that a number of authors offer variations on the theme of the holistic conscience, often with very similar headings.⁵¹ However, the idea has not been without criticism, and while agreeing with some ideas, I would join in the criticism of others. A key thread running through the criticism is the issue of terminology. As with all fields, the same words at times are used to signify completely different ideas, and I would

⁴⁵ Ibid., 17.

⁴⁶ Ibid., 17, 14.

⁴⁷ Richard M. Gula, *Moral Discernment* (New York and Mahwah, NJ: Paulist Press, 1997), 46: “‘Discernment’ is the privileged name we give to the decision-making process that reaches into the heart of one’s fundamental commitment to God.”

⁴⁸ Ibid., 50.

⁴⁹ Ibid. (emphasis in text).

⁵⁰ Ibid., 133, n. 2. See Sydney Callahan, *In Good Conscience: Reason and Emotion in Moral Decision Making* (San Francisco: HarperCollins, 1991).

⁵¹ For example, to reason, intuition, emotion and spiritual discernment, Linda Hogan also adds imagination and creativity. I will return shortly to the issue of creativity in relation to *Veritatis Splendor*. See Hogan, *Confronting the Truth*, 135-50, at 147-49.

suggest that a number of the terms related to the notion of holistic conscience also suffer from this same problem. The main categories involved in holistic conscience are reason, emotion, intuition and grace (or faith), and none of the categories has gone without some criticism. For the purposes of this thesis, I shall touch upon some of the issues concerning each category, so that having clarified the nature of conscience, we can then explore how it can flourish in the right environment.

2.2.1 Reason – The Question of Connaturality

The first disputed issue is that of connatural judgement and intuition. Does connaturality provide us with a different form of reasoning or understanding which allows the conscience to reach its judgement in a non-deductive manner? As I have already mentioned Charles Curran's proposal of the matter, at this point I will focus upon his explanation. The content of his argument will also help us to understand that 'connatural' can refer to both innate and acquired capacities, which, if not noticed or made clear, can lead to a misinterpretation of both the extent of our natural, instinctive capabilities and of the necessity and means of a more developed connatural understanding.

Curran bases his argument for connatural reasoning upon a distinction between the ontological and gnoseological aspects of natural law, a differentiation made by Jacques Maritain in the course of his analysis of Aquinas.⁵² From this distinction, Curran states that we come to know the natural law "not through the conceptual exercise of the intellect nor by way of rational knowledge but through the guidance of the inclinations of human nature," that is, the law of nature contained in

⁵² Curran, "Conscience," 10-11; Jacques Maritain, *Man and the State* (Chicago: University of Chicago Press, 1956), 84-94. Here Maritain explores Aquinas's understanding of the natural inclinations as the justification for the ontological basis of natural law. Cf. Aquinas, *Summa Theologica*, Ia IIae, q. 94, a.2.

our ontological reality.⁵³ As a result, this knowledge is unclear and lacks conceptual form, and so is “obscure, unsystematic, vital knowledge by connaturality or congeniality.”⁵⁴ Curran’s conclusion is that the “intellect in making its judgment consults and listens to the inner melody that the vibrating strings of abiding tendencies make present in the subject.”⁵⁵ Thus, Curran is highlighting the importance of the natural inclinations in our awareness of the good.⁵⁶

It is true that Aquinas’s moral theology is largely built upon natural inclinations and our free response to them,⁵⁷ and so in seeking a Thomistic basis for his arguments on connaturality, Curran is right in identifying the ontological basis for our recognition of the good and the true. This primordial awareness of this ontological ground is, however, I would say, *synderesis*: that which converts experience of reality into the basic general law of human action, both as desire for the good and true, and command to do the good and true.⁵⁸ Thus, although Aquinas saw the precepts of natural law as the external expression of the natural inclinations, with the virtues helping us to follow the natural law of our own created reality,⁵⁹ he envisaged the

⁵³ Curran, “Conscience,” 11. For more on ethics based on ontology, see Josef Pieper, *Living the Truth: The Truth of All Things and Reality and the Good*, trans. Lothar Krauth and Stella Lange (San Francisco: Ignatius Press, 1989).

⁵⁴ Curran, “Conscience,” 11.

⁵⁵ *Ibid.*

⁵⁶ *Ibid.*

⁵⁷ Pinckaers, *Sources of Christian Ethics*, 405.

⁵⁸ Cf. Pieper, *Living the Truth*, 158-63; Aquinas, *Summa Theologica*, Ia IIae, q. 94, a.2, resp.: “Hoc est ergo primum praeceptum legis, quod bonum est faciendum et prosequendum, et malum vitandum.”

⁵⁹ Aquinas, *Summa Theologica*, Ia IIae, q. 94, a.2, resp.: “Hoc est ergo primum praeceptum legis, quod bonum est faciendum et prosequendum, et malum vitandum; et super hoc fundantur omnia alia praecepta legis naturae, ut scilicet omnia illa facienda vel vitanda pertineant ad praecepta legis naturae, quae ratio practica naturaliter apprehendit esse bona humana. Quia vero bonum habet rationem finis, malum autem rationem contrarii, inde est quod omnia illa ad quae homo habet naturalem inclinationem, ratio naturaliter apprehendit ut bona, et per consequens ut opere prosequenda, et contraria eorum ut mala et vitanda; secundum igitur ordinem inclinationum naturalium, est ordo praeceptorum legis naturae.” [“Hence this is the first precept of the law, that good is to be done and pursued, and evil is to be avoided; and all other precepts of the natural law are based upon this: such that all that is to be done or avoided, which practical reason naturally perceives as human goods, belongs to the precepts of the natural law.”] *Ibid.*, IIa IIae, q. 108, a.2: “virtutes perficiunt nos ad prosequendum debito modo inclinationes naturales, quae pertinent ad jus naturale.” Cf. Pinckaers, *Sources of Christian Ethics*, 403-404.

precepts (which he considers to be practical principles⁶⁰) to be of different levels, general and particular, with the particular being derived closely from the first principles.⁶¹ He concludes that while the particular precepts related to contingent detail can be lost by error, concupiscence or intense emotion,⁶² the general, first principles of practical reason cannot be lost from the human heart.⁶³ Hence, although the term is not mentioned in the question, to my mind, this has resonances of the description of *synderesis* as that which cannot be extinguished from any person, and that which concerns the natural law at the most general level.

My conclusion from this is that an appeal to a primordial knowledge of natural law in conscience leaves us at the level of *synderesis*. However necessary this is as the starting point for our moral judgement, it does not form a complete moral process in itself, since reason must be involved in elaborating secondary, particular principles which contain the detail of particular action. Accordingly, I would suggest that Curran's presentation of connatural knowledge or inclinations implies more than it should, since this natural, ontological basis for moral understanding does not in itself constitute another way that conscience knows and judges something to be good. Indeed, if he is actually describing *synderesis*, then, rather than presenting a mode of knowing and judging different from deduction, Curran has presented an elaboration of a stage in the process of deduction, focusing upon its ontological foundation. To that

⁶⁰ Aquinas, *Summa Theologica*, Ia IIae, q. 94, a.2, resp.: "praecepta legis naturae hoc modo se habent ad rationem practicam, sicut principia prima demonstrationum se habent ad rationem speculativam, utraque enim sunt quaedam principia per se nota." We shall return to the question of the self-evident nature of natural law (*principia per se nota*) later.

⁶¹ Ibid., Ia IIae, q. 94, a.6, resp.: "ad legem naturalem pertinent primo quidem quaedam praecepta communissima, quae sunt omnibus nota, quaedam autem secundaria praecepta magis propria, quae sunt quasi conclusiones propinquae principiis."

⁶² Ibid.: "Deletur tamen in particulari operabili, secundum quod ratio impeditur applicare commune principium ad particulare operabile, propter concupiscentiam vel aliquam aliam passionem, ut supra dictum est." Cf. *ibid.*, Ia IIae, q. 77, a.2, resp.

⁶³ Ibid., Ia IIae, q. 94, a.6, resp.: "Quantum ergo ad illa principia communia, lex naturalis nullo modo potest a cordibus hominum deleri in universali."

extent, Curran is right in stating that “the intellect in making its judgments consults and listens to the inner melody” of the individual.

In presenting his case, Curran relies on the comment made by Zalba. However, if we return briefly to the phrase which prompted Curran’s description of connatural knowledge, one may note a discrepancy between what Zalba alluded to and what Curran proceeded to present. Curran discusses the influence of natural inclinations (using connatural to describe that which belongs to our human nature). Zalba refers to “a certain sense or intuition of probity,” by which conscience judges something to be good, pointing to passages from Aquinas which refer to connaturality. Yet, surprisingly Curran does not present an analysis of these passages, but rather Question 94 of the *Prima Secundae*, which makes no mention of the term ‘connatural’. I would therefore propose that the analysis of the ontological basis of natural law does not refer to what Zalba is actually describing.⁶⁴ Neither of the two cited passages of Aquinas refer to our natural inclinations. Rather both discuss the growth of the individual in being able to judge rightly through practice of the moral virtues and through the action of the Holy Spirit.⁶⁵ Thus, although connatural is (perhaps confusingly) used in different ways by Aquinas,⁶⁶ I would say that here Curran has presented that which requires development as that which is complete (though obscure) in our original nature. Earlier-written material in Arthur Vermeersch’s *Theologia Moralis* may assist in clarifying the matter, since his

⁶⁴ Indeed, while not repeating the phrase *ex quodam sensu et intuitu honestatis*, Zalba’s later comments and related footnotes clearly link prudence with connaturality, implying that Zalba understands prudence to be the sense of probity which assists the function of deductive reason (*cooperante prudentia*), such that the person is able to make correct judgements easily. See Zalba, *Theologiae Moralis Summa*, I, 244, including n.14.

⁶⁵ Cf. Aquinas, *Summa Theologica*, Ia IIae, q.58, a.5; *Ibid.*, IIa IIae, q.45, a.2, resp.; Zalba, *Theologiae Moralis Summa*, I, 242.

⁶⁶ Thomas Ryan, “Revisiting Affective Knowledge and Connaturality in Aquinas,” *Theological Studies* 66 (2005): 49-68, 54-55, 62. Ryan points out that Aquinas uses *connaturalitas* in two ways: to describe what fits with the natural state of a being, and to describe a developmental process, where one becomes attuned to something. For an example of the former use, see *De Veritate*, q. 27, a. 2, resp.: “soli Deo connaturalis existens” [being connatural only to God].

treatment is fuller.⁶⁷ Like Zalba, his comments attest to right judgement being reached not only through strict reasoning (deduction), but also through “a certain sense of probity or a certain intuition.” He quotes St Thomas to state that reason, and hence our understanding of the application of principles to the particular, can be corrupted by disordered emotion, or concupiscence, but that “through moral virtue, right judgement about the end [of actions] can become in a certain way connatural to man.” Thus, Vermeersch’s explanation clearly describes ‘connatural’ right judgement as a process of virtuous development “*in viro proba... per virtutem moralem*,” rather than something which is fully present in human beings from the start.

In contrast, if my understanding of Curran’s analysis is correct, Curran considers connatural judgement to be some form of innate preconceptual knowledge, unrelated to deduction or the reasoning process. If this is the case, I would consider this to be a misreading of the text, presumably rooted in the double meaning of connatural. Therefore, rather than describing a capacity which replaces moral norms or moral reasoning and the judgement of conscience, here the notion of connaturality

⁶⁷ Arthurus Vermeersch, *Theologiae Moralis Principia, Responsa, Consilia*, vol. 1, *Theologia Fundamentalis*, rev. ed. (Rome: Università Gregoriana; Paris: Charles Beyaert; Bruges: Firme Beyaert, 1926), 312 (Passage not present in earlier 1922 ed.): “Ne tamen existimes rectum iudicium de actionibus faciendis vel omittendis sola via ratiocinii stricte dicte obtineri. Etenim, in re morali, magni faciendus est sensus quidam honestatis seu intuitus quidam quo plura, praecipue a viro proba, immediate percipiuntur esse bona vel mala. Hoc S. THOMAS minime fugit. [...] Immo observat Angelicus Doctor, quaedam maior veritatis securitas virtute procuratur. Naturalis enim intellectus principiorum ‘non sufficit ad recte ratiocinandum circa particularia. Contingit enim quandoque quod huiusmodi universale principium cognitum ... corrumpitur in particulari per aliquam passionem: sicut concupiscenti, quando concupiscentia vincit, videtur hoc esse bonum quod concupiscit, licet sit contra universale rationis.’ Per virtutem autem moralem fit quodammodo homini connaturale recte iudicare de fine. (Vermeersch quotes from the *Summa Theologica*, Ia IIae, q.58, a.5, resp. Ellipsis not in parenthesis indicates his omission.) [“However, one must not think that right judgement about what is to be done or omitted is only obtained by means of reasoning in the strict sense. Indeed that which is to be esteemed in moral matters is a certain sense of probity or a certain intuition of many things, chiefly by the virtuous/upright man, immediately perceived to be good or bad. This hardly escapes ST. THOMAS. [...] On the contrary, the Angelic Doctor observes that a certain greater security of truth is obtained by virtue. Indeed, the natural understanding of principles ‘is not enough for right reasoning about particulars. For it happens sometimes that a universal principle of this kind known [through understanding or science] is corrupted in the particular by some emotion: such as in the case of one affected by concupiscence, where when concupiscence wins, that which he desires is seen to be good, although it is opposed to universal reason.’ However, through moral virtue, right judgement about the end [of actions] can become in a certain way connatural to man.” (Parenthesis in the *Summa* quotation translated from Ia IIae, q.58, a.5, resp.)]

for Aquinas describes the situation in which “a virtuous person has integrated the moral norms, so that his or her own moral reasoning is facilitated and made certain.”⁶⁸ Thus, the use of connatural in this case is not to be understood as innate, but rather as “second nature,”⁶⁹ like riding a bike or playing an instrument, that is, where an individual is attuned to the right way of doing something, and so no longer has to think out every stage of the process. In terms of virtue, that is prudence, this would be a situation of *solertia*.⁷⁰ In terms of life in the Spirit, this would be a situation of being gifted with divine Wisdom. Both of these indicate dimensions of growth in an individual’s conscience, where reason is attuned to Natural Law and Eternal Law to such a degree that one does not need to go through every step of the reasoning process, because the conclusion is already evident.⁷¹ Therefore, although Curran is right to highlight connaturality in relation to the operation of conscience, I would propose that inclinations should be viewed as an inroad into understanding *synderesis*, and connaturality should be considered as the result of practice of reasoning in a context of virtue and grace, resulting in a quick-wittedness or wisdom attuned by charity.⁷² Thus, the connatural sense of probity or intuition is not be viewed as a

⁶⁸ Grisez, *The Way of the Lord Jesus*, I, 81. Cf. Aquinas, *Summa Theologica*, Ia IIae, q.57, aa.5-6.

⁶⁹ Bernard Häring, *The Law of Christ: Moral Theology for Priests and Laity*, vol. 1, *General Moral Theology*, trans. Edwin G. Kaiser, (Cork: Mercier Press, 1963), 133. Häring defines this ‘second nature’ connaturality as our natural “affinity for the good,” which is either nurtured or damaged by our lifestyle. This appears to combine both concepts of connaturality (innate and developmental) in one. Aquinas explains his use of connatural by declaring it to be ‘sympathy’ with the matter to be judged, for example divine things. See Aquinas, *Summa Theologica*, IIa IIae, q.45, a.2, resp.: “compassio, sive connaturalitas.”

⁷⁰ Cf. Aquinas, *Summa Theologica*, IIa IIae, q.47, a.9; Pieper, *The Four Cardinal Virtues*, 13-14.

⁷¹ Marcelino Zalba, *Theologia Moralis Compendium*, vol. 1, *Theologia Moralis Fundamentalis, Tractatus de Virtutibus Moralibus* (Madrid: La Editorial Católica, 1958), 358, “Saepe, propter habitum [i.e. *synderesis*], syllogismus abbreviatur et habet rationem simplicis illationis ex principio satis patente.” [“Often, because of the *habitus* (i.e. *synderesis*) the syllogism is shortened and reason/understanding is reached by simple inference from a sufficiently clear principle.”] Explanatory parenthesis mine.

⁷² Cf. *Veritatis Splendor*, 64; AAS 85 (1993), 1183: “Eiusmodi connaturalitas radicesit et eredit rectis in propositis ipsius hominis: prudentia ceterisque virtutibus cardinalibus, et vel in primis virtutibus theologalibus fidei spei et caritatis.”

completely alternative route to judgement which renders deduction redundant. Rather it should be seen as a corrective measure or supportive disposition to the reason and the will to counteract the effects of concupiscence on reason, and thus its perfection through virtue and grace.⁷³ It is this lived, experiential context which gives “dynamism and life” to moral knowledge and bridges the gap between the universal and the particular.⁷⁴ If we exclude the lived experience of virtue and grace (or conversely of vice and sin, in terms of a negative, inhibiting context) from our understanding of moral knowledge, we will not be able to reach beyond a legalist model of passive deduction from seemingly general, arbitrary principles.⁷⁵

Hopefully, this reflection gives us cause to accept the general principle of this thesis, namely that our ability to make judgements of conscience has the scope to develop, and that virtue and grace form the context in which it is able to flourish. To this we shall return in the subsequent chapters.

2.2.2 Reason - The Question of the Creativity and Imagination in Conscience

Another area of non-deductive reasoning explored by some moralists is the issue of imagination and creativity in conscience. However, in fact, this topic raises two

⁷³ Cf. Aquinas, *Summa Theologiae*, Ia IIae, q.58, a.5, resp.; Vermeersch, *Theologia Moralis*, I, (1926 ed.) 312.

⁷⁴ Pinckaers, *Sources of Christian Ethics*, 55-56, at 56: “[The role of practical reason] is achieved through concrete, personal knowledge supplied by virtues such as wisdom, knowledge and above all prudence, combined with the virtues related to the appetites. Practical reason goes hand in hand with the connatural knowledge of which the Angelic Doctor so often speaks. Thus, by means of the virtues, vital connections are forged, in the dynamic inner depths of the person who is performing the action, between the universal and the individual, between principles and action.”

⁷⁵ *Ibid.*, 55-56: In the context of [a moral theory of obligation], it is hard to see how principles and moral science flow from an experience of reality, human and divine, and lead back to it. They seem to emerge arbitrarily from the sphere of ideas, being worked out to the last detail in the imperative mood. We can no longer find in them the sources of light contained in the active, upright experience. Principles and laws are applied to actions by deductions of pure reason, while the agent remains overly passive. Moral knowledge loses its dynamism and life. Its horizon shrinks to the measure of legal formulas and its activity is reduced to the eternal debate between law and freedom as applied to cases of conscience.”

distinct questions: whether conscience has the capacity to create law, and whether creativity or imagination is involved in the reasoning process.

With regard to the first question, among certain theologians of recent decades a shift occurred in their understanding of conscience which led to identifying conscience as that which established what was right on the practical level, rather than seeing its operation as an application of the law to the concrete particular situation. Such a view developed from writers such as Joseph Fletcher, who advocated a pragmatic situation ethics, where universal law is reduced to love, and that although guiding principles accumulated by human experience are necessary, ultimately it is up to the individual to decide what is right in the given situation.⁷⁶ To this trend we can then add another rooted in the writings of Josef Fuchs, who in his later writings changed his approach and separated morality into two distinct levels: transcendental and categorical.⁷⁷ There are two main effects of this analysis. Firstly, Christian ethics is relegated to the transcendental level, that is, the level of general attitudes, with the result that there is only human ethics on the categorical level of particular action. Secondly, related to conscience, Church teaching regarding morals is also placed at the level of the transcendental, providing a general framework or a religious climate with “motivational force”, within which to decide what is morally right in a particular situation reducing the role of the Magisterium to the level of “assistance.”⁷⁸ This

⁷⁶ Joseph Fletcher, *Situation Ethics: The New Morality* (London: SCM Press, 1966), 64, 32, at 33: “In situation ethics even the most revered principles maybe thrown aside if they conflict in any concrete case with love”; at 53: “There is no conscience; conscience is merely a word for our attempts to make decisions creatively constructively, fittingly” (emphasis in text). Cf. Pinckaers, *Morality*, 53.

⁷⁷ Josef Fuchs, *Esiste una Morale Cristiana? Questioni Critiche in un Tempo di Secolarizzazione*, trans. from German and Latin articles by Paolo Leporati (Rome: Herder; Brescia: Morcelliana, 1970), 14-35. See page 30 for the description of “forza motivazionale”. Cf. Pinckaers, *Morality*, 46-49.

⁷⁸ Josef Fuchs, *Christian Morality: The Word Becomes Flesh*, trans. Brian McNeil (Dublin: Gill and Macmillan; Washington, DC: Georgetown University Press, 1981), 130-31: “Thus it follows for the object-orientated conscience [Fuchs’s term for the act of judgement by practical reason] that moral norms of correct conduct and other normative authorities coming from outside offer basically nothing more than assistance – real assistance, but nonetheless merely assistance – in the assessment of

would be an explanation of Fuchs's broader definition of conscience: that which includes "theoretical moral evaluation and formulation of moral norms," rather than simply application of laws and principles.⁷⁹ As a result, Fuchs places greater emphasis on the responsible personal decision of conscience as an expression of authentic self-realisation, rather than judgement dependent upon a received expression of the law, which is too abstract to apply to the *hic et nunc* of life.⁸⁰

While this development in moral theology may have stemmed from an "allergic reaction to casuistry"⁸¹ and an understandable desire to move away from

morally correct decisions made in the conscience." Here Fuchs bases his argument upon the "qualitative peculiarities" of a concrete situation. See *ibid.*, 130. Compare the view expressed above to that written earlier: "Both the word of Revelation and the teaching authority of the Church constituting a higher authority than personal consideration, if accepted in the true attitude of the Christian, will silence these contradictions and exclude the general suspicion of considerations purely personal [i.e. the fear of error]." See Josef Fuchs, *Natural Law: A Theological Investigation*, trans. Helmut Reckter and John A. Dowling (New York: Sheed & Ward, 1965), 160 (parenthesis mine, summarising from the same page).

⁷⁹ Josef Fuchs, *Christian Morality*, 120: "Conscience means – particularly in Catholic moral theology – in a narrower sense, the authority which determines good and correct conduct in a concrete situation. Another conception of conscience, on the other hand, does not limit the authority of conscience to the assessment of a concrete situation, but extends its competency to include theoretical moral evaluation and formulation of norms." One should bear in mind, however, that the structural descriptions of conscience differ, and so what Aquinas would describe as moral reasoning, that is, that which derives secondary principles, separate from the concluding act of judgement, namely conscience, Fuchs ascribes to conscience, by looking at reasoning/insight, judgement and choice/decision as a whole. Cf. *idem*, 121: "This then makes it understandable that judgment based on practical reason, being judgment in conscience, has above all else, but not exclusively, the characteristics of insight, and simultaneously, to a certain extent, those of decision." That moral reasoning should arrive at particular principles (with the help of other people) should not be in question. The question remains as to how independently the subject formulates norms, rather than merely elaborating norms from more general principles. Fuchs would argue that conscience does not invent or create the norms as such, but rather they are "recognized 'creatively', in the (merely) created human participation in God's own wisdom" (parenthesis in text). Although they are based upon natural inclinations, because of contingency, these norms or conclusions "are not *logical* inferences but new pieces of knowledge, innovations," resulting in ethical pluralism (emphasis in text). With regard to non-inferential recognition of first principle moral norms by *synderesis*, I think Fuchs would be in accord with Aquinas. However, I would be of the understanding that Aquinas saw the attainment of secondary principles as a matter of derivation or logical inference. Here, I think, Fuchs would be somewhat at variance with Aquinas. See *idem*, *Moral Demands and Personal Obligations*, trans. Brian McNeil (Washington, DC: Georgetown University Press, 1993), 163 and 112-113.

⁸⁰ Josef Fuchs, *Responsabilità Personale e Norma Morale: Analisi e Prospettive di Ricerca*, trans. and ed. Salvatore Privitera (Bologna: Edizioni Dehoniane, 1978), 195, 197: "Quindi il compito principale della coscienza non è l'adempimento delle norme prestabilite, ma l'autentica realizzazione dell'io nella realtà concretamente esistente." ["Therefore the principal task of conscience is not the carrying out of already-fixed norms, but the authentic realisation of the Ego in the concretely existing reality."]. Cf. *Veritatis Splendor*, 54-55; *AAS* 85 (1993), 1177-78.

⁸¹ Pinckaers, *Morality*, 50.

legalism, where the conscience is reduced to the carrying out of obligations,⁸² concerns were raised that the greater subjective emphasis of the ‘creative conscience’ approach would run “the risk of confusing conscience with personal, subjective opinion,” making the personal conscience “the ultimate judge of what is good and evil.”⁸³ Pinckaers considers the root of this view to be a “sublimation of freedom.”⁸⁴ Thus, although it has long been held that the individual subject’s conscience is to be given due respect as the proximate norm of morality, this was traditionally understood as being so only insofar as it is intimately connected to and reflective of divine law.⁸⁵ To that extent, there are limits on human freedom, but this should not be understood in negative terms. Rather human freedom in the conscientious decision is called to “intersect” with God’s law as a “participated theonomy,” participating in the wisdom of God rather than blindly following or angrily fighting against obligations.⁸⁶ Thus, Pope John Paul reaffirmed the traditional view:

The judgement of conscience does not establish the law; rather 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.⁸⁷

⁸² Fuchs, *Responsabilità Personale e Norma Morale*, 196: “Non è possibile sostituire alla concezione legalistica e statica della coscienza e le sue esigenze di applicazione materiale un sistema che non sia esclusivamente determinato dal riferimento alle norme?” [Is it not possible to substitute the legalistic and static conception of conscience and its requirements of material application with a system that is not exclusively determined by reference to norms?]

⁸³ Servais (Th.) Pinckaers, “An Encyclical for the Future: *Veritatis splendor*,” in “*Veritatis Splendor*” and *the Renewal of Moral Theology*, ed. J.A. DiNoia and Romanus Cessario, trans. Sr Mary Thomas Noble (Princeton, NJ: Scepter; Huntington: Our Sunday Visitor; Chicago, IL: Midwest Theological Forum, 1999), 11-71, at 41.

⁸⁴ Pinckaers, “An Encyclical for the Future,” 42.

⁸⁵ *Veritatis Splendor*, 60; *AAS* 85 (1993) 1181: “... conscientia, norma proxima moralitatis cuiusque hominis. Postulationis huius rationalis dignitas atque vocis eius ac iudiciorum auctoritas oriuntur ex ipsa boni malique veritate, quam eius est audire ac demonstrare. Haec veritas significatur ‘lege divina’, quae est moralitatis norma universalis et obiectiva”; Pinckaers, “An Encyclical for the Future,” 43-44; Zalba, *Theologia Moralis Compendium*, 366: “Conscientia antecedens recta est regula necessaria actuum humanorum subiectiva et proxima.”; 368: “Ergo ea [conscientia] sola est per se norma subiectiva harum actionum, applicans divina praecepta” (parenthesis mine).

⁸⁶ *Veritatis Splendor*, 41; *AAS* 85 (1993) 1165-66.

⁸⁷ *Veritatis Splendor*, 60; *AAS* 85 (1993), 1181: “Conscientiae iudicium non condit legem, sed testatur auctoritatem legis naturalis ac rationis practicae quod attinet ad summum bonum, cuius persona humana attractivam virtutem suscipit atque praecepta accipit.” Cf. John Paul II, Encyclical Letter *Donum et Vivificantem*, 43; *AAS* 78 (1986), 859: “conscientia non est fons aptus ex sese et unicus ad statuendum quid bonum sit quidque malum; est, contra, in ea penitus insertum principium oboedientiae

It is the role of conscience, therefore, to live and move in accord with God's law and so naturally apply that to the particular situation in hand. But what if the situation is a very complex one, or where a variety of possibilities arise? For example, what would you do if you were a member of the surgical team debating whether to separate Siamese twins who shared vital organs? This is where imagination starts to come to the fore, in order to allow deduction to proceed. In other words, the inductive process of creating mental scenarios assists the mind in trying to work out what is good. Linda Hogan points out that "the imaginative, abstract stage can be very important in allowing one to see possibilities that are not immediately obvious," and is also useful for reflecting upon the potential implications of an action.⁸⁸ However, abstract imagination needs verification to translate it from hypothesis into that which is recognised as being good in reality. Therefore, either the individual uses reliable memory in combination with moral norms as the basis of his/her imaginative search for the best possible, just action, or once an action has been judged to be good and appropriate, the details of the chosen action need to be checked in order to reach the point of moral certainty. This further enquiry will either verify the choice or will nullify it, demanding that the person think again. Thus, conscience can arrive at any number of abstract judgements prior to reaching a final judgement which is chosen to be acted upon. This process of a putative conclusion deduced from possible scenarios,

erga normam obiectivam" (emphasis in text). English translation from John Paul II, Encyclical Letter *Donum et Vivificantem* (London: Catholic Truth Society, 1986), 43: "The conscience is therefore not an independent and exclusive capacity to decide what is good and what is evil. Rather there is profoundly imprinted upon it a principle of obedience vis-a-vis the objective norm"; Second Vatican Council, Pastoral Constitution on the Church in the Modern World *Gaudium et Spes*, 16; *AAS* 58 (1966), 1037. English text consulted translated by Ambrose McNicholl, in *Vatican Council II: The Conciliar and Post Conciliar Documents*, general ed. Austin Flannery (Dublin: Dominican Publications, 1977), 916-17; Second Vatican Council, Declaration on Religious Liberty *Dignitatis Humanae*, 3; *AAS* 58 (1966), 931-32. English text consulted from Flannery edition, trans. Laurence Ryan, 801-802. See also Zalba, *Theologia Moralis Compendium*, 368: "Cum conscientia non sit norma constitutiva ordinis recti sed solum manifestativa, patet eam est essentialiter dependere ab ordine obiectivo" (emphasis in text.)

⁸⁸ Hogan, *Confronting the Truth*, 147-48.

which is subject to verification or defeasibility seems to tally with the mental models theory, discussed earlier, and the nature of the practical syllogism, as well as the role of the pragmatic inference in starting off the moral search for an answer.

2.2.3 A Place for Emotion in Conscience?

Some moral theologians have expressed their concern that there has been a distinct lack of attention given to passions (or emotions) in the moral act and, therefore, in conscience.⁸⁹ Indeed, Servais Pinckaers points out that their inclusion is essential if we are to pursue integrated, “truly human morality,” which reflects the unity of the human person and the coordination of the faculties.⁹⁰ Vincent Twomey draws on Aristotle and C.S. Lewis to point out that one’s feelings not only need to be in tune with right reason,⁹¹ but can also assist the reason in achieving the moral action.⁹² He quotes Lewis, who clearly thinks that deduction needs support: “In the battle it is not syllogisms that will keep the reluctant nerves and muscles to their post in the third

⁸⁹ Twomey, “Recovery of the Passions in Moral Theology,” 240: “And even where virtue has been recovered as the context for moral discourse, the passions, it seems, have not yet been the subject of much rigorous discussion within moral theology.”

⁹⁰ Servais Pinckaers, “Les passions et la morale,” *Revue des Sciences Philosophiques et Théologiques* 74 (1990): 379-91, at 381: “Si nous voulons comprendre la portée et la richesse du traité des passions de S. Thomas, nous devons donc nous replacer dans la perspective si profondément humaine des morales du bonheur qu’il a systématisées. La passion est une des composantes directes et nécessaires de la réponse à la question du bonheur. On ne peut construire une morale vraiment humaine sans en tenir compte.” [“If we want to understand the significance and the richness of St Thomas’s treatise on the passions, then we have to put ourselves back into the profoundly human perspective of the morals of happiness which he systematised. Passion is one of the direct and necessary components of the answer to the question of happiness. One cannot construct a truly human morality without taking it into account.”]

⁹¹ Cf. Aristotle, *Nicomachean Ethics*, VII, 1152a 8-10: “Nor can the same person be at once both prudent and incontinent. For we have shown that a prudent person must also at the same time be excellent in character, (and the incontinent person is not). [...] Moreover, someone is not prudent simply by knowing; he must also act on his knowledge. But the incontinent person does not.” (parenthesis in text).

⁹² Twomey, “Recovery of the Passions,” 224: “In other words, knowledge of ethics or moral principles as such is insufficient to make one act in a morally upright way in the concrete circumstances of life marked by myriad fears and attractions.”

hour of the bombardment.”⁹³ Lewis explains that this is because “without the aid of trained emotions the intellect is powerless against the animal organism.”⁹⁴

Thus, although the emotions can be a disruptive force,⁹⁵ there is a growing recognition of the positive contribution that they make to human action, and so scholars are making new efforts to explore the role of emotions, and also to recover past wisdom on the subject.⁹⁶ Indeed, it is suggested by some that Aquinas “considers that emotions and affectivity are in some way involved in practical reason’s role of determining what is truly reasonable, truly good.”⁹⁷

The difficulty with the study of emotion in moral judgement is first of all due to the fact that both in classical and in modern languages, the words ‘passion’, ‘feeling’ and ‘emotion’ elicit a whole range of ideas, since over time the meanings of these words have undergone subtle changes.⁹⁸ Secondly, our use of the terms will be predicated upon a particular anthropology, which may differ from others analysing emotion. Consequently, some will see “emotions as irrational forces and others as intentional forms of cognition.”⁹⁹ This, too, adds to the challenge of debating the role

⁹³ Ibid., 224, 240, quoting from C.S. Lewis, *The Abolition of Man* (Oxford: Oxford University Press, 1943; Fount Paperbacks, 1978), 19.

⁹⁴ Lewis, *The Abolition of Man*, 19. For a discussion on how reason controls or rules the passions, see Romanus Cessario, *The Moral Virtues and Theological Ethics* (Notre Dame, IN and London: University of Notre Dame Press, 1991), 63-66. Cessario states that Aquinas, following Aristotle, describes a non-despotic, political rule by reason, which allows freedom to remain in place. Cf. Aquinas, *Summa Theologica*, Ia IIae, q.56, a.4, ad 3.

⁹⁵ Leget, while strongly advocating greater inclusion of the *passiones animae* in our understanding of moral judgement, warns that one should not be overly optimistic in re-incorporating them, as this would not give due acknowledgment to “the darker side of emotions”, with their layers of contradiction and destructive tendencies. See Carlo Leget, “Martha Nussbaum and Thomas Aquinas on the Emotions,” *Theological Studies* 64 (2003) 558-81, at 578.

⁹⁶ Ryan, “Revisiting Affective Knowledge and Connaturality in Aquinas,” 52: “In general terms, without denying their destructive potential, emotions have a positive and integral role in psychological, moral and spiritual dimensions of Aquinas’s anthropology.” Leget bemoans the absence of Aquinas in Martha Nussbaum’s extensive study on the passions or emotions. See Leget, “Martha Nussbaum and Thomas Aquinas,” 569-571. Cf. Martha C. Nussbaum, *Upheavals of Thought: The Intelligence of Emotions* (New York: Cambridge University Press, 2001); Aquinas, *Summa Theologica*, Ia IIae, qq.22-48.

⁹⁷ Ryan, “Revisiting Affective Knowledge,” 51.

⁹⁸ Leget, “Martha Nussbaum and Thomas Aquinas,” 571.

⁹⁹ Ibid., 571-72.

of emotions in moral choice. Indeed, St Thomas acknowledges this difficulty of interpretation when he opposes the Stoic understanding of the passions:

As the Stoics held that every passion of the soul is evil, they consequently held that every passion of the soul lessens the goodness of the act; since the admixture of evil either destroys good altogether, or makes it to be less good. And this is true indeed, if by passions we understand none but the inordinate movements of the sensitive appetite, considered as disturbances or ailments. But if we give the name of the passions to all the movements of the sensitive appetite, then it belongs to the perfection of man's good that his passions be moderated by reason. [...] Hence, since the sensitive appetite can obey reason, as stated above (Q. 17, A 7), it belongs to the perfection of the moral or human good, that the passions themselves also should be controlled by reason. Accordingly just as it is better that a man should both will good and do it in his external act; so also does it belong to the perfection of moral good, that man should be moved, not only in respect of his will, but also in respect of his sensitive appetite.¹⁰⁰

As well as indicating that emotions can be understood in different ways, Aquinas here also highlights that man can also be moved to the good by means of his passions, if they are in an ordered state.¹⁰¹ Thus, in this circumstance, the passions or emotions assist reason not only in apprehending what is truly good, but also in desiring to act upon that understanding.¹⁰² In this situation, the passion, having been

¹⁰⁰ Aquinas, *Summa Theologica*, Ia IIae, q.24, a.3, resp.: "Respondeo dicendum quod Stoici, sicut ponebant omnem passionem animae esse malam, ita ponebant consequenter omnem passionem animae diminuere actus bonitatem, omne enim bonum ex permixtione mali vel totaliter tollitur, vel fit minus bonum. Et hoc quidem verum est, si dicamus passiones animae solum inordinatos motus sensitivi appetitus, prout sunt perturbationes seu aegritudines. Sed si passiones simpliciter nominemus omnes motus appetitus sensitivi, sic ad perfectionem humani boni pertinet quod etiam ipsae passiones sint moderatae per rationem. [...] Unde, cum appetitus sensitivus possit obedire rationi, ut supra dictum est, ad perfectionem moralis sive humani boni pertinet quod etiam ipsae passiones animae sint regulatae per rationem. Sicut igitur melius est quod homo et velit bonum, et faciat exteriori actu; ita etiam ad perfectionem boni moralis pertinet quod homo ad bonum moveatur non solum secundum voluntatem, sed etiam secundum appetitum sensitivum." English translation from St. Thomas Aquinas, *Summa Theologica: First Complete American Edition in Three Volumes*, vol. 1, literal trans. by the Fathers of the English Dominican Province (New York, Boston, Cincinnati, Chicago, and San Francisco: Benziger Brothers, 1947), Ia IIae, q.24, a.3, resp.

¹⁰¹ The object of the affective virtues, fortitude and temperance, is properly ordered emotions. See Ryan, "Revisiting Affective Knowledge," 55-60. We shall return to fortitude and temperance in the chapter on how the virtues assist conscience.

¹⁰² Ryan, "Revisiting Affective Knowledge," 58 (talking of the stage of perfect virtue): "Emotions, guided by virtue, have moved from fittingness in its conditional form (*consonans*), (*conveniens*) to one of being 'naturally fitted' (*connaturalitas*). Feeling, thinking, willing resonate with each other that this particular response is 'right'" (parentheses in text).

shaped by virtue, is not only operating *according to* right reason, but *with* right reason.¹⁰³

From these comments we can see that the place of human emotion in morals can vary radically, depending upon the underlying anthropological analysis of the nature of emotions. If they are considered as permanently disruptive, irrational, or evil, then the conclusion is that they have no place in moral judgement. If, at the other extreme, their role in assisting reason is over-optimistically presented, then the power of strong misleading emotion is not given due credit. However, rightly considered, as integrated with right reason and trained by moral virtue, emotion does have its part to play in our moral choices, in helping to perceive the good and to delight in doing it, or in perceiving the evil which through revulsion is to be avoided.

This brings us to a comment in Pope John Paul's encyclical letter *Veritatis Splendor* on the nature of conscience. Emotion is mentioned in passing in the context of a criticism against the notion of creative conscience. The pejorative context implies that either emotion has no part to play in conscience, or at least undermines its objectivity:

These authors also stress the *complexity* typical of the phenomenon of conscience, a complexity profoundly related to the whole sphere of psychology and the emotions, and to the numerous influences exerted by the individual's social and cultural environment.¹⁰⁴

Clearly the backdrop of this passage is the concern for the maintenance of the objectivity of truth in conscience, and it is true that each factor mentioned could indicate subjective variation in terms of time, place, or development. However,

¹⁰³ Cf. Aquinas, *Summa Theologica*, Ia IIae, q.24, ad 3; Pinckaers, "Les passions et la morale," 383: "Dans cette vue, la sensibilité se parfait en servant l'esprit, avec l'aide des vertus qui l'éduquent."

¹⁰⁴ *Veritatis Splendor*, 55 (trans. from Catholic Truth Society ed., emphasis in text); *AAS* 85(1993), 1178: "Idem porro peculiarem notant implicationem phaenomeni conscientiae: haec cum psychologo ambitu cumque animi affectione penitus iungitur, aequae cum multiplicibus condicionibus, ad societatem et cultum personae pertinentibus."

psychological and sociological factors in the development of the conscience of an individual would be hard to deny.¹⁰⁵ Indeed, Pope Benedict has long highlighted the effect of these different factors in conscience. When he was professor at the University of Tübingen, Ratzinger was considered to have written “the most negative criticism” of *Gaudium et Spes* 16, since in stressing the conscience as the inner sanctuary where God’s voice echoes, giving his law, he thought that it failed to give due reference to the blindness and obtuseness of the human mind in hearing that voice.¹⁰⁶ Thus, although there is reference to ignorance and sin in the text, Ratzinger was looking for more detail to explain why the conscience can err.¹⁰⁷ As a result, he considered the text overly optimistic in its presentation of conscience,¹⁰⁸ and therefore

¹⁰⁵ Indeed, while affirming that objective moral norms are not defined by the statistical “normality” of the behavioural sciences, *Veritatis Splendor* does acknowledge the impact of psychological factors on the choice and subjective imputability of an individual. See *Veritatis Splendor*, 111-12, 70; *AAS* 85 (1993), 1220-21, 1189. For examples of a variety of theologians on psychological factors in conscience, see Grisez and Shaw, *Fulfillment in Christ*, 26-27; Wojciech Giertych, “Conscience and the *Liberum Arbitrium*,” in *Crisis of Conscience*, ed. John M. Haas (New York: Crossroad, 1996), 51-78; Kennedy, *Doers of the Word*, I, 204-31; Robert Hodge, *What’s Conscience For? Personal Responsibility in Relation to Conscience and Authority* (Middlegreen, Slough and Maynooth: St Pauls, 1995), 190-93; Majorano *La Coscienza*, 28-48. For a lengthy study of moral development in the context of psychological analysis, see also B.M. Kiely, *Psychology and Moral Theology* (Rome: Gregorian University Press, 1980).

¹⁰⁶ Bernard Häring, “La Legge Naturale nella Luce della Legge di Cristo Iscritta nei Cuori,” in *La Coscienza Morale Oggi: Omaggio al Prof. Domenico Capone*, ed. Marian Nalepa and Terence Kennedy, *Quaestiones Morales*, no. 3 (Rome: Editiones Academiae Alphonsianae, 1987), 289-90, n.4: “La critica più negativa all’intero n.16 di *Gaudium et spes* venne dal teologo JOSEPH RATZINGER, allora professore all’università di Tübingen. [...] Al suo parere, il testo ignorebbe quella cecità e quell’ottusità della mente umana che tanto hanno impressionato il pensiero di Lutero.” Cf. Michael E. Allsopp, “Conscience, the Church and Moral Truth: John Henry Newman, Vatican II, Today,” *Irish Theological Quarterly* 58 (1992): 192-208, at 197; Joseph Ratzinger, “The Dignity of the Human Person,” in *Commentary on the Documents of Vatican II*, vol. 5, *Pastoral Constitution on the Church in the Modern World*, gen. ed. Herbert Vorgrimler (London: Burns & Oates; New York: Herder and Herder, 1969), 115-63, at 135.

¹⁰⁷ Ratzinger, “Dignity of the Human Person,” 134: “How conscience can err if God’s call is directly to be heard in it, is unexplained.”

¹⁰⁸ *Ibid.*, 135, at 136: “In this essential kernel the ‘objectivism’ of the schema is certainly right and not vulnerable to critical thought. What is unsatisfactory is simply the way the concrete form of the claim of conscience is dealt with, the inadequate view of the facts of experience and the insufficient account taken of the limits of conscience.” One can compare this view to that of Clémence, who thought that the Council’s optimism was balanced and sufficiently cognisant of error. I am more inclined to agree with Ratzinger in thinking that the presentation is incomplete, particularly with regard to exploring the limitations of conscience. Cf. J. Clémence, “Le mystère de la conscience à la lumière de Vatican II,” *Nouvelle Revue Théologique* 94 (1972): 65-94, especially 89-94.

judged it to stand as a “general outline of a Christian doctrine of conscience,”¹⁰⁹ but one which “passes over the epistemological question and excludes the psychological and sociological factors.”¹¹⁰ In effect this was a call for a fuller description of conscience which acknowledged the various elements that assist, or at least inhibit, its right function.¹¹¹

With Ratzinger’s comments in mind, we can now return to the issue of emotion, as emotion has both cognitive and psychological elements and so forms part of the epistemological question of conscience. I would therefore suggest that as well as the psychological and socio-cultural factors, human emotion forms part of the “*complexity* typical of the phenomenon of conscience” which is mentioned in *Veritatis Splendor*. As I said earlier, the clear concern of Pope John Paul II was that the objectivity of truth should not be lost from our understanding of conscience. However, depending upon one’s starting point, acknowledging emotional, psychological or social factors need not necessarily extinguish objectivity. If one were to reduce conscience to super-ego, cultural conformity or emotivism, then clearly objectivity would be lost. If, however, objectivity is real, that is, if “truth is not something we create but something that we discover and so stands on its own,”¹¹²

¹⁰⁹ Ratzinger, “Dignity of the Human Person,” 134. Indeed, Ratzinger thought that the incomplete nature of the text meant that what resulted was a description still rooted in the Scholastic tradition, but “freed from the framework of the schools and looser in structure.” In this way it lacked Scholastic precision, but also lacked a serious examination of the modern emphasis on the subject of conscience by making inadequate use of modern disciplines. See *ibid.*, 134-35. Years later, Gaffney would echo Ratzinger’s concerns. See James Gaffney, *Matters of Faith and Morals*, 128-29: “But in that year [1965], Catholicism published, at the highest level of official discourse, a theological statement about conscience that not only broke with the Thomistic heritage, but employed the term in a combination of senses which not even the most benign exegetical subtlety can fully rescue from incoherence. [...] It incorporates elements from the traditions of both *synteresis* and *conscientia*, with no attention to the importance of the distinctions the Scholastics made between them. [...] It affirms the fallibility of conscience after having described it in terms that make its fallibility incomprehensible.”

¹¹⁰ Ratzinger, “Dignity of the Human Person,” 134.

¹¹¹ For example, see Ratzinger’s comments on the suppression of the individual’s conscience by totalitarian regimes, and the stunting effects of the super-ego on the development of the conscience in “Conscience in its Age,” 168-69.

¹¹² Twomey, *Pope Benedict XVI*, 49. Cf. Cahal B. Daly, “Faith and Reason: Diatribe or Dialogue? A Reflection on *Fides et Ratio*,” in *The Challenge of the Truth: Reflections on Fides et*

then subjectivity with its strengths and weaknesses stands before that truth, either knowingly or blindly. Here psychology, emotion, culture and society can be understood as not only the potential context for stunting conscience's appreciation of the truth, but also as aspects of the very means by which we come to know that truth through experience, perception and reflection. Therefore, without being overly optimistic, while acknowledging the blinding effects of sin, the deafening effects of a social bombardment of emotivist messages or periods of strong emotion, and the crippling effects of psychological pathology, due acknowledgment of the positive role of emotions, when in a balanced state and in harmony with right reason, in appreciating and choosing the good, is necessary in providing a moral theory which truly relates to human nature.¹¹³

2.2.4 Intuition in Conscience

We turn now to the question of intuition, and its involvement in the judgement process of conscience. A clear difficulty with this concept is that if one even strays

Ratio, ed. James McEvoy with preface by Cardinal Cahal Daly (Dublin: Veritas, 2002), 219-39, at 230: "Connected with confused ideas about moral values is, inevitably, a confused concept of conscience, though this can sometimes be traced back to theological as well as to philosophical aberrations. In the case of conscience, as well as in that of moral values, what is overlooked is that moral judgement, as well as conscience, is a grasp of moral truth. [...] moral truth is not something that I create, but something that is independent of me, judges me, challenges me, humbles me and often condemns me."

¹¹³ Cardinal Newman also saw emotion (supported by the intellect) as an essential part of conscience. Not only are the reactions of remorse and satisfaction intimately connected to emotion, but he states that one is unable to have these reactions unless they are a response to a "living object", that is another subject, and the ultimate living object is God. Newman, therefore highlights the essential relational quality of conscience. See John Henry Cardinal Newman, *An Essay in Aid of a Grammar of Assent*, introduction by Nicholas Lash (Notre Dame and London: University of Notre Dame Press, 1870; 1979), 99-110, at 100-101: "Conscience [...] is always emotional. [...] 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. [...] 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 a person, to whom our love and veneration look." See also *ibid.*, 106: "Thus conscience is a connecting principle between the creature and his Creator." Cf. Terrence Merrigan, *Clear Heads and Holy Hearts: The Religious and Theological Ideal of John Henry Newman*, with foreword by Ian Ker, Louvain Theological and Pastoral Monographs, no. 7 (Louvain: Peeters Press, 1991), 36-37; Teresa Iglesias Rozas, "Newman on Conscience and our Culture," *Milltown Studies* 49 (2002): 19-49, at 37-39.

beyond the simplest of definitions, the term swiftly becomes prey to widely differing interpretations, particularly with regard to the level of moral understanding that intuition can offer, and from where it is drawn. One could sum up the notion of moral intuition as “the immediate apprehension of a [moral] object by the mind without the intervention of any reasoning process.”¹¹⁴ Yet, does the apparent immediacy of understanding truly imply a complete lack of moral reflection, as if the answer were completely ready-made?¹¹⁵ The presumption here is that because it appears that one “apprehends some moral object immediately,” no reasoning is therefore involved.¹¹⁶ However, some would question the lack of any process taking place, given the mind’s capacity for swift non-verbal conceptualisation. Indeed, although Cardinal Newman talked of “natural or material inference”¹¹⁷ as an “intuition,”¹¹⁸ or an “instinctive

¹¹⁴ William Lillie, *An Introduction to Ethics* (London: Methuen, 1948), 131.

¹¹⁵ The physicist Roger Penrose discusses the experience of non-verbal (though still conceptual) thought, which allows the mind often to “compress” analysis, memory and creative thought, such that something can be conceived of very quickly indeed. Penrose would argue that the function of the mind cannot be reduced purely to logical, algorithmic computation, as if it were a computer, since we have an appreciation of the aesthetic and a capacity to make mental leaps which cannot be explained by logic alone. The detail of his work does not apply here. However, his comments on compression should encourage us to question the idea that all that appears immediately is without reasoning behind it. See Roger Penrose, *The Emperor’s New Mind: Concerning Computers, Minds and the Laws of Physics* (London: Oxford University Press, 1990), 548-50, 576-81, at 549: “Almost all of my mathematical thinking is done visually and in terms of non-verbal concepts, although the thoughts are quite often accompanied by inane and almost useless verbal commentary, such as ‘that thing goes with that thing and that thing goes with that thing’.” Toner also raises the issue of people gifted with an “amazingly quick and unreflective form of reasoning on objective data,” which “could be mistaken even by [the individual] as well as by others for an intuition.” See Jules, J. Toner, *Discerning God’s Will: Ignatius of Loyola’s Teaching on Christian Decision Making* (St. Louis, MO: The Institute of Jesuit Sources, 1991), 190. Sydney Callahan would also affirm that intuition is far from an irrational activity, appearing now to be a complex mix of mental functions, which serve to prompt further (consciously reflective) investigation of a moral problem. Interestingly, she also refers to the thought of Roger Penrose on creative insight and swift forms of global reasoning. Cf. Callahan, *In Good Conscience*, 63-94, at 82-83.

¹¹⁶ Lillie, *An Introduction to Ethics*, 131. Of course, both connotations of immediate (i.e. without mediating means, and at a rapid pace), could be applicable to this description of intuition. Some may prefer to describe the idea of immediate understanding as ‘insight’. The terms seem to be almost interchangeable, though intuition highlights the inclusion of affective content.

¹¹⁷ Newman, *Grammar of Assent*, 260.

¹¹⁸ *Ibid.*, 262. Newman also sees such moral instinct as intrinsically linked to our created relationship with God, who is the ground for both the existence and morality of things. Thus, it is through conscience as a type of first principle that we can both search for the “Hidden God”, and arrive at a real, personal (rather than notional and abstract) assent of faith in a Divine Sovereign and Judge. See *ibid.*, 93, 96-97, 102, 104, 309; Merrigan, *Clear Heads and Holy Hearts*, 37; John Henry Newman, *Words of Conscience in Parochial and Plain Sermons*, edited and introduced by Fabio Attard (Valetta, Malta: Midsea Books, 2002), xxxviii. Note that although Newman acknowledges that there are external

apprehension” about what is right,¹¹⁹ this does not mean that he considered all forms of reasoning to be excluded from it. In fact, it is this natural capacity of “right judgment in ratiocination,” that he calls the “Illative Sense.”¹²⁰

Following the views of Newman and Penrose, I would therefore be of the opinion that much of what is often termed as intuition is in fact an experience of non-verbal conceptualisation, which, with the support of memory and emotion, swiftly reaches its conclusion.¹²¹ The fact that people also describe intuition at times as ‘gut feeling’¹²² indicates a clear affective quality, but this should not exclude the possibility that following a sensory experience, there flows, even unconsciously,¹²³ some form of vague, but swift reasoning, which, although may not follow the strict method of deduction, is nonetheless a rational process.¹²⁴ This means that although an individual may find it difficult to give clear reasons or express in logical terms the stages by which he or she reached a particular understanding, the ‘intuition’ is not

influences to our morality, he does not develop this in the *Grammar*, as it does not fit into the argument he is exploring. In contrast, as well as discussing the interior aspect of morality, Ratzinger highlights also the necessary role of community, both social and ecclesial, in counteracting subjectivity. Cf. Newman, *Grammar of Assent*, 304; Joseph Ratzinger, “Bishops, Theologians, and Morality,” in *On Conscience: Two Essays by Joseph Ratzinger* (Philadelphia: The National Catholic Bioethics Center; San Francisco: Ignatius Press, 1984; 2007), 43-75, at 53-58.

¹¹⁹ Newman, *Grammar of Assent*, 264, 263.

¹²⁰ See *ibid.*, 269, and 270-99 for elaboration on its nature and range of operation.

¹²¹ *Ibid.*, 261: “A peasant who is weather-wise may yet be simply unable to assign intelligible reasons why he thinks it will be fine tomorrow; and if he attempts to do so, he may give reasons wide of the mark; but that will not weaken his own confidence in his prediction. His mind does not proceed step by step, but he feels all at once and together the force of various combined phenomena, though he is not conscious of them.” Even in the complicated world of mathematics, Penrose says that the construction of a proof can initially have “a globality and seemingly vague conceptual content,” which “bear little relation to the time that it would seem to take in order fully to appreciate a serially presented proof.” See *The Emperor’s New Mind*, 576-77. This capacity for global, vague conceptual thought may well be critical in the functioning of intuition or insight.

¹²² For example, see Gula, *Moral Discernment*, 87.

¹²³ See Hogan, *Confronting the Truth*, 141 (highlighting intuitions based upon a sensitive reading of a person’s behaviour): “The person often experiences intuitions as surprising, as being outside conscious awareness. Yet, even though this may be true superficially, if one investigates it carefully one can usually account for an intuition. [...] Intuitions usually do have some basis in actual experience. They are rarely completely arbitrary and random. They usually result from being sensitive to the behavior of another person or from conclusions drawn from actions in another context.”

¹²⁴ In contrast to strict logical deduction, Newman calls this the “subtle and elastic logic of thought.” See *Grammar of Assent*, 281.

without structure, nor accumulated background knowledge.¹²⁵ Therefore, the swift and partly inexplicable nature of an intuition should not necessarily bar it from contributing to the judgement of conscience. Nevertheless, just like deductive reasoning, an intuition can be affected by bias, prejudice, strong emotions, memories, sin or temptation,¹²⁶ and so the reliability of an intuition, or swift global judgement, needs to be tested carefully.¹²⁷

2.2.5 Grace and the Question of Discernment in Conscience

Discernment is another word which is used in different ways, thus making its inclusion and clear application in moral theology difficult, to say the least. We have already seen that Richard Gula uses it to sum up the whole process of moral decision-making. However, here I would like to focus upon discernment as understood in spiritual theology – a decision made under the prompting of the Holy Spirit. Like emotion and intuition, discernment has been considered by some to be something of an anomaly in moral theology, probably as it is hard to describe, and runs the risk of being purely subjective. This would be the view of writers such as Grisez and Shaw:

¹²⁵ Ibid., 261: “there is a method in it, though it be implicit.” That having been said, some would still argue for the legitimacy of immediate intuition in morals. Bernard Hoose argues that “*intuitions can and do play a bigger role than theologians have hitherto conceded.*” Hoose points out that we have an innate, intuitive foundation for our moral understanding, since we have “an intuitive awareness or knowledge” of the self-evident principles of the practical realm through the *habitus* of *synderesis*. By means of a comparison of Aquinas with the intuitionist philosophers G.E. Moore and W.D. Ross, he comes to the conclusion that we have a natural capacity to intuit as self-evident that certain actions, such as slavery and the torture and execution of heretics, are clearly wrong. However, I do not find Hoose’s argument convincing. Firstly, I think he has mixed the two levels of conscience, and as a result overstretched what belongs to conscience as self-evident, without the need for moral reasoning to take place. Moreover, the fact that some individuals recognised the wrongness of certain activities prior to any widespread public outcry does not necessarily imply that they must have intuited the true nature of these acts. See Bernard Hoose, “Intuition and Moral Theology,” *Theological Studies* 67 (2006): 602-24, at 602 (emphasis in text). On the problem of confusing the first, or ontological, level of conscience (*synderesis*) with the act of judgement of the second level, see Twomey, *Pope Benedict XVI*, 136.

¹²⁶ Cf. Newman, *Grammar of Assent*, 261: “in ordinary minds it [natural inference] is biased [*sic*] and degraded by prejudice, passion and self-interest”; Hogan, *Confronting the Truth*, 141.

¹²⁷ Hogan, *Confronting the Truth*, 142: “One has to determine if an intuition is well founded, if the conclusions drawn from it are warranted, if this intuition is consistent with the rest of one’s beliefs and values, if the normal requirements of evidence are fulfilled.”

It is a sign that one has not reached this ideal state of conscience formation if, knowing the relevant facts in a situation, one remains in doubt about whether one may or may not do something. What then? Today it is fairly common for people, particularly persons of a religious bent, to turn to what they call discernment: "I'm going to 'discern' whether this choice would be right, and then follow my conscience." Discernment has an honorable place in the spiritual life, but this is not it. In such cases, 'discernment' is simply another name for falling back on one's feelings and doing as they dictate. This way of proceeding easily leads to persistent rationalization in support of a practice of sinning.¹²⁸

Grisez and Shaw are right to criticise any misuse of spiritual discernment.¹²⁹

Nevertheless, "the possibility of abuse does not do away with the use,"¹³⁰ if the use does indeed have an application to the question in hand. Therefore, it would be wrong to pass over the issue of discernment with such alacrity, as if it were so much spiritual woolly thinking or the excuse for not confronting wrongdoing.¹³¹ So does prayerful discernment have any place in conscience? I would suggest that a balance between two extremes needs to be found. One extreme, as we have seen, virtually excludes it from moral deliberation, largely leaving it on the level of life choice. The other, however, probably exceeds the level of prescription in particular situations that is possible without the use of deduction in tandem, or at least its use in confirmation, which probably gives fuel to the view that would exclude its involvement. How would we define spiritual discernment in relation to deductive judgement? Our understanding of the notion is rooted in the Bible, and so we should look there first, before turning our attention to later Christian spiritual works.

¹²⁸ Grisez and Shaw, *Fulfillment in Christ*, 34.

¹²⁹ Cf. Toner, *Discerning God's Will*, 101: "Some seem ready to refer to any decision as a 'discernment' even though made without any understanding or serious, well-informed effort to reach indifference to all but God's will by sound method. Such so-called discernment appears to others as, at best, the consequence of ignorance and, at worst, a camouflage for laziness and/or self-will."

¹³⁰ Curran, "Conscience," 17.

¹³¹ One might imagine that Grisez and Shaw would therefore only limit their presentation of discernment to that of vocational choice or a personal vocation to a moral Christian life which matches God's call to holiness. Indeed, this is clearly a major thread in their writing. However, they also use the term to describe the binding force of the judgement of conscience: "Discerning what one takes to be the truly good – and, for a Christian, holy – thing, one only need make up one's mind to do it." See Grisez and Shaw, *Fulfillment in Christ*, 30. For a comparison of uses of discernment, cf. *ibid.*, 77, 120, 257, 273, 321, 325, 332, 340, 361-64 (all related to vocation), and 30, 368 (related to conscience).

In the broadest terms, discernment could be described as a mix of examination, recognition, understanding and judgement. Different words in the Bible are used to describe the idea, and so it would be useful to note these, so as to build up a picture of what it involves. Jesus criticises the crowds who are able to recognise the consequences of changes in the weather, but are not able to recognise the time of the Kingdom (*kairos*), and the consequence of repentance and reconciliation with God (Lk 12:54-56).¹³² The Greek word used is *dokimazein*, one which spans the ideas of ‘prove’, ‘test’, ‘examine’, ‘verify’, ‘distinguish’, ‘discern’ and ‘judge’.¹³³ Such a collection of nouns clearly implies a complex process and not some kind of bolt out of the blue experience. Christ’s challenge to the crowd obviously had a spiritual context. The same is true for St Paul and St John, who both discuss the issue of the discernment of spirits. Paul lists the ability to distinguish (*diakrasis*) between good and bad spirits as one of the gifts of the Holy Spirit (1 Cor 12:10). John discusses the testing of spirits (*dokimazein*) to be able to recognise (*ginōskein*) the Spirit of truth from a spirit of falsehood (1 John 4:1-6). Once again, we see that the biblical description of discernment of what is good (or conducive to salvation) involves a process of examination, recognition, and judgement, but always made in the context of the spiritual life. This leads us to conclude that the “work of discernment is obviously not an easy task, nor the fruit of a judgement that is purely theoretical,

¹³² Giuseppe Trentin, “Coscienza e Discernimento: Osservazioni in Margine alla Nota Pastorale dei Vescovi Italiani dopo Loreto,” in *La Coscienza Morale Oggi: Omaggio al Prof. Domenico Capone*, ed. Marian Nalepa and Terence Kennedy, *Quaestiones Morales*, no. 3 (Rome: Editiones Academiae Alphonsonianae, 1987), 641-54, at 644.

¹³³ Cf. Xavier Léon-Dufour, “Discern,” in *Dictionary of the New Testament*, trans. from 2nd rev. French ed. by Terrence Prendergast (London: Geoffrey Chapman, 1980), 165; Ceslas Spicq, “*Dokimazō*,” in *Theological Lexicon of the New Testament*, vol. 1, trans. and ed. James D. Ernest (Peabody, MA: Hendrickson, 1994), 353-57, at 356: “*Dokimazō* means ‘discern’ what is important to do, the best course to follow, the decision to make, and especially to discern what is pleasing to the Lord (Eph 5:10), which presupposes spiritual renewal and the possession of love, which consequently gives a religious sense, a kind of spiritual instinct that allows a person to recognize true values (Rom 12:2).”

abstract and detached from life.”¹³⁴ On the contrary, spiritual discernment is very much rooted in human existence, particularly a life shaped by grace and faith. The notion of discernment is therefore important in the description of conscience, as it highlights “the recovery of the relationship between *faith and morals*,” leading to a fuller understanding of the nature of conscience, rather than confining oneself to a definition solely from juridical or philosophico-naturalistic models.¹³⁵ This means that discernment rightly understood is a broader notion than an act of judgement, and clearly depends upon the action of grace for its operation.

However, when one thinks of discernment often one’s initial impression is that it is about receiving direct insights from the Holy Spirit. Indeed, the classic treatises on the discernment of spirits usually discuss three types of phenomena: “revelations and visions that come from outside the person, internal enlightenment or impulses concerning a determinate object of choice, and general states of consolation or desolation that the soul experiences.”¹³⁶ So should we consider the role of discernment in conscience as an experience of direct understanding of what is right in a particular case, or is it the case that the grace of the Holy Spirit assists reason, so that we are helped in our process of working something out? Although the Christian faith would acknowledge occasions of deep encounter with God, leading to a change in the direction of someone’s life and actions,¹³⁷ ordinarily the prompting of the Holy Spirit is less straightforward and harder to perceive. So if God’s will is not normally so blindingly obvious, what do internal, spiritual impulses and experiences of

¹³⁴ Trentin, “Coscienza e Discernimento,” 644-45: “Questa opera di discernimento non è ovviamente un’opera facile, né il frutto di un giudizio puramente teorico, astratto, avulso dalla vita.”

¹³⁵ *Ibid.*, 647, “il recupero del rapporto *fede e morale*” (emphasis in text).

¹³⁶ Curran, “Conscience,” 10.

¹³⁷ Just think of the conversion experience of St Paul (Acts 9:1-19). St Ignatius of Loyola describes the call of Saints Matthew and Paul as examples of “first-time election”, where the will is a drawn immediately and without any doubt to what God is calling the individual to do. There is no need for discernment in this circumstance. See Ignatius of Loyola, *The Spiritual Exercises*, in *Spiritual Exercises and Selected Works*, trans. and ed. George E. Ganss, (New York and Mahwah: Paulist Press, 1991), no. 175 (page 162).

peaceful consolation offer to the activity of moral decision-making? Although many other spiritual writers and saints, such as John Cassian, Gregory, Bernard of Clairvaux, Thomas à Kempis, Teresa of Avila, John of the Cross and Francis de Sales, wrote on discernment,¹³⁸ for brevity, in exploring this question here I will confine my comments to Saint Ignatius of Loyola.

First of all, it should be noted that the process of spiritual deliberation presented by St Ignatius is articulated so as to reach a significant choice or decision, which he calls an 'election'.¹³⁹ A major concern is with vocations, such as priesthood or marriage, which he calls 'unchangeable elections'.¹⁴⁰ However, equally, Ignatius also recognises the need to discern in matters which will affect one's life, but in a temporary way, such as whether to accept or refuse goods, something which he calls 'changeable elections'.¹⁴¹ Therefore spiritual discernment is concerned with a well-ordered seeking to know, and hence choose, God's will, in particular circumstances where it is unclear as to what that will is.¹⁴²

From the outset of the *Spiritual Exercises*, it is clear that Ignatius considers a person to be subject constantly to spiritual challenge and support.¹⁴³ As such Karl Rahner declares that "Ignatius reckons on psychological experiences, arising in consciousness, which originate from God" (as well as from Satan, and good and evil

¹³⁸ Jules J. Toner, *A Commentary on St. Ignatius' Rules for the Discernment of Spirits* (St. Louis, MO: The Institute of Jesuit Sources, 1982), 7.

¹³⁹ Ignatius of Loyola, *Spiritual Exercises*, nos. 169-174 (pages 161-62). See also the subtitle of the *Spiritual Exercises*, which describe their purpose as reaching ordered decisions for life ("To overcome oneself, and to order one's life, without reaching a decision through some disordered affection."). See *ibid.*, no. 21 (page 129).

¹⁴⁰ *Ibid.*, no. 171, (page 162).

¹⁴¹ *Ibid.* On the basis of this, I think Grisez and Shaw oversimplify discernment by keeping it largely to the broad level of lifestyle or personal vocation.

¹⁴² Toner, *Discerning God's Will*, 26.

¹⁴³ Here we are talking mostly of what Ignatius describes as second-time elections. Nevertheless, divine help is clearly understood as essential to first-time experience, and still part of the reasoning and weighing up process described as third-time election. Cf. Ignatius of Loyola, *Spiritual Exercises*, nos. 175-183 (pages 162-64)

angels).¹⁴⁴ This means that St Ignatius “believes in the possibility of a manifestation of the divine will (not derivable from the universe and its principles and facts) which may concern the individual as such and his individual decision.”¹⁴⁵ Here Rahner is presenting the case that, in keeping with the thought of St Ignatius, we should take seriously the influence of the Holy Spirit in our lives by accepting the possibility of his intervention, rather than explain everything away as the result of the subconscious, memory, logic or some kind of change in mood, even when there is no instance of psychopathology.¹⁴⁶ While taking into account the developments of modern psychology, Rahner still thinks it naive to believe that Ignatius was not aware of most of this, and so the charge of Illuminism or “uncontrollable mysticism” should not pertain to Ignatius.¹⁴⁷ Indeed, apart from the rare instances of first-time election, Ignatius’s description of discernment presumes time and repetition in a calm state.¹⁴⁸

Nevertheless, Ignatius is sure that we can be guided by God in a variety of ways, many of which are not confined to our rational capacities. Rahner therefore concludes that St Ignatius has an understanding of how we reach decisions which is not fully contained in syllogistic deductive ethics.¹⁴⁹ So how does God lead us to

¹⁴⁴ Karl Rahner, “The Logic of Concrete Individual Knowledge in Ignatius Loyola,” in *The Dynamic Element in the Church*, Quaestiones Disputatae series, no.12, trans. W.J. O’Hara (Freiburg: Herder; London: Burns & Oates, 1964), 84-169. Original text: “Die Logik der existentiellen Erkenntnis bei Ignatius v. Loyola,” in *Das Dynamische in der Kirche* (Freiburg: Herder, 1958), 74-148. Cf. Ignatius of Loyola, *Spiritual Exercises*, nos. 330-31 (pages 205-206).

¹⁴⁵ Rahner, “Individual Knowledge in Ignatius Loyola,” 92. Cf. *ibid.*, 94: “If one attends calmly and objectively and tries to learn from Ignatius, without claiming to know beforehand what he is permitted to say, one cannot but come to the conclusion that in the Exercises Ignatius candidly assumes that a man has to reckon, as a practical possibility of experience, that God may communicate his will to him. And the content of this will is not simply what can be known by the rational reflection of a believing mind employing general maxims of reason and faith on the one hand and their application to a definite situation that has also been analysed in a similar discursively rational way, on the other.” See also Toner, *Discerning God’s Will*, 36: “Within that relationship of personal communion, Ignatius believes, we are open to receive the divine influence, mediate or immediate, on our discernment.”

¹⁴⁶ Rahner, “Individual Knowledge in Ignatius Loyola,” 141-42.

¹⁴⁷ *Ibid.*, 142, 94.

¹⁴⁸ Cf. *ibid.*, 159, 166;

¹⁴⁹ *Ibid.*, 122, at 169: “It is not the logic of a deductive ethics of general principles, though this too is necessary and the Exercises take its existence for granted. It is a logic of concrete individual

recognise his will? Briefly stated, Ignatius divides the occasions for recognising and choosing God's will into three times. The first time, as has already been noted, contains such a clarity that there is no doubt as to what God's will might be.¹⁵⁰ The second time is rooted in spiritual impulses or counsels backed up by experiences of consolation or desolation, caused by good and bad spirits. Thus, the second time of election is properly the occasion for a discernment of spirits, to test the origin of these impulses, always with the desire to seek God's will and glory.¹⁵¹ The third time is described as a tranquil period, in which the soul is not moved by spiritual experience, but rather is called to discern by means of one's natural faculties, such as reason.¹⁵² In addition to this, Ignatius is of the opinion that people not only discern in different 'times', but in different ways within these times, and so he offers different methods, and even two levels of discernment of spirits. Thus, we can see that Ignatius presents a variety of contexts for recognising or discerning God's will, yet in all of them, to a greater or lesser extent God's help in recognising that will is present and active. Even in the third time election, which is dependant upon one's natural faculties, such as "insight, reason, imagination, memory and will,"¹⁵³ is not determined by these capacities alone. Indeed, third-time election starts and finishes with prayer to God asking for help, initially "to put into my mind what I ought to do in regard to the

knowledge which can only be attained in the actual accomplishment of concrete cognition itself, in this instance knowledge of the particular will of God addressed to the individual as such."

¹⁵⁰ Ignatius of Loyola, *Spiritual Exercises*, no. 175 (page 162): *The First Time* is an occasion when God our Lord moves and attracts the will in such a way that a devout person, without doubting or being able to doubt, carries out what was proposed" (emphasis in text). Cf. Toner, *Discerning God's Will*, 107-29.

¹⁵¹ Ignatius of Loyola, *Spiritual Exercises*, no. 176 (page 163): "*The Second Time* is present when sufficient clarity and knowledge are received from the experience of consolations and desolations, and from the experience in the discernment of various spirits" (emphasis in text). Cf. Toner, *Discerning God's Will*, 130-60.

¹⁵² Ignatius of Loyola, *Spiritual Exercises*, no. 177 (page 163): "*The Third Time* is one of tranquility [*sic*]. [...] By a time of tranquility I mean one when the soul is not being moved one way and the other by various spirits and uses its natural faculties in freedom and peace." (emphasis in text). Cf. Toner, *Discerning God's Will*, 161-190.

¹⁵³ Toner, *Discerning God's Will*, 167.

matter proposed,”¹⁵⁴ and then to offer what has been reached in the election, “to beg his Divine Majesty to receive and confirm it, provided that it is conducive to his greater service and praise.”¹⁵⁵ Therefore, even when reasoning and imagination are to the fore, God’s help underpins the whole exercise.¹⁵⁶ Given that some communication of the divine will is presumed in all instances, how should we describe it?

Rahner focuses his analysis on a comment made at the beginning of the second set of rules on discernment of spirits, namely that “Only God our Lord can give the soul consolation without a preceding cause [that is, one which is not dependent upon any previous or intervening stimulus]. For it is the prerogative of the Creator alone to enter the soul, depart from it, and cause a motion in it which draws the person wholly into love of his Divine Majesty.”¹⁵⁷ Rahner describes this as the “fundamental consolation,”¹⁵⁸ a “wordless experience”,¹⁵⁹ or “‘non-conceptual’ experience of God,”¹⁶⁰ which as such acts as the necessary “condition of the possibility of all cognition,” and is as such “without error.”¹⁶¹ However, this experience is not only an intellectual phenomenon, but also an experience of freedom and love, which makes it a consolation to the soul.¹⁶² For Rahner this non-conceptual

¹⁵⁴ Ignatius of Loyola, *Spiritual Exercises*, no. 180 (page 163)

¹⁵⁵ *Ibid.*, nos. 183, 188 (pages 164-65).

¹⁵⁶ Here Rahner is inconsistent. He notes that even in this more deductive method, Ignatius understands that God still guides and confirms the decision. Yet later on he is more ambivalent, describing third-time election either as a situation of a person having to “fend for himself with his reasonings and reflections,” or as a tranquil period of reasoning under the influence of the motion of a good spirit. Cf. Rahner, “Individual Knowledge in Ignatius Loyola,” 96, 168; Toner, *Discerning God’s Will*, 164.

¹⁵⁷ Ignatius of Loyola, *Spiritual Exercises*, no. 330 (pages 205-206).

¹⁵⁸ Rahner, “Individual Knowledge in Ignatius Loyola,” 158.

¹⁵⁹ *Ibid.*, 153. For corroboration of this understanding, Rahner refers to the letter to Teresa Rejadell, in which Ignatius says that “[God] opens up our soul; that is, he speaks inside the soul without the din of words, raising it up wholly to his divine love, so that we are incapable - even if we wanted to - of resisting his intention.” For an English translation of the letter, see Ignatius of Loyola, *Selected Letters no.3: To Teresa Rejadell: On Discernment of Spirits*, in *Spiritual Exercises and Selected Works*, trans. and ed. George E. Ganss, (New York and Mahwah: Paulist Press, 1991), 332-338, at 337.

¹⁶⁰ Rahner, “Individual Knowledge in Ignatius Loyola,” 129.

¹⁶¹ *Ibid.*, 149-50.

¹⁶² *Ibid.*, 150.

experience of “transcendence pure and simple”¹⁶³ is the measure to which the object of election is compared, with the synthesis of the two either bringing peace and tranquillity or a disturbance to the soul, meaning in the latter case that the object should not be chosen.¹⁶⁴

Toner would disagree with Rahner’s analysis that a wordless consolation without previous cause is a necessary presupposition for every occasion of discernment, as if this experience alone acted as the general premise of a supernatural logic.¹⁶⁵ I would agree with Toner that this is reading into the text. Indeed, such a description is only presented in the context of a “more probing discernment of spirits.”¹⁶⁶ Nevertheless, one can still affirm that what Rahner arrives at in describing “a ‘perception’ or ‘sense’ of God” or his will potentially applies to all situations of prayerful discernment.¹⁶⁷ The supernatural logic that Rahner aims to explore does not require a consolation without previous cause.¹⁶⁸ The object of election is the occasion of some sort of spiritual consolation, even when a person’s understanding and will have been involved. This is why God is asked to confirm one’s reflections on the problem in hand to communicate an experience of peace. In determining how discernment relates to deduction and to moral conscience in general, the key issue is not so much how God communicates the confirmation, but rather how we perceive it. Toner offers a useful clarification here, that the perception is not so much intellectual, as volitional. Thus, at the heart of spiritual discernment we find communication

¹⁶³ Ibid., 149.

¹⁶⁴ Ibid., 158.

¹⁶⁵ Toner, *Discerning God’s Will*, 301-313, at 305; Rahner, “Individual Knowledge in Ignatius Loyola,” 155.

¹⁶⁶ Ignatius of Loyola, *Spiritual Exercises*, no. 328 (page 205).

¹⁶⁷ Rahner, “Individual Knowledge in Ignatius Loyola,” 154.

¹⁶⁸ Ignatius of Loyola, *Spiritual Exercises*, no. 331 (page 206): With or by means of a preceding cause [i.e. some perception or understanding of the object], both the good angel and the evil angel are able to cause consolation in the soul, but for their contrary purposes.”

between God and the individual on the affective level.¹⁶⁹ However, this is not some blind impulse from God, which bypasses human freedom.¹⁷⁰ Rather, we are dealing with a union of wills, human with divine, achieved in love through grace.¹⁷¹ This means that the counsel from spiritual consolation “is a *sentiment*, a judgment by affective connaturality,” where the person’s will is attuned to God’s will.¹⁷²

That having been said, for the most part, such affective cognitions should not be understood as containing absolute certainty, which is why the discernment process calls for scrutiny and repetition in prayerful humility.¹⁷³ Nor should such affective cognitions be understood as being opposed to reason, nor operating at odds with moral law.¹⁷⁴ Indeed, this is very much presumed by Ignatius and is considered by him to be part of the ground rules for authentic discernment. The context presumes moral knowledge, fidelity to Church teaching and a teleology of action, which serves to praise God and which is in keeping with eternal salvation.¹⁷⁵ The fact that moral

¹⁶⁹ Toner, *Discerning God's Will*, 134 and at 163; “Volitional impulse or desire, however, is in one way or another both a necessary presupposition or discernment in every mode and an element in each time for discernment.” Cf. Rahner, “Individual Knowledge in Ignatius Loyola,” 154.

¹⁷⁰ Toner, *Discerning God's Will*, 136: “The impulse, then is a conscious movement of the will as intellectual conation and, as such, is consciously motivated by love, the root of all volitional desires and aversions.”

¹⁷¹ Cf. Ratzinger, “Bishops, Theologians, and Morality,” 52: “Morality means the free ‘yes’ given by one will to another, in this case, the conformity of man to the will of God and the consequent correct perception of things as they really are.”

¹⁷² Toner, *Discerning God's Will*, 137 (emphasis in text).

¹⁷³ *Ibid.*, 147: “[Experience of a consolation] gives no absolute assurance that the Holy Spirit is the prompting source of the counsel. Until shown otherwise, the consolation favors that interpretation but does not exclude our being lead by ‘our own’ thoughts and desires or by an evil spirit. That is why no single second-time experience can ordinarily, if ever, yield adequate evidence regarding God’s will and why Ignatius looks for plentiful light and understanding from many such experiences.”

¹⁷⁴ Rahner, “Individual Knowledge in Ignatius Loyola,” 91 : “It goes without saying that with an Election [...] all principles of general abstract ethics, of universal natural law, of moral precepts of the gospel must not only be observed, that is, may not be infringed, but also must exercise a positive, discriminating, directive function. The only question is whether that is all that is involved and whether it is sufficient.”

¹⁷⁵ Ignatius sums up his presuppositions in his explanation of elections and in his description of the third-time election. See *Spiritual Exercises*, no. 170 (page 161): “It is necessary that all the matters about which we wish to make an election should in themselves be either indifferent or good, so that they function constructively within our Holy Mother the hierarchical Church, and are not bad or opposed to her”; *ibid.*, no. 177 (page 163): “I consider first the end for which I was born, namely, to praise God our Lord and save my soul; then, desiring this, as the means I elect a life or state of life

knowledge is presumed is clearly indicated in the first set of rules for discernment, which begin with a reference to *synderesis*. Thus, in the case of people who are stumbling “from one mortal sin to another,” the “good spirit” [...] “stings their consciences with remorse” by means of their *synderesis* (*por el synderese*) in order to draw the person away from sin.¹⁷⁶ In addition, after discussing the purpose and effect of consolations and desolations, these rules also conclude with a reference to the “theological, cardinal and moral virtues,” and the efforts of the “enemy of human nature” to find the weaknesses in our practice of them.¹⁷⁷ Therefore, prayerful discernment is not made in a vacuum, and so the affective cognitions which draw the human will to serve God’s will are at the same time understood as only making sense if they follow God’s moral law, as known by reason.¹⁷⁸ Hence, discernment is to be seen not in conflict, but in harmony with moral knowledge and deduction, assisting the person in his or her conscientious decision to reach a greater degree of fidelity to God.

within the bounds of the Church, in order to be helped in the service of my Lord and the salvation of my soul.”

As such, models which include the rejection of Church teaching on account of knowledge intuited connaturally in a state of grace would simply have been inconceivable for St Ignatius. One example of this view is presented by John Glaser, who combines a loose interpretation of Rahner’s comments on non-conceptual knowledge (which Glaser calls “preconceptual”), with ideas on inclination and intuition from Maritain and Fuchs. Thus Glaser considered systematic, conceptually formulated knowledge to be secondary to preconceptual knowledge, and only contains a portion of “a richer primary knowledge,” which we intuit in a state of grace. Thus, in the moral sphere, the connatural intuitive application of general moral principles to concrete situations not only has “genuine authority,” but also “superior insight” to any conceptual formulations, giving justification for challenges to the formal moral teaching of the Church. See John W. Glaser, “Authority, Connatural Knowledge, and the Spontaneous Judgment of the Faithful,” *Theological Studies* 29 (1968): 742-51, at 751. Cf. Jacques Maritain, *The Range of Reason* (New York: Charles Scribner’s Sons, 1952), 16-28; Josef Fuchs, *Theologia Moralis Generalis* (Rome: Pontificia Universitas Gregoriana, 1965), 154, 48. For Grisez’s critique, see Germain Grisez, *The Way of the Lord Jesus*, I, 81, 95, n. 18.

¹⁷⁶ Ignatius of Loyola, *Spiritual Exercises*, no. 314 (page 201). Here *synderesis* is translated as “habitual sound judgment on problems of morality.” However, note 135 on page 425 indicates that the original Spanish was “*Por el synderese*.”

¹⁷⁷ *Ibid.*, nos. 316-327 (pages 202-205), at no. 327.

¹⁷⁸ Cf. Baldwin of Canterbury (d. 1191), *Tractatus Sextus*, PL 204, 451-468, at 467A: (Speaking of directing one’s intention to doing God’s will in simplicity of heart) “*Haec est autem vera discretio, rectae cogitationis et pia intentionis conjunctio*” [And this conjunction of right thought and holy intention is true discernment.].

Discernment, practiced in the context of the gifts of the Spirit,¹⁷⁹ thus forms part of the moral life and part of the workings of conscience. Discernment is an example of the life of grace affecting our moral action,¹⁸⁰ where our conscience is completely open to the Spirit,¹⁸¹ but the extent of the influence of grace and holiness in morals goes well beyond the capacity for connatural affectivity, as we shall see later. The whole Christian life of virtue is inextricably linked to grace in that we are called to choose not only what is right and good, but what is best and according to God's will. We shall return to this, however, in the subsequent chapters on virtue and holiness.

The purpose of this section was to discuss whether conscience is limited to a deductive process or is also influenced by a variety of other elements. Our exploration of the question leads us to conclude that conscience is much more than simply deductive reasoning, but that this still remains the backbone of its judgements. This conclusion, however, raises another question, namely, concerning the limitations of human reasoning.

2.3 Hopelessly Flawed Thinkers – Hopelessly Flawed Doers?

Having explored the nature of practical deduction, and the role of other human capacities in the judgement of conscience, we can conclude this section with a brief

¹⁷⁹ Häring sees discernment as a virtue of critique under the virtue of prudence. As the gifts of the Spirit work hand in hand with virtue, the gifts also will affect discernment. See Häring, *Free and Faithful in Christ*, I, 255; *The Law of Christ*, I, 298: "The gifts of the Holy Spirit complete and perfect prudence particularly in regard to right knowledge of self, to 'the testing of spirits,' affecting us through profound movements and impulses." We shall return to the gifts in the final chapter.

¹⁸⁰ Toner, *Discernment of Spirits*, 69. Accordingly, as an expression of the impact of the life of grace on moral action, rather than setting it aside as irrelevant, I would agree with Rahner's proposition that Ignatius's ascetical theology of discernment should be incorporated into moral theology. See Rahner, "Individual Knowledge in Ignatius Loyola," 170. Pope Benedict would also support giving a greater place to the wisdom of the saints in morality, since he thinks that they have "the greatest right" to speak about it. See Ratzinger, "Bishops, Theologians, and Morality," 56.

¹⁸¹ Cf. Häring, *Free and Faithful in Christ*, I, 256.

review of the reliability of reason. The Scholastics acknowledged that the devil was in the detail (pun intended, given also the influence of sin on reasoning), in that greater error arose in the particulars.¹⁸² Indeed, Pangallo points out that the introduction of the syllogism by Albert into the Christian treatise on conscience was to explain “the mystery of the human heart, ordered to the Good, but tending to evil.”¹⁸³ Thus, the use of the syllogism to describe conscience reflects Aristotle’s original purpose in using it to explain the Socratic paradox of virtue.¹⁸⁴ Socrates presumed that if one knew what to do, one would do it, and so all action which “conflicts with what is best” is the result of ignorance alone.¹⁸⁵ However, Aristotle rejected this opinion by identifying another principle cause, namely, the state of incontinence (*akrasia*), in which an individual does not act upon his/her knowledge, and therefore lacks virtue.¹⁸⁶ It is in this context that, alongside the description of how an appetite can overpower a person’s knowledge of the good, Aristotle also presents the structure of the practical syllogism as a part-explanation of the discrepancy between knowledge and action caused by ignorance, incapacity or incontinence.¹⁸⁷ His final analysis is that the conclusion of the syllogism can be corrupted by a premise of false belief resulting from plain error, or distortion due to strong emotions or desires.¹⁸⁸

¹⁸² For example, cf. Albert the Great, *Summa de Creaturis*, II, q.71, a.2, sol.: “et quia circa particularia est error maximus, propter hoc ratio frequenter decipitur”; Aquinas, *Summa Theologica*, Ia IIae, q.94, a.4, resp.: “Et hoc tanto magis invenitur deficere, quanto magis ad particularia descenditur”; idem, *De Veritate*, q. 17, a.2, ad 2: “conscientia addit supra scientiam applicationem scientiae ad actum particularem; et in ipsa applicatione potest esse error, quamvis in scientia error non sit. Cf. idem, *Truth*, q. 17, a.2, ad 2: “Conscience adds to scientific knowledge the application of that knowledge to a particular act. There can be error in the application, although there is not error in the scientific knowledge itself.”

¹⁸³ Pangallo, *Legge di Dio*, 96: “Per illustrare il mistero del cuore umano, ordinato al Bene ma propenso al male, S. Alberto deve chiarire in sede filosofica il processo di riconoscimento del bene nell’uomo, valorizzando il sillogismo pratico aristotelico senza però dimenticare la filosofia della volontà e la filosofia della libertà, che in ogni tempo accompagnano il pensiero cristiano.”

¹⁸⁴ Crowe, “St. Thomas and *Synderesis*,” 234.

¹⁸⁵ Aristotle, *Nicomachean Ethics*, VII, 1145b 25-30.

¹⁸⁶ *Ibid.*

¹⁸⁷ *Ibid.*, VII, 1146b 35-1147b 19.

¹⁸⁸ Aristotle points out that particulars are controlled by perception. Thus, if the perception is distorted by desire, the minor premise would be ill-conceived, and so the wrong choice would be made.

This background detail should help us to realise that from the outset the practical syllogism was not only presented as an attempt to explain the function of moral deliberation, but also as an acknowledgement and means of explaining the malfunction of that same moral deliberation. Consequently, any moral theory rooted in deduction of moral norms which does not give adequate recognition of the limits of reason is not sufficiently grounded in reality. Indeed, the Scholastics not only came to the conclusion that reason can be tripped up, they also concluded that this was a frequent occurrence,¹⁸⁹ and that deductive error can be accounted for not only through faulty content, largely in the minor premise, but also through a fault in the deductive process itself.¹⁹⁰ We have, in passing mentioned the key causes of deductive error. However, it may be of use to pause for a moment to consider the causes in relation to errors of function and errors of content.

See *ibid.*, VII, 1147a 25-1147a 35. In the context of faith, sin is at times defined in terms of a disruption of the appropriate desirability of certain goods in relation to higher goods. Here temptation distorts the perception of the reality that one encounters. See St Augustine, *De Magistro*, II, 19, PL 32, 1269: “Voluntas autem aversa ab incommutabili et communi bono et conversa ad proprium bonum, aut ad exterius, aut ad inferius, peccat”; Aquinas, *Summa Theologica*, Ia IIae, q.73, a.1, resp., ad 3; Ia IIae, q.78, a.1. Cf. Grisez, *The Way of the Lord Jesus*, I, 319.

¹⁸⁹ For example, cf. Albert the Great, *Summa de Creaturis*, II, q.72, a.2, ad obj.1: “Qualiter deponenda sit? Dicendum, quod per examinationem minoris propositionis, quae assumitur a ratione; haec enim frequenter falsa est: et si examinaretur, ultro se offeret falsitas ejus, et tunc cessabit conscientia”; Aquinas, *In II Sententiarum*, dist. 24, q.2, a.3, sol.: “Sicut est de motu rerum naturalium, quod omnis motus ab immobili movente procedit [...] ita etiam oportet quod sit in processu rationis; cum enim ratio varietatem quamdam habeat, et quodammodo mobilis sit, secundum quod principia in conclusiones deducit, et in conferendo frequenter decipiatur; oportet quod omnis ratio ab aliqua cognitione procedat, quae uniformitatem et quietem quamdam habeat...”

¹⁹⁰ Aquinas, *De Veritate*, q. 17, a. 2, resp: “In qua quidem applicatione contingit esse errorem dupliciter: uno modo, quia id quod applicatur, in se errorem habet; alio modo ex eo quod non recte applicat. Sicut etiam in syllogizando contingit peccatum dupliciter: vel ex eo quod quis falsis utitur, vel ex eo quod non recte syllogizat.” Cf. *idem*, *Truth*, q. 17, a. 2, resp: “Error, however, can occur in this application in two ways; in one, because that which is applied has error within it, and, in the other, because the application is faulty. Thus, in using a syllogism, mistakes can happen in two ways: either from the use of false premises, or from faulty construction of the syllogism.”

2.3.1 Errors of Function

Given the universal experience of making mistakes, it should be beyond question that, to some degree, the process of human reasoning is in itself fallible in every person. Yet, surprisingly, even until recent times, some have held that logical error in humans is impossible, and that the universal principles of logic are always applied flawlessly. Thus, according to this view, error is only the result of a mistake in the content of a premise.¹⁹¹ However, such an understanding does not stand up to current scientific scrutiny, which upholds the view that “people are rational in principle, but fallible in practice.”¹⁹²

St Thomas identified logical error as a moral issue, but did not make a lengthy study of the matter. It is true that we could identify senility, tiredness, emotion or sin as major factors in derailing the train of practical deduction,¹⁹³ but modern studies are able to elaborate further upon this to explain other causes rooted in the limits of reason itself. The first and most obvious cause is the complexity of the deduction itself. Although some syllogistic deductions “are so easy that a nine year old child can spontaneously draw a correct conclusion, [...] others are so hard that barely any adults

¹⁹¹ Johnson-Laird and Byrne point out that this view owes its development to writers such as Spinoza, Leibniz, Kant and Boole. Cf. Johnson-Laird and Byrne, *Deduction*, 18. For modern examples, cf. L. Jonathan Cohen, “Can Human Irrationality Be Experimentally Demonstrated?” *Behavioral and Brain Sciences*, 4 (1981): 317-70; Mary Henle, “The Relation between Logic and Thinking,” *Psychological Review*, 69 (1962): 366-78; idem, Foreword to Russell Revlin and Richard E. Mayer, eds., *Human Reasoning* (Washington, DC: V.H. Winston, 1978), xii-xviii, at xviii: “I have never found errors which could unambiguously be attributed to faulty reasoning.” Henle believes that mistakes only occur in reasoning because people forget or re-interpret the premises, or import material that is extraneous to the deduction in hand. Similarly, Cohen considers error to be the result of poor performance or educational ignorance rather than naturally faulty competence. In other words, human thought is not irrational: just mistaken or lacking in education. The article cited above by Cohen also contains extensive critique (both for and against this view) by other authors from a range of fields.

¹⁹² Johnson-Laird and Byrne, *Deduction*, 19.

¹⁹³ Aquinas, *Summa Theologica*, Ia IIae, q.94, a.5, resp. Here Aquinas states that the rectitude of a conclusion can be corrupted by means of certain obstacles (*propter aliqua particularia impedimenta*), but does not specify them, other than alluding to the fact that created things fail at times. This may be a reference to the mind itself failing in advanced age. To this he adds that the content of reason can be perverted by passion, evil habit or evil disposition of nature (*ex passione, seu ex mala consuetudine, seu ex mala habitudine naturae*).

perform better than chance with them.”¹⁹⁴ It is certainly not the case that everyday life presents unfathomable problems all the time, but it is true that some moral problems are more complex than others, particularly when the details of the circumstances that help define the act,¹⁹⁵ are numerous and out of the ordinary. Here Thomas’s own example of conscientious syllogistic reasoning proves to be deceptively simple.¹⁹⁶ Clearly, for teaching purposes, the example given had to be straightforward. However, the disadvantage to this is that it conceals the eventuality of complicated moral deduction, with complex premises containing a combination of quantifiers,¹⁹⁷ and it is here we find that faulty reasoning starts to become far more prevalent. Therefore, perhaps unsurprisingly, experiments on test-subjects show that different people have different deductive capabilities,¹⁹⁸ and that the more complicated the deduction, the fewer the people who are able to derive the correct conclusion.¹⁹⁹

Beyond the issue of variance in natural deductive competence, studies have also identified particular sources of error, namely, conversion, belief bias, content and figure. Conversion error arises when the components of a universal proposition are reversed.²⁰⁰ Belief bias affects deduction by persuading or dissuading further investigation, depending upon whether the first conclusion is believable or not.²⁰¹ In this way, the person’s response to a problem is determined by the “believability of the

¹⁹⁴ Johnson-Laird and Byrne, *Deduction*, 106.

¹⁹⁵ Aquinas, *Summa Theologica*, Ia IIae, q.18, a.4, resp.

¹⁹⁶ See idem, *In II Sententiarum*, dist. 24, q.2, a.4, sol., as quoted earlier.

¹⁹⁷ On increasing error in cases of multiple quantifiers, cf. Johnson-Laird and Byrne, *Deduction*, 133-146; Evans, Newstead and Byrne, *Human Reasoning* 259-262. In terms of the mental models theory, creating a problem with multiple models increases the likelihood of error. See Johnson-Laird and Byrne, *Deduction*, 124.

¹⁹⁸ Johnson-Laird and Byrne, *Deduction*, 62.

¹⁹⁹ Even in problems of single quantifiers, error increases depending upon the type of quantifier, such that simple *modus ponens* is most successfully completed, and problems containing negative disjunction are the least successfully reasoned. See *ibid.*, 55.

²⁰⁰ *Ibid.*, 111; Evans, Newstead and Byrne, *Human Reasoning*, 217, 240. For example: *All A are B, therefore all B are A* (invalid). In contrast, propositions containing ‘either’, ‘some’ or ‘no’ are convertible.

²⁰¹ Johnson-Laird and Byrne, *Deduction*, 125: “Reasoners will search for refuting models more assiduously if their initial conclusion is unbelievable than if it is believable.”

conclusion rather than by its logical validity,²⁰² thus compromising the thoroughness of the judgement. The content of the matter under discussion also has the potential to colour the judgement, particularly when it is an emotive issue.²⁰³ Lastly, the figure of a syllogism relates to the order of the terms contained in the deduction, namely, the middle term, the subject of the conclusion and the predicate of the conclusion, with some being more straightforward than others.²⁰⁴ Here, in effect, the order of the terms can either serve to assist or confuse the mind.

From this we can see that there are a number of causes of error in reasoning, which would short-circuit the logical process. Given the occurrence of these factors, and the reality of varied deductive competence in the human population, we can conclude that functional error, to a greater or lesser degree, forms part of the reality of everyone's life. This being so, we should recognise our need for help in moral decision-making,²⁰⁵ particularly in complex matters, and also acknowledge the charitable value of offering help, when appropriate.

2.3.2 Errors of Content

In keeping with Aristotle's analysis, St Thomas points out that knowledge of the principles is still not enough to ensure right judgement, as the individual's application

²⁰² Evans, Newstead and Byrne, *Human Reasoning*, 243-45, at 243.

²⁰³ Daniel Osherson, "Logic and Models of Logical Thinking," in Rachel Joffe Falmagne, ed., *Reasoning: Representation and Process in Children and Adults*. (Hillsdale, NJ: Lawrence Erlbaum Associates, 1975), 81-91, at 89: "How people understand and reason with *if...then...* and *all...are...* statements is surely very sensitive to the content that fills in the blanks of these statements, that is, to the subject matter being reasoned about" (emphasis in text).

²⁰⁴ Evans, Newstead and Byrne, *Human Reasoning* 212. There are four syllogistic figures. For example, a syllogism in figure three runs as follows: *Some doctors are archers. No doctors are farmers. Therefore, some farmers are not archers.* For this example and further detail on all four figures, see *ibid.*, 212.

²⁰⁵ Cf. Tobit 4:18: "Seek advice from every wise person and do not despise any useful counsel."

may be corrupted by concupiscence or emotion.²⁰⁶ This would imply that the assessment of the particular situation in hand could be distorted such that the matter is perceived incorrectly (simple misunderstanding, such as in the case of a heated argument), or perversely or unjustly (where the inclination to sin disrupts the recognition of the true value and consequences of an action). It follows that the more a person is overcome by powerful, disordered emotion, or immersed in temptation, the more difficult it will be for that person to see clearly and judge wisely. Aquinas sums this up by quoting Aristotle: “as the man is, so does the end seem to him.”²⁰⁷ Here we see that disposition is identified as playing a vital role in right reason and right action. Thus, Aquinas concludes that in the individual reason not only needs to be perfected as prudence, but also requires the support of moral virtue.²⁰⁸ Once again, this shows St Thomas’s understanding of the reality of fallibility and the necessity of moral growth, which has implications for the function (or malfunction) of conscience in different stages of development.

With regard to the development of right dispositions (or *habitus*) understood in terms of virtue, we shall explore this in the next chapter. However, we should also take care that our understanding of moral development does not become detached from ordinary experience, as if the reality of it were simply a straight climb to virtue, given time and effort. Therefore, we should acknowledge the existence of

²⁰⁶ Aquinas, *Summa Theologica*, Ia IIae, q.58, a.5, resp.: “oportet autem rationem circa particularia procedere non solum ex principiis universalibus, sed etiam ex principiis particularibus [...] sed hoc non sufficit ad recte ratiocinandum circa particularia. Contingit enim quandoque quod hujusmodi universale principium cognitum per intellectum, vel scientiam corrumpitur in particulari per aliquam passionem: sicut concupiscenti, quando concupiscentia vincit, videtur hoc esse bonum quod concupiscit, licet sit contra universale rationis.”

²⁰⁷ *Ibid.*: “qualis unusquisque est, talis finis videtur ei, ut dicitur in 3. Ethic.” See Aristotle, *Nicomachean Ethics*, III, 1114b 1-4: “But someone may say that everyone aims at the apparent good, and does not control how it appears, but, on the contrary, his character controls how the end appears to him. [We reply that] if each person is in some way responsible for his own state [of character], he is also himself in some way responsible for how [the end] appears” (parentheses in text).

²⁰⁸ *Ibid.*: “et ideo ad rectam rationem agibilibus, quae est prudentia, requiritur quod homo habeat virtutem moralem.”

psychological factors that may impede such development, and in turn affect the ordered rational function of conscience.²⁰⁹ To omit any reference to the reality and effects of psychiatric disorder or problems of psychological integration²¹⁰ from our description of the moral person would reduce our moral theory to some form of “benign projection”,²¹¹ which optimistically presents “the hope of continual and almost automatic progress, associated with an exaggerated trust in human reason and the goodness of human nature.”²¹² *Veritatis Splendor* counsels against creating moral theory upon empirically derived statistics or upon the existence of psychological defect,²¹³ but this should not be seen as a rejection of its significance. Due recognition of moral failure, and also the limitations to the moral freedom of the individual are not incompatible with a normative, objective aspect to morality; indeed, moral failure would make no sense if it were not measured against some benchmark of objectivity.

²⁰⁹ Equally, however, we should not presume that conscience is nothing more than a complex of uncontrollable psychological factors, which lacks the possibility of any alteration and is therefore beyond moral responsibility.

²¹⁰ Kiely, *Psychology and Moral Theology*, 40-44, at 44 (based upon common evidence of various studies): “In round numbers, about 20% of any large group reveal difficulties in living that are usually considered psychiatric symptoms; 60% show some degree of immaturity or incomplete development affecting the range of their freedom; and 20% may be considered relatively free of psychological liabilities of the kind in question.” With particular reference to studies made of priestly and religious vocations, Kiely also discusses the problems which arise when the levels of personality are not integrated or in harmony. The levels are “the ideal self”, composed of the ideals an individual wishes to achieve, “the conscious actual self”, or how the person perceives him/herself at present, and the “latent self”, which is the subconscious actual self. See *ibid.*, 71-112, at 73.

²¹¹ Kiely claims that moral theology often contains “a kind of implicit or explicit optimism with regard to the reflective capacity and the emotional equilibrium of people-in-general.” As an example, he quotes Aquinas, who explains that his *Summa* is designed for beginners (*ad eruditionem incipientium*). That Aquinas’s idea of what is suitable for a beginner might be somewhat coloured by his own genius, is not surprising. However, although in general I would not disagree with Kiely’s view that some moral theology is in danger of being unrealistic in its optimism, I would suggest that Aquinas was not blind to human frailty. Indeed, one of the purposes of this section is to highlight that the medievals readily recognised the impact of sin, error and emotional frailty, which bears consequences on their understanding of conscience. Cf. Kiely, *Psychology and Moral Theology*, 6; Aquinas, *Summa Theologica*, prologue.

²¹² Kiely, *Psychology and Moral Theology*, 254. To this “rationalistic-optimistic” view, Costello would add two other forms of reductivism, namely, spiritual-transcendental and psycho-biological, where a particular aspect is exaggerated to the detriment of a fuller and more accurate understanding of the mystery of the human person. See Timothy Costello, *Forming Priestly Identity*, *Analecta Gregoriana*, no. 287 (Rome: Editrice Pontificia Università Gregoriana, 2002), 148-50, at 152: “At the heart of the mystery [of the self] lies the fact that development can bring about the actualization of countless potentials and possibilities inherent in the personality, and yet a successful outcome to the process of development can be neither assumed nor assured.”

²¹³ *Veritatis Splendor*, 70, 111-12; *AAS* 85 (1993), 1189, 1220-21.

To contrast objective morality with psychological disorder would be to create a false dichotomy between objective norms and human frailty. Therefore, the fact that an individual suffers from a situation of severe limitation of freedom should not imply that none of his/her actions is morally significant or that even all of his/her actions should be deemed good in relativist terms. Rather one has a responsibility to exercise one's (limited) freedom to choose the good, to the limits of that freedom.²¹⁴ To counsel otherwise would leave the individual in stagnant meaninglessness,²¹⁵ and would be a serious dereliction of duty on the part of the community, particularly in cases where a person's actions endanger the safety or life of another.

Nevertheless, a real pastoral issue exists in the care of individuals with psychological disorder or seriously stunted development, including the development of their conscience. In presenting moral norms or moral virtue as the standard to which one is expected to conform, there is the danger that if the presentation is too stark or lacks sufficient reference to the frequency of sin and the very real situation of human frailty,²¹⁶ affecting awareness or consent, it may appear to those with

²¹⁴ Grisez, *The Way of the Lord Jesus*, I, 324. It should be noted that, ultimately, Kiely does not reach the conclusion that, given the levels of moral and psychological immaturity present in society, one should abandon all efforts to do the good, as if it were beyond reach. Instead, based upon the thought of Lonergan, he proposes a threefold conversion: intellectual, moral and religious, which provides a process of self-correction coupled with the necessary religious foundation for morality. Nevertheless, Kiely takes the prevalence of psychological and moral underdevelopment seriously, and so acknowledges that the extent to which such a conversion will be possible in any individual will vary widely from person to person. Consequently, he emphasises the role of institutions, particularly the Church in offering external support to the individual in the process of correcting value-judgements by revealing objective norms which may not be obvious to the individual. See Kiely, *Psychology and Moral Theology*, 212-247, 260-61. Cf. Bernard J. F. Lonergan, *Method in Theology*, 2nd ed. (Toronto: University of Toronto Press, 1973; paperback ed., 1999), 104-105, 237-44. Browning (following MacIntyre, Ricoeur and Johannes Van der Ven) also affirms the role of the community in shaping practices and offering narrative meaning and discipline to basic human desires. See Don S. Browning, *Christian Ethics and the Moral Psychologies* (Grand Rapids, MI; Cambridge: William B. Eerdmans, 2006), 60-65.

²¹⁵ In contrast, the use of freedom for the good can be understood as an expression of the inner dynamic of the person as *imago Dei*, which each individual is called to develop or reveal. Cf. *Veritatis Splendor*, 111; *AAS* 85 (1993), 1220.

²¹⁶ St Alphonsus describes this as "intrinsic frailty" (*fragilitas intrinseca*). For his comments which combine strong moral challenge with compassion, see St Alphonsus de Liguori, *Praxis Confessarii ad Bene Excipiendas Confessiones*, in *Theologia Moralis*, 9th ed., vol. 9, ed M. Heilig,

particular ingrained habits or psychiatric disorder that their situation is hopeless, and accordingly the gap between their actions and expected behaviour is unbridgeable. Kiely points out that an exaggerated moral optimism, which in effect is a reductionist view of human nature, can create or fuel unrealistic expectations,²¹⁷ such that a sense of failure or the level of guilt experienced on account of acts may far exceed the reality of their limited imputability. None of this affects the nature of the moral norm or moral theory. Rather it attests to a pastoral reality affecting a significant portion of people,²¹⁸ who may feel overwhelmed by a persistent inability to reach or maintain the high standards that are preached about.

One clear problem is the way in which people receive their moral education or information. In the case of adults who regularly practice their faith, probably a significant portion of this will come through preaching, and it is difficult to present a great deal of detail in a sermon to a large group without either losing the interest of the congregation or reaching a point where the argument becomes too complicated to be followed. This is not some excuse for not attempting to give accurate information, rather an expression of the natural limitations of a single discourse to an audience of all ages and backgrounds. Therefore, for the sake of clarity, the homilist may tend to offer a summary, which will emphasise one aspect to the detriment of others, to get his message across. However, unless the homilist is aware that he must return to the issue to give a more balanced picture, two extremes may be presented (or interpreted

(Mechlinia: P.J. Manicq, 1852), V (*De habituatīs et recidivīs*), no.77. However, such an approach combining compassion with moral challenge needs to be done carefully and wisely, otherwise it may add to the sense of moral failure, as we shall see.

²¹⁷ Kiely, *Psychology and Moral Theology*, 254: "The optimism involved may favour a misleading view of human nature. False and unrealistic expectations may be a direct result of the psychological liabilities of individuals [...], and 'benign projection' may help to reinforce them.

²¹⁸ *Ibid.*, 44: "psychological liabilities of a kind that may be morally relevant are not rare; there exists a class of problems which merits closer scrutiny." I would agree with Kiely on the basis of my own pastoral experience.

as such): either a rationalist or spiritual optimism,²¹⁹ which gives little mention of sin, frailty and error, or a psycho-biological pessimism, which lacks sufficient exhortation to exercise one's freedom or personal responsibility, however restricted that may be. Clearly sermons are not enough, and so in addition people require on-going catechesis of varying forms suited to their age and circumstances. St Alphonsus also exhorts the confessor not to miss the opportunity for offering appropriate catechesis in the sacrament of reconciliation.²²⁰ Thus, it is the task of the Church to seek to catechise in many and varied ways, so that people are not left with unrealistic expectations, but equally not without sufficient moral encouragement to keep trying to serve the Lord "in holiness and righteousness [...] all our days" (Luke 1: 74-75).

The reality of psychological disorder or the existence of a range of levels of moral development in society should not lead the Church to change its teaching on moral norms, so that, for example, they are based on the lowest common denominator. Rather, in recognising that particular individuals have a sense of moral failure, exaggerated by false expectation, the Church has a specific role to play. As well as giving appropriate encouragement to individuals to seek the help of medical practitioners or counsellors, the Church has the duty to effect clarity of catechesis consonant with its role as a bearer of hope:²²¹ the hope of God's mercy and grace in the concrete situation of the individual.²²² In this way, people are helped to seek and

²¹⁹ An example of this could be a homily on Matthew 5:48, "Be perfect, therefore, as your heavenly Father is perfect." Clearly there is a danger of a sense of hopeless inadequacy, if it is not made sufficiently clear that such a path to perfection is neither immediate nor permanent in this life, nor made without God's help. Indeed, Kiely points out that high moral optimism, whether taught or mistakenly understood, has difficulty in integrating the necessity of our redemption through Christ's death and resurrection, since it seems as if we are supposed to be able to do everything so well on our own. See Kiely, *Psychology and Moral Theology*, 255.

²²⁰ St Alphonsus, *Praxis Confessarii*, I, 17-18; V, 77.

²²¹ Cf. *Veritatis Splendor*, 112; *AAS* 85 (1993), 1221.

²²² Cf. Lamentations 3:19-23: "The thought of my affliction and my homelessness is wormwood and gall! My soul continually thinks of it and is bowed down within me. But this I call to

recognise God's presence and help in their difficulties, rather than seeing God as the cause of their problems, by relating to him as the One who makes laws they cannot keep.

3. The Content and Purpose of Synderesis

From our investigation of medieval writing on the subject of *synderesis*, this question may at first seem to be superfluous. As we have seen, the Scholastics attributed operations to *synderesis* which could be subdivided into a function of attitude and a function of content. Thus, *synderesis* provides a fundamental drive for the good and a revulsion from evil, as well as providing the general principles of the moral law, both natural and divine, which form the root for any moral judgement, that is, any act of conscience. That having been said, if we stop to examine this further, we begin to notice that the question is not as simple as it first seems, particularly if we look at the issue of what *synderesis* contains. If we look at what the Scholastics mention as examples of general principles, they offer very few. Are these general principles sufficient to ground all occasions of moral reasoning in any meaningful way, or is the theory an unsuccessful attempt to neatly compartmentalise what cannot ultimately be known? In this question I will endeavour at least to raise, if not solve, some of the difficulties with the content of *synderesis*,²²³ in the hope of finding notions which assist in presenting a theory of *synderesis* which gives it meaningful purpose.

mind, and therefore I have hope: The steadfast love of the Lord never ceases, his mercies never come to an end; they are new every morning."

²²³ We should recall at this point that St Bonaventure located the content of general principles in the innate conscience, linking *synderesis* to the will as the natural disposition for the good. Here it should be understood that I am examining *synderesis* as a *habitus* of the practical intellect, but also fully acknowledging the will's intimate relationship with the intellect in providing its desire for the good and the dynamism necessary to obtaining that end. Cf. Brian V. Johnstone, "The Structures of

3.1 Context or Content?

In discussing the content of *synderesis*, we suddenly become aware of the lack of detail provided by the Scholastics.²²⁴ By and large, the Scholastic tradition limited itself to repeating the definition of *synderesis* as some kind of power or *habitus* of general, first moral principles, or of the universal moral law.²²⁵ Although occasionally some medieval writers make mention of additional examples of specific content,²²⁶ the most quoted first moral principle is: *Good is to be done; evil is to be avoided*, presented sometimes as only half of the saying, either in the positive or the negative.²²⁷ As this is the most frequently articulated principle relating to the nature and content of *synderesis*, it offers us a starting point to our investigation.

The most detailed account of this first moral principle is contained in St Thomas's comments on natural law. Here he declares that all the precepts of the natural law, which are the universal first principles of *synderesis*,²²⁸ are based upon

Practical Reason," *The Thomist* 50 (1986): 417-47. In addition, it should be noted that many of the comments would also apply to Bonaventure's notion of innate conscience.

²²⁴ D'Arcy, *Conscience and its Right to Freedom*, 49: "It is vexing to find that St Thomas leaves us rather uncertain about the content of *synderesis*."

²²⁵ For example, Albert the Great, *Summa de Creaturis*, II, q. 71, a.1, sol.: "*synderesis* est specialis vis animae, in qua secundum Augustinum universalia iuris descripta sunt (emphasis in text)"; Aquinas, *De Veritate*, q.16, a.1, resp. "ita etiam in ea [i.e. anima humana] est quidam habitus naturalis primorum principiorum operabilium, quae sunt universalia principia iuris naturalis; qui quidem habitus ad *synderesim* pertinet (own parenthesis)"; Duns Scotus, *Ordinatio* II, dist. 39, qq.1-2, resp.: "[*Synderesis*] non potest aliud poni quam habitus principiorum, qui semper est rectus."

²²⁶ For example, in addition to the principle to seek good and avoid evil, St Albert the Great locates the Decalogue and other general principles in *synderesis*. See Albert the Great, *De Bono*, tract. V, q.1, a.1, sol. Jean Porter, drawing from Lottin's research, also shows that Roland of Cremona, writing between 1229 and 1230, clearly understands precepts to be part of *synderesis*, when he says that "*synderesis* directs that marriage should be contracted" (Porter's translation). Cf. Jean Porter, *Natural and Divine Law: Reclaiming the Tradition for Christian Ethics* (Ottawa, Ontario: Novalis; Grand Rapids, MI, and Cambridge, U.K.: William B. Eerdmans, 1999), 83-84, 91; Odon Lottin, *Le droit naturel chez saint Thomas d'Aquin et ses prédécesseurs*, 2nd ed. (Bruges: Beyaert, 1931), 115: "quia *synderesis* dicit quod contrahendum est matrimonium." I shall return to the question of precepts at the end of this question.

²²⁷ Albert the Great, *Summa de Creaturis*, II, q.71, a.1, sol.: "Omne bonum faciendum"; Aquinas, *In II Sententiarum*, dist. 24, q.2, a.3, sol.: "malum non esse faciendum"; idem, *Summa Theologica*, Ia IIae, q. 94, a.2, resp.: "Hoc est ergo primum praeceptum legis, quod bonum est faciendum et prosequendum, et malum vitandum."

²²⁸ Cf. Aquinas, *In II Sententiarum*, dist. 24, q.2, a.3, ad 3; idem, *De Veritate*, q.16, a.1, resp.: "[*synderesis* est] habitus naturalis primorum principiorum operabilium, quae sunt universalia principia iuris naturalis." There is a certain fluid use of precept and principle in Aquinas. As we can see,

the first precept, namely *good is to be done and pursued, and evil is to be avoided*.²²⁹ In this way this idea is presented as the source of all others, in that all precepts of the natural law take the shape of something to be done or to be avoided.²³⁰ But is the first practical precept actually the source of anything, or is it some kind of philosophical construct, or base common denominator arrived at after reflecting upon fundamental moral principles? In other words, does *synderesis* hold real or formal status in moral theory, and moral reasoning? The answer to this question depends upon the analysis of the material offered in particular by St Thomas. If the problem is approached from the angle of analytical philosophy, an attempt will be made to demonstrate the necessary logical relationships whereby we pass from the universal to the particular.²³¹ This method struggled to find sufficient meaningful content at the universal level to justify a logical progression to particular moral rules.²³² Indeed,

elsewhere he talks of the first principles of natural law, while in *Summa Theologica* Ia IIae, q.94, a.2, resp. he talks of precepts, only to return to talking of first common principles in Ia IIae, q.94, a.4, resp. However, the two terms are effectively equivalent, since he states that the precepts of the natural law are the practical equivalent to the first principles of speculative reason. Cf. *Summa Theologica* Ia IIae, q.94, a.2, resp.: “praecepta legis naturae hoc modo se habent ad rationem practicam, sicut principia demonstratum se habent ad rationem speculativam.” Clearly the precept would be the principle rephrased in command form.

²²⁹ Aquinas, *Summa Theologica*, Ia IIae, q.94, a.2, resp.: “Hoc est ergo primum praeceptum legis, quod bonum est faciendum et prosequendum, et malum vitandum. Et super hoc fundantur omnia alia praecepta legis naturae, ut scilicet omnia illa facienda vel vitanda pertineant ad praecepta legis naturae, quae ratio practica naturaliter apprehendit esse bona humana.”

²³⁰ Ibid. “Et super hoc fundantur omnia alia praecepta legis naturae, ut scilicet omnia illa facienda vel vitanda pertineant ad praecepta legis naturae, quae ratio practica naturaliter apprehendit esse bona humana.”

²³¹ Cf. Ibid., I, q.79, a.12, resp.: “per prima principia procedimus ad inveniendum, et iudicamus inventa.” Kennedy highlights the rise of discontent among Catholic philosophers starting in the 1930s regarding the lack of logical coherence and proof in natural law theory, in that it was “not obvious how the first principles of morality were founded nor how they related to the norms of moral action, that is, how principles, precepts and norms are to be distinguished.” This produced a variety of efforts to solve the content of *synderesis* by using the tools of analytical philosophy. One such attempt is *Conscience and its Right to Freedom* by Eric D’Arcy. See Terence Kennedy, “Thomistic and Analytic Philosophers on the First Principles of Morality: A Conflict of Interpretations,” in *History and Conscience: Studies in Honour of Father Sean O’Riordan CSSR*, ed. Raphael Gallagher and Brendan McConvery (Dublin: Gill and Macmillan, 1989), 45-72.

²³² D.J. O’Connor, *Aquinas and Natural Law* (London: Macmillan, 1967), 66: “Either moral rules are derivable from the general precepts given in *synderesis* or they are not. If they are, we require to see the derivations, since what is provable can be proved. If they are not how are they to be justified?” Quoted in Kennedy, “Thomistic and Analytic Philosophers,” 54.

Frederick Copleston notes that the first practical precept of goodness cannot act usefully as a major premise since it does not contain sufficient detail:

As regards deduction, Aquinas did not think that we can deduce the proposition that to have sexual intercourse with someone else's wife is wrong from the precept that good is to be pursued and evil avoided simply by contemplating, as it were, this latter precept. We can no more do this than we can deduce from the principle of non-contradiction the proposition that a thing which is white all over cannot at the same time be red all over.²³³

Thus, among those who focus their attention on the first practical precept as either the only first principle, or the only first principle with any significance, in *synderesis*, a common conclusion begins to surface, namely, that *synderesis* has the role of facilitating the functioning of moral reasoning and conscience, but is not really involved in the actual process of practical deduction or reflection at the level of actual content. As such, the precept of *seek good, avoid evil* operates solely as a "formal principle."²³⁴ The basis of the argument is to be found once again in Aquinas's presentation on natural law in the *Prima Secundae*, where he compares *being* as the basis for speculative thought to the *good* as the foundation for practical reason. As a result, by analogy, Aquinas affirms that just as reflection on being is governed by the principle of non-contradiction, so all practical reason is directed by the principle that *the good is that which all things seek*, which formulated as a precept becomes *good is to be done and pursued; evil is to be avoided*. In this way, "just as the principle of

²³³ F.C. Copleston, *Aquinas*, (Harmondsworth, Middlesex; Baltimore, MD; Victoria, Australia: Penguin, 1955), 223.

²³⁴ D'Arcy, *Conscience and its Right to Freedom*, 54. D'Arcy describes *good is to be done; evils is to be avoided* as a "purely formal principle" from which deduction is impossible. However, his analysis is careful to avoid emptying *synderesis* of all functional content, and therefore seeks to understand general principles in terms of clearly defined "primary precepts" from which major premises can be drawn. These precepts, however, are not deduced from the first practical precept, but rather are "the product of rational reflection on our natural inclinations," and then used by *synderesis* "as the initial premisses in everyone's moral arguments. See *ibid.*, 55, 67, 59. McInerny would disagree with D'Arcy's formal assessment of the first practical principle. See Ralph McInerny, *Ethica Thomistica: The Moral Philosophy of Thomas Aquinas*, rev. ed. (Washington DC: Catholic University of America Press, 1997), 43.

contradiction is the ultimate answer to the question why the basic principles of any science are accepted as true, so too the first principle of the practical order is the ultimate reason why any precept or act is considered desirable.”²³⁵ Thus, this view of *synderesis* would consider the basic precept of goodness to be some kind of ground or foundation, without which practical reason would not function, but in itself does not form part of a particular act of moral reasoning.²³⁶ In effect, here its operation would be seen to be somewhat similar to a moral grammar, without which rational moral discourse would be impossible.²³⁷

I would agree that *synderesis* operates as the context for moral discourse. But does this really exhaust the role of *synderesis*, as if it were some kind of notional empty vessel? If so, we would have to look for another source for general moral principles, and consequently all moral norms. To declare the first precept of practical reason to be some kind of formal principle perhaps offers analytical philosophers an explanation of this precept and consequently of *synderesis*. However, to reduce *synderesis* to a formal principle is to seriously underplay its nature and function. Terence Kennedy points out that the problem with the analytical approach is that, though not purposefully, those who follow it “have sundered the most important elements in [the medieval] ethical and moral vision,” namely, “the real and logical

²³⁵ Thomas S. Hibbs, *Virtue's Splendor: Wisdom, Prudence, and the Human Good* (New York: Fordham University Press, 2001), 83.

²³⁶ *Ibid.*: “The principle has a status in the practical order similar to that of the principle of contradiction in the speculative order. Neither principle function as a premise in a syllogism; instead they are presupposed in every syllogism.” Cf. McCabe, “Aquinas on Good Sense,” 426-27: “*Synderesis*, then, in its ultimate sense is the natural dispositional grasp of this ultimate practical principle [the good is to be wanted]; and we should remember that in neither the theoretical nor the practical case [the former referring to the principle of non-contradiction] is the principle a premiss of some syllogism, although it can be stated as a proposition. It is rather the principle in virtue of which there is any syllogism at all.”

²³⁷ Daniel Mark Nelson, *The Priority of Prudence: Virtue and Natural Law in Thomas Aquinas and the Implications for Modern Ethics* (University Park, Pennsylvania: Pennsylvania State University Press, 1992), 97: “*Synderesis* serves the function of explaining how we begin to reason practically, but it does not provide content for our moral deliberations.”

orders.”²³⁸ By reducing *synderesis* to the function of a formal principle, the analytical philosophers severed the relationship of *synderesis* with reality, which is fundamental to the understanding of its nature and function.

3.2 *Synderesis as Ontological Conscience*

Attempts have been made by certain writers to reclaim reality or ontology as an interpretive key to *synderesis*. Josef Pieper discusses *synderesis* in terms of a “primordial conscience” (*Ur-Gewissen*),²³⁹ which is grounded in reality and not simply logical possibility. Certainly, Pieper states that “the voice of the primordial conscience is the chief guiding principle and the natural presupposition of morality,”²⁴⁰ analogous to the law of identity (“that which is, is”)²⁴¹ in speculative thought. However, Pieper points out that the difference between the two principles is that primordial conscience, though basic, does not act merely as an indicative statement, but rather as an imperative (*modus praecipiendi*), and it is this fundamental command that shapes concrete moral action.²⁴² It is this imperative dynamism that marks one of its real contributions to the moral judgements of the human person. Thus, *synderesis* does not simply act as a neutral formal condition for the possibility of moral reasoning; it pushes that moral reasoning forward in its search for the good and in acting upon it. Indeed, such was the importance of this motivational role,

²³⁸ Kennedy, “Thomistic and Analytic Philosophers,” 51-52.

²³⁹ Pieper, *Living the Truth*, 153; idem, *The Four Cardinal Virtues*, 10-11. Cf. Twomey, *Pope Benedict XVI*, 122-23, n.3. Thus Pieper distinguishes “primordial conscience” (*synderesis*) from “situation conscience” (*conscientia*) along Thomistic lines. See idem, *Living the Truth*, 167; idem, *The Four Cardinal Virtues*, 11.

²⁴⁰ Pieper, *Living the Truth*, 175.

²⁴¹ Pieper, *Living the Truth*, 157. It appears that Pieper prefers to use this principle rather than the principle of non-contradiction. They are, however, closely related.

²⁴² *Ibid.*, 154-57.

driven by “a preliminary act of the will” in its natural, innate love for the good,²⁴³ that St Bonaventure gave over the whole of *synderesis* to this appetitive motor-function. While Aquinas places perception and reason before the act of the will in *synderesis*, in effect, both Doctors of the Church are declaring that one cannot remove the desire for the good from primordial conscience, without rendering it lifeless: at best a store cupboard of formulated universal precepts, at worst a logical condition for moral non-contradiction. Terence Kennedy points out that, for the medievals, the disposition to seek goodness and avoid evil “was regarded as the essential *inclinatio naturalis* of a human being.”²⁴⁴ It is this natural inclination for the good, this dynamic force on an ontological level in its intimate relationship with reality, that transforms the recognition of the good into the imperative of moral action.²⁴⁵

²⁴³ Ibid., 155. Cf. Aquinas, *Summa Theologica* Ia IIae, q.17, a.1

²⁴⁴ Kennedy, “Thomistic and Analytic Philosophers,” 50.

²⁴⁵ Ibid. Indeed the separation of logic or reason from nature and ontology is seen by some to be a flaw in the new natural law theory offered by writers such as Grisez and Finnis. See John Finnis, *Natural Law and Natural Rights* (Oxford: Clarendon Press, 1980; reprinted with corrections, 1996), 36: “In other words, for Aquinas, the way to discover what is morally right (virtue) and wrong (vice) is to ask, not what is in accordance with human nature, but what is reasonable. And this quest will eventually bring one back to the *underived* first principles of practical reasonableness, principles which make no reference at all to human nature, but only to human good. From end to end of his ethical discourses, the primary categories for Aquinas are the ‘good’ and the ‘reasonable’; the ‘natural’ is, from the point of view of his ethics, a speculative appendage added by way of metaphysical reflection, *not* a counter with which to advance either to or from the practical *prima principia per se nota*” (emphasis and parentheses in text). Such a separation of reason from nature seems to go against Aquinas’s own understanding. For example, he clearly links the two when he says “the first rule of reason is the law of nature.” See *Summa Theologica*, Ia IIae q.95, a.2, resp.: “Rationis autem prima regula est lex naturae.” Cf. *ibid.*, q.91, a.2, ad 2. Kennedy says that Grisez’s logic reifies human tendencies into objective moral goods and “leads to the sundering of inclination, action and end from each other and from the agent.” Kennedy, “Thomistic and Analytic Philosophers,” 57-58. Porter and Johnstone agree with Kennedy’s concerns, and offer further useful insights. See Porter, *Nature as Reason: A Thomistic Theory of Natural Law* (Grand Rapids, MI; Cambridge, U.K.: William B. Eerdmans, 2005), 128; Johnstone, “‘Objectivism’, ‘Basic Human Goods’ and ‘Proportionalism’,” 119, 115: “‘Objectification’ can mean that process by which realities which were once considered to have *inherent moral significance* are subsequently deprived of it and considered as ‘objective’ in the modern sense” (emphasis mine); *ibid.*, 116: “The goods with which choices are concerned are, in fact, abstract ideas of goods, which exist in the mind of the subject; ideas which are ‘reasons for actions’. They are not the real objects which are sought as the fulfilment of desire. The real satisfaction of natural desire seems to be an added consideration; it is not a constitutive element of the moral theory.” Cf. Grisez, *The Way of the Lord Jesus*, I, 115-40, 178-204; Germain Grisez, Joseph Boyle, and John Finnis, “Practical Principles, Moral Truth and Ultimate Ends,” *The American Journal of Jurisprudence* 32 (1987): 99-151, at 133.

Thus, *synderesis* does not simply operate passively on a formal level; it operates dynamically through the nature of its very being. Here we begin to see the need to look through the lens of metaphysics to gain a coherent understanding of this fundamental human capacity. Moreover, an analysis of *synderesis* which involves metaphysics also has implications upon its content as *habitus*, as well as its dynamic inclination. In other words, ontology helps us to recognise the material aspect of *synderesis*,²⁴⁶ by providing a description of reality that has inherent value.²⁴⁷ This requires us to move away from a modern understanding of reality that is based upon the subject.

According to Charles Taylor, in the process of the philosophical and cultural change to modernity in the West, a major shift occurred in the theory of willing and knowing which led to the subject being disengaged from the object.²⁴⁸ This meant that true knowledge and valuation were sought from within the subject rather than from our right connection to reality or the world, and to the truth and meaning contained in the being of that reality.²⁴⁹ It is a return to this ontological understanding of reality and to the truth of being,²⁵⁰ and hence to a renewed understanding of conscience, that certain writers have been calling. Among these authors, particular mention should be made of Josef Pieper and Joseph Ratzinger, now Pope Benedict XVI.

²⁴⁶ Pieper, *Living the Truth*, 157: "So the 'principle of identity' of the primordial conscience is likewise the basic structure *materially and formally* affecting and regulating all the commands of the practical reason" (emphasis mine).

²⁴⁷ Johnstone, "'Objectivism', 'Basic Human Goods' and 'Proportionalism'," 119: "Metaphysics, I suggest, does not provide general propositions about human nature from which we can derive norms; but it can provide a unifying vision of the world, or horizon, within which we can discern the ultimate significance of actions, and indeed of the whole moral life."

²⁴⁸ Charles Taylor, *Sources of the Self: The Making of the Modern Identity* (Cambridge: Cambridge University Press, 1989), 186-88, at 187: "For the modern disengaged subject, thought and valuation are in the mind in a new and stronger sense, because minds are now the *exclusive* locus of such realities, which can therefore now be called 'psychic' in a new sense" (emphasis in text). Cf. Johnstone, "'Objectivism', 'Basic Human Goods' and 'Proportionalism'," 102-103.

²⁴⁹ Taylor, *Sources of the Self*, 187.

²⁵⁰ Taylor would describe these as "theories of ontic logos," where truth or meaning is contained in the object itself, rather than being applied purely by the mind. See *ibid.*

3.2.1 Josef Pieper on Truth and Being as the Foundation for Morality

The great teachers of the High Middle Ages presumed that an inherent aspect to the nature of all things was truth;²⁵¹ a tenet that had been held since earliest Greek times.²⁵² Thus, truth formed part of the transcendentals of metaphysics. However, philosophers of the Enlightenment gradually eliminated truth as a transcendental of being since they considered it to be a meaningless tautology.²⁵³ The ultimate reason for their conclusion that it added little or nothing to our understanding of the world around us was that the Enlightenment philosophers removed the medieval emphasis on the relationship between the object, the human mind and the divine mind of God; a relationship that was not limited solely to that of perception, but also that of the creative intellect to the object as a work of art.²⁵⁴ Pieper sums up the medieval view thus: “truth is predicated of every being inasmuch as it has being. And this truth is seen as actually residing *in* all things, so much so that ‘truth’ may interchangeably stand for ‘being’,” as Aquinas had asserted in his writing.²⁵⁵ However, it is the relationship of the object to the mind which is key. Therefore, “the truth of a being consists in its orientation toward a knowing mind. And this cognitional relationship between mind and reality is actualised by the mind’s ‘having’ the essential form of an

²⁵¹ Pieper, *Living the Truth*, 11. For example St Thomas declares that being and goodness, and truth and being are interchangeable notions. Cf. Aquinas, *De Veritate* q.1, a.1, sed contra 2: “ens et bonum convertuntur”; *ibid.*, q.1, a.5, sed contra 1: “ens et verum convertuntur.” Thus, two maxims of classical Western metaphysics were *omne ens est verum* and *omne ens est bonum*. Cf. Pieper, *Living the Truth*, 13. In this way, truth and goodness are considered to be constitutive, and inseparable aspects of beings.

²⁵² Pieper, *Living the Truth*, 11; 14 (here Pieper mentions Parmenides and Pythagoras as examples). Cf. also Aristotle, *Metaphysics*, trans. W.D. Ross, in *The Complete Works of Aristotle: The Revised Oxford Translation*, ed. Jonathan Barnes, vol. 2 (Princeton, NJ: Princeton University Press, 1984), IV, and II, 1 993b30: “as each thing is in respect of being, so is it in respect of truth.” Cf. Aquinas, *Summa Theologica*, I q.16, a.1, ad 3. A more immediate influence would have been the writings of St Augustine, where he says “verum mihi videtur esse id quod est.” See St Augustine, *Soliloquia*, II, 5, PL 32, 889. This is quoted in Aquinas, *De Veritate*, q.1, a.1, ad 1.

²⁵³ Pieper, *Living the Truth*, 19. Cf. Immanuel Kant, *Critique of Pure Reason*, 2nd edition (1787), trans. J.M.D Meiklejohn (London: J.M. Dent; New York: E.P. Dutton, 1934), 84-85.

²⁵⁴ Thus Pieper concludes that the stale tautology of the Enlightenment analysis was caused by the elimination of the theological aspect of the matter. See *Living the Truth*, 47; 76.

²⁵⁵ *Ibid.*, 35 (emphasis in text); Aquinas, *De Veritate*, q.1, a.5, sed contra 1.

existing thing.”²⁵⁶ This relationship with the mind is further explained through the author’s distinction between the speculative and creative intellect, or whether the mind acts receptively in perception, or with creative purpose. This distinction leads to being able to identify the relationship between the creative mind of God and the truth of a thing, since God possesses the idea that is reflected in the created thing.²⁵⁷ We can see a Platonic background to this approach to the truth of being, as Pieper states that “truth in its most authentic meaning [...] is predicated of an objective reality insofar as this reality’s intrinsic form is patterned after some preceding original form residing in a creatively knowing mind.”²⁵⁸ Thus, since all created reality and all the facets of its being depend ultimately on God’s creative mind and will, this divine

²⁵⁶ Pieper, *Living the Truth*, 37. Pieper continues at 37: “Therefore, the principle of the truth of all existing things means specifically this: it belongs to the inherent nature of any existing thing that its essential form (by which a thing is what it is) is actually or potentially ‘received’ by a knowing self; and further, that any thing’s essence, thus ‘received’ is actually or potentially owned, even absorbed, by the knowing mind. All reality is actually or potentially mind-related, inasmuch as its intrinsic essence is actually or potentially incorporated into the knowing mind.”

²⁵⁷ Aquinas, *Summa Theologica*, I, q.16, a.1, resp.: “Et inde est quod res artificiales dicuntur verae per ordinem ad intellectum nostrum, dicitur enim domus vera, quae assequitur similitudinem formae quae est in mente artificis; et dicitur oratio vera, in quantum est signum intellectus veri. Et similiter res naturales dicuntur esse verae, secundum quod assequuntur similitudinem specierum quae sunt in mente divina, dicitur enim verus lapis, qui assequitur propriam lapidis naturam, secundum praeconceptionem intellectus divini. Sic ergo veritas principaliter est in intellectu; secundario vero in rebus, secundum quod comparantur ad intellectum ut ad principium.” Cf. St Thomas Aquinas, *Summa Theologiae*, vol. 4 (Ia. 14-18), *Knowledge in God*, trans. Thomas Gornall (London: Blackfriars/Eyre & Spottiswoode; New York: McGraw-Hill Book Company, 1964), I, q.16, a.1, resp.: “Thus man-made things are called true in relation to our mind; a house, for instance, is ‘true’ if it turns out like the plan in the architect’s mind; and speech is ‘true’ if it is the sign of true thought. Similarly natural things are called true when they bear a likeness to the types in the divine mind; e.g. true stone is stone that has the nature proper to stone as it is conceived first in the divine mind. – We conclude, then, that truth is primarily in the intellect; and secondarily in things, by virtue of a relation to intellect as to their origin.” Cf. Pieper, *Living the Truth*, 43: “the principle of transcendental truth means primarily that all existing beings are ordered toward the creative knowledge of God’s mind” (emphasis in text).

²⁵⁸ Pieper, *Living the Truth*, 42. He acknowledges that this ontology is based on the doctrine of the Ideas in the western Christian context. See *ibid.*, 46. Izquierdo Labeaga does point out, however, that the concept of a natural disposition for accessing principles (*nous tōn archōn*) forms part of Aristotle’s thought, and also influenced the thought of Aquinas. We can therefore suggest that the notion in question combines Platonic and Aristotelian thinking. Cf. José Antonio Izquierdo Labeaga, *La Vita Intellettiva: Lectio Sancti Thomae Aquinatis*, Studi Thomistici, no. 55 (Vatican City: Libreria Editrice Vaticana, 1994), 253; Aristotle, *Nicomachean Ethics*, VI, 6, 1141a 7.

premise becomes the background to the anthropological relationship between man and the truth of things.²⁵⁹

In addition to things made by humans (acts of the human creative mind), the anthropological relationship is largely concerned with the knowability of an object, and it is possible for us to know things “because they are already known by God.”²⁶⁰ Pieper says that this is a combination of Aristotle’s approach that things are knowable insofar as they are real,²⁶¹ and Plato’s notion of the “primordial light illuminating all that is.”²⁶² Thus, rather than presenting the mere tautology of ‘things that exist are real’,²⁶³ “truth adds to being the notion of intelligibility.”²⁶⁴ Hence, Pieper is affirming

²⁵⁹ Given the current theological debate regarding evolution and Intelligent-Design, one might question how Pieper’s approach with its Platonic overtones would stand up to the theory of evolution. Although this is something that calls for further investigation, one can say that the notion of the nature of things following the creative mind of God does not conflict with evolution if we bear in mind that theology upholds not only *creatio ex nihilo* (the original act of creation) but also *creatio continua* (the continued involvement of God in maintaining the world’s existence). Cf. Stephan Otto Horn and Siegfried Wiedenhofer, eds., *Creazione ed Evoluzione: Un Convegno con Papa Benedetto XVI a Castel Gandolfo*, preface by Cardinal Christoph Schönborn, trans. from German by Gianni Pulit (Bologna: EDB [Edizioni Dehoniane Bologna], 2007), 177. See also David Bradshaw, “‘All Existing is the Action of God’: The Philosophical Theology of David Braine,” *The Thomist* 60 (1996): 379-416.

²⁶⁰ Pieper, *Living the Truth*, 52-53: “The truth of all things consists in their being known by God and being knowable by man; all things are knowable for man, however, only *because* they are already known by God. The lucidity which from the creative knowledge of the divine *Logos* flows into things, together with their very being – yes, even as their very being – this lucidity alone makes all things knowable for the human mind” (emphasis in text).

²⁶¹ *Ibid.*, 53. See Aristotle, *Metaphysics*, IX, 9. Here Aristotle concludes that the reasoning about possibilities or potential is drawn from knowledge of real things in actuality. See also *ibid.*, IX, 10, 1051b: “It is not because we think that you are white, that you *are* white, but because you are white we who say this have the truth” (emphasis in text). Here Aristotle is describing the work of the receptive mind instead of the creative mind.

²⁶² Pieper, *Living the Truth*, 53; Plato, *Republic*, VII, 540a. This may be Pieper’s own translation of Plato. H.D.P Lee translates the attitude of those being prepared to rule as those who, at the age of fifty after many trials and experiences, are “made to lift their mind’s eye to look at the source of all light, and see the Good itself,” and to use that as the pattern for ordering their lives and that of society. The Grube/Reeve translation says they are “compelled to lift up the radiant light of their souls to what itself provides light for everything.” The context implies that much time and effort is required to see the good clearly and to judge things wisely. This is not mentioned here by Pieper, but it does fit into his scheme of growth in virtue in his other writings. Cf. Plato, *The Republic*, trans. H.D.P. Lee (London: Penguin, 1955); *idem*, *Republic*, trans. G.M.A. Grube, and revised by C.D.C Reeve, in *The Complete Works*, ed. John M. Cooper (Indianapolis and Cambridge: Hackett, 1997), 971-1223, at 1154-55.

²⁶³ Influenced by writers such as Wolff and Goclenius, Kant not only declares the doctrine of truth of being as sterile and tautological (stated in a 1774 manuscript prior to the publication of the *Critique*; cf. Pieper, *Living the Truth*, 19, n.19), but also as “absurd” and “quite unbecoming the dignity of philosophy.” See Kant, *Critique of Pure Reason*, 67; 69. From Pieper’s presentation one might get the impression that Kant only rejects the doctrine of truth on the basis of what his Enlightenment predecessors have presented in their works. However, this is not so, as he specifically quotes the

that reality is accessible and intelligible to the human mind. The author states that “being able to know means to exist in relation to, and be immersed in, all that is.”²⁶⁵ It is this relationship which means that the mind is “*capax universi*,”²⁶⁶ that is, being able to grasp the universe around us. However, this capacity is not measured by man’s wider experience of the world in comparison to an animal. Rather we gain access to the totality of the universe, through the process of abstraction, “by knowing the *essence* of things, [...] for this essence is universal in character.”²⁶⁷ Therefore, Pieper concludes that the anthropological aspect of the truth of all things is “the mind’s inborn ability to ‘reach the whole’,” sustained by God’s creative light illuminating the reality of things and our cognition of them.²⁶⁸

This anthropological conclusion to the truth and being of reality becomes the premise for Pieper’s reflection on the good and moral choice. The author states that “reality is the basis of the good,” which means that “to be good is to do justice to objective being.”²⁶⁹ But, as truth is also the revelation of reality, if one attempts to reduce morality to truth (as Goethe attempted to), one will also reach being or reality as the foundation of morality.²⁷⁰ Thus, Pieper concludes that “all laws and moral principles may be reduced to reality.”²⁷¹ In doing so, the author is proposing a

Scholastic definition of truth as “the accordance of the cognition with its object,” and so engages directly in an assessment of the worth of this view of truth, rather than simply the notion that the truth of things lies in being what they are. Rather, his objection is that he can see no “universal and secure criterion of every cognition,” thus making truth more of a property of perception rather than a property of being. From Pieper’s comments elsewhere, we can see that what is lacking in Kant’s analysis is any reference to the universal creative knowledge of God, and it is this that allows man’s access to universality (though in an incomplete and at times faulty way) and his capacity to understand it through universal essences. See Kant, *Critique of Pure Reason*, 66-69; Pieper, *Living the Truth*, 80, 90.

²⁶⁴ Pieper, *Living the Truth*, 53.

²⁶⁵ *Ibid.*, 80.

²⁶⁶ *Ibid.* (emphasis in text).

²⁶⁷ *Ibid.*, 90 (emphasis in text). On the process of abstraction in Aquinas, see Izquierdo

Labeaga, *La Vita Intellettiva*, 249-303.

²⁶⁸ Pieper, *Living the Truth*, 91.

²⁶⁹ *Ibid.*, 112.

²⁷⁰ *Ibid.* Here Pieper quotes Goethe: “All laws and moral principles may be reduced to one – the truth.”

²⁷¹ *Ibid.*, 113.

morality based upon a realistic theory of cognition, which, contrary to Kant's view, reaches the object. In this context, evil or wrongdoing is not simply a transgression of a rule, but "an 'ontic' contradiction"; a contradiction of being that does not correspond to the reality of the thing in question.²⁷² Certain attitudes or ethical approaches are alien to such an ethics of being. For instance, the idea of making one's conscience the ultimate source of moral norms does not fit the theory of an ethics of being.²⁷³ Rather the person is called to look "through and beyond our own moral judgment to the norm presented to us by the objective reality of being."²⁷⁴

In addition to the condition that cognition reaches the object, and so can attain its truth, Pieper points out that his thesis also depends upon the condition that "willing and acting are determined by knowledge."²⁷⁵ However, this knowledge is based in perception, either for its terms or content, and so, in order to avoid realist ethics being misunderstood in rationalist terms, Pieper emphasises that in realist ethics, reason is understood primarily as our "essential relation to reality," rooted in perception and open to divine illumination.²⁷⁶

Josef Pieper then presents the relationship between objective reality, the human mind and God again, but this time in the opposite direction from his description of truth of things. Here the link between human knowledge and reality means that our knowledge depends upon reality for that which is known and thought.

²⁷² Ibid.

²⁷³ Ibid.: "[Ethics of being] makes impossible the attitude of always referring to oneself and to the judgment of one's conscience, which is considered as providing the norm in each instance."

²⁷⁴ Ibid. Thus Pieper is of the opinion that objectivity (not objectivism) as fidelity to being is the correct moral basis for human action. Unlike moral objectivism, which tends to separate the act or object from the subject, Pieper's objectivity is founded upon the relationship between man and the reality surrounding him.

²⁷⁵ Ibid., 115 and n.2. Here Pieper refers to *De Veritate* q.23, a.6, resp., where St Thomas says "Voluntas autem non habet rationem primae regulae, sed est regula recta: dirigitur enim per rationem et intellectum, non solum in nobis, sed in Deo." Cf. *Truth*, q.23, a.6, resp.: "Now the will does not have the character of the first rule; it is rather a rule which has a rule, for it is directed by the reason and the intellect. This is true not only in us but also in God."

²⁷⁶ Pieper, *Living the Truth*, 116.

Thus, the intellectual act reflects reality as image and copy, with God as the foundation, through his relation to all that is.²⁷⁷

It is in this context of moral acts connected to reality and rooted in God, that Josef Pieper identifies *synderesis*, or primordial conscience, as “the supreme awareness – transcending and independent of all efforts of thought – of the primary, basic first principles of action, summed up in the imperative: we must love the good.”²⁷⁸ Primordial conscience is this primary moral awareness through its relation to reality. Thus, reality, as the content of perception, and also as essential structure (that is, the laws of reality), is the material which primordial conscience converts into the basic moral law of all human action,²⁷⁹ such that primordial conscience urges us to act in accord with the truth and end of nature.²⁸⁰ This imperative is founded upon the relationship between reality and the good, which Pieper identifies as “nothing else than [the] goal and end of the movement of being, [...] the ‘plenitude of being’.”²⁸¹ This is why natural inclinations, based on the truth of reality, are seen as good.²⁸²

Pieper ends by restating the importance of objectivity and reality for moral reasoning, identifying moral action as “‘doing the truth’, *veritatem agere*.”²⁸³ In short,

²⁷⁷ Ibid., 123-25. Cf. Aquinas, *Summa Theologiae*, Ia IIae, q.93, a.1, ad 3: “Intellectus enim humanus est mensuratus a rebus, ut scilicet conceptus hominis non sit verus propter seipsum, sed dicitur verus ex hoc quod consonat rebus, ex hoc enim quod res est vel non est, opinio vera vel falsa est. Intellectus vero divinus est mensura rerum, quia unaquaeque res in quantum habet de veritate, in quantum imitatur intellectum divinum. [The human intellect is measured by things, such that a human concept is not true on account of itself, but it is said to be true from that which is consonant with things, for an opinion is true or false insofar as it is from what a thing is or not. But in fact the divine intellect is the measure of things, since every thing has truth in it inasmuch as it imitates the divine intellect.]; idem, *Summa Contra Gentiles*, II, 12: “Deus omnium entium est prima mensura.”

²⁷⁸ Pieper, *Living the Truth*, 147. Cf. Aquinas, *De Veritate* q.16, a.1.

²⁷⁹ Pieper, *Living the Truth*, 158-63. Thus, the fundamental principle of the practical intellect embraces all natural law, seen as the good to be done and pursued. Hence, “as to its content – the natural moral law. The primordial conscience is the natural awareness of the ethical natural law.” See *ibid.*, 153.

²⁸⁰ Ibid., 160: “Hence, the voice of the primordial conscience says: the real should move toward that toward which it tends by its nature to move.”

²⁸¹ Ibid.

²⁸² Cf. Aquinas, *Summa Theologiae*, Ia IIae, q.94, a.2, resp.

²⁸³ Pieper, *Living the Truth*, 171 (emphasis in text).

this maxim sums up Pieper's ethics of being as acting according to the reality of things. In this context, *synderesis* and *conscientia* cannot be understood as acting arbitrarily or imperiously in isolation, but only in relation to the truth of one's own being, and in relation to the other (*cum alio scientia*), both of the world and of the God who created us, redeemed us and makes us holy.

3.2.2 Joseph Ratzinger on Conscience as the Capacity to Know the Truth

Joseph Ratzinger has long reflected upon the nature of conscience;²⁸⁴ his thoughts spilling forth from his considerations of subjects such as truth and relativism, faith and politics, responsibility in the context of an error of ignorance, and culpability in the light of acts of violence against innocent life, such as in war, terrorism,²⁸⁵ or the field of medicine.²⁸⁶ The anchor for all these reflections, and hence for his understanding of *synderesis* and *conscientia*, is the human capacity to know the truth of reality, for Ratzinger believes that a denial of such a capacity, opens the way to many evils and injustices.²⁸⁷

²⁸⁴ It was "at the beginning of [his] academic career" that Ratzinger became aware of the importance of conscience, and of the dangers of a notion of erroneous conscience, emptied of all guilt, and therefore emptied of all objective truth. This issue has continued to be a significant matter ever since, as is evidenced by his writings. See Joseph Cardinal Ratzinger, "If You Want Peace... Conscience and Truth," in *Values in a Time of Upheaval*, trans. Brian McNeil (San Francisco: Ignatius Press; New York: Crossroad Publishing, 2006), 75-99, at 77. This text is a slightly abbreviated translation of an essay presented in *Wahrheit, Werte, Macht*. See Joseph Cardinal Ratzinger, "Wenn du den Frieden willst, achte das Gewissen jedes Menschen: Gewissen und Wahrheit," in *Wahrheit, Werte, Macht: Prüfsteine der pluralistischen Gesellschaft*, 2nd ed. (Freiburg im Breisgau, Basel and Vienna: Herder 1994), 25-62. However, the paper was originally delivered in English as a keynote address to an American Bishops' workshop in 1991. See Joseph Ratzinger, "Conscience and Truth," in *On Conscience: Two Essays by Joseph Ratzinger* (Philadelphia: The National Catholic Bioethics Center; San Francisco: Ignatius Press, 1984, 2007), 11-41. Given my limited knowledge of German, I have chosen primarily to use McNeil's translation, as, although it is almost identical to the 1991 text, it contains just slightly more detail. For the note on publication history of this essay, see Ratzinger, *Values in a Time of Upheaval*, 170.

²⁸⁵ Joseph Cardinal Ratzinger, "What Keeps the World Together: The Prepolitical Moral Foundations of a Free State," in *Values in a Time of Upheaval*, trans. Brian McNeil (San Francisco: Ignatius Press; New York: Crossroad Publishing, 2006), 31-44, at 35.

²⁸⁶ For a synthesis of Ratzinger's views on the nature of conscience, and its role in the contexts of Church and political authority, see Twomey, *Pope Benedict XVI*, 80-132.

²⁸⁷ Joseph Cardinal Ratzinger, *Truth and Tolerance: Christian Belief and World Religions*, trans. Henry Taylor (San Francisco: Ignatius Press, 2004), 204: "Relativism is dangerous in quite

Like Pieper, Ratzinger presents an ontological ethic, which is based upon a rational understanding of nature,²⁸⁸ where acting in accordance with the truth of being leads to true freedom.²⁸⁹ This grounding in ontology (or its refusal) not only affects the actions of the individual, but also, by extension, the notion and functioning of society and law.²⁹⁰ Indeed, Ratzinger considers the loss of a metaphysical underpinning to be the root cause of the state's willingness to embrace the majority view or consensus as the basis for truth and morality.²⁹¹ Yet, such a foundation for truth and morals is ultimately arbitrary, as consensus cannot create truth; only "a common ordering."²⁹²

As well as being troubled about the loss of ontology in ethics, Ratzinger has long been concerned about distorted notions of faith and truth, which ultimately result in a distorted understanding of conscience. In the context of faith and truth being misunderstood, the individual sees "faith as a heavy load, as an exacting moral challenge."²⁹³ With such an understanding the individual is not likely to encourage

particular ways: for the shape of human existence at an individual level and in society. How much evil has been done in history in the name of good opinions and good intentions is something no one can overlook."

²⁸⁸ Ratzinger, "What Keeps the World Together?" in *Values in a Time of Upheaval*, 38: "The idea of the natural law presupposed a concept of 'nature' in which nature and reason interlock: nature itself is rational."

²⁸⁹ Joseph Ratzinger, "Freedom and Liberation: The Anthropological Vision of the 1986 Instruction *Libertatis Conscientia*," in *Church, Ecumenism and Politics: New Essays in Ecclesiology*, trans. Robert Nowell (Middlegreen, Slough: St Paul Publications, 1988), 255-75, at 274-75: "For this reason the person who has become at one with his or her essential nature, at one with truth itself, is free. The person who is at one with the truth no longer acts according to external necessities and compulsions; in him or her nature, desire and action have come to coincide."

²⁹⁰ Joseph Ratzinger, "The Problem of Threats to Human Life," in *The Essential Pope Benedict XVI: His Central Writings and Speeches*, ed. John F. Thornton and Susan B. Varenne, introduction by D. Vincent Twomey (San Francisco: HarperSanFrancisco, 2007), 381-392, at 386: "The separation of politics from any natural content of right, which is the inalienable patrimony of everyone's moral conscience, deprives social life of its ethical substance and leaves it defenseless before the will of the strongest."

²⁹¹ Joseph Ratzinger, "Crises of Law," in *The Essential Pope Benedict XVI*, 377-80, at 377-78: "if reason is no longer able to find the way to metaphysics as the source of law, the state can only refer to the common convictions of its citizens' values, convictions that are reflected in the democratic consensus. [...] The majority determines what must be regarded as true and just."

²⁹² *Ibid.*, 377-78: "Truth does not create consensus, and consensus does not create truth as much as it does a common ordering."

²⁹³ Ratzinger, "If You Want Peace... Conscience and Truth," 78.

others to believe,²⁹⁴ thinking that it would be “better to spare [others] the burden of believing.”²⁹⁵ Faced with this “caricature of faith”, which had taken hold in academia, as well as in the public domain,²⁹⁶ Ratzinger concludes that there must be something wrong with not only this concept of faith, but also the concept of conscience that depends upon it, as the truth is supposed to set us free, and something that is an unbearable burden is far from liberating.²⁹⁷ In this context, conscience, or erroneous conscience in particular, takes on the role of shielding people from the seemingly “terrifying demands made by truth.”²⁹⁸ Thus, conscience as the “window that makes it possible for man to see the truth that is common to us all”, the truth that is our foundation and our sustaining force, is bricked up in favour of a notion of conscience that supports the subjective attempt to evade reality.²⁹⁹ The idea of conscience being anchored in truth, reality and being,³⁰⁰ is therefore jettisoned as the logical conclusion of the judgement that “either truth does not exist at all, or else it is impossible for us

²⁹⁴ Ibid.

²⁹⁵ Ibid.

²⁹⁶ Ibid., 78-79, at 78: “I am convinced that the *traumatic aversion* that many people feel toward what they regard as ‘preconciliar’ Catholicism has its roots in their *encounter with this kind of faith, which was nothing more than a burden*” (emphasis in text).

²⁹⁷ Ibid., 78.

²⁹⁸ Ibid., 79.

²⁹⁹ Ibid.

³⁰⁰ Ibid. Cf. Joseph Ratzinger, *Turning Point for Europe? The Church in the Modern World – Assessment and Forecast*, trans. Brian McNeil (San Francisco: Ignatius Press, 1994), 28-29: “But there is an objective connection between this [idea of a personal relationship with the Creator God] and the conviction that was common to almost the whole of mankind before the modern period, the conviction that man’s Being contains an imperative; the conviction that he does not himself *invent* morality on the basis of calculations of expediency but rather *finds* it already present in the essence of things” (emphasis in text). Here Ratzinger summarises and develops upon the insights of C.S. Lewis in *The Abolition of Man*, particularly related to truth, objectivity, the paradox of man’s conquest of nature and the natural law, or the *Tao* as Lewis calls it, using the Chinese term. Cf. Ibid., 22-28; Lewis, *The Abolition of Man*, particularly 15-16, 34-48; Twomey, *Pope Benedict XVI*, 68-69. See also Smith’s comments on conscience discovering morality rather than inventing it, in Janet E. Smith, *Humanae Vitae: A Generation Later* (Washington, DC: Catholic University of America Press, 1991), 148-55, at 152: “Let us recall that the conscience is one’s guide to moral behavior; it does not *decide* the principles of moral behavior but *discovers or learns* them and then judges whether a particular action is moral or immoral” (emphasis in text). In this way, Smith challenges the modern, distorted notion of ‘following one’s conscience’, which presumes that one’s personal conscience decides the morality of an act. See *ibid.*, 151-52.

to meet its demands.”³⁰¹ Ratzinger judges that the result of conscience cutting itself adrift from shared objective truth³⁰² is not only the “divinization of subjectivity” for the individual,³⁰³ where one’s opinion cannot be questioned, but also results in the emphasis on social conformity as the mean value between vying subjective views, keeping them at bay in such a way as to allow people to live together.³⁰⁴ Ultimately, this leads to a situation where there is “no longer any need to feel obliged to look for the truth, nor [...] doubt the average attitude and customary praxis” of society,³⁰⁵ since “man is reduced to his superficial conviction,”³⁰⁶ such that all that matters is “to be convinced of one’s own correctness and to conform to others.”³⁰⁷

Ratzinger sees a strong Kantian influence in this attitude towards conscience, in that once it is “detached from its constitutive relationship with a content of moral truth” it is “reduced to a mere formal condition of morality.”³⁰⁸ Here the command to do good and avoid evil has no reference to universal truth, “but would be linked only with the goodness of the subjective intention.”³⁰⁹ Ratzinger draws elsewhere upon the work of Théo Belmans, to highlight the historical roots and moral implications of reducing the moral act to intention. As noted earlier,³¹⁰ Peter Abelard introduced a morality of intention that in its raw form identified the morality of the act purely with

³⁰¹ Ratzinger, “If You Want Peace... Conscience and Truth,” 79.

³⁰² Ratzinger, “The Problem of Threats to Human Life,” 387: “In this conception, common to the entire Christian tradition, conscience is the capacity to be open to the call of truth, which is objective, universal, the same for all who can and must seek it. It is not isolation, but communion: *cum scire* (‘to know together with’) in the truth concerning the good, which accompanies human beings in the intimacy of their spiritual nature.”

³⁰³ Ibid.

³⁰⁴ Ratzinger, “If You Want Peace... Conscience and Truth,” 79.

³⁰⁵ Ibid.

³⁰⁶ Ibid. On the insufficiency of morality based solely on “inner conviction”, as an impoverished subjectivism, see Donal Harrington, “Five Ways of Looking at Morality,” in *Moral Theology: A Reader*, ed. Patrick Hannon (Dublin: Veritas, 2006), 27-49, at 41.

³⁰⁷ Ratzinger, “If You Want Peace... Conscience and Truth,” 79.

³⁰⁸ Ratzinger, “The Problem of Threats to Human Life,” 387.

³⁰⁹ Ibid. Ratzinger continues “Concrete actions would depend for their moral qualification on the self-understanding of the individual, which is always culturally and circumstantially determined. In this conception, conscience is nothing but subjectivity elevated to the ultimate criterion of action.” See *ibid.*

³¹⁰ See Chapter 3, page 120, n. 292 of this thesis.

the intention of the subject.³¹¹ This was carefully refined by writers such as Saints Albert the Great and Thomas, to give due space to culpability, but in the last century this nuanced approach was overlooked by certain writers, leading to a mainstream misunderstanding of the notion of erroneous conscience, which was more in keeping with the prevalent, modern, subjectivist form of conscience, in defining the goodness of the act and of the individual in terms of good intention and integrity with one's convictions. Belmans points out the influence of Antonin-Dalmace Sertillanges's writing in providing a wide readership with an interpretation of St Thomas which was closer to Abelard's original "*solution simpliste*",³¹² in that Aquinas's discussion of whether following one's conscience was sufficient for good action is "eclipsed" by Sertillanges's emphasis on Aquinas's analysis of whether one is bound to follow an erroneous conscience.³¹³ My reading of Sertillanges would lead me to believe that this influential writer took *bonum apprehensum* as the key to the problem,³¹⁴ and overlaid

³¹¹ Théo G. Belmans, "La paradoxe de la conscience erronée d'Abélard à Karl Rahner," *Revue Thomiste*, 90 (1990): 570-86, at 570-71. Here Belmans quotes the condemnatory canons summarising Abelard's view presented at the regional Council of Sens (1140/41) at the instigation of Abelard's great adversary, St Bernard of Clairvaux. See DS 729-30: "Quod non peccaverunt, qui Christum ignorantes crucifixerunt [, et] Quod non *sit* [est] culpa adscribendum, quicquid fit per ignorantiam" (emphasis and parentheses in text); ["That those who crucified Christ, being ignorant, did not sin (, and) That whatever is done through ignorance should not be reckoned as sin."] Cf. Ratzinger, "If You Want Peace... Conscience and Truth," 96-97, n.19. For comments on Bernard of Clairvaux's opposition to Peter Abelard, see R. W. Southern, *Scholastic Humanism and the Unification of Europe*, vol. 2, *The Heroic Age*, with notes and additions by Lesley Smith and Benedicta Ward (Oxford and Malden, MA: Blackwell, 2001), 116-23, at 123: "It was Bernard's power of presenting issues in a universal setting of spirituality which made him so difficult to answer. His eloquence and universality demoralized the opposition before the battle began; and [...] when the two men faced each other at the provincial Council at Sens, Abelard collapsed before the personality of Bernard, and was condemned. But even then he had his friends in the papal curia, and his condemnation was limited to a prohibition from public teaching. [...] This left Abelard's works in a strange position. It was not the condemnation which relegated them to neglect in the future development of scholastic theology: it was rather that what was most valuable in his work [...] simply became merged in the general stream of scholastic thought and method."

³¹² Belmans, "La paradoxe de la conscience erronée," 576.

³¹³ *Ibid.*, 581. Cf. Aquinas, *Summa Theologica*, Ia IIae, q.19, aa. 5-6; A.-D. Sertillanges, *La philosophie morale de saint Thomas d'Aquin*, rev. ed. (Paris: Aubier, 1946), 387-96. The relevant section of Sertillanges's book seems to have been left unrevised, as it is identical to the original 1916 edition. Belmans refers to the 1942 edition. See A.-D. Sertillanges, *La philosophie morale de saint Thomas d'Aquin* (Paris: Alcan, 1916), 534-46.

³¹⁴ As a result, he quotes Aquinas's *Quodlibetum* III, a.27, resp. as a key text: "actus humanus iudicatur virtuosus vel vitiosus secundum bonum apprehensum, in quod per se voluntas fertur, et non secundum materialem obiectum actus". From the previous chapter one could hardly say that this text

this with a Kantian understanding of reality, such that the subject becomes the point of reference in defining reality insofar as it can be perceived. As a result, Sertillanges concludes that “conscience, in good as in bad, is the sole judge,”³¹⁵ since one is unable to reach *the* law as such, but only that which the person perceives as the law: *my* law.³¹⁶ Therefore, so long as one’s intention is good, one’s conscience remains upright; it is only erroneous in the case of acting with wrong intent.³¹⁷ This, of course, seriously affects the context of culpability, almost to the opposite of Aquinas’s view, since, in Ratzinger’s summation, this implies that “the only way to sin is to act against one’s conscience.”³¹⁸ Sertillanges does not consider this to be subjective morals, but rather a morality of the subject.³¹⁹ Probably this was his intention, but it certainly appears that he contributed significantly to the philosophical and theological justifications for a subjectivist understanding of conscience, which were then much further developed by more recent writers.³²⁰

provides a complete presentation of Aquinas’s view. Indeed, Sertillanges does quote from other texts, but is clearly starting to move away from St Thomas’s understanding. For example, he declares the notion of being excused sin in ignorance, rather than having acted meritoriously, as a philosophically unjustified “half-measure” answer. (“Mais rien, philosophiquement, ne justifie cette demi-mesure.”) See Sertillanges, *La philosophie morale de saint Thomas d’Aquin* (1946 ed.), 390, n.1; 394.

³¹⁵ Sertillanges, *La philosophie morale de saint Thomas d’Aquin* (1946 ed.), 392: “il est universellement vrai qu’au fond et tout bien compté, la conscience, en bien comme en mal, est le seul juge.”

³¹⁶ *Ibid.*, 396: Même n’ayant pas suivi *la* loi, j’ai pu suivre *ma* loi, et, comme sujet moral, être en règle” (emphases in text) [“Though not having followed *the* law, I could follow *my* law, and, as a moral subject, be in order.”].

³¹⁷ *Ibid.*, 388: “la lumière de nos choix, ou conscience, est correct quand elle propose une action propre, à réaliser une intention droite; elle est erronée dans le cas contraire” [“the light of our choices, or conscience, is correct when it proposes a proper action, to realise a right intention; it is erroneous in the opposite case.”]

³¹⁸ Ratzinger, “If You Want Peace... Conscience and Truth,” 97, n.19.

³¹⁹ Sertillanges, *La philosophie morale de saint Thomas d’Aquin* (1946 ed.), 396.

³²⁰ Belmans considers Rahner’s approach to be the summit of this Kantian revision of erroneous conscience. See Belmans, “La paradoxe de la conscience erronée,” 581-86. Cf. Karl Rahner, *Theological Investigations*, vol. 11, *Confrontations: I*, trans. David Bourke (London: Darton, Longman & Todd; New York: Seabury Press, 1974), 284-85: “If after maturely searching his conscience, a Catholic Christian believes that in all prudence and self-criticism he has been forced to arrive at a point of view which deviates from the papal norm, and if he follows this in the practice of his married life, then [...] such a Catholic need not fear that he has incurred any subjective guilt or regard himself as in a state of formal disobedience to the Church’s authority. If he really succeeds in sincerely forming his conscience in this way, then such a Catholic has in principle no obligation to subject the judgement of his conscience which he has arrived at in this way to fresh questioning each time he receives the sacrament of penance.” In his interviews, Rahner also talked of conscience in terms of one’s

It is this notion of erroneous conscience, detached from universal truth, which gave Joseph Ratzinger such concerns, and prompted him to reflect further upon the nature of conscience. His reflections led him to reaffirm the Scholastic understanding that conscience in its broadest understanding operates on different levels: *anamnesis* (that is, *synderesis*) and *conscientia*.³²¹ On both of these levels, Ratzinger offers some very helpful clarifications and insights.

Like Pieper, Ratzinger has chosen to use another term to describe *synderesis*, in an attempt to reveal something of its essential nature, since he considers the term used by the Scholastics to be “unclear” and “problematic.”³²² As a result, he proposes to replace *synderesis* with the Platonic concept of *anamnesis* (remembrance), which he considers to be “linguistically clearer, and deeper and purer in philosophical terms,” as well as being in greater harmony with biblical thought.³²³ Here he highlights St Paul’s teaching in Romans that the Gentiles have an innate understanding of God’s law, as it is written on their hearts and witnessed to by their conscience (Rom 2:14-15).³²⁴ This might be misconstrued as implying that Ratzinger is about to present some kind of naive immanentism, where some kind of detailed moral law is readily available to everyone by nature. This, however, is not what he intends (indeed, this would be a misunderstanding of the notion of natural law and of St Paul³²⁵), and with reference to Saints Basil the Great and Augustine he clarifies his position on *anamnesis*.

“convictions” and being true to one’s conscience “in a final and absolute way.” See Paul Imhof and Hubert Biallowons, *Karl Rahner in Dialogue: Conversations and Interviews, 1965-1982*, trans. and edited by Harvey D. Egan (New York: Crossroad, 1986), 207, 218.

³²¹ Ratzinger, “If You Want Peace... Conscience and Truth,” 90-91: “I agree with the *medieval tradition* that there are *two levels in this concept* that must be clearly *distinguished* from each other but *remain inseparable*” (emphasis in text).

³²² *Ibid.*, 91.

³²³ *Ibid.*

³²⁴ See also Ratzinger, *Truth and Tolerance*, 206-207.

³²⁵ Sacchi offers some very helpful insights into the Pauline understanding of universal natural law, as well as the foundations for his thought. He points out that the argument is based upon two

St Basil states that, “The love of God is not based on some discipline imposed on us from outside, but as a capacity and indeed a necessity it is a constitutive element of our rational being.”³²⁶ Indeed through his meditation on Johannine theology, Basil understands love in terms of keeping God’s commandments (John 14:23), and hence the “spark of divine love” implanted within us as the natural inclination to desire God is necessarily manifested in a life that follows God’s commandments.³²⁷ Thus, through this implanted natural inclination, or *logos spermatikos*,³²⁸ we are predisposed to carry out God’s commandments, and are “enabled” by God’s grace to do so.³²⁹ Ratzinger combines Basil’s words with those of Augustine, who states that we have a “basic understanding of the good [...] imprinted upon us.”³³⁰ In this way, Ratzinger is

premises: 1. Christ as universal Saviour, and 2. without sufficient knowledge of the law that regulates the relationships between man and God, and between people, there can be no sin or condemnation. As such, St Paul declares that “all have sinned and fall short of the glory of God” (Rom 3:23), and so are subject to God’s wrath (Rom 1:18; 2:5), and to his call to repentance (Rom 2:4), and are justified by faith in Christ, who offered himself as a sacrifice of atonement (Rom 3:25). The presumption of universal sinfulness demands that all have access to an understanding of God’s law, Jews as well as Gentiles, for without this Paul’s words regarding God’s impartial reward and punishment would not make sense (Rom 2:9-11). However, Sacchi points out that for the Gentiles, this was not in the form of specific precept(s) as in the case of Adam or of the Law of Moses, but rather a knowledge, common to all, of the principles that regulate human action. Sacchi’s comments are helpful, as they point to the level of *anamnesis* or *synderesis* in their generality. However, St Paul’s discussion of the universal natural law is not presented in the form of an exhaustive treatise, and so one should be careful not to expect too much from the text. See Alessandro Sacchi, “La Legge Naturale nella Lettera ai Romani,” in *Fondamenti Biblici della Teologia Morale: Atti Della XXII Settimana Biblica*, ed. Associazione Biblica Italiana (Brescia: Paideia, 1973), 375-89.

³²⁶ St Basil the Great, *Regula Fusius Tractatae*, interrogatio II, 1, resp., PG 31, 907: “non in externa disciplina situs est Dei amor, sed simul atque constituit animal illud (hominem dico)” (parenthesis in text). Translation in Ratzinger, “If You Want Peace... Conscience and Truth,” 91.

³²⁷ Ratzinger, “If You Want Peace... Conscience and Truth,” 91-92. See Basil, *Regula Fusius Tractatae*, interrogatio II, 1, resp., PG 31, 907: “scintillam divini amoris intra vos reconditam.”

³²⁸ Basil, *Regula Fusius Tractatae*, interrogatio II, 1, resp., PG 31, 907: “vis quaedam rationis seminis modum insita nobis fuit.” [For original Greek, see PG 31, 908: *spermatikos tis logos hēmin enkatabeβētai*]. For comments on St Basil’s anthropology, which combines Scripture with Stoic and Platonic concepts, including the notion of God implanting the *logos spermatikos*, the seminal word, which is this inclination to love, see Augustine Holmes, *A Life Pleasing to God: The Spirituality of the Rules of St Basil* (London: Darton, Longman and Todd, 2000), 68-78.

³²⁹ See Holmes’s translation from the Greek of part 1 of the Longer Rule 2: “The pupils in the school of God’s commandments having received this word are by God’s grace enabled to exercise it with care, to nourish it with knowledge, and to bring it to perfection. Cf. Holmes, *A Life Pleasing to God*, 68; Ratzinger, “If You Want Peace... Conscience and Truth,” 92. Clearly, St Basil considers God’s grace to be indispensable in the pursuit of the virtuous life. We shall return to this point in a later chapter.

³³⁰ Ratzinger, “If You Want Peace... Conscience and Truth,” 92. Cf. St Augustine, *De Trinitate*, VIII, 3,4; PL 42, 949: “Neque enim in his omnibus bonis, vel quae commemoravi, vel quae alia cernuntur sive cogitatur, diceremus aliud alio melius cum vere iudicamus, nisi esset nobis impressa

pointing out that both desire and understanding, will and intellect, possess a fundamental drive for the good, which is ultimately rooted in God, who is our Highest Good.³³¹

Thus, with this ground in Scripture and Patristics, Ratzinger is able to present his definition of *anamnesis* as the “first level” or “*ontological level*” of conscience, which is “a kind of *primal remembrance of the good and the true* (which are identical).”³³² Ratzinger’s presentation is not a description of *synderesis* as some kind of drive and perception of the good considered purely as some abstract notion. Instead he presents a description of *anamnesis* which is wholly rooted in God, and directed toward him, who is the ultimate Good. *Anamnesis* is our basic moral inclination born out of the created reality of our very being. “There is an inherent existential tendency of man, who is created in the image of God, to tend toward that which is in keeping with God.”³³³ Here we can see that *anamnesis* is considered as being grounded in our existential state of being-in-relationship, reflecting our fundamental relationship with God, who created and sustains us; a relationship of being-for-God that exists regardless of whether the individual acknowledges it. Thus, the imprint of our origin in God means that “man’s being is in harmony with some things but not with others.”³³⁴ *Anamnesis* recalls that origin, and responds favourably to that which is in harmony with it. However, that capacity of recollection in its moral response is not some kind of storehouse of crystallized rules.

notio ipsius boni, secundum quod et probaremus aliquid, et aliud alii praeponeremus”; *The Trinity* (Hill’s translation, with different numbering): VIII, 2, 4: “For surely among all these good things I have listed and whatever others can be observed or thought of, we would not say that one is better than another when we make a true judgment unless we had impressed upon us some notion of good itself by which we approve of a thing, and also prefer one thing to another.”

³³¹ Augustine, *De Trinitate*, VIII, 3,4; PL 42, 949.

³³² Ratzinger, “If You Want Peace... Conscience and Truth,” 92 (emphasis in text).

³³³ Ibid.

³³⁴ Ibid.

This anamnesis of our origin, resulting from the fact that our being is constitutively in keeping with God, is not a knowledge articulated in concepts, a treasure store of retrievable contents. It is an inner sense, a capacity for recognition, in such a way that the one addressed recognizes in himself an echo of what is said to him. If he does not hide from his own self, he comes to the insight: *this* is the goal toward which my whole being tends, *this* is where I want to go.³³⁵

It is this “capacity for recognition” or “primal knowledge” of our origin and goal,³³⁶ that is shared by all peoples, though it is distorted to a greater or lesser extent in particular cases by “the arrogance of ‘civilization’.”³³⁷ Thus, while all peoples share this “primal knowledge,” its impact can be great or be severely stunted. Ratzinger judges that “the more a person leads a life guided by the ‘fear of God’ [...], the more concrete and clear will be the effect of this anamnesis.”³³⁸

It is in this context of the potential for distortion or obfuscation of this primal knowledge or remembrance of God’s ownership of us, that we find the root purpose of the Church’s Magisterium. The teaching authority of the Church should not be understood as some kind of voluntaristic imposition or interfering act of misguided benevolence.³³⁹ Rather the teaching authority of the Church exists to assist the individual in seeking the truth that is within him or her.³⁴⁰ Thus, the Magisterium “exists in order to serve it [*anamnesis*],” helping it to draw forth the truth and to be

³³⁵ Ibid. (emphasis in text). This key section describing Ratzinger’s notion of *anamnesis* requires comparison to the earlier text given to the American Bishops. Part of the second last sentence seems to be clearer in this text: “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.” See Ratzinger, “Conscience and Truth,” 32.

³³⁶ Ratzinger, “If You Want Peace... Conscience and Truth,” 93.

³³⁷ Ibid. cf. MacIntyre, *Three Rival Versions of Moral Enquiry*, 194.

³³⁸ Ratzinger, “If You Want Peace... Conscience and Truth,” 93. Here Ratzinger points to the story of the centurion Cornelius as an example. See Acts 10, particularly 10:34, where Peter talks of those who fear God and do what is right as being acceptable to God.

³³⁹ Ratzinger, “If You Want Peace... Conscience and Truth,” 93-94: “If the true essence of the Petrine ministry has become so incomprehensible in the modern period, this is surely because we can conceive of authority only on the basis of philosophical positions that exclude all bridges between subject and object. In such a view, whatever does not come from the subject can only be a heteronomous imposition.” Ratzinger’s reference to the separation of subject and object is reminiscent of comments by Brian Johnstone and Charles Taylor noted earlier in this chapter.

³⁴⁰ Ratzinger, “If You Want Peace... Conscience and Truth,” 94: “The anamnesis which is given to us and is inherent in our being needs help from outside in order that it may become aware of its own self.”

capable to receiving the truth.³⁴¹ Ratzinger uses the Socratic term of “maieutic” (‘midwifery’, that is, assisting in giving birth to the truth that is already there to be discovered) to describe this fundamental function of the Magisterium.³⁴² This description shows the right relationship between conscience and Magisterium, where the dignity of conscience is respected, but recognised also as being in need of “help from outside,” given its limitations and pressures.³⁴³ Accordingly, it is the role of the Magisterium in general, and of the teaching authority of the pope in particular, to be “the *advocate of Christian memory*,” by helping the individual to recall his origin and destiny, and hence that which is in keeping with that divine origin and destiny.³⁴⁴ Therefore the Church helps not only in the “anamnesis of Creation”, but also in the “anamnesis of faith,”³⁴⁵ which deepens that awareness of our origin and calling through our sacramental identity as sons and daughters of God, and heirs to the Kingdom (cf. Gal 3:27; 4:4-7). This is in effect “the *anamnesis of the new ‘we’*,” the remembrance of the Body of Christ.³⁴⁶

³⁴¹ Ibid.

³⁴² Ibid. Cf. Twomey, *Pope Benedict XVI*, 126, 137.

³⁴³ Ratzinger, “If You Want Peace... Conscience and Truth,” 94. One of Ratzinger’s major influences on his notion of conscience is the Venerable John Henry Newman, who emphasised the dignity of the individual’s conscience, but at the same time railed against the “counterfeit,” notion of subjectivist conscience, based upon the “right of self-will.” It is in this context that one can properly understand Newman’s toast where he would “drink, - to the Pope, if you please, - still, to Conscience first, and to the Pope afterwards,” since conscience “is the aboriginal Vicar of Christ.” Yet, at the same time, despite its central importance, conscience as “the sense of right and wrong [...] is so delicate, so fitful, so easily puzzled, obscured, perverted, so subtle in its argumentative methods, so impressible by education, so biassed by pride and passion, so unsteady in its course, that, in the struggle for existence amid the various exercises and triumphs of the human 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,” namely, that of support and assistance in revealing the truth of God’s Law. See John Henry Cardinal Newman, “Letter Addressed to the Duke of Norfolk on Occasion of Mr. Gladstone’s Expostulation of 1874,” in *Certain Difficulties Felt by Anglicans in Catholic Teaching*, vol. 2 (London and New York: Longmans, Green and Co., 1894), 246-261, at 248, 250, 253-54, 261. Cf. Ratzinger, “If You Want Peace... Conscience and Truth,” 84-87, 93.

³⁴⁴ Ratzinger, “If You Want Peace... Conscience and Truth,” 95 (emphasis in text).

³⁴⁵ Ibid., 94. We shall return to this idea briefly in the final chapter.

³⁴⁶ Ibid., 94-95 (emphasis in text). For further comment on the use of memory in Scripture and also on the divinely inspired co-remembering of the Church, where we are led by the Spirit “into all the truth” (John 16:13), see Cf. Joseph Ratzinger (Pope Benedict XVI), *Jesus of Nazareth: From the Baptism in the Jordan to the Transfiguration*, trans. from the German by Adrian Walker (New York, London, Toronto, Sydney, and Auckland: Doubleday, 2007), 231-35.

Memory “sheds light on the sense of the act”; giving meaning to what we encounter here and now.³⁴⁷ The primal memory of *anamnesis* gives sense to the world around us, to ourselves, and to our actions. Therefore, we are called to awaken our recollection of God and the sense of our being.³⁴⁸ In awakening the awareness of the sense of our being, we find the imperative that is contained within us; we have a fundamental recognition of the good.³⁴⁹ It is this ontological grounding that gives conscience its solid point of reference, thus preventing it being reduced to “a mechanism that produces excuses for one’s conduct.”³⁵⁰

Building upon the foundation of *anamnesis*, Ratzinger turns to the second level of conscience: *conscientia*. Here he presents the standard description of *conscientia*, as understood by St Thomas, as an act of judgement that is an application of the basic knowledge of the good to the particular concrete situation.³⁵¹ The lack of detail in comparison to his discussion of *anamnesis* prevents much comment. Yet, to my mind, what is of major significance is his analysis of guilt in relation to conscience. Ratzinger affirms the traditional Scholastic position that “an erring conscience obligates,” since no one may act against his or her own convictions (cf. Rom 14:23).³⁵² If one acts in good faith one cannot have guilt at the level of the

³⁴⁷ Ratzinger, *Jesus of Nazareth*, 231.

³⁴⁸ Joseph Ratzinger, *Salt of the Earth: Christianity and the Catholic Church at the End of the Millennium*, an interview with Peter Seewald, trans. Adrian Walker (San Francisco: Ignatius Press, 1997), 41: “To a certain extent I am a Platonist. I think that a kind of memory, of recollection of God is, as it were, etched in man, though it needs to be awakened. Man doesn’t simply know what he is supposed to know, nor is he simply there, but is a man, a being on the way.” Cf. Twomey, *Pope Benedict XVI*, 126, n. 13.

³⁴⁹ Although D’Arcy’s analysis is quite different, and focused largely on the formation of principles and precepts, his conclusion also depends on the notion of recognition: “Aquinas does not mean that synderesis presents us with a number of cut-and-dried statements which we chant at will as a school-boy recites Newton’s three laws of motion; rather, it refers to the ability to recognize or elicit the truth and falsity of general ethical propositions when confronted with them.” See D’Arcy, *Conscience and its Right to Freedom*, 67-68.

³⁵⁰ Ratzinger, “If You Want Peace... Conscience and Truth,” 83.

³⁵¹ *Ibid.*, 95-96.

³⁵² *Ibid.*, 96.

judgement, the level of *conscientia*.³⁵³ But this does not mean to say that the individual may not still be guilty at a “*deeper level*,” by ignoring the revulsion of *anamnesis* in the first place.³⁵⁴ Such deliberate negligence constitutes the context for sinful action, and hence “this is why criminals like Hitler and Stalin, who act out of deep personal conviction, remain guilty.”³⁵⁵ In a few words, Ratzinger has clearly summed up the complex medieval notion of the binding, and yet sinful erroneous conscience, and in doing so, he has also challenged the common, exaggerated or inappropriate use of the excusing or even meritorious erroneous conscience. With regard to the latter, he also uses a line from Psalm 19 to great effect: “Clear thou me from hidden faults” (Ps 19:12).³⁵⁶ Ratzinger considers the idea of being blind to one’s own guilt to be strong evidence that “the theory of justification by means of an erring conscience is untenable.”³⁵⁷ On the contrary, the loss of the ability to see one’s guilt is far worse state to be in than having recognised that one has sinned, since conscience would no longer act as a deterrent to future wrongdoing.³⁵⁸

Vincent Twomey points out that Ratzinger’s lack of further systematic investigation of *conscientia* as the level of judgement has left his theory open to

³⁵³ Ibid., 97: “One who *follows the conviction* at which he has arrived, *never incurs guilt*.” (emphasis in text).

³⁵⁴ Ibid.: “But *guilt* may very well consist in *arriving at such perverse convictions* by trampling down the protest made by the anamnesis of one’s true being. The *guilt* would then lie on a *deeper level*, not in the act itself, not in the specific judgment pronounced by conscience, but *in that neglect of my own being* that has dulled me to the voice of truth and made me deaf to what it says within me” (emphases in text).

³⁵⁵ Ibid., 97. Cf. *ibid.*, 80-81. This view would also imply a steering away from presuming some kind of blanket inculpability in cases of psychiatric disorder. Aquinas admits excuse from sin in cases of severe mental incapacity. However, despite their clear psychological defects, probably Ratzinger considers the nature and complexity of the sustained campaign of evil acts carried out by Hitler and Stalin to be evidence that these dictators are outwith the category of severely mentally incapable, and are therefore responsible, and hence culpable, to some extent for their actions.

³⁵⁶ Ibid., 97, 81-84. The translation uses the *Revised Standard Version* of the Bible.

³⁵⁷ Ibid., 81.

³⁵⁸ Ibid.: “the *loss of the ability to see one’s guilt*, the *falling silent of conscience* in so many areas, is a *more dangerous illness of the soul* than guilt that is *recognized as guilt*” (emphases in text). The idea of a silencing of conscience at a deeper level probably relates more to Bonaventure’s or Albert’s notion of *synderesis* being overthrown *per accidens*, rather than Thomas’s errors of deduction of *conscientia*.

misinterpretation as to how it functions, and how it relates to the ontological level.³⁵⁹ To that extent, while admitting that Ratzinger's analysis has a particular context in which *anamnesis* and the role of the Magisterium were of primary interest, he would have wished for "greater detail" in the description of *conscientia* and "greater attention to the role of the virtue of prudence" in relation to the latter.³⁶⁰ Indeed, prudence may hold the key to how we can bridge the gap between an ontological description of our foundation for moral reasoning and an analysis rooted in analytical philosophy that searches for sufficient detail in the general premise to justify the logical transition to the particular situation. We shall return to prudence in the next chapter.

This overview of Ratzinger's theory of conscience has highlighted its dependence upon ontology as a foundation, such that all people share a common thirst for the good through their created nature, as well as a capacity to see the truth of things through their conscience. While conscience is a capacity found in all, and thus great attention is paid to the natural law, Ratzinger is also careful to emphasise the value of our Baptism and our life in Christ. Indeed, at points he has related our knowledge of the truth with our friendship with Christ, or identified the judgement of conscience with the "mind of Christ."³⁶¹ However, one might begin to wonder

³⁵⁹ Twomey, *Pope Benedict XVI*, 135.

³⁶⁰ Ratzinger makes a vague reference to prudence and right appetite of the will in relation to the process of deduction in conscience, but does not pursue it. He says, "On the basis of the Aristotelian tradition, Thomas understands this procedure on the model of the drawing of an inference, but he strongly underlines the specific character of this knowledge of what one ought to do: *its conclusions are not inferred from knowledge or thinking alone*" (own emphasis). In a footnote he refers the reader to Livio Melina's detailed analysis of Aquinas's understanding of moral knowledge, which emphasises the intimate connection between moral science, prudence, the moral virtues and right appetite. Although no further comment is made, the reference highlights that Ratzinger acknowledges the essential involvement of prudence in the judgement of conscience. See Ratzinger, "If You Want Peace... Conscience and Truth," 96; Livio Melina, *La Conoscenza Morale: Linee di Riflessione sul Commento di san Tommaso all'Etica Nicomachaea* (Rome: Città Nuova, 1987), 69-95.

³⁶¹ Joseph Ratzinger, "Homily at the Mass for the Election of the Roman Pontiff," in *The Essential Pope Benedict XVI*, 21-24, at 23: "A faith that is deeply rooted in friendship with Christ is adult and mature. It is this friendship that opens us up to all that is good and gives us the knowledge to judge true from false, and deceit from truth. [...] In Christ, truth and love coincide. To the extent that we draw near to Christ in our own life, truth and love merge." Here friendship with Christ deepens our understanding of the good. Earlier, Ratzinger had also pointed to the complement of this movement:

whether Ratzinger's theory, and Pieper's for that matter, betrays a certain naivety in that it is over-optimistic with regard to the moral capabilities of the individual conscience. It is true that an ontological interpretation of conscience, could be accused of naive optimism if it were not tempered with an adequate acknowledgement of human frailty, but I would consider Ratzinger and Pieper, in keeping with the medievals, to be fully aware of human frailty.³⁶² Indeed, their aim is to move away from the notion of some kind of moral incapacity or inculpability, and so they will naturally emphasise truth, reality, capability and responsibility. However, Ratzinger and Pieper both acknowledge frailty, and consider this also to be part of the moral situation of each individual; this is why we need God's help in moral endeavour.

Another charge of optimism may be laid with regard to Pieper and Ratzinger's description of the perception of truth: does their theory contradict the advances made by Aquinas in his consideration of the *bonum apprehensum*? Although at first this may seem to be the case, if one simply places the ideas in opposition, this does not do justice to the nuances of Aquinas or to those of Pieper and Ratzinger. Aquinas differentiated the *perception of goodness from the actual goodness of the reality*, but he did not go so far as to sever the two. As such, he remains a realist in his philosophy

the search for the truth by conscience leads us to Christ, at least to thinking in accord with his ways. Cf. Joseph Cardinal Ratzinger, "The Church's Teaching Authority – Faith – Morals," in Heinz Schürmann, Joseph Cardinal Ratzinger, and Hans Urs von Balthasar, *Principles of Christian Morality*, trans. Graham Harrison (San Francisco: Ignatius Press, 1986), 64: "[Conscience] 'uncovers what is constant and thus necessarily leads to the 'mind of Christ', ' in effect, a knowing in tune with the Lord."

³⁶² While being opposed to a "purely sociological or psychological interpretation of conscience," here we should recall that Ratzinger did comment on the psychological and sociological background to moral blindness, in addition to focusing on the influence of sin. See Ratzinger, "Dignity of the Human Person," 134-35. Pieper acknowledges the difficulty of the virtuous life, by describing it as "a moral standard for humanity which he [Pieper], in his own daily life, is utterly unable to meet." See Pieper, *The Four Cardinal Virtues*, xiii. This comment by Pieper might remind us of Kiely's criticism of moral theories that propose a high moral optimism that is unreachable. However, Pieper balances this high moral standard with an acknowledgment that man is *homo viator*, someone who is on the way to beatitude, whose imperfections and despair are transformed by the theological virtue of hope, so that he is given the grace to carry on. I shall return to the virtue of hope in a later chapter. Cf. Josef Pieper, *Faith, Hope, Love*, trans. Richard and Clara Winston and Sr Mary Frances McCarthy (San Francisco: Ignatius Press, 1997), 91-129; Kiely, *Psychology and Moral Theology*, 255.

and theology.³⁶³ Thus, although error is possible, this does not imply that truth can never be attained. Pieper and Ratzinger are really saying the same thing: although we are capable of perceiving the truth, we are not perfect; error still occurs, but the capacity for error does not define our morality. Rather, our relationship with reality in all its facets defines our morality.

With these clarifications in mind, I would therefore suggest that the approach typified by Pieper and Ratzinger, as well as others, such as Pinckaers,³⁶⁴ is precisely what is needed in grounding a balanced understanding of the nature of moral action by allowing us to give appropriate recognition to both our “abilities *and* inabilities,”³⁶⁵ in such a way that, through hope and the forgiveness of Christ, we may acknowledge the potential in people for growth in goodness and holiness, however limited or difficult that road may be in the individual case.

3.3 What Kind of Content?

Having restored the link between *synderesis* and reality, so that it has a grounding in truth rather than subjectivism, we have also reaffirmed that it is no mere formal principle, but a capacity with real involvement in the moral reasoning process. The present Pope, Benedict XVI, had previously defined it (as *anamnesis*³⁶⁶) as the innate

³⁶³ See Copleston, *Aquinas*, 49-50: “But though error is possible, Aquinas did not regard this possibility as any valid reason for unlimited scepticism. [...] The truth that being is intelligible is revealed in the concrete act of knowing anything, though its expression in the form of an abstract proposition is the work of reflection. And this is for Aquinas the reason why the mind goes forward confidently to investigate reality.” Realist moral theology seeks to include the whole human reality in its moral theory, and so includes not only natural but also supernatural aspects, such as the reality of created status and a teleology of beatitude. See Cessario, *The Moral Virtues and Theological Ethics*, 22-28.

³⁶⁴ Pinckaers’ analysis of freedom also demands a return to truth as moral foundation. See Pinckaers, “Conscience, Truth, and Prudence,” 79.

³⁶⁵ Ratzinger, “If You Want Peace... Conscience and Truth,” 99 (emphasis mine).

³⁶⁶ Although I would consider Ratzinger’s analysis of *anamnesis* to be a major turning point in clarifying the notion of *synderesis*, and would therefore incorporate his insights into its definition, I am inclined to agree with Pinckaers that it would be “very difficult [...] to replace such a classical term” with Ratzinger’s proposed substitution. As a result, I will continue in this thesis to refer to *synderesis*. Cf. Pinckaers, “Conscience, Truth, and Prudence,” 88.

capacity for recognition of our origin and calling, and of that which is in harmony with that origin and calling, that is, what is good. He steers clear of describing *synderesis* as some kind of storehouse of ready formulated precepts, and in doing so is joined by other writers, such as John Finnis.³⁶⁷ Yet how does this description fit with the medievals' repeated reference to *synderesis* as being the locus for first principles of practical reason? In what way does *synderesis* have a specific material content that has real impact upon our moral understanding and judgements?

3.3.1 The Nature of First Principles of the Practical Order

As we have observed above, the Scholastics made repeated reference to 'first principles' and 'general principles' as the foundations for particular moral judgements or moral deductions. Nevertheless, the reader is left hanging or confused because the examples of other first principles are few, or often undisclosed, and are located so far apart in texts that it takes time and effort even to spot them. Of the major writers, Aquinas offers a number of examples, although even in his case they are not listed altogether. Thus, for example, in addition to seeking good and avoiding evil, Aquinas declares the following to be first principles: *God's precepts are to be obeyed*,³⁶⁸ *God is to be loved*,³⁶⁹ *Love God; love your neighbour*,³⁷⁰ *What is unlawful should not be*

³⁶⁷ Finnis is concerned that to imagine *synderesis* as some kind of storehouse of "already crystallized moral principles," such as those contained in the Ten Commandments, would do a serious injustice to Aquinas and to his theory of prudence, as it would severely reduce the role of this virtue. See Finnis, *Natural Law and Natural Rights*, 51.

³⁶⁸ Aquinas, *In II Sententiarum*, dist. 24, q.2, a.3, sol.: "praeceptis Dei obediendum fore." Cf. *ibid.*, dist. 39, q.3, a.2, sol. Timothy Potts thinks that Aquinas's inclusion of this principle as a basic proposition of *synderesis* along with 'seek good, avoid evil' to be "a nasty twist" in the tale, which closes the door on a very lenient stance regarding an erroneous *conscientia* which acts in good faith, by severely limiting the possibilities of excusing the person from sin. That the principle limits the possibility of excuse in Aquinas's theory is true, but Potts presents the addition of obeying God's commands as if it were an afterthought or some kind of cover-all principle to fill the gaps in Aquinas's theory. This is misreading Aquinas, and overlooking the importance of the theological setting of his writings. See Potts, *Conscience in Medieval Philosophy*, 60.

³⁶⁹ Aquinas, *De Veritate*, q.17, a.2, resp. Here there is a discourse on conscience being infallible in cases where the particular judgement of conscience replicates a universal judgement in *synderesis*. He gives two examples of impossible statements for conscience: "I should not love God"

done,³⁷¹ *No harm should be done* and *The evil-doer should be punished*.³⁷² Often, in the modern analysis of the content or function of *synderesis*, the inclusion of these principles by Aquinas is overlooked, with attention being restricted to *good is to be done; evil is to be avoided*.³⁷³ Yet, these examples of fundamental principles or precepts are present in the text, and so should not be side-stepped. So does the inclusion of a few examples of first principles imply that *synderesis* is in fact a storehouse of precepts for the purposes of deduction? The manualists probably took the examples as evidence for seeing *synderesis* more in this way, and as a result, listed further examples in their own works.³⁷⁴ But even if these extra principles are not

and “Some evil should be done”, pointing out that there are self-evident, universal judgements about these matters. From this one can extract not only a reaffirmation of *evil should be avoided* as a first principle, but also *God should be loved* as another first principle according to Aquinas.

³⁷⁰ Cf. Aquinas, *Summa Theologica*, Ia IIae, q.100, a.3, arg. 1, ad 1; Porter, *Nature as Reason*, 263.

³⁷¹ Aquinas, *In II Sententiarum*, dist. 39, q.3, a.2, sol.: “in hoc communi principio, quod est, nullum illicitum esse faciendum.” This first principle is buried in the context of a description of how reason can err in forming secondary principles. Thus, the example is given of heretics being mistaken in their belief that the swearing of oaths is never legitimate (conclusion), since they have based this upon the principle that any oath is unlawful (secondary principle as minor premise). Nevertheless, the major premise taken from *synderesis*, (that nothing illicit should be done) is still without flaw.

³⁷² Aquinas, *Summa Theologica*, Ia IIae, q.95, a.2, resp.: “nulli esse malum faciendum [...] qui peccat, puniatur.” The latter natural principle is given as an example of a natural law which requires the human community to determine the appropriate mode and degree of punishment, whereas the former offers the basis for deriving the conclusion ‘Thou shalt not kill’.

³⁷³ A notable exception is to be found in the work of Jean Porter, to which I shall refer in trying to offer some kind of concise resolution. For her full presentation on practical first principles, see Porter, *Natural and Divine Law*, 85-98; idem, *Nature as Reason*, 248-68.

³⁷⁴ Principles later presented by the manualists include: St Alphonsus de Liguori, *Theologia Moralis*, 9th ed., vol. 1, ed. M. Heilig (Mechlinia: P.J. Manicq, 1852), I, tract. 1, cap. 1, 2: “*Deus est colendus*” [God is to be worshipped], “*Quod tibi non vis, alteri ne feceris*” [That which you do not want done to you, do not do to another] (emphasis in text); Giuseppe Frassinetti, *Compendio della Teologia Morale di S. Alfonso M. De Liguori* (Genoa: Tipographia Arcivescovile, 1890), 7: “Non fare agli altri ciò che non vorresti che fosse fatto a te” [Do not do to others what you would not want done to yourself]; Vermeersch, *Theologia Moralis*, I, (1926 ed.), 311-12: “*praecepta esse implemenda, promissa esse servanda*” [precepts should be carried out, promises should be kept]; Davis, *Moral and Pastoral Theology*, I, 64: “The judgments which we formulate are based upon certain moral principles of the most general character, such as that good is to be done, evil avoided, legitimate commands are to be obeyed, justice is to be maintained, promises are to be kept”; Benedictus Henricus Merkelbach, *Summa Theologiae Moralis*, rev. ed., vol. 1, *De Principiis* (Paris: Desclée De Brouwer, 1935), 187: “*nulli est iniuria facienda; quod tibi fieri non vis nec alteri facias; Summum Bonum est amandum*” [injury/injustice is to be done to no one; what you would not wish to happen to you, neither do to another; the Highest Good is to be loved]. Frassinetti says that the precepts of the Decalogue are conclusions which are immediately drawn from first principles, and therefore one cannot have invincible ignorance of them. See Frassinetti, *Compendio della Teologia Morale*, 7-8. Frassinetti’s view probably owes its origin to Aquinas, who, unlike St Albert, did not consider that the Decalogue was part of *synderesis*, nor as self-evident in itself, but could be drawn from first general principles

included, the existence of some examples articulated by the medievals constitutes sufficient grounds to explore the nature of these principles. So let us briefly look at these principles in order to allow us to reach a general conclusion as to the nature and function of *synderesis*.

St Thomas talks of propositions and principles in the speculative order, and then declares that “the precepts of natural law are to the practical reason what the first principles of demonstrations are to the speculative reason.”³⁷⁵ Hence, as there are multiple fundamental precepts, there is more than one indemonstrable first principle of practical reason. We can say that *good is to be done; evil is to be avoided* is considered by the Angelic Doctor to be the most fundamental principle of morals provided by *synderesis*, but his other comments imply that he also understands *synderesis* to contain other fundamental principles,³⁷⁶ with more specific content. Therefore, I would agree with D’Arcy that there is a difference between “Good should be done and evil shunned” and “Laws should be obeyed: Promises should be kept”, as examples of first principles of *synderesis*.³⁷⁷ Clearly the first principle of seeking the good is much broader and can encompass the other two principles as acts of goodness.

with only a minimum of reflection (as well as given immediately by God through infused faith). Cf. Aquinas, *Summa Theologica*, Ia IIae, q.100, a.3, resp.: “statim ex principiis communibus primis cognosci possunt modica consideratione.” Cf. Porter, *Natural and Divine Law*, 92.

³⁷⁵ Aquinas, *Summa Theologica*, Ia IIae, q.94, a.2, resp. (English trans. from Benziger ed.) Cf. Leonine ed.: “praecepta legis naturae hoc modo se habent ad rationem practicam, sicut principia prima demonstrationum se habent ad rationem speculativam, utraque enim sunt quaedam principia per se nota.”

³⁷⁶ As Aquinas makes no reference to *synderesis* or *conscientia* in his commentary on the *Nichomachean Ethics*, little attention is paid to this work in discussions on conscience. However, his comments have a direct bearing here, in that he makes repeated reference to the indemonstrable first principles of practical reason, which he says are innate, or come to be known naturally, such that they cannot be ignored. This confirms Aquinas’s understanding of the existence of multiple principles, but also the way in which he understood their relation to the person. Cf. Aquinas, *In Decem Libros Ethicorum ad Nichomachum*, II, lect. 4: “Prima autem rationis principia sunt naturaliter nobis indita, ita in operativis, sicut in speculativis”; V, lect. 12: “etiam in operativis sunt quaedam principia naturaliter cognita quasi indemonstrabilia principia, et propinqua his, ut malum esse vitandum, nulli esse injuste nocendum, non forandum, et similia”; V, lect. 15: “Ideo autem dictum est de ignorantia legalis iusti, quia alterum justum, scilicet naturale quod non potest ignorari, quia naturaliter est menti humanae impressum”; VI, lect. 11: “cum naturaliter indita sint prima principia operabilium humanorum.” Cf. Melina, *La Conoscenza Morale*, 75.

³⁷⁷ D’Arcy, *Conscience and its Right to Freedom*, 54. Here D’Arcy is listing Vermeersch’s examples. Cf. Vermeersch, *Theologia Moralitatis*, I, (1926 ed.), 311-12.

However, they are not simply a repetition of the idea, either. They are fundamental principles in that they contain an element not disclosed in the first precept which brings the broad notion of goodness into the field of real operation, while still remaining on the level of general principle. Jean Porter describes first principles of this kind as “more restricted in their scope but equally foundational within their sphere of operation.”³⁷⁸ Thus, examples presented by the medievals (and subsequently by manualists) of a variety of fundamental moral principles are not some kind of awkward attempt to justify the moral deductive process; they are as integral to the notion of *synderesis* as *good is to be done; evil is to be avoided*. Porter observes that it would be “tempting to interpret these claims [for the existence of multiple foundational principles] in Kantian terms, as if Aquinas were saying that reason generates these norms through its own autonomous operations, presumably through the canons of self-consistency.”³⁷⁹ However, to make such a conclusion would be to separate metaphysics from morals once again, rooting first principles in the autonomy of practical reason, which would ultimately lead us back to an isolated conscience and subjectivist morality, in the failure to find a justification for objectivity. Yet, Aquinas sees no separation between metaphysics and morals. As a result, “the first principles of practical reason are nothing other than the rational creature’s grasp of the intelligibilities inherent in created existence.”³⁸⁰ This means that these principles are not derived from metaphysical and natural principles.³⁸¹ Rather, “these first principles *are* metaphysical and natural principles of motion as grasped by the rational

³⁷⁸ See Porter, *Nature as Reason*, 263.

³⁷⁹ *Ibid.*

³⁸⁰ *Ibid.*

³⁸¹ *Ibid.*, 263-64. Cf. Peter Simpson, “St. Thomas on the Naturalistic Fallacy,” *The Thomist* 51 (1987): 51-70, at 67-68.

creature.”³⁸² Here, on the lack of derivation of the principles, Porter and Finnis agree,³⁸³ but Porter considers Finnis’s claim that nature is not connected to our understanding of the good to be untenable.³⁸⁴ The natural principles of motion which Porter refers to are our natural desires, passions and inclinations,³⁸⁵ which “stem from and reflect the proper form of humanity,” when united with reason,³⁸⁶ and provide the metaphysical dynamic impulse which underpins moral action.³⁸⁷

Therefore, our created human nature itself provides us with intelligible first principles for morality. As they are not derived from something else, they are indemonstrable and “self-evident” (*per se nota*).³⁸⁸ The translation of *per se notum* may lead to some confusion, as “self-evident” is often understood nowadays as something that is patently obvious. However, the more precise meaning of “self-evident” is that which “bears evidence of its own truth,” or that which is “evident of itself without proof.”³⁸⁹ Here we get closer to Aquinas’s understanding of a *per se notum* principle: a principle, whose truth is evident directly from the nature of the matter it is describing. Thus, the principle is “known through itself,”³⁹⁰ without the

³⁸² Porter, *Nature as Reason*, 264 (emphasis in text). Cf. *ibid.*, 265: “Practical reason is not independent of the metaphysical structures of the agent; it is on the contrary an immediate and direct expression of those structures, as they are expressed in action.”

³⁸³ Finnis, *Natural Law and Natural Rights*, 33-34: “They are not inferred from speculative principles. They are not inferred from facts. They are not inferred from metaphysical propositions about human nature, or about the nature of good and evil, or about the ‘function of the human being’, nor are they inferred from a teleological conception of nature or any other conception of nature. They are not inferred or derived from anything.” Cf. Porter, *Nature as Reason*, 264, n. 52.

³⁸⁴ Cf. Porter, *Nature as Reason*, 264, n. 52; Finnis, *Natural Law and Natural Rights*, 36: “And this quest will eventually bring one back to the *undervived* first principles of practical reasonableness, principles which make no reference at all to human nature, but only to human good.” (emphasis in text).

³⁸⁵ Aquinas identifies five natural inclinations: to the good, to self-preservation, to sexual union and the rearing of offspring, to the knowledge of truth, to live in society. See his *Summa Theologica*, Ia IIae, q.94, a.2, resp. For an extensive study of the natural inclinations, see Pinckaers, *Sources of Christian Ethics*, 400-56.

³⁸⁶ Porter, *Nature as Reason*, 265, 205.

³⁸⁷ Kennedy, “L’Idea di Coscienza Morale Secondo S. Tommaso,” 163-64, n.43.

³⁸⁸ Aquinas, *Summa Theologica*, Ia IIae, q.94, a.2, resp.

³⁸⁹ *The Compact Edition of the Oxford English Dictionary*, vol. 2, 1971 ed., s.v. “self-evidence” and “self-evident.”

³⁹⁰ See Porter, *Nature as Reason*, 263. Porter’s translation, “known through themselves,” is perhaps preferable to Flannery’s: “known in itself.” See Flannery, *Acts Amid Precepts*, 70.

need of an intermediary premise. This may seem at first to be a more complicated way of stating that a principle is patently obvious. Indeed, if that is all that *per se notum* meant, then it would imply that all universal first principles are obvious to everyone; a claim which is unsound. Experience tells us that not all first principles as presented by Aquinas and others are patently obvious to everyone; indeed, some would strongly dispute the veracity of some of them. However, the claim that the principles are universally obvious is a misreading of the text.³⁹¹ Aquinas readily acknowledges the fact that not all first principles are clear to everyone, stating that without knowledge of the definition of the subject in question, the evident principle drawn directly from the nature of that subject will not be understood.³⁹² Thus, if an individual disputes over the definition of the subject (for example, the nature of the human person or God), then the moral principle contained in the true nature of that subject would not be clear at all to that person. Therefore, we should note that Aquinas uses *per se notum* in relation to two things: in relation to the principle of the thing itself, and only secondarily in relation to the understanding of a particular individual. Accordingly, Aquinas distinguishes a thing known *per se secundum se* (through itself, in itself) from things known *per se quoad nos* (through themselves, in relation to us),³⁹³ pointing out that some principles are commonly known,³⁹⁴ while others are only

³⁹¹ Kiely, *Psychology and Moral Theology*, 6: “The problem with these statements [regarding *synderesis* and its first principles] is not that they are false, but that they are deceptively simple. They are presented as if all men, or at least all men of good will, would find such considerations more or less obvious.”

³⁹² Aquinas, *Summa Theologica*, Ia IIae, q.94, a.2, resp.: “Secundum se quidem quaelibet propositio dicitur per se nota, cujus praedicatum est de ratione subjecti: contingit tamen, quod ignorantia definitionem subjecti talis propositio non erit per se nota.”

³⁹³ *Ibid.*, I, q.2, a.1, resp; Ia IIae, q.94, a.2, resp.: “dicitur autem aliquid per se notum *dupliciter*: uno modo secundum se; alio modo quoad nos” (emphasis in text).

³⁹⁴ *Ibid.*: “propositiones per se notae communiter omnibus.” Flannery points out that elsewhere Aquinas has another use of *communis* which “does not mean common to everybody,” that is, something which is known by many or most people, but not all. This insight would have implications for our understanding of Aquinas’s description of *per se nota* first principles and precepts, which he describes as ‘universal’ and ‘common’. According to this insight, I would assume that ‘common’ would imply that there are principles that are not known by everyone. However, this fact would not

known by the wise.³⁹⁵ Although Aquinas's examples belong to the speculative order, he presents them as an explanation of the foundation of the practical order by analogy. Therefore, our created existence presents us with first principles that are intelligible to reason, though not all of them are intelligible to everyone all of the time (the principle remains, nonetheless, as a true and necessary foundation, even in the absence of understanding by an individual). This is further justification for the need of a *communio personarum*, to share that intelligibility with others.³⁹⁶

With this definition of the practical first principles of *synderesis* as the rational creature's grasp of the self-evident or axiomatic fundamental metaphysical-moral meaning inherent in created existence,³⁹⁷ we can affirm that *synderesis* does indeed operate materially, and not simply formally. However, what is essential to understanding the nature of these principles, and to avoiding the notion of *synderesis* as some kind of treasury of crystallized principles (or precepts in their imperative

affect the universal validity of the first principle, but rather the extent to which it is known (*quoad nos*). Cf. Flannery, *Acts Amid Precepts*, 38.

³⁹⁵ Aquinas, *Summa Theologica*, Ia IIae, q.94, a.2, resp.: "Quaedam vero propositiones sunt per se notae solis sapientibus, qui terminos propositionum intelligunt quid significant." The comment also reflects an Aristotelian influence which regarded the fullest knowledge residing in the wise. Cf. Flannery, *Acts Amid Precepts*, 32. However, one should also remember that there are limits even to the wise (in worldly terms) and the learned, since Christ gives praise to his Father for those "infants" who, with little learning, were able to recognise him, Christ the true Wisdom, and his call to repentance. See Mt 11:25-27. In this way, *per se nota* moral principles regarding God would be rejected out of hand by some academics who consider his existence to be a harmful fabrication. Cf. Richard Dawkins, *The God Delusion* (London: Bantam Press, 2006; Black Swan paperback, rev. ed., 2007), 241-67, 356. Dawkins, following Marc Hauser's findings, would accept that every human is born with some sort of basic, universal "moral grammar", but that it is of an accumulative, evolutionary origin, and so has nothing to do with God. See, *ibid.*, 255, 258.

³⁹⁶ See Melina, *Sharing Christ's Virtues*, 190-91. See also MacIntyre, *Three Rival Versions of Moral Enquiry*, 136: "What is constant in this movement [to a mature understanding] is the core of our initial apprehension, that if we are to achieve an understanding of good in relation to ourselves as being, as animal, and as rational we shall have to engage with other members of the community in which our learning has to go on in such a way as to be teachable learners."

³⁹⁷ As we have observed, this view would be at odds with those holding a formalist view of *synderesis*. Mark Nelson offers a recent example of this view, where virtue, particularly that of prudence is emphasised to such a degree that "prudence, rather than *synderesis*, determines what it actually means to act according to right reason in each case." Prudence takes on this role in Nelson's interpretation because natural law "plays no significant epistemic function in making practical moral determinations," as it only "functions formally to account for the judgments of prudence." This would be an example of what Twomey considers to be confusion of the levels of conscience. Cf. Nelson, *The Priority of Prudence*, 145; Twomey, *Pope Benedict XVI*, 136.

form) is that they “need not be formulated in order to be grasped,”³⁹⁸ or to be applied to the particular situation, for that matter. Flannery provides an example of this from the speculative order, which throws light on what is meant by this: “if a child does not know that a whole is larger than its parts, it will not know to break off a piece of its food in order to get it into its mouth.” The child does not need to know that this was formulated as the eighth common notion of Euclid’s *Elements* in order to be able to apply it.³⁹⁹ Concrete formulations of principles are a secondary step to the initial “inarticulate apprehensions” that support them.⁴⁰⁰ Such articulation is the task of the philosopher or the theologian,⁴⁰¹ who will mostly deal with derived secondary principles, which apply for the most part (*ut in pluribus*),⁴⁰² but who will also attend at points to formulating “principles that arise from our common humanity and that once articulated, are recognized by the ontological level of conscience.”⁴⁰³ This articulation may help someone to recognise what they had previously missed through hardness of heart or other limitations, such as a partial or temporary blindness caused by “cultural degeneration.”⁴⁰⁴ However, at its root, the process begins with the very being of a person’s existence. Thus, it is here in the idea of an initial motivating, inarticulate apprehension that we find the balance between understanding *synderesis*

³⁹⁸ Porter, *Nature as Reason*, 264.

³⁹⁹ Flannery, *Acts Amid Precepts*, 36.

⁴⁰⁰ MacIntyre describes the process of learning “*per inclinationem*, through [...] living out the virtues,” where understanding is gained, though not fully articulated. See MacIntyre, *Three Rival Versions of Moral Enquiry*, 137. Pinckaers uses the term “fontal knowledge” to describe something similar. See Pinckaers, *Sources of Christian Ethics*, 50-51.

⁴⁰¹ Twomey, *Pope Benedict XVI*, 136, Porter, *Nature as Reason*, 264. Twomey also includes the legislator in “*articulating ethical rules and moral principles*.” See *Pope Benedict XVI*, 136 (emphasis in text). However, I have omitted this function from my comment, as I would consider the legislator to articulate ethical rules or precepts which are on a level much closer to the particular and as such are subject to change or to limited application, and would be valid at most *ut in pluribus*. Cf. Aquinas, *Summa Theologica*, Ia IIae, q.95, a.2, resp.; Ia IIae, q.96, a.6, resp.; Ia IIae, q.97, a.1, ad 1. The exception to this would be some of the principles contained in constitutional law.

⁴⁰² Aquinas, *Summa Theologica*, Ia IIae, q.94, a.4, resp.

⁴⁰³ Twomey, *Pope Benedict XVI*, 137. Such formulation may at times already be presented to us in Revelation. For example, see Micah 6:8: “He has told you, O mortal, what is good; and what does the LORD require of you but to do justice, and to love kindness, and to walk humbly with your God?”

⁴⁰⁴ MacIntyre, *Three Rival Versions of Moral Enquiry*, 194.

in terms of empty formalism and considering it as an exhaustive collection of clearly defined principles, all ready to be used as if for a process of mechanical deduction.

3.3.2 Synderesis as Content or Context? An Attempt at Resolution

We have been working to the point of affirming the material function of *synderesis*, rather than simply reduce it to a formal condition or context for moral reasoning. However, in discussing the idea of material function, frequently the notion is readily connected with the word ‘content’, as some kind of shorthand. Yet, herein lies the problem, since, although it is often used by prominent writers,⁴⁰⁵ the term confuses the issue. Our understanding of content revolves around the idea of matter which is held within something, either physically or metaphorically. However, in the case of *synderesis*, the fundamental moral matter that it deals with is not so much contained by *synderesis*, as if were boxed in, but rather interpreted by it. *Synderesis* acts as both the basic perception *and* the fundamental moral understanding of the matter that makes up the reality of the human condition.⁴⁰⁶ As such, *synderesis* serves the human person as the capacity to reach the truth of all things. However blinded that capacity may be at times, that capacity remains, and is the bedrock of our ability to act and to grow morally.

⁴⁰⁵ For example, cf. D’Arcy, *Conscience and its Right to Freedom*, 49; Pieper, *Living the Truth*, 153: “The voice of the primordial conscience is – as to its content – the natural moral law.”

⁴⁰⁶ As a result, Pieper’s next sentence, qualifying the latter, noted just above, is more clearly in keeping with this idea of perception: “The primordial conscience is the *natural awareness* of the ethical natural law” (emphasis mine). See Pieper, *Living the Truth*, 153.

4. Conclusion

Over the course of this chapter, we have explored issues related to deduction, emotion, discernment, truth, reality and first principles in order to gain a deeper understanding of the nature of conscience both at the level of *synderesis* and of *conscientia*. Our investigation has gathered the evidence for understanding conscience in general as a capacity that allows the human person to perceive the truth and do the truth; a truth that involves the whole of reality: the world around us, the condition of God-given reality of our being, as embodied spirits, in relation to the God who made us and redeemed us. Nonetheless, our investigation has also highlighted the need to bear in mind the fragility of that capacity of conscience and the obstacles it faces in being able to see clearly. Therefore, in order to see clearly, we need to develop our skills of perception and judgement, as well as our desire to do God's will; we need to develop our moral sense by dwelling and operating in the right environment. It is the task of the remainder of this thesis to discuss the core elements of such an existential environment, namely, how virtue and grace assist conscience in its most necessary activity.

Chapter Five

Conscience and Virtue

1. Introduction

Virtue is no longer believed in, its power of attraction is gone; to restore it, someone would have to know how to take it to market as an unfamiliar form of adventure and excess. It demands too much extravagance and narrow-mindedness of its believers not to have the conscience against it today. To be sure, precisely that may constitute its new charm for unconscionable and totally unscrupulous people: - it is now what it never was before, a vice.¹

These comments by Nietzsche might not exactly offer the most promising start to a chapter on virtue and its connection to conscience. Nevertheless, his words may offer us some sort of in-road to an attitude which is still very evident in the world today, namely, the ignoring of virtue or even the overturning of virtue in favour of vice. The word 'virtue' could hardly be described currently as a term in frequent use.² Indeed, this may be due to its change in connotations. Rather than associate the term with strength (*vis*) or excellence (*aretē*), as its etymology suggests,³ probably for many 'virtue' conjures up ideas about something that is dull and lacking in excitement, something that is prudish or repressive in its outlook. According to this understanding, Nietzsche is right in declaring virtue unattractive.⁴ However, such a view is a

¹ Nietzsche, *The Will to Power*, 324.

² See Gianfranco Ravasi, *Ritorno alle Virtù: La Riscoperta di uno Stile di Vita* (Milan: Mondadori, 2005), 11.

³ *Ibid.*, 14.

⁴ Nietzsche states that his own vision of what constitutes the true nature of virtue and morals is more in keeping with Machiavelli's political philosophy: the practice of sham-virtue and the acceptability of vice. Thomas Hibbs says that the Machiavellian notion of virtue and prudence is not "subordinate" to moral rules; it is the other way around. This is clear throughout *The Prince*, since the guiding principles for action become reputation, personal safety or staying in power, rather than goodness, sincerity or truth. Thus, virtue and vice are viewed pragmatically, with one or other being chosen dependent upon which serves the Prince's purpose. Cf. Niccolò Machiavelli, *The Prince*, rev. ed., trans. George Bull (London: Penguin, 2003), XV (page 51): "So a prince has of necessity to be so prudent that he knows how to escape the evil reputation attached to those vices which could lose him his state, and how to avoid those vices which are not so dangerous, if he possibly can; but, if he cannot, he need not worry so much about the latter. And then, he must not flinch from being blamed for vices

distortion of a much richer reality, one that allows us to move away from a morality of mere obligation, to a morality of growth that positively seeks to choose and do the good,⁵ and ultimately, in seeking union with God out of love.⁶

Clearly this is a significant shift in perspective, but one which does not negate the necessity and importance of moral precepts.⁷ Rather, an understanding and practice of virtue places precepts in their proper context: one which recognises and appreciates the ends (both natural and supernatural) of human life and action, giving meaning, drive and direction to the choices a person makes. Livio Melina calls this shift in perspective a transition from “ethics of the third person” to the “ethics of the

which are necessary for safeguarding the state. This is because, taking everything into account, he will find that some of the things that appear to be virtues will, if he practices them, ruin him, and some of the things that appear to be vices will bring him security and prosperity”; Nietzsche, *The Will to Power*, 304: “A great moralist is, among other things, necessarily a great actor”; Hibbs, *Virtue’s Splendor*, 119.

⁵ Aquinas points out that virtue relates to two aspects of choice: right appreciation of the end and that which leads to it, that is, preference of (or predisposition to) that which is in keeping with the end, with moral virtue being concerned with the former, and prudence being concerned with the latter. See Aquinas, *Summa Theologica*, Ia IIae, q.56, a.4, ad 4: “in electione *duo* sunt, scilicet *intentio* finis, quae pertinet ad virtutem moralem; et *praeacceptio* ejus quod est ad finem, quod pertinet ad prudentiam; ut dicitur in 6. Ethic. (cap. 2. et 5.): quod autem habeat rectam intentionem finis circa passiones animae, hoc contingit ex bona dispositione irascibilis, et concupiscibilis: et ideo virtutes morales circa passiones, sunt in irascibili, et concupiscibili: sed prudentia est in ratione” (emphasis in text).

⁶ Aquinas says that man’s end and his desire for that end are transformed through the theological virtues; faith directing man’s reason to a supernatural end, and hope and charity directing his will to desire spiritual union with God, and to see it as attainable. See *ibid.*, Ia IIae, q.62, a.3, resp. and ad 3.

⁷ Hibbs has identified a potential inadequacy in some presentations of virtue ethics. In the interest of rekindling interest in the role virtue in the moral life, some have underplayed the importance of precepts in St Thomas’s moral theory, which has implications for moral theory in general. Without proper attention to precepts virtue ethics remains vague and relative. Cf. Hibbs, *Virtue’s Splendor*, 9-10, n.11. Here, Hibbs recommends McNerny’s *Ethica Thomistica* as an example of a text which balances virtue and precept, and criticises Daniel Nelson’s *Priority of Prudence* for its particular lack of balance. Porter agrees that virtue without precept would be incomplete. See Porter, *Moral Action and Christian Ethics*, 3: “once these approaches [rule-orientated and virtue-orientated] have been brought together, it becomes apparent that each is incomplete and distorted without the other.” For a similar view, see Robert B. Loudon, “On Some Vices of Virtue Ethics,” *American Philosophical Quarterly* 21 (1984): 227-236, at 235: “It is important now to see the ethics of virtue and the ethics of rules as adding up, rather than as cancelling each other out.” On the need for rules in the pursuit of excellence, see also MacIntyre, *After Virtue*, 190. James Keenan thus presents a restricted vision of virtue ethics when he says, “Virtue ethicists [...] are not primarily interested in particular actions. We do not ask ‘Is this action right?’ ‘What are the circumstances around an action?’ or ‘What are the consequences of an action?’ We are simply interested in persons.” Such introductory remarks emphasising solely the character development of the person are surely incomplete as a description of virtue ethics. See James F. Keenan, “Virtue Ethics,” in *Christian Ethics: An Introduction*, ed. Bernard Hoose (London and New York: Cassell, 1998), 84-94, at 84.

first person.”⁸ Third person ethics are determined by “conformity with a legal rule,” and so the driving perspective is that of “the observer (a judge or confessor), who evaluates the external act according to its conformity to the rule.”⁹ In contrast, ethics of the first person are “rooted within the perspective of the subject, who in his acting is called upon to realize acts that are excellent, that direct him to his own fulfillment.”¹⁰ In this way, virtue plays a significant role in shaping the quality of the moral act¹¹ by disposing the person to a right understanding of the end of action,¹² and in acting in accordance with this good end the person flourishes or develops morally,¹³ rather than remaining stunted by continuing to follow commands blindly. On the other hand, one should be wary of any kind of self-centred definition of virtue, where so much is made of its role in the development of the person that the consequent effect of the action on others is disregarded. Accordingly, Kennedy warns us that a “virtue is not simply a subjective flourishing of the agent. It is the agent’s capacity for action that

⁸ Melina, *Sharing in Christ's Virtues*, 38-40.

⁹ *Ibid.*, 39.

¹⁰ *Ibid.* Melina’s shift to first person ethics reflects a shift found in *Veritatis Splendor*, which states that the moral object can only be understood as the “proximate end of a deliberate decision which determines the act of willing on the part of the acting person.” As such, the object can only be truly understood from “*the perspective of the acting person.*” Cf. Melina, *Sharing in Christ's Virtues*, 40; *Veritatis Splendor*, 78 (emphasis in text), *AAS* 85 (1993), 1196.

¹¹ Here Melina is focusing on the impact of virtue of the act. It is true that a good object, such as charitable work, is made a good act by a virtuous intention, when carried out in an appropriate manner or circumstance. The same object coupled with a vicious intention loses its goodness, just as the same object coupled with the intention of grudging compliance loses its merit. However, although I cannot imagine that Melina is expressing a consequentialist approach, his terminology regarding ends is confused. Melina’s description mixes the notions of “intrinsic finality,” teleology and virtue together in such a way that it seems that the virtuous end forms an intrinsic part of the object. Here I think the lack of clarity could lead to a confusion between the subjective and objective ends of the moral act, in such a way that the text could be misread as reducing finality simply to the end desired by the subject (*finis operantis*), rather than also including the end proper to the action carried out (*finis operis* or object). Cf. Melina, *Sharing in Christ's Virtues*, 39; Janet Smith, “Can Virtue Be in the Service of Bad Acts? A Response to Philippa Foot,” *New Scholasticism* 58 (1984): 357-73, at 372; Martin Rhonheimer, “Intrinsically Evil Acts and the Moral Viewpoint: Clarifying a Central Teaching of *Veritatis splendor*,” in “*Veritatis Splendor*” and the Renewal of Moral Theology, ed. J.A. DiNoia and Romanus Cessario (Princeton, NJ: Scepter; Huntington: Our Sunday Visitor; Chicago, IL: Midwest Theological Forum, 1999), 161-93, at 182.

¹² Aquinas, *Summa Theologica*, Ia IIae q.57, a.5, resp.; Ia IIae q.58, a.5, resp.; IIa IIae q.47, a.6, resp.

¹³ Melina, *Sharing in Christ's Virtues*, 40.

brings about consequences in the real world.”¹⁴ This leads Kennedy to advocate Aristotle’s definition of virtue as “a disposition that renders its possessor and his activity good,”¹⁵ since this offers a “unified and comprehensive vision of morality,”¹⁶ where due attention to agent, action and consequences is given to each aspect and to the whole.

These initial comments should lead us to recognise that virtue not only offers ethics an interpretive key with which to examine the elements of morality in a positive light, but, more importantly, it is central to the underlying nature of a person’s motivation and development in choosing the good.¹⁷ In effect, virtue is not simply about choosing the good in individual cases, but about putting into practice a real “strategy” for doing good.¹⁸ This has obvious implications for the moral conscience, in that virtue provides the environment for both the functioning and the refinement of our moral capacity for reflection and judgement. It is the basic tenet of this thesis that conscience requires, and indeed possesses, a context or environment from within which it operates: a graced life with the potential for virtuous acts. Without due recognition of conscience’s proper context we run the risk of defining and employing conscience in a subjectivist manner, with the delivery of selfish or arbitrary decisions as a consequence. Therefore, the nature of conscience should not be interpreted

¹⁴ Kennedy, *Doers of the Word*, II, 138-39.

¹⁵ Cf. *Ibid.*, 139; Aristotle, *Nicomachean Ethics*, II, 6, 1106a 15. The edition of Kennedy’s translation is unspecified. The Irwin translation is similar: “It should be said, then, that every virtue causes its possessors to be in a good state and to perform their functions well.” Cf. Aquinas, *Summa Theologica*, Ia IIae, q.55, a.3, resp.: “virtus est, quae bonum facit habentem, et opus ejus bonum reddit”; Melina, *Sharing in Christ’s Virtues*, 52: “Virtue concerns not only the subjective aspect of interiority, not only the objective aspect of execution: it renders good at one and the same time both the one who acts and his deeds.”

¹⁶ Kennedy, *Doers of the Word*, II, 139.

¹⁷ Jean Porter points out that the matter of primary importance is not so much the capacity to use the language of virtue to talk about morality, but the understanding of the person that leads him or her to act intelligently and morally. This implies that a person may not be able to present an elaborate explanation for deeds of virtue, yet the fact remains that the person has understood them as such. See Porter, *Moral Action and Christian Ethics*, 137-38.

¹⁸ Vincent Leclercq, “La morale des vertus dans la formation des futurs prêtres,” *Seminarium* 46 (2006): 895-921, at 898: “mettre en oeuvre une véritable stratégie du bien.”

without reference to its context. In this vein, Vincent Twomey affirms that “conscience, whatever it is, cannot be understood in isolation; it is part of a system of thought and life, personal and communal, central to which is virtue as the context of all moral discourse.”¹⁹

That having been said, how do conscience and particular virtues relate to each other? Does the function identified by the term ‘conscience’ overlap with the function of the virtue of prudence that there is no difference between the two? Before responding to these questions it is necessary for us to look further at the nature of virtue. Pinckaers points out that “the study of the virtues provided in the *secunda secundae* [of St Thomas’s *Summa*] was [...] certainly the most complete in Christian tradition.”²⁰ I would therefore propose to follow St Thomas’s virtue theory, though to supplement this with the insights of other writers as the occasion arises. Aquinas’s understanding of virtue is an approach which, though built upon Aristotelian lines,²¹ fully incorporates the Christian faith in such a way that ultimate self-fulfilment is to be found beyond ourselves in God,²² and that charity, or love, is given primacy over the whole of the moral life in that it shapes all virtue.²³ In this way, virtue ethics does not simply remain in the realm of moral philosophy, but truly becomes moral theology,²⁴ in that virtue and grace meet.

¹⁹ Twomey, “A Discourse on Thomas More’s Great Matter: Conscience,” 161.

²⁰ Pinckaers, *Sources of Christian Ethics*, 228.

²¹ Hibbs, *Virtue’s Splendor*, 18-19; Pinckaers, *Sources of Christian Ethics*, 228.

²² Aquinas, *Summa Theologica*, Ia IIae, q.1, aa. 6 and 8.

²³ For example, see *ibid.*, Ia IIae q.62, a.4: “charitas est mater omnium virtutum, et radix, in quantum est omnium forma.”

²⁴ Cessario, *The Moral Virtues and Theological Ethics*, 6: “In the final analysis, Aquinas understands the practice of virtue as nothing less than the full realization of evangelical glory in this life. He held that the theology of the virtues, the gifts of the Holy Spirit, the beatitudes and the fruits of the Spirit together form a single instruction on Christian perfection.”

2. Constitutive Elements of Virtue

In order to establish how conscience relates to virtue, beyond what has already been stated in the introductory remarks above, we have to build up a picture of what constitutes virtue. Here it is not my intention to provide an exhaustive analysis of virtue in general, nor of particular forms, such as the cardinal or theological virtues. Indeed, each of these studies would provide more than sufficient material for a thesis in themselves, and the work has already been covered extensively by writers such as Josef Pieper,²⁵ Gérard Gillemann,²⁶ Servais Pinckaers,²⁷ Romanus Cessario²⁸ and Jean Porter,²⁹ to name but a few. Rather, the purpose here is to highlight elements which are common to all virtues, so that this can be used, in conjunction with a study of key virtues, to discuss how conscience is supported and nourished by a virtuous environment. The first common element to virtues is *habitus*.

²⁵ Pieper is still acknowledged as providing a major modern point of reference for an understanding of virtue, particularly with regard to the cardinal virtues, but also for theological virtues. His major studies of these virtues are to be found in *The Four Cardinal Virtues and Faith, Hope, Love*.

²⁶ Cf. Gérard Gillemann, *Le primat de la charité en théologie morale: essai méthodologique* (Louvain: Nauwelaerts; Brussels: L'Édition Universelle; Paris, Desclée de Brouwer, 1952); idem, *The Primacy of Charity in Moral Theology*, trans. from the 2nd French ed. (1954) by William F. Ryan and André Vachon (London: Burns and Oates, 1959). Vincent Leclercq offers a very informative article on Gillemann and the influence on his doctoral director, René Carpentier. Both were concerned with the separation of morals (obligation) in manualistic moral theology from the spiritual life (perfection), and in returning to the Fathers and Aquinas for evidence, they proposed that greater attention to charity would heal the rift. See Vincent Leclercq, "Le Primat de la charité de Gillemann et la Conscience de Carpentier: Le renouveau théologique de la vie morale," *Studia Moralia* 44 (2006): 353-75. For an example of a modern text which draws upon Gillemann's insights on love combined with virtue theory, see Daniel J. Harrington and James F. Keenan, *Jesus and Virtue Ethics: Building Bridges between New Testament Studies and Moral Theology* (Lanham, MD and Chicago, IL: Sheed & Ward, 2002), especially 77-90.

²⁷ Pinckaers offers us a sense of how Aquinas understood virtue in the Christian life, and how its place in moral theology has significantly diminished over the centuries, as well as the fact that its intimate relationship with the gifts of the Holy Spirit, the beatitudes and the fruits of the Holy Spirit was lost through their relegation to asceticism or mystical theology. See Pinckaers, *Sources of Christian Ethics*, 178-80, 225-231, as well as throughout the book.

²⁸ Cessario's *The Moral Virtues and Theological Ethics* presents an account of virtue firmly seated in the context of faith in the operative power of grace. Cessario therefore approaches the matter with "optimism about what the grace of Christ can accomplish in the life of the individual." *Ibid.*, 7.

²⁹ Porter offers a very informative summary of Aquinas's understanding of virtue in general and particular virtues, as well as proposals for a reformulation for the present day. See Porter, *Moral Actions and Christian Ethics*, 125-200; idem, *The Recovery of Virtue*, 99-179.

2.1 Virtue as *Habitus*

The choices we make with regard to our actions are determined by the faculties of our reason and will. These faculties are “indeterminate,” that is open to the possibility of choosing good or evil.³⁰ However, as we have observed earlier, these faculties are also intimately connected to a variety of other human capacities, frailties and circumstances, such as the passions, memory, temptation or sin, which either help or hinder the choice of the good in the particular situation. Therefore, in order to remain in keeping with fundamental desire for the good provided by *synderesis*, we require assistance, both natural and divine. Much of this assistance falls into the category of virtue. As we observed in chapter three, St Bonaventure described the role of *synderesis* as a “bias” (*pondus*), naturally inclining the will to the good.³¹ In a similar vein, we could describe virtue as a bias that weights our operative powers in such a way as to facilitate the choice of the good in the particular circumstance.³² As the end of every human person is ordered to seeking the good and to his or her perfection,³³ this weighting to the good on the part of virtue is not some sort of distortion of the nature of our human faculties, but rather directed towards their perfection.³⁴ In this

³⁰ Mario Pangallo, *'Habitus' e Vita Morale: Fenomenologia e Fondazione Ontologica* (Naples and Rome: LER [Libreria Editrice Redenzione], 1988), 52. Cf. Aquinas, *Summa Theologica*, Ia IIae, q.55, a.1: “potentiae autem rationales, quae sunt propriae hominis, non sunt determinatae ad unum, sed se habent indeterminatae ad multa.

³¹ Bonaventure, *In II Sententiarum*, dist.39, a. 2, q. 1, resp.: “quemadmodum ab ipsa creatione animae *intellectus* habet *lumen*, quod est sibi naturale iudicatorium, dirigens ipsum intellectum in cognoscendis, sic *affectus* habet naturale quoddam *pondus*, dirigens ipsum in appetendis. [...] Dico enim quod *synderesis* dicit illud quod stimulat ad bonum” (emphasis in text).

³² Pangallo, *'Habitus' e Vita Morale*, 52: “è importante che la potenza operativa sia aiutata da qualcosa, da un ‘peso’, per così dire, che la faccia pendere con più facilità dalla parte del bene: e questo ‘peso’ è la virtù [“it is important that the operative power is helped by something, by a ‘bias’, so to speak, that it might incline with greater facility to the side of good: and this ‘bias’ is virtue”].

³³ Cf. Aquinas, *Summa Theologica*, Ia IIae, q.1, aa. 5 and 7.

³⁴ St Thomas Aquinas, *Quaestiones Disputatae de Virtutibus*, in *Opera Omnia*, vol. 8 (New York: Musurgia Publishers, 1949; reprint of 1852-1873 Parma ed.), *Quaestio Disputata de Virtutibus in Communi*, q.1 [unica], a.1, resp.: “virtus enim, secundum suum nomen, potestatis perfectionem demonstrat.” Cf. Thomas Aquinas, *Disputed Questions on Virtue: Quaestio Disputata de Virtutibus in Communi, Quaestio Disputata de Virtutibus Cardinalibus*, trans. and preface by Ralph McInerney (South Bend, IN: St. Augustine’s Press, 1999), *Disputed Question on the Virtues in General*, a.1, resp.: “Virtue, according to its name, points to the perfection of a power.”

way the virtues work to overcome the indeterminate nature of the faculties, so that they are better adapted to the carrying out of the tasks facing them. Gilleman's comments are helpful here:

This [virtue] is therefore not a 'thing' glued on to a faculty. It is a '*qualitas*', a way of being this faculty, a functional attitude, just as the faculty itself, is not a thing but a function of our spiritual and tendential being. In our virtuous activity, the virtue does not therefore elicit an act different from that of the faculty; it is the faculty bettered by the virtuous quality that elicits the act.³⁵

Therefore virtue can be described as a positive qualitative change in a faculty whose betterment in turn effects the perfection of an action.³⁶ Aquinas says that this good quality develops and intensifies with the repetition of acts that are in keeping with the quality,³⁷ in such a way that the qualitative shift becomes a *habitus*, that is, a state or stable, long-lasting disposition that is difficult to change.³⁸ It is the durability

³⁵ Gilleman, *Le primat de la charité en théologie morale* (1952 ed.), 28: Celle-ci [la vertu] n'est donc pas une 'chose' collée sur une faculté. Elle est une '*qualitas*', une manière d'être de cette faculté, une attitude fonctionnelle, de la même façon que la faculté elle-même n'est pas une chose, mais une fonction de notre être spirituel et tendenciel. Dans notre activité vertueuse, la vertu n'élicite donc pas un acte différent de celui de la faculté; c'est la faculté améliorée par la qualité vertueuse qui élicite l'acte." Cf. idem, *The Primacy of Charity in Moral Theology*, 15. The English translation is mostly accurate here, though the sense of the last clause of the second sentence is clouded with an additional 'which', and the word *tendenciel* is omitted. Cf. Pangallo, '*Habitus*' e *Vita Morale*, 35: "l'*habitus* pertiene alla 'natura' del soggetto e non è qualcosa di totalmente accidentale (nel senso di 'per accidens')" ["the *habitus* relates to the 'nature' of the subject and is not something totally accidental (in the sense of 'per accidens')"].

³⁶ Gilleman, *The Primacy of Charity in Moral Theology*, 15: "Our action is creative: it leaves in the faculty an ontological trace, a quality growing with the repetition of the same act. This quality which fosters the perfection of action – *habitus operativus bonus* – is virtue."

³⁷ Aquinas, *Summa Theologica*, Ia IIae, q.51, aa. 2 and 3; Ia IIae, q.52; Ia IIae, q.63, a.2. The exception to this is virtue infused by divine intervention. In this case, Aquinas states that human acts do not cause the development of these virtues. See *ibid.*, Ia IIae, q.63, a.2, resp.

³⁸ Aquinas draws his interpretation of *habitus* from Aristotle's *hexis*. Cf. Aristotle, *Nicomachean Ethics*, II, 6, 1106b 36; idem, *Metaphysics*, V, 19, 1022b 1-3: "We call a disposition the arrangement of that which has parts, in respect either of place or of capacity or of kind"; Cessario, *The Moral Virtues and Theological Ethics*, 7, 34, 38. Accordingly, Aquinas defines *habitus* as a disposition. See Aquinas, *Summa Theologica*, Ia IIae q.49, a.4, resp.: "*habitus est dispositio*" (emphasis in text). However, he is also careful to distinguish *habitus*, in effect a stable disposition, from simply a passing disposition which can be easily changed. See *ibid.*, Ia IIae, q.49, a.2, ad 3: "*ista differentia, difficile mobile, non diversificat habitum ab aliis speciebus qualitatis, sed a dispositione: [...] ex quo patet, quod nomen habitus diurnitatem quamdam importat, non autem nomen dispositionis*" (emphasis in text). See Pangallo, '*Habitus*' e *Vita Morale*, 38-39. The depth of influence of *habitus* implies they almost form part of the person's nature, and as a result they are only lost with difficulty, through acts contrary to its disposition (whether virtuous or vicious), or through lengthy cessation of acting in accord with its attitude. Cf. Aquinas, *Summa Theologica*, Ia IIae, q.53, a.1, ad 1: "*habitus similitudinem habet naturae*;

of the virtuous *habitus* that brings about the ordering of the faculties so that they use their power freely for the good.³⁹

As a *habitus* works in cooperation with free will, one should not see *habitus*, or virtue in particular, as simply an unconscious, ingrained habit, brought about solely by repetitious action.⁴⁰ It is true that repetition of acts conducive to the development of a virtue (*habitus*) is necessary in the case of acquired virtues, as we have observed. However, Cessario cautions that one should not reduce their development to this alone. He points out that Aquinas couples repetition with right reason that is also in tune with the Divine Law.⁴¹ By means of reason that has been enlightened by the Divine Law a person judges a certain act to be good or bad, and therefore conducive or detrimental to the building up of a virtuous character.⁴² In this way an act is judged whether it is worthy of repeating. This means that virtue as an operational *habitus* is ruled by human reason and Divine Law;⁴³ the disposition to act in a certain way is

deficit tamen ab ipsa”; *ibid.*, Ia IIae, q.53, a.1, ad 1: “habitus saltem difficile removetur”; *ibid.*, Ia IIae, q.53, aa.2-3.

³⁹ Aquinas, *Summa Theologica*, Ia IIae, q.55, a.1, resp.: “potentiae autem rationales, quae sunt propriae hominis, non sunt determinatae ad unum, sed se habent indeterminatae ad multa: determinantur autem ad actus per habitus [...]; et ideo *virtutes humanae habitus sunt*” (emphasis in text). See also Ia IIae, q.55, a.1, ad 2.

⁴⁰ Cessario, *The Moral Virtues and Theological Ethics*, 34-35, 99-100. To that extent, modern-day use of ‘habit’ is far from equivalent to *habitus*. Drawing upon an insight made by Anthony Kenny, Herbert McCabe states that “a *habitus* makes it easier to do what you want to do whereas a habit makes it harder not to do what you don’t want to do; nevertheless you do not do something out of a *habitus* like, say justice, because it is easier but because it is what you really want to do.” See McCabe, “Virtue and Truth,” 167.

⁴¹ Aquinas, *Summa Theologica*, Ia IIae, q.63, a.2, resp.: “virtus hominis perficit ipsum ad bonum [...] oportet quod bonum hominis secundum aliquam regulam consideretur. Quae quidem est duplex, [...], scilicet: *ratio humana, et lex divina*” (emphasis in text).

⁴² Aquinas, *Disputed Question on the Virtues in General*, a.2, ad 10: “For virtue is ordered by reason to the good or fitting act”; *idem*, *De Virtutibus in Communi*, q.1, a.2, ad 10: “Nam virtus ordinatur ad actum bonum, qui est actus debitus, et ordinatus secundum rationem; [...] et hoc modo virtuti opponitur peccatum, quod proprie nominat actum inordinatum.” This comment was made by Vincent de Castro Novo in the absence of Thomas’s response to some of the objections.

⁴³ Aquinas points out that Divine Law is the superior rule, and so human reason in its judgements is subject to it. Cf. Aquinas, *Summa Theologica*, Ia IIae, q.63, a.2, resp. This would imply a defined notion of the good which contains a particular teleology, namely that which leads to beatitude. Cf. *Ibid.*, Ia IIae, q.3, a.8. In this way, as commented on previously, Porter criticises the incomplete teleology presented in MacIntyre’s *After Virtue*, which substitutes the objective good corresponding to our nature with the narrative unity of a human life as the organising principle of human life. Cf. Porter, *The Recovery of Virtue*, 83: “Aquinas, on the other hand insists that in order for a human life to be truly successful, it is not enough to be structured around some goal. The goal chosen must be the correct

therefore shaped by right judgement. Upon further reflection, however, we begin to realise that practical reason is in itself in need of development or perfection so that it can judge rightly, and this is achieved largely through a virtue, namely prudence, the key intellectual virtue in the practical realm, to which we shall return shortly.⁴⁴

Therefore, provided that we do not misinterpret *habitus* as some kind of blind obedience, that is, simply a process of habituation that leads to mechanical repetition of acts in accord with Christian life,⁴⁵ *habitus* helps us in two ways in our understanding of virtue and the moral life. Firstly, the notion of *habitus* presupposes “a conception of the human person [that is] open to development and modification from both natural and divine causes.”⁴⁶ While taking into account the struggles of each individual through biological and psychological make-up and in the face of temptation, such a dynamic understanding of the human person prevents us from reducing morality, and even virtue, to mere compliance with obligation, to some kind of behaviourism, free from responsibility, merit or blame, or to some sort of evolutionary theory of self-interest, socially controlled for mutual gain.⁴⁷ Instead of these, a morality of virtue built on the notion of *habitus* allows us to maintain credible hope in the possibility of becoming better people,⁴⁸ holier people,⁴⁹ more Christ-like

goal”; MacIntyre, *After Virtue*, 162, at 219: “the good life for man is the life spent in seeking the good life for man.” Porter suggests that MacIntyre changed his mind subsequently, as evidenced in his later writing. Cf. Porter, *The Recovery of Virtue*, 195, n. 15; Alasdair MacIntyre, *Whose Justice? Which Rationality?* (London: Duckworth, 1988), 402; idem, *Three Rival Versions of Moral Enquiry*, 63.

⁴⁴ Aquinas, *De Virtutibus in Communi*, q.1, a.6, resp.: “ita oportet quod ratio practica perficiatur aliquo habitu ad hoc quod recte dijudicet de bono humano secundum singula agenda. Et haec virtus dicitur prudentia”; idem, *Disputed Question on the Virtues in General*, a.6, resp. “so too practical reason is perfected by a habit in order that it might rightly judge the human good with respect to all the things that must be done. This virtue is called prudence.”

⁴⁵ Cessario, *The Moral Virtues and Theological Ethics*, 35-36.

⁴⁶ *Ibid.*, 36.

⁴⁷ For an example of this view, see Matt Ridley, *The Origins of Virtue*, (London: Penguin, 1997), 147: “The virtuous are virtuous for no other reason than that it enables them to join forces with others who are virtuous, to mutual benefit.”

⁴⁸ Cessario, *The Moral Virtues and Theological Ethics*, 40: “Christian theology, supported by the New Testament’s assertion of the radical power that grace holds out to the human person, supposes that such a virtuous transformation of the self can occur in many circumstances. *Habitus* provides the

people.⁵⁰ Such a description may sound naive or foolishly optimistic, but to reject the possibility of growth in goodness and holiness would be tantamount to becoming defeatist in our morals, and also effectively to declaring the Holy Spirit inoperative in our lives.

Secondly, *habitus* offers us an understanding of how we grow in freedom in our moral action.⁵¹ *Habitus* not only creates a facility in doing certain acts, but a greater desire to do them.⁵² The more our will is desirous of what reason commands, the freer we are, in that cooperation with the right or just act is not simply accomplished through coercion,⁵³ but through a recognition of its truth, and a corresponding desire that the act should be done. It is precisely the strength of this free choice which alters the character of an action, in that it is carried out promptly, easily and joyfully.⁵⁴ The virtues, as particular forms of *habitus*, all assist the

metaphysical basis for elaborating a moral theology confident enough of itself to give serious attention to this kind of personal transformation.”

⁴⁹ Melina points out “the novelty of the approach” of the *Catechism of the Catholic Church*, which, finally recovers the centrality of a “vocation to holiness” as the key notion to Christian morality. Cf. Melina, *Sharing in Christ's Virtues*, 165-77, at 166; CCC, nos. 1691-98; Twomey, “Moral Renewal Through Renewed Moral Reasoning,” 229. In this way, rather than shying away from it through fear, apathy or pessimism, we recognise the reality and impact of the “dignity” of our Christian calling, the fact that we are “called to be saints.” Cf. 1 Cor 1:2; CCC, nos. 1691, 1695; St Leo the Great, *Sermo XXI in Nativitate Domini I*, 3, PL 54, 192C: “Agnosce, o Christiane, dignitatem tuam, et divinae consors factus naturae, noli in veterem vilitatem degeneri conversationem redire.”

⁵⁰ Cf. St Ambrose, *In Psalmum XXXVI Enarratio*, 65, PL 14, 1001: “cum de virtute loquimur, ipse [Christus] est.” Cessario paraphrases this as: “When we speak about virtue, we speak about Christ.” See Cessario, *The Moral Virtues and Theological Ethics*, 150.

⁵¹ Clearly, the notion of freedom related to *habitus*, and hence virtue, is a freedom for excellence, as opposed to a nominalist freedom of indifference. See Pinckaers, *Sources of Christian Ethics*, 225, 246.

⁵² McCabe, “Virtue and Truth,” 167: “The one with the virtue of justice acts not because he finds it easier to be just, but because his will, his love, is set on justice.”

⁵³ Ibid.: “The one who lacks the virtue of justice may, indeed, do what is just, but he will do so, not from love of justice, but from, for example, fear of retribution, human or divine. He is, to this extent, less free. Freedom, as I understand it, has two conditions: first, a free act is one which in the same circumstances might have been different, and secondly, it has its origin in the agent and not in some coercive power.” Cf. MacIntyre, *After Virtue*, 150: “The genuinely virtuous agent [...] acts on the basis of true and rational judgment.”

⁵⁴ Cf. Aquinas, *Summa Theologica*, Ia IIae, q.50, a.1, resp.: “corpus disponitur, et habilitatur ad prompte deservendum operationibus animae”; ibid., Ia IIae, q.65, a.3, arg.2: “Qui habet habitum virtutis, de facili operatur ea quae sunt virtutis, et ei secundum se placent: unde et *signum habitus est delectatio, quae fit in opere*, ut dicitur in 2. Ethicorum” (emphasis in text); idem, *De Virtutibus in Communi*, q.1, a.1, resp.; “facile [...] in promptu [...] delectabiter, perfecta operatio compleatur”; Cessario, *The Moral Virtues and Theological Ethics*, 7, 47.

individual to unite the will to reason, as well as refine the understanding of reason in the first place. This implies that the virtues are not only central to the formation of the means to our natural and supernatural ends of happiness and beatitude, but as *habitus* they also form part of the condition of happiness itself in the transformation of the person to acting with excellence and with joy in accordance with God's will reflected in his nature and in Revelation.⁵⁵

2.2 Other Elements of Virtue

2.2.1 The Origin of Virtue

There is a reciprocal relationship between acts and virtue in that moral character and personal integrity are both formed and revealed by a virtuous life. But where do the virtues find their origin? In answering this question we establish the first form of classification in that we can divide virtues into two types: acquired and infused. Individual virtues in their perfection are either acquired through human effort, or infused in us by God as pure gift. Our natural appetites operate as the basis or seedbed for acquired virtue.⁵⁶ Yet an inclination for justice or prudence is far from the perfected ability, and so acquired virtue needs to develop through the repetition of virtuous activity. However, given our wounded nature, through original sin, the ordered desire for virtue is lost and so the development and maintenance of virtue

⁵⁵ MacIntyre, *After Virtue*, 184, 149: "but the exercise of the virtues is not in this sense *a* means to the end of the good for man. For what constitutes the good for man is a complete human life lived at its best, and the exercise of the virtues is a necessary and central part of such a life, not a mere preparatory exercise to secure such a life. [...] To act virtuously is not, as Kant was later to think, to act against inclination; it is to act from inclination formed by the cultivation of virtues" (emphasis in text). Cf. Aquinas, *Summa Theologica*, IIa IIae, q.108, a.2: "virtutes perficiunt nos ad prosequendum debito modo inclinationes naturales, quae pertinent ad jus naturale."

⁵⁶ Cf. Aquinas, *Summa Theologica*, IIa IIae, q.63, a.1, resp.: "virtus est homini naturalis secundum quamdam inchoationem" ["virtue is natural to man according to a certain beginning"]. In other words, the beginnings of virtue are innate; Cessario, *The Moral Virtues and Theological Ethics*, 98.

remains a constant struggle for us.⁵⁷ In contrast, infused virtues “are entirely from without,”⁵⁸ in that they are bestowed upon us fully and freely by God. Aquinas draws upon St Augustine’s definition of virtue to express the specific nature of infused virtues, stating that they are qualities of the mind “which God works in us without us.”⁵⁹ Thus, the graces of infused virtues are given to us as perfected dispositions.⁶⁰ However, the fact that acquired virtue is not obtained without effort on our part (*non sine nobis agentibus*), does not mean that God is not involved in the origin of these virtues as well. God is operative in all things, and therefore supports all our good actions as the root Cause.⁶¹

2.2.2 Further Classifications of Virtue

The distinction between infused and acquired virtue can be further subdivided according to function. Accordingly, virtues are identified as intellectual,⁶² moral,⁶³ or

⁵⁷ Cf. Aquinas, *Summa Theologica*, Ia IIae, q.85, a.3, resp.: “ipsa destitutio vulneratio naturae dicitur” (emphasis in text); Cessario, *The Moral Virtues and Theological Ethics*, 96-98.

⁵⁸ Cf. Aquinas, *Summa Theologica*, Ia IIae, q.63, a.1, resp.: “praeter virtutes theologicas, quae sunt totaliter ab extrinseco”; Porter, *The Recovery of Virtue*, 169.

⁵⁹ Cf. Aquinas, *Summa Theologica*, Ia IIae, q.55, a.4, arg.1 and ad 6: “*Quam Deus in nobis sine nobis operatur*” (emphasis in text); Augustine, *De Libero Arbitrio*, II, 19, PL 32, 1267-68; idem, *On Free Choice of the Will*, trans. with introduction and notes by Thomas Williams (Indianapolis and Cambridge: Hackett, 1993), II, 19 (page 67).

⁶⁰ Aquinas, *Summa Theologica*, Ia IIae, q.63, a.1, resp. The fact that we are graced with perfected infused dispositions does not mean that they are necessarily acted upon. See *ibid.*, IIa IIae q.47, a.14, ad 3. Equally such infusion with grace has to be with our consent, or at least without our refusal. Cf. *ibid.*, Ia IIae, q.55, a.4, ad 6.

⁶¹ Aquinas, *Summa Theologica*, Ia IIae, q.55, a.4, ad 6: “*quae vero per nos aguntur, Deus in nobis causat non sine nobis agentibus; ipse enim operatur in omni voluntate, et natura.*” See Bernard Lonergan’s comments on Aquinas’s use of the Aristotelian doctrine of premotion with regard to God’s action in our will and in our virtuous choices and actions. Such premotion, however, does not take away our free-will. Thus, habitual grace is “operative and cooperative.” Cf. *Collected Works of Bernard Lonergan*, vol.1, *Grace and Freedom: Operative Grace in the Thought of St Thomas Aquinas*, ed. Frederick E. Crowe and Robert M. Doran (Toronto, Buffalo and London: University of Toronto Press, 2000), 58-64, at 64, 73-75, 101-104; Aquinas, *Summa Theologica*, Ia IIae, q.9, a.6, ad 3. See also O’Meara’s comments on the lack of due acknowledgement by many writers of the supernatural basis of Aquinas’s virtue theory. O’Meara says that failure to note this presents a distorted understanding of Aquinas, and also presents grace as some kind of added extra, rather than the source and summit of virtue. Thomas O’Meara, “Virtues in the Theology of Thomas Aquinas,” *Theological Studies* 58 (1997): 254-85, at 258: “Aquinas’s theological ethic of virtues flows fully and necessarily from a divine presence called grace.”

⁶² Aquinas, *Summa Theologica*, Ia IIae, q.57.

⁶³ *Ibid.*, Ia IIae, qq.58-60.

theological in nature,⁶⁴ with the latter being infused by God. The key virtues which shape our actions are the cardinal virtues of prudence, justice, temperance and fortitude.⁶⁵ These virtues, along with their subordinates are based upon our human nature and capabilities and so look to achieve the human good of happiness, but the theological virtues of faith, hope and love look beyond the end of the human good, shifting our perspective to our supernatural end and our eternal good of beatitude.⁶⁶ In directing the reason and the will, the virtues provide the existential context or environment for the workings of conscience, shaping its judgement of the good. It is for this reason that, with particular reference to the cardinal and theological virtues, *Veritatis Splendor* affirms that our conscience is formed by the virtues in such a way that it attains a greater affinity for what is good and true.⁶⁷

2.2.3 Connection or Competition among Virtues?

Classical virtue theory defined virtues concerned with morality to be united, equal, and observing of the mean.⁶⁸ Drawing from the classical writers, the Church Fathers

⁶⁴ *Ibid.*, Ia IIae, q.62.

⁶⁵ *Ibid.*, Ia IIae, q.61. James Keenan has proposed a revised list of cardinal virtues (prudence, justice, fidelity and self-care), since he considers the original list to be “deceptively simple and inadequate,” principally because they lack sufficient reference to the relational quality of the human person, and because the virtues shift their order of priority according to the case in hand, rather than conform to a fixed hierarchy, as in the classical theory. I do not find Keenan’s argument convincing. To suggest the replacement of fortitude and temperance with fidelity and self-care because the former terms lack sufficient reference to relationship seems to be misguided, as the “fundamental” anthropology of the cardinal virtues would lose any reference to affective virtue, necessary for ordering the passions. Moreover, Keenan presents the three relational virtues in his revised list as separate, competing virtues. However, I find it difficult to see how fidelity and self-care are not simply examples of justice. In fidelity an individual is given that which is his/her own through actions that give due respect to the other and express the bond of honesty and mutual trust between individuals. In self-care one recognises the right to safety and well-being. Thus, these seem to be examples of justice, rather than separate categories. Cf. James F. Keenan, “Proposing Cardinal Virtues,” *Theological Studies* 56 (1995): 709-29, at 714 and 718; Harrington and Keenan, *Jesus and Virtue Ethics*, 123-26; James F. Keenan, *Moral Wisdom: Lessons and Texts from the Catholic Tradition* (Lanham, Boulder, New York, Toronto, and Oxford: Sheed & Ward/Rowman & Littlefield, 2004), 139-57.

⁶⁶ Aquinas, *Summa Theologica*, Ia IIae, q.62, a.2, resp.

⁶⁷ See *Veritatis Splendor*, 64; *AAS* 85 (1993), 1183.

⁶⁸ Aristotle, *Nicomachean Ethics*, II, 1106a 26, 1107a 1, 1107a 15 and X, 1178a 16-19. Cf. Aquinas, *Summa Theologica*, Ia IIae, qq.64-66. Perhaps ‘connected’ is better than ‘unity’ in describing the relationship among the virtues, as it reflects the distinction made by Aristotle that the virtues are

presented the doctrine of the connection of virtues with great confidence. Thus, Pope St Gregory the Great declared in his *Moralia* that “one virtue without the others is either absolutely nothing or imperfect.”⁶⁹ Similarly, St Augustine stated that the virtues of the human mind are inseparable.⁷⁰ As we can see from his writing, St Thomas reaffirms the classical and patristic view, though with certain refinements.⁷¹ However, in recent times, with the revival of interest in virtue, some have questioned the veracity of the view that the virtues are connected. Indeed, some authors would contend that certain virtues are not only disconnected, but come into direct conflict with one another.⁷²

Two main focal points for a partial or total rejection of the connection of virtues concern the hierarchical structure of classical theory and the apparent opposition of certain virtues. James Keenan states that “Thomas’s structure insists on a hierarchical uniformity that does not anticipate or admit conflict.”⁷³ The criticism here is that such rigid structure fails to represent the reality of virtuous living, as this is far more turbulent in practice, in that the virtues jostle for position depending upon the circumstance. In this way, according to this view, prudence not only has to define the goal of each virtue, but also has the task of giving appropriate order or priority to

connected but different in purpose, in contrast to the view of Socrates, who believed in the unity and identity of virtues. See notes by Terence Irwin in the Hackett edition of the *Nicomachean Ethics*, pages 254-55.

⁶⁹ Cf. Gregory the Great, *Moralia in Job*, XXII, 1,2, PL 76, 212: “Una itaque virtus sine aliis, aut omnino nulla est, aut imperfecta”; Aquinas, *Summa Theologica*, Ia IIae 65, a.1, s.c.

⁷⁰ Cf. Augustine, *De Trinitate*, VI, 4, PL 42, 927: “[Virtutes] nullo modo tamen separantur ab invicem”; Aquinas, *Summa Theologica*, Ia IIae 65, a.1, s.c.

⁷¹ Aquinas, *Summa Theologica*, Ia IIae, q.65, a.1, resp. and ad 1. In his first reply (ad 1), St Thomas deals with the matter of certain virtues not being common to all, such as magnificence and magnanimity. His solution is to describe a fully virtuous person who does not yet display them as having them in “proximate potentiality” (*in potentia propinqua*). Cessario describes this capacity for developing as yet unused virtues as having the virtue *in preparatione animae*. Cf. Cessario, *The Moral Virtues and Theological Ethics*, 140-41.

⁷² Cf. For a review and bibliography of different authors who hold that virtues stand in conflict, see William Spohn, “The Return of Virtue Ethics,” *Theological Studies* 53 (1992): 60-75 at 70-74; and Keenan, “Proposing Cardinal Virtues,” 718-22.

⁷³ Keenan, “Proposing Cardinal Virtues,” 718.

the virtues.⁷⁴ As far as I can see, Keenan's understanding of virtue as presented by Aquinas appears to be very compartmentalised, in that he says that "there are no shared grounds among [the virtues] by which the claims of one another could appropriately challenge or contradict the claims of the other."⁷⁵ Thus, Keenan presents a very rigid interpretation of Aquinas's virtue theory, where each virtue is subject to a strict order, and devoid of any overlap in activity.⁷⁶ My own reading of Aquinas would lead me to a description of a virtue theory with structure and order, but I would not agree that a clear-cut separation between virtues is in evidence. True, a certain virtue is a virtue of a particular aspect of human living, be it fairness in one's actions, or the development of an even temper. If this were not the case, then we would either have no virtues in reality or no way of describing them in any specific way. However, such classification does not mean that Aquinas saw no overlap, and hence no cooperation, between the virtues.⁷⁷ Such a view would deny the coherent model he was trying to promote. Indeed, St Thomas states that as well as each having its own specific role, the virtues "overflow" (*redundant*) into each other, such that one capacity strengthens another.⁷⁸ In this way, the virtues are presented by Thomas as not only connected, but also cooperating, with prudence leading the way.⁷⁹

It is the question of cooperation that forms the core of the second argument against the connection of virtues. Rather than accepting the notion of a harmony in the

⁷⁴ Ibid., 722.

⁷⁵ Ibid., 718.

⁷⁶ Ibid.: "The components of the human and the act are so distinctively divided that the claims of one do not overlap into the claims of another."

⁷⁷ Ibid., 722: "Thus the virtues are related to one another not in some inherent way, as they seem to be in the classical list of the cardinal virtues. Nor do they complement one another per se."

⁷⁸ Aquinas, *Summa Theologica*, Ia IIae, q.61, a.4, ad 1: "Vel potest dici, quod istae quatuor virtutes denominantur ab invicem, per redundantiam quamdam." ["And it may also be said that these four virtues are qualified (or defined) by each other by a kind of overflow"]. In this passage the description of overflow is a cascade from one virtue to another, starting with prudence. However, in other passages, Aquinas describes a cyclical process of prudence and moral virtues correcting or ordering each other. Therefore, one might suggest that the virtues overflow into each other, rather than simply "onto one another." Cf. *ibid.*, Ia IIae, q.58, a.5.

⁷⁹ Cf. Aquinas, Ia IIae, q.61, a.4, ad 1; Hibbs, *Virtue's Splendor*, 103-4.

virtuous life, many authors would describe a situation of conflict, holding that the virtues oppose each other.⁸⁰ For example, Stanley Hauerwas considers the competing demands in our relationships with others, the “conflict of loyalties and roles” in our lives, to be evidence against the unity of virtue.⁸¹ Others focus their attention more specifically on the conflict between justice and charity (or its cognates, such as benevolence, mercy or kindness). William Frankena sees the potential for conflict between the principles of beneficence and justice, both on a personal level and at the level of social policy, in such a way that there is no formula which will resolve or prevent their opposition.⁸²

This perceived conflict between justice and charity has contributed significantly to the shape of modern moral discourse, leading William Spohn to observe that “there is a tension between love and justice that plagues much of modern ethics.”⁸³ However, the experience of finding it difficult to reconcile strong dispositions of mercy and justice or the notion that one virtue might “temper”

⁸⁰ Keenan, “Proposing Cardinal Virtues,” 718.

⁸¹ According to Hauerwas, it is the narrative of our lives that give the order and unity to the virtues, rather than some inherent, pre-existent order. Cf. Stanley Hauerwas, *A Community of Character: Toward a Constructive Christian Social Ethic* (Notre Dame, IN and London: University of Notre Dame Press, 1981), 143-45, at 144; Keenan, “Proposing Cardinal Virtues,” 722. Porter bases her reflection on the challenges of life on Hauerwas’s comments. She concludes that the conflicting loyalties to particular aims and obligations will lead at times to a clash, “creating tension and disharmony in the life of even the best of us.” Cf. Porter, *The Recovery of Virtue*, 168. Hauerwas seems to wholly underestimate the complexity of Aquinas’s moral theory when he reduces it to a bald description of the unity of virtues, which makes no reference even to imperfect virtue. See Hauerwas, *A Community of Character*, 136: “Aristotle and Aquinas are right to think that moral growth is dependent on the development of character sufficient to claim one’s behavior as one’s own. But they were incorrect to assume that the development of such a self is *but* the reflection of the prior unity of the virtues” (emphasis mine). This description seems to be a surprisingly sweeping oversimplification.

⁸² William Frankena, *Ethics*, 2nd ed. (Englewood Cliffs, NJ: Prentice-Hall, 1973), 52: “I see no way out of this. It does seem to me that the two principles may come into conflict, both at the level of individual action and at that of social policy, and I know of no formula that will always tell us how to solve such conflicts.” Cf. A.D.M. Walder, “Virtue and Character,” *Philosophy* 64 (1989): 349-62, at 356: “Justice and kindness are, beyond a certain point, incompatible as traits of character because they presuppose personal qualities which do not as a matter of fact cohere well together in a single personality.

⁸³ Spohn, “The Return of Virtue Ethics,” 71-72, at 72.

another,⁸⁴ are not enough to suggest that virtuous dispositions conflict “in principle.”⁸⁵ It is more likely that the former situation of conflict represents the experience of imperfect virtue, where the individual has not yet reached a harmony of dispositions or a developed sense of prudence,⁸⁶ and the latter description of one virtue tempering another exemplifies a cooperation of virtues that is apt to the circumstances, rather than evidencing any stark conflict.⁸⁷ Jean Porter also suggests that it is part of our human earthly condition that we are prone to tension, disharmony and regret, both from our sin, as St Thomas observes, and from the reality of living the shared life of community based upon human goods.⁸⁸ This is why ultimately the full unity of virtue is found outside virtues focused on human goods and goals, namely in the theological virtue of charity,⁸⁹ fuelled by a life of grace.⁹⁰ Therefore, the doctrine of the connection of virtues conveys to us the truth that the moral person strives for integrity of life and that moral action flourishes in integrity of life.

⁸⁴ Cf. George W. Rainbolt, “Mercy: An Independent, Imperfect Virtue” *American Philosophical Quarterly* 37 (1990): 169-73, at 169. Rainbolt comments that some consider the tempering of justice with mercy as tampering with justice. Moreover, his use of ‘imperfect’ in relation to virtue differs radically from Aquinas’s and is rooted in Kant’s notion of perfect and imperfect duties and obligations, with the latter being limited in its obligation. Cf. *ibid.*, 171-72; Immanuel Kant, *The Metaphysical Principles of Virtue* (1797), part 1, *The Metaphysics of Morals*, in *Ethical Philosophy*, trans. James W. Ellington with introduction by Warner A. Wick (Indianapolis and Cambridge: Hackett, 1983), 48, 70, 82-107, 108-11, at 48: “Imperfect duties are, therefore, merely duties of virtue”; Spohn, “The Return of Virtue Ethics,” 71.

⁸⁵ Spohn, “The Return of Virtue Ethics,” 70. Cf. *ibid.*, 71: “It is not clear that because the merciful act tempers the specific demands of strict justice, it necessarily follow that the two virtues conflict in principle.” On the contrary, Spohn notes that the two virtues depend upon each other: “Charity may surpass justice but cannot substitute for it. On the other hand, justice specifies the duties that flow from the order of love.” *Ibid.*, 74. Porter would propose that “true moral rectitude is necessarily grounded in the orientation of the whole personality that charity creates; and yet, charity cannot be exercised, or even exist, unless the moral rules generated by right reason are observed.” Jean Porter, “*De Ordine Caritatis*: Charity, Friendship, and Justice in Thomas Aquinas’ *Summa Theologiae*,” *The Thomist* 53 (1989): 197-213, at 213.

⁸⁶ Thomas Osborne argues that modern criticism of Aquinas’s view on the connection of virtues is too simplistic in its presentation, and so overlooks his comments on imperfect virtue, where the virtues are indeed disconnected. See Thomas M. Osborne, Jr., “Perfect and Imperfect Virtues in Aquinas,” *The Thomist* 71 (2007): 39-64, at 39. Cessario presents a similar case. See Cessario, *The Moral Virtues and Theological Ethics*, 142-44. We shall return to the issue of imperfect virtue shortly.

⁸⁷ Spohn, “The Return of Virtue Ethics,” 74: “Time, place, circumstances, degrees of proximity and need all help to determine specific duties.”

⁸⁸ Porter, *The Recovery of Virtue*, 168; Aquinas, *Summa Theologica*, Ia IIae, q.19, a.6, ad 3.

⁸⁹ Porter, *The Recovery of Virtue*, 169.

⁹⁰ O’Meara, “Virtues in the Theology of Thomas Aquinas,” 268, 257.

However, the challenge of striving for that integrity also makes us fully aware of our need of God's help.⁹¹

3. Conscience and Particular Virtues

Having briefly outlined certain elements that are fundamental to the nature and function of virtue, we turn our attention now to the relationship between conscience and individual virtues or types of virtue. The selection of individual virtues will be necessarily limited. However, the aim is to highlight those virtues which hold a special influence on conscientious judgement. With that in mind, particular attention will be given to the cardinal virtue of prudence, as its function and the nature of its relationship to conscience is not only vital to the formation and operation of conscience, but is also fundamental to our understanding of how conscience and virtue work together in general.

3.1 Prudence

If nowadays 'virtue' as a term is subject to misunderstanding and perhaps disdain, one could say that 'prudence' is even more susceptible to misuse in contemporary language. Indeed, Pieper points out that the meaning of 'prudence' has been so radically altered that the modern understanding of prudence becomes an obstacle to recognising that it could possibly be connected to justice, fortitude or temperance.⁹² For example, if prudence were understood as "the slyness which permits the cunning and 'shrewd' tactician to evade any dangerous risk to his person," this cowardly

⁹¹ Cessario, *The Moral Virtues and Theological Ethics*, 144: "The doctrine of the connection of the moral virtues makes practical sense only when we consider the transformation divine grace accomplishes in the person of the believer."

⁹² Pieper, *The Four Cardinal Virtues*, 3.

interpretation would certainly contradict the virtue of fortitude.⁹³ This detachment of prudence from the other virtues arises from a contemporary separation of goodness and prudence,⁹⁴ which runs counter to classical Christian ethics. Prudence is thus equated with “caution,”⁹⁵ reduced to some kind of “timorous, small-minded self-preservation,” reflecting “a rather selfish concern about oneself,”⁹⁶ or understood in terms of a cold, calculating outlook based purely upon the utility of the act (*bonum utile*) rather than its goodness or nobility (*bonum honestum*).⁹⁷ Yet, in the classical view someone can only be prudent if he or she is good at the same time,⁹⁸ and no other virtue can be achieved without the involvement of prudence, since prudence is “the *cause* of the other virtues being virtues.”⁹⁹

If virtue is a “perfected ability,” then prudence is “the perfected ability to make right decisions,” to order human impulses and inclinations and to purify naturally good predispositions, so that they might become virtues.¹⁰⁰ Therefore prudence “informs” the other virtues by giving them their essential “standard” or

⁹³ *Ibid.*, 123.

⁹⁴ *Ibid.*, 5: “To the contemporary mind, then, the concept of the good rather excludes than includes prudence. Modern man [...] will often call lies and cowardice prudent, truthfulness and courageous sacrifice imprudent.” As observed earlier, this approach abounded in Machiavelli’s philosophy.

⁹⁵ Cf. Smith, “Can Virtue Be in the Service of Bad Acts?”, 372: “And certainly what moderns take to be prudence is not a virtue at all, since moderns take prudence to be a kind of caution, or a kind of calculation which would keep one out of trouble, occasionally at the cost of compromising one’s principles, or at least would mean shying away from taking the risks necessary to achieve certain important goods.”

⁹⁶ Pieper, *The Four Cardinal Virtues*, 4.

⁹⁷ *Ibid.*, 4, 123. According to Hibbs, as well as Machiavelli’s influence, a debased notion of prudence also arises partially from Kantian ethics, where there is a tendency to “segregate prudence from moral reasoning and to relegate it to the realm of the calculation of means to personal happiness, understood in terms of the personal preference of a life plan.” See Hibbs, *Virtue’s Splendor*, 105-106. A later post-Enlightenment form of cold calculation found in Butler saw conscience as the dispassionate adjudicator “between prudential self-love and estimable benevolence.” Here prudence is seen to shift even closer to a notion of caution motivated purely by selfish preservation. See Andrew, *Conscience and its Critics*, 13.

⁹⁸ Pieper, *The Four Cardinal Virtues*, 5. Indeed, prudence results in good acts and a good disposition of the person. Cf. Aquinas, *Summa Theologica*, Ia IIae, q.57, a.5, ad 1: “prudencia autem est necessaria homini ad bene vivendum, non solum ad hoc quod fiat bonus.” It follows, therefore, that every sin or vice is opposed to prudence. Cf. Aquinas, *Summa Theologica*, IIa IIae, q.55, a.2, ad 3; IIa IIae, q.119, a.3, ad 3; IIa IIae, q.141, a.1, ad 2.

⁹⁹ Pieper, *The Four Cardinal Virtues*, 6 (emphasis in text). Cf. Aquinas, *De Virtutibus in Communi*, q.1, a.6, resp.; *idem*, *Summa Theologica*, IIa IIae, q.51, a.2, resp.

¹⁰⁰ Pieper, *The Four Cardinal Virtues*, 6-7.

“measure” of goodness, as well as their end.¹⁰¹ Pieper thus sums up prudence as the “cause, root, mother, measure, precept, guide, and prototype of all ethical virtues; it acts in all of them, perfecting them to their true nature; all participate in it, and by virtue of this participation they are virtues.”¹⁰²

The primacy of prudence¹⁰³ in the order of acquired virtue is rooted in the fact that it directs the cognition of reality and commands acts in the light of that reality, that is in the light of truth.¹⁰⁴ In other words, it is from this cognition of truth that good acts are “born.”¹⁰⁵ Therefore, prudence attunes human reason to an awareness of reality, thus allowing it to make the choice for the good. This means that prudence is truly right reason concerning action (*recta ratio agibilium*)¹⁰⁶ in its cognitive

¹⁰¹ Cf. Pieper, *The Four Cardinal Virtues*, 7, 123; Aquinas, *Summa Theologica*, Ia IIae, q.64, a.3, resp.; idem, *De Virtutibus in Communi*, q.1, a.13, resp.; idem, *Summa Theologica*, IIa IIae, q.47, a.6, resp. In this way prudence rules the moral virtues so that they act in accordance with right reason. Cf. idem, *Summa Theologica*, IIa IIae, q.47, a.7, ad 3. See also idem *De Virtutibus in Communi*, q.1, a.9, resp.: “virtus appetitivae partis nihil est aliud quam quaedam dispositio, sive forma, sigillata et impressa in vi appetitiva a ratione.”

¹⁰² Pieper, *The Four Cardinal Virtues*, 8. Cf. St Thomas Aquinas [S. Tommaso d’Aquino], *Commento alle Sentenze di Pietro Lombardo e Testo Integrale di Pietro Lombardo*, vol. 6, *Libro Terzo, Distinzioni 23-40: Le Virtù in Cristo e le Virtù nei Fedeli*, Latin-Italian ed., trans. Lorenzo Perotto (Bologna: Edizioni Studio Domenicano, 2000), dist. 33, q.2, a.5, sol.: “Unde Antonius dicit (in Vitis Patrum 4,42), quod discretio quae ad prudentiam pertinet, est genitrix et custos et moderatrix virtutum. Et hoc sic patet” (parenthesis in text).

¹⁰³ Aquinas, *In III Sententiarum*, dist. 33, q.2, a.5, sol.: “prudentia inter alias virtutes cardinales principalior est.” Such primacy does not contradict the primacy of charity over all virtues, in that prudence holds directive primacy in the reason, and charity holds sway in the will. The two are therefore not in competition. Cf. idem, *In III Sententiarum*, dist. 27, q.2, a.3, ad 3: “quod prudentia principalis est in virtutibus moralibus, in quantum est directiva omnium; et ideo ad rationem pertinet: sed caritas est principalis per modum imperantis et coniungentis fini et informantis; quod pertinet ad voluntatem.”

¹⁰⁴ Aquinas, *De Virtutibus in Communi*, q.1, a.9, resp.: “nam bonum hominis in quantum est homo, est ut ratio sit perfecta in cognitione veritatis, et inferiores appetitus regulentur secundum regulam rationis.” Cf. Pieper, *The Four Cardinal Virtues*, 9, 25. Pieper says that truth for Thomas simply means reality, both natural and supernatural. See *The Four Cardinal Virtues*, 9.

¹⁰⁵ Pieper, *The Four Cardinal Virtues*, 25. Hibbs also comes to the same conclusion that the good life is the practice of truthfulness. See *Virtue’s Splendor*, 222-227. Cf. Aquinas, *In III Sententiarum*, dist. 33, q.2, a.5, sol.: “Omnis autem naturae inclinatio praeexigit aliquam cognitionem quae et finem praestituat, et in finem inclinet, et ea quibus ad finem pervenitur provideat: haec enim sine cognitione fieri non possunt” [“But every inclination of nature demands in advance that there be a cognition which might pre-establish the end, incline towards the end and provide the means to reach the end: indeed these cannot be achieved without cognition”].

¹⁰⁶ Aquinas, *Summa Theologica*, Ia IIae, q. 57, a.4, resp.: “est enim prudentia *recta ratio agibilium*” (emphasis in text); IIa IIae, q.47, a.2, resp.: “ad prudentiam non pertinet nisi applicatio rationis rectae ad ea, de quibus est consilium”; idem, IIa IIae, q.51, a.6, arg.2: “prudentia est *recta ratio agibilium*” (emphasis in text). Pieper says prudence is “perfected practical reason.” See *The Four*

functions of seeing and judging the truth and in its prescriptive function of directing what is chosen to be done. Thus, prudence operates a dual role in the practical sphere: perceptive and preceptive, with this latter imperative role being its ultimate goal.¹⁰⁷

3.1.1 Prudence as Perception of the Truth — No Room for Error or Uncertainty?

With its emphasis on prudence as a perfected ability of reason, capable of perceiving the truth and commanding acts in keeping with it, one might be tempted to discard Aquinas's virtue theory as impractical or unattainable; detached from the reality we experience. Aquinas bases his morals upon an awareness of the truth of the thing in question,¹⁰⁸ and about the truth of the reality of ourselves, as created by God. This access to truth provides the bedrock of objectivity for morality. However, Thomas's premise of access or perception of truth does not imply that he ignores human limitation. We have already observed in previous chapters that St Thomas is only too aware of the obstacles standing in the way of a person's access to the truth: poor reasoning, hampered by passion, temptation, sin, ignorance or physical condition. In addition to this, in his writing on virtue he comments on two further limitations on our perception or application of truth: imprudence and uncertainty.

The mechanism for transforming true (or real) knowledge into a prudent decision comes via the stages of deliberation, judgement and decision, and the errors that occur along the way are occasions of imprudence.¹⁰⁹ Imprudence can be the result

Cardinal Virtues, 11. This ability does not arrive ready-made but must be developed in order to reach a right disposition in the assessment of reality.

¹⁰⁷ Cf. Pieper, *The Four Cardinal Virtues*, 12; Aquinas, *Summa Theologica*, IIa IIae, q.48, resp; *ibid.*, IIa IIae q.47, a.3, resp..

¹⁰⁸ Aquinas, *Summa Theologica*, Ia IIae, q.64, a.3, resp.: "Bonum autem virtutis intellectualis est *verum*: speculativae quidem virtutis *verum* absolute, [...] practicae autem virtutis *verum* secundum conformitatem ad appetitum rectum" (emphasis in text); *ibid.*, Ia IIae, q.64, a.3, ad 2: "mensura, et regula intellectualis virtutis non est aliquod aliud genus virtutis, sed ipsa res."

¹⁰⁹ Hibbs, *Virtue's Splendor*, 79-80: "Disorder can occur in each of the stages of practical reasoning – intention, deliberation, judgement and execution. Any sort of disorder involves not simply

of acting out of impulse through rash judgement, or arise from thoughtlessness, irresolute inconstancy in failing to act upon what was deliberated and judged.¹¹⁰ If the imprudence is more deliberate in its form, then the individual's judgement and action is distorted sinfully by prudence of the flesh (*prudentia carnis*), where one misjudges and misuses the cares of the flesh, such that they become an end in themselves,¹¹¹ or by cunning (*astutia*), leading to deceitful practices of guile or fraud.¹¹² According to Thomas, these vices along with all forms of false prudence, are rooted in covetousness.¹¹³

As well as observing the impact imprudence has upon our perception of the truth, Aquinas also points out that our certainty about the truth is also limited. To the claim that "certainty of the truth belongs to prudence" St Thomas qualifies this by stating that we do not have the same level of certainty about all things.¹¹⁴ Therefore, the level of certainty found in prudence is diminished by the matters it is concerned with, namely "contingent singulars", or particular concrete issues, with all their variety.¹¹⁵ Indeed the very existence of practical reason, and hence prudence in its

disordered passion or weakness of will but also error in intellect, which is imprudence: 'there is no sin without a defect, resulting from imprudence, in some act of reason directing' (*ST II-II 53,2*).

¹¹⁰ The vices of *precipitatio*, *inconsideratio*, and *inconstantia* constitute the derailment of the corresponding stages of deliberation, judgement and decision. Cf. Pieper, *The Four Cardinal Virtues*, 13; Hibbs, *Virtue's Splendor*, 106; Aquinas, *Summa Theologica*, IIa IIae, q.53, aa.3-5. In the case of precipitous or rash judgement, St Thomas says that the individual fails to think according to these steps: memory of the past (*memoria*), intelligence in thinking about the present (*intelligentia*), shrewdness or quick-wittedness in deliberating upon the future (*solertia*), reasoning in comparing things (*ratiocinatio*), and docility in accepting the judgements of others more senior in understanding (*docilitas*). See Aquinas, *Summa Theologica*, IIa IIae, q.53, a.3, resp.

¹¹¹ See Aquinas, *Summa Theologica*, IIa IIae, q.55, aa.1-2. Cf. Pieper, *The Four Cardinal Virtues*, 19; Hibbs, *Virtue's Splendor*, 106-108; Porter, *Moral Action and Christian Ethics*, 146.

¹¹² See Aquinas, *Summa Theologica*, IIa IIae, q.55, aa.3-5. Cf. Pieper, *The Four Cardinal Virtues*, 19-20.

¹¹³ See Aquinas, *Summa Theologica*, IIa IIae, q.55, a.8, resp.

¹¹⁴ *Ibid.*, IIa IIae, q.47, a.9, arg. 2: "certitudo veritatis pertinet ad prudentiam, cum sit virtus intellectualis"; *ibid.* IIa IIae, q.47, a.9, ad 2: "'Certitudo non est similiter quaerenda in omnibus, [...]'; quia vero materia prudentiae sunt singularia contingentia, circa quae sunt operationes humanae, non potest certitudo prudentiae tanta esse, quod omnino sollicitudo tollatur." Cf. Aristotle, *Nicomachean Ethics*, I, 2, 1094b 12-15; I, 7, 1098a 26.

¹¹⁵ Aquinas, *Summa Theologica*, IIa IIae, q.47, a.15, resp.: "ea quae sunt ad finem in rebus humanis non sunt determinata, sed multipliciter diversificantur secundum diversitatem personarum, et negotiorum."

perfected state, is to deliberate (*consilium*) the nature of particular problems, in an attempt to apply the appropriate universal moral principles,¹¹⁶ as well as choose the appropriate means.¹¹⁷ Such possibility for variety in particular cases is bound to lead to some degree of uncertainty, and hence give rise to some measure of anxiety or concern (*sollicitudo*),¹¹⁸ as we cannot know all the variables or take into account all the consequences of our actions. This uncertainty as to whether the action deliberated and chosen is right and true is what Pieper calls “the distressing thorn that accompanies all human prudence.”¹¹⁹ However, the existence of such uncertainty has a positive side, in that it should caution us from becoming proud or over-confident in our self-reliance. Rather, it should lead us to greater humility and docility, since “no one is self-sufficient in matters of prudence.”¹²⁰ The down-side to the existence of uncertainty in prudential judgement is that it can leave one open to scrupulous moral paralysis; doing nothing for fear of wrongdoing, or being unable to let go of past acts, afraid that the wrong choice was made.¹²¹

From this we can see that Aquinas readily acknowledged the challenges people face in perceiving the truth, being certain about it and acting upon it, and incorporated this into his virtue theory. However, the acknowledgement of limitation in perception or certainty should not negate the necessity of maintaining truth and realism as the basis for morals, as it is precisely the purpose of the practice of virtue, in particular the development of prudence, to offer the individual the disposition to

¹¹⁶ Ibid., IIa IIae, q.49, a.5, ad 2; *ibid.*, IIa IIae, q.47, a.3, resp.

¹¹⁷ Ibid., IIa IIae, q.47, a.2, ad 3: “ad prudentiam non pertinet nisi applicatio rationis rectae ad ea, de quibus est consilium: et hujusmodi sunt, in quibus non sunt viae determinatae perveniendi ad finem, ut dicitur in 3. Ethic. (*cap. 3*)” (emphasis in text).

¹¹⁸ Ibid. IIa IIae, q.47, a.9, ad 2: “non potest certitudo prudentiae tanta esse, quod omnino sollicitudo tollatur” [“the certainty of prudence cannot be so great as to remove all anxiety completely”]. Cf. Pieper, *The Four Cardinal Virtues*, 18.

¹¹⁹ Pieper, *The Four Cardinal Virtues*, 210-11, n.29.

¹²⁰ Ibid., 16; Aquinas, *Summa Theologica*, IIa IIae, q.49, a.3, ad 3: “nullus in his quae subsunt prudentiae, sibi quantum ad omnia sufficit.”

¹²¹ Pieper, *The Four Cardinal Virtues*, 210-11, n.29. The balance between the certitude of blind arrogance and the complete uncertainty of scruples is, of course, moral certainty.

reason more correctly, enabling him or her to see the truth on the level of universals and particulars.¹²² Moreover, uncertainty is further reduced through combining prudence with experience, memory, understanding, quick-witted objectivity (*solertia*), foresight (*providentia*), an open-mindedness to the advice of others (*docilitas*) and an openness to the promptings of the Holy Spirit.¹²³

The existence of error and uncertainty also highlights that virtue theory is far from a ready-made solution to the challenges of the moral life. The path of virtue is one of growth, filled with partial successes, hampered, too, by trips and falls along the way. Therefore, the way of virtue, the way to perfection,¹²⁴ necessarily includes imperfection. If this were not the case, we would have no way of reaching perfection.¹²⁵ Accordingly, Aquinas presents comments on the notion of imperfect virtue.

¹²² Aquinas, *Summa Theologica*, IIa IIae, q.49, a.5, ad 2: “ideo quamvis in quibusdam aliis virtutibus intellectualibus sit certior ratio, quam in prudentia; tamen ad prudentiam maxime requiritur, quod sit homo bene ratiocinativus, ut possit bene applicare universalia principia ad particularia, quae sunt varia, et incerta” [“therefore although the reason may be more certain in some (certain) other intellectual virtues than in prudence, nevertheless, most of all prudence requires that man be a good reasoner, that he might rightly apply the universal principles to particulars, which are various and uncertain”]; *ibid.*, IIa IIae, q.51, a.1, ad 2: “virtus humana est perfectio secundum modum hominis, qui non potest per certitudinem comprehendere veritatem rerum simplicium intuitu simplici, et praecipue in agibilibus, quae sunt contingentia.” Thus, virtue makes up for the lack of certainty in understanding the truth of things, since we cannot simply intuit the truth with certainty.

¹²³ *Ibid.*, IIa IIae, q. 48 [this provides a full list]; *ibid.*, IIa IIae, q. 49, aa.1-8; *ibid.*, IIa IIae, q.52, a.2, resp. Cf. Pieper, *The Four Cardinal Virtues*, 16-18, 22. In addition to these aids to virtue, Aquinas identifies three secondary virtues which perfect aspects of the function of prudence, namely, *eubulia*, *synesis* and *gnome*. *Eubulia* concerns the perfection of right counsel or deliberation about the means, similar to the Aristotelian virtue *eustochia*. *Synesis* perfects right judgement regarding issues relating to common law, while *gnome* judges rightly in exceptional matters not covered by common juridical law by means of the principles of natural law. Cf. Aquinas, *Summa Theologica*, Ia IIae, q.57, a.6; IIa IIae, q.51, aa.1-4; Baylor, *Action and Person*, 60-64; Peter Mel Murphy, “Prudence and Conscience in the Light of *Veritatis Splendor* (54-64): A Study on the Necessity of Eubulia, Synesis and Gnome for the Formation of a True and Correct Conscience” (extract from doctoral diss., Pontificia Università Urbaniana, Rome, 2002), 24-73.

¹²⁴ Melina, *Sharing in Christ’s Virtues*, 91.

¹²⁵ Porter points out that perfected being relates to something being “what it ought to be.” *Mutatis mutandis*, one could say that perfected virtue relates to a faculty being what it ought to be. This may help us to understand how virtue as perfected ability can be both gained and lost, albeit with difficulty. Perfection as a concept is often connected to the idea of completion or completeness. The idea of perfection as completeness is more apt to virtue, as this describes a person having reached what can truly be called virtue, without implying that this is irreversible. If, however, perfection is understood as irreversible completion, then the notion of virtue as perfected ability would not fit with human experience, given the impact of sin or vice on a virtuous life, and would therefore appear to be

St Thomas notes that *habitus* gradually (*paulatim*) develop into stable dispositions.¹²⁶ In the same way, acquired virtues, as opposed to those which are infused in us by the grace of God, are developed through time and experience.¹²⁷ Good deeds carried out before the establishment of virtue are born out of natural inclinations, or (social) custom or habituation.¹²⁸ This basis for the good action restricts the quality of the act, in that without virtue to order the practical reason and the will, the desire or compulsion to do the good deed is handicapped, and therefore cannot be done well, or to the best possible level. Aquinas likens this situation to a blind horse galloping into danger, as it can neither see what needs to be avoided, nor know where it is going.¹²⁹ Moral virtues in conjunction with prudence, on the other hand, incline the person “to do the good deed well,”¹³⁰ in that the end is seen clearly, and the means to that good end are chosen and acted upon appropriately.¹³¹ This means that, unlike the blind horse, with virtue we run in the right direction, with the right intention. It is in this context that Aquinas affirms that the virtues are connected when perfect, in they that cooperate to perfect the act.¹³² Thus, St Thomas describes good acts lacking in stable virtue, or failing to come from a life of integrity,¹³³ to be

an unattainable goal. This misapprehension may account for some fear of the notions of virtue and perfection in some quarters. See Porter, *The Recovery of Virtue*, 37.

¹²⁶ Aquinas, *Summa Theologica*, Ia IIae, q.54, a.4, ad 1: “[habitus] primo imperfecte incipit esse in subjecto, et paulatim perficitur.”

¹²⁷ *Ibid.*, Ia IIae q.47, a.14, ad 3. As observed earlier, in this reply Aquinas also points out that the fact that God provides the *habitus* in the case of infused virtue does not mean that it is necessarily employed by the individual, as in the case of young children or those with mental incapacity.

¹²⁸ *Ibid.*, Ia IIae, q.65, a.1, resp.: “Imperfecta quidem moralis virtus (ut temperantia, vel fortitudo) nihil aliud est, quam aliqua inclinatio in nobis existens ad opus aliquod de genere bonorum faciendum, sive talis inclinatio sit in nobis a natura, sive ex assuetudine.”

¹²⁹ *Ibid.*, Ia IIae, q.58, a.4, ad 3: “Huiusmodi enim inclinatio, quanto est fortior, tanto potest esse periculosior, nisi recta ratio adiungatur, per quam fiat recta electio eorum quae conveniunt ad debitum finem, sicut equus currens, si sit caecus, tanto fortius impingit et laeditur, quanto fortius currit.”

¹³⁰ *Ibid.*, Ia IIae, q.65, a.1 resp. “Perfecta autem virtus moralis est habitus inclinans in bonum opus bene agendum.”

¹³¹ Cf. *Ibid.*, Ia IIae, q.65, a.1 resp.; *ibid.*, Ia IIae, q.58, a.4, ad 3.

¹³² *Ibid.*, Ia IIae, q.65, a.1 resp.: “sequitur, virtutes morales esse connexas.”

¹³³ In this context someone who is virtuous in one aspect of life, while lacking virtue in another does so through disconnected, imperfect virtue, that is, simply inclination or custom. See *ibid.*, Ia IIae, q.65, a.1 resp.: “*et hoc modo accipiendo virtutes morales, non sunt connexae: videmus enim*

‘imperfect virtues’. Such good deeds lacking in prudence and moral virtue may be sporadic or disconnected, and imperfect in their nature, but they are far from being worthless or wrong.¹³⁴ Indeed, such imperfect expressions of virtue are the very beginning of virtue,¹³⁵ the very route by which the individual advances in goodness, slowly trying to piece together a coherent virtuous life, one of true integrity. Such a passage to virtue is far from straightforward. Indeed, for example, Pieper points out that the gaining of prudence is in itself a *bonum arduum*.¹³⁶ Ultimately, however, the struggle for stable virtue is beyond our own strength, challenged as we are by concupiscence and sin. Indeed, sin disrupts our progress and makes us retreat from the path of virtue, blunting the faculties we have been honing.¹³⁷ Thus, we are led to seek God’s forgiveness and help in striving to do good.¹³⁸

aliquem ex naturali complexione, vel ex aliqua consuetudine, esse promptum ad opera liberalitatis, qui tamen non est promptus ad opera castitatis” (emphasis in text). Cf. *ibid.*, IIa IIae, q.144, a.1, resp.; *ibid.*, IIa IIae, q.155, a.1, resp. Cf. Porter, *Moral Action and Christian Ethics*, 146.

¹³⁴ See Aquinas, *Summa Theologica*, IIa IIae, q.144, a.1, resp.: “omne illud, quod repugnat perfectioni, *etiamsi sit bonum*, deficit a ratione virtutis” [“anything that is incompatible with perfection, even if it be good, runs short of the condition of a virtue”] (emphasis mine). In cases, however, where the perceived good deed is in fact morally wrong rather than simply not being the the best possible action or lacking due connection to a life of integrity, this would be a case of false prudence (*vice*). See *ibid.*, IIa IIae, q.47, a.13, resp. Earlier comments on ignorance and sin would apply to such a case.

¹³⁵ *Ibid.*, Ia IIae, q.58, a.4, ad 3: “naturalis inclinatio ad bonum virtutis, est quaedam inchoatio virtutis, non autem est virtus perfecta” [“the natural inclination to a good of virtue is a kind of beginning of virtue, but is not perfect virtue”].

¹³⁶ In his writing Pieper implies that he has struggled with the virtuous life himself. Jon Vickery casts further light upon this in his article on Pieper and the Nazis, in which he explores Pieper’s struggle to keep his integrity in a situation of danger. While other German Catholic philosophers and theologians of the time were willing to use Aquinas’s presentation of grace building on nature as a justification for National Socialism and their *völkisch* ethos, Pieper found in the same author the greatest arguments against their ideology. *Völkisch* ideology taught that Germany had a calling by Providence to vanquish evil from the world, and so anything that watered down German blood would be a hindrance to its salvific role. The article then presents Pieper’s history of trying to survive the war (including his cooperation with the Nazi party to get a job) and his enduring rejection of Nazism. The result was that, although his actions lacked heroism, he did offer some resistance and guidance through his writings. Vickery concludes that Pieper’s own self-confessed failings to maintain the high standards enshrined in the virtues shows the truth of his own teaching, namely, that prudence is a *bonum arduum*, “a steep good.” Cf. Jon Vickery, “Searching for Josef Pieper,” *Theological Studies* 66 (2005): 622-37, at 637; Pieper, *The Four Cardinal Virtues*, xiii, 16.

¹³⁷ For example, Aquinas, *Summa Theologica*, IIa IIae, q.51, a.1, ad 3: “in nullo peccatore, in quantum hujusmodi, invenitur eubulia: omne enim peccatum est contra bonam consiliationem” [“in no sinner as such can *eubulia* be found, for all sin is against the taking good counsel (deliberating well)”].

¹³⁸ Osborne points out that “acquired virtue depends on grace for its full development,” that is, its perfection. This, however, does not mean that imperfect virtue cannot be acquired without grace. See Osborne, “Perfect and Imperfect Virtues in Aquinas,” 40.

Here we reach the point of acknowledging the role of grace in virtuous action, to which we shall turn our attention shortly. At this stage, however, we can conclude that the virtues assist greatly in moral endeavour by helping the person to see the truth more clearly and to choose to act upon it. Prudence exercises a fundamental role in the perfection of moral action through perception of the truth and in commanding to act in accordance with it. But how does it relate to conscience? If, as Ratzinger says, conscience is also the capacity to know the truth, are prudence and conscience in fact one and the same thing?

3.1.2 Conscience and Prudence

Thus we are led into the challenging problem of how conscience and prudence relate to each other. Although many other great Christian thinkers have used both conscience and prudence in their writing,¹³⁹ I will continue to base my reflections on Aquinas's analysis, as it is by far the most detailed. Nonetheless, this does not mean that the Angelic Doctor's investigations provide a straightforward answer, as *prudentia* and *conscientia* never appear in the same question. As a result, D'Arcy observes that "even the most enthusiastic Thomists admit that St. Thomas failed to give an adequate account of the connection between practical wisdom [prudence] and conscience."¹⁴⁰ This has sparked a long-standing debate among scholars, which at times has become somewhat heated in its exchange.¹⁴¹ The question has been approached in a number of ways. For instance, much is made by some of the

¹³⁹ For example, St Gregory the Great, applies the metaphor of a house to conscience and the cardinal virtues. Conscience, in losing its state of tranquillity, is likened to a house being torn down, and the four cardinal virtues are described as the four corners of a house, keeping the building of the mind solid. *Conscientia* and *prudentia* are in close proximity in this passage, such that one could infer that prudence helps maintain the tranquil state of one's conscience. This, however, is a passing reference and so cannot shed much light on the complicated relationship between the two. Cf. St Gregory the Great, *Moralium Libri, sive Expositio in Librum B. Job*, II, 49, 76, PL 75, 592.

¹⁴⁰ D'Arcy, *Conscience and its Right to Freedom*, 135.

¹⁴¹ For fuller detail of the history of the debate, see Murphy, "Prudence and Conscience in the Light of *Veritatis Splendor*," 56-73.

infrequency of use of the term *conscientia* in comparison to *prudentia* in the *Summa Theologica*, given the history of greater use in Aquinas's earlier works. Josef Pieper states that *conscientia* is the focus of Aquinas's attention in only one article (*Summa Theologica*, I, q.79, a.13), while *prudentia* is the subject of ten questions made up of fifty-six articles.¹⁴² Although Pieper slightly exaggerates the lack of use of *conscientia*,¹⁴³ one cannot deny that there is an evident rise in the use of *prudentia* and a reduction in the use of *conscientia* compared to his previous writing.¹⁴⁴ Why, therefore, should this be the case? Does the relative absence imply that Aquinas deliberately replaced conscience with prudence, as he considered them to be directly equivalent, rendering the notion of conscience effectively redundant,¹⁴⁵ or is it the case that while one notion is given far greater emphasis, both conscience and prudence still have their part to play in the moral process?¹⁴⁶ It is beyond doubt that in Aquinas's moral writing we find a confluence or "a conjunction between, on the one hand, the virtue of prudence, analyzed through the resources of the Aristotelian tradition, with the contribution of the monastic tradition of discernment, and on the

¹⁴² Pieper, *Living the Truth*, 167.

¹⁴³ As was observed in chapter three, *conscientia* appears also in the *Summa Theologica* in Ia IIae, q.19, aa. 5-6 and Ia IIae q.96, a.4.

¹⁴⁴ For example, we can get a rough idea of Aquinas's use if we search through his *Commentary on the Sentences*. This shows that *prudentia* appears in 50 articles of the four books, either in passing or as the main topic under discussion, while *conscientia* appears in 54 articles, mostly in reference to 'conscience', though with some meaning 'consciousness'. This search indicates that St Thomas's use of the terms is about equal in his early work, while *prudentia* clearly receives far greater attention by the time he came to write his *Summa Theologica*. This word search was made possible by the website dedicated to St Thomas's works. See <http://www.corpusthomicum.org/iopera.html>, accessed 14 February 2008.

¹⁴⁵ Cf. Ralph McInerny, "Prudence and Conscience," *The Thomist* 38 (1974): 291-305, at 299.

¹⁴⁶ Another much weaker reason for the relative absence of *conscientia* in the *Summa* is derived by Peter Murphy from a comment by Dennis Billy, who suggests that certain themes are absent in parts of the *Summa* to avoid unnecessary repetition. Murphy takes this as a possible argument to explain why conscience is missing from the treatise on the virtues in the *Secunda Secundae*. Although Aquinas talks of the avoidance of unnecessary repetition in the prologue of the *Prima Pars*, it seems quite improbable to me that this would explain the reduced use of the key term *conscientia*, given the frequency of cross referencing and repetition of other key definitions found throughout the *Summa*, often concluding with the phrase, "*sicut supra dictum est.*" Cf. Murphy, "Prudence and Conscience in the Light of *Veritatis Splendor*," 57. Dennis J. Billy, "Aquinas on the Content of Synderesis," *Studia Moralia* 29 (1991): 61-83, at 73; Aquinas, *In III Sententiarum*, dist. 34, q.1, a.2, arg.5; idem, *Summa Theologica*, Ia IIae q.55, a.3, resp.; ibid., IIa IIae, q.47, a.1, ad 1.

other, the doctrine of conscience from St. Paul and the Church Fathers, especially of St. Jerome.”¹⁴⁷ Pinckaers points out that the role assigned to conscience will “depend on its relation to the other elements of the system.”¹⁴⁸ If, while drawing from many different Christian and classical sources, the system presented by Aquinas is primarily a virtue-based ethic,¹⁴⁹ this will have an effect on how conscience is perceived and placed in the scheme of his moral theory.¹⁵⁰ Such a conclusion, however, does not necessarily imply that Aquinas considered *conscientia* to be a completely redundant notion, as we shall see. Thus, the question of the relationship between conscience and prudence is rooted in whether *conscientia* and *prudencia* are synonymous or not.¹⁵¹ Accordingly, scholars have presented arguments for and against their equivalence.

Josef Pieper is cited as a prime example of someone holding the first opinion, in that he says “the word ‘conscience’ is intimately related to and well-nigh interchangeable with the word ‘prudence’.”¹⁵² Pieper’s view of equivalence relies heavily upon a particular conclusion derived by some prominent Dominican scholars. In reaction to the minimalism of casuistry, during the 1920s to the 1940s the French Dominican School sought to relocate the operation of conscience within the virtue of

¹⁴⁷ Pinckaers, “Conscience, Truth, and Prudence,” 80.

¹⁴⁸ *Ibid.*

¹⁴⁹ *Ibid.*, 85-86.

¹⁵⁰ Crowe suggests that prudence took over from conscience in Aquinas’s later moral theory as a consequence of his desire to use a more fully Aristotelian framework. See Crowe, “St. Thomas and *Synderesis*,” 245. MacIntyre rejects Crowe’s view as being oversimplistic. See *Whose Justice? Which Rationality?*, 188: “But more generally it is important to understand Aquinas as at every stage [...] integrating Neoplatonic and Augustinian elements with Aristotelian rather than discarding one in favor of the other.” Crowe is right in pointing out Aquinas’s preference, but MacIntyre’s comment rightly indicates that such a preference was far from exclusive.

¹⁵¹ Cf. McNerny, “Prudence and Conscience,” 300.

¹⁵² Pieper, *The Four Cardinal Virtues*, 11. It must be noted that this discussion relates to the specific use of *conscientia*, or what Pieper calls ‘situation conscience’, rather than conscience in general, incorporating the different levels of *synderesis* and *conscientia*. Cf. McNerny, “Prudence and Conscience,” 292. Having referred to Pieper, Bernard Häring also comes to the same conclusion as him. While not using the term *synderesis* at this point, Häring likewise separates the functions of *synderesis* and *conscientia*, declaring that *conscientia* and prudence are identical. See Häring, *Free and Faithful in Christ*, I, 254-55: “To the degree that a decision of conscience is the certain voice of a sincere conscience, it is neither more nor less than the verdict of prudence. As to the content, the dictates of conscience correspond exactly to the prudential judgment. However, the existential inner awareness of the calling, and the urgency to do the good, come from the whole moral condition and wholeness of conscience.”

prudence, such that the two notions were seen to be either intimately connected or identical in their operation.¹⁵³ Garrigou-Lagrange and Merkelbach proposed an equivalence of terms. Thus, Garrigou-Lagrange came to the conclusion that “*right and certain conscience* is none other than *an act of prudence*, which counsels, judges practically and commands” rightly on account of its related virtues *eubulia*, *synesis* and *gnome*.¹⁵⁴ Similarly, Merkelbach declared that “the judgement of conscience is an act commanded by prudence.”¹⁵⁵ In other words, the act of conscience is a particular occasion of the use of prudence. On the level of particular acts, therefore, conscience is a virtuous act, namely an act of prudence. Although the Dominicans never made the suggestion, this interpretation almost renders the term ‘*conscientia*’ obsolete, in that, according to this view the whole act of cognition, deliberation, judgement and the command to act could technically be explained without it.¹⁵⁶ Such an understanding

¹⁵³ Cf. Réginald Garrigou-Lagrange, “Du caractère métaphysique de la théologie morale de saint Thomas, en particulier dans les rapports de la prudence et de la conscience,” *Revue Thomiste* 30 (1925): 341-55; B.-H. Merkelbach, “Quelle place assigne au traité de la conscience?” *Revue des Sciences Philosophiques et Théologiques* 12 (1923): 170-83; St Thomas Aquinas [Saint Thomas D’Aquin], *Somme théologique: La prudence, 2a 2ae, Questions 47-56*, 2nd ed., French trans., notes and appendices by T.-H. Deman (Paris, Tournai, and Rome: Desclée & Cie, 1949), 376-527 [hereafter cited as: Deman, *La prudence*]; Benedictus Henricus Merkelbach, *Summa Theologiae Moralis*, 2nd rev. ed., vol. 2, *De Virtutibus Moralibus* (Paris: Desclée De Brouwer, 1935). Kennedy’s summary note slightly distorts the conclusions of the Dominican school, suggesting that they proposed that Aquinas left conscience to one side to replace it with prudence as the capacity of practical perception. I can find no evidence that they came to this conclusion, but rather that they explained conscience within the context of prudence, either declaring them to be equivalent or intimately related. Cf. Kennedy, “L’Idea di Coscienza Morale Secondo S. Tommaso,” 170, n.57.

¹⁵⁴ Garrigou-Lagrange, “Du caractère métaphysique de la théologie morale de saint Thomas,” 346: “la conscience droite et certaine n’est autre qu’un acte de la prudence, qui conseille, qui juge pratiquement et qui commande” (emphasis in text). Garrigou-Lagrange and Merkelbach are the primary sources for Pieper’s view. Cf. Pieper, *The Four Cardinal Virtues*, 209, n.8; *Living the Truth*, 167, n.1.

¹⁵⁵ Merkelbach, “Quelle place assigne au traité de la conscience?”, 178: “Le jugement de la conscience est un acte commandé par la prudence, mais préparé et posé par les vertus qui s’y rattachent: l’*eubulia* ou le bon conseil, la *synesis* ou le bon sens, la *gnome* ou le sens de l’exception.” See also *ibid.*, 180: “Sicut ergo praeceptum est actus proprius et praecipuus ipsius prudentiae, ita iudicium conscientiae (quod ex consilio praerequisito est efformatum, et secundum quod est praecipuum) est actus proprius vel praecipuus virtutum adnexarum quibus prudentia utitur ad suum proprium finem”; *idem*, *Summa Theologiae Moralis*, II, 42: “Conscientia recta autem est aliquis actus prudentiae” [“Moreover, right conscience is some act of prudence”].

¹⁵⁶ Hence, Pieper states that the “living unity [...] of synderesis and prudence is nothing less than the thing we commonly call ‘conscience.’” In this way, *conscientia* as the particular act of judgment is completely replaced by prudence, leaving conscience as simply a popular shorthand for the combination of prudence with its ontological moral basis. Pieper, *The Four Cardinal Virtues*, 11.

of notional equivalence of the act of conscience and the act of prudence is still held to this day, perhaps most prominently by Théo Belmans.¹⁵⁷

It should come as no surprise that some scholars have declared prudence and conscience to be synonymous, since there are striking similarities in Aquinas's description of their function. For example, the judgements of prudence and conscience are both defined as an application of universal principles to the particular situation,¹⁵⁸ and both, as a result, depend upon *synderesis* for their access to the universal principles of the practical order.¹⁵⁹ However, others have concluded that the differences presented by Aquinas indicate that there is actually a difference between the two. Consequently, not all members of the French Dominican School agreed with the views of Garrigou-Lagrange or Merkelbach. Some maintained instead that prudence and conscience were inseparable, though their functions were distinct. The basis of this opinion can be traced back to the work of Henri Noble, who saw in Aquinas a distinction between the *judicium conscientiae* and *judicium liberi arbitrii*,

¹⁵⁷ Théo G. Belmans, "Le jugement prudentiel' chez saint Thomas: Réponse à R. McInerny," *Revue Thomiste* 91 (1991): 414-20, at 419-20: "je n'ai trouvé aucune trace, ni dans mon expérience à moi ni dans les exposés de saint Thomas, de l'existence d'un 'jugement prudentiel' réellement distinct du jugement de conscience proprement dit. Cette idée relève d'une morale casuiste qu'on espérait définitivement périmée" (emphasis in text).

¹⁵⁸ For example, relating to conscience, cf. Aquinas, *De Veritate*, q.17, a.1, resp.: "Nomen enim conscientiae significat applicationem scientiae ad aliquid"; idem, *In II Sententiarum*, dist. 39, q.3, a.1, ad 3: "in applicatione universalis principii ad particulare opus." Concerning prudence, cf. idem, *Summa Theologica*, IIa IIae, q.47, a.2, ad 3: "ad prudentiam non pertinet nisi applicatio rationis rectae"; ibid., IIa IIae, q.49, a.3, resp.: "ad prudentiam pertinet non solum consideratio rationis, sed etiam applicatio ad opus [...]: operationes sunt in singularibus; et ideo necesse est quod prudens et cognoscat universalia principia rationis, et cognoscat singularia, circa quae sunt operationes"; ibid., IIa IIae, q.49, a.5, ad 2: "ad prudentiam maxime requiritur, quod sit homo bene ratiocinativus, ut possit bene applicare universalia principia ad particularia." In addition, McInerny observes, that according to Aquinas, "both can be elucidated by appeal to the practical syllogism," and "both involve deliberation." However, he declares these similarities to be "superficial." Cf. McInerny, "Prudence and Conscience," 300; Melina, *La Conoscenza Morale*, 210.

¹⁵⁹ For example, relating to conscience, see Aquinas, *Summa Theologica*, I, q.79, a.13, ad 3. With regard to prudence, see ibid., IIa IIae, q.47, a.6, ad 3: "synderesis movet prudentiam"; ibid., IIa IIae, q.63, a.1 resp.; idem, *De Veritate*, q.16, a.2, ad 5: "actus synderesis non est actus virtutis simpliciter, sed praeambulum ad actum virtutis, sicut naturalia sunt praeambula virtutibus gratuiti et acquisitis."

or the judgment of action, as Noble also calls it.¹⁶⁰ Noble states that these judgements oppose each other in the case of sin or vice, but cooperate in the case of an act of virtue.¹⁶¹ This cooperation means that materially there is no difference or opposition between the two judgements, since the act approved by the judgement of conscience is the same as that which is chosen by the judgement of the *liberum arbitrium*.¹⁶² However, Noble notes that formally “a difference persists between the characters of the two judgements,”¹⁶³ since the judgment of conscience belongs to the cognitive order, as an impartial judgement of right and wrong, while the judgement of *liberum arbitrium* is the application of that cognition to the will (*applicatio cognitionis ad affectionem*).¹⁶⁴ In this way Noble sums up the difference as seeing and wanting, and it is this wanting which he says is under the influence of virtues and vices.¹⁶⁵

Noble’s Thomistic distinction forms the basis of the argument against equivalence between acts of conscience and prudence. The second element in the argument is Aquinas’s definition of the judgment of *liberum arbitrium* as *judicium*

¹⁶⁰ H.-D. Noble, “Le syllogisme moral,” *Revue des Sciences Philosophiques et Théologiques* 10 (1921): 560-64, 563-64; idem, *La conscience morale* [published in 1923], 52-56.

¹⁶¹ Ibid., 563: “Dans le cas du péché, cette opposition est flagrante. [...] Dans le cas de la vertu, l’opposition semble ne pas exister.”

¹⁶² Noble, “Le syllogisme moral,” 563.

¹⁶³ Ibid. “Et pourtant, formellement, une différence persiste entre le caractères de ces deux jugements.”

¹⁶⁴ Ibid., 564; cf. Aquinas, *De Veritate*, q.17, a.1, ad 4: “differunt iudicium conscientiae et liberi arbitrii, quia iudicium conscientiae consistit in pura cognitione, iudicium autem liberi arbitrii in applicatione cognitionis ad affectionem: quod quidem iudicium est iudicium electionis.” Murphy inaccurately sums up Noble’s distinction as a direct contrast between prudence and conscience, where conscience acts “devoid of affectivity – *per modum cognitionis*,” while prudence acts “*per modum inclinationis*.” This term in relation to prudence is completely missing from Noble’s text. Cf. Murphy, “Prudence and Conscience in the Light of *Veritatis Splendor*,” 59. It appears that Murphy has taken the phrase *per modum inclinationis* from McNerny or Billy and applied it to Noble’s, perhaps for the purposes of presenting a neat summary. This, however, confuses the issue and obscures the historical chain of analysis. Cf. Ralph McNerny, “The Right Deed for the Wrong Reason: Comments on Belmans,” *Doctor Communis* 43 (1990): 234-49, at 244; Dennis J. Billy, “Aquinas on the Relations of Prudence,” *Studia Moralia* 33 (1995): 235-64, at 255-57; Murphy, “Prudence and Conscience in the Light of *Veritatis Splendor*,” 67.

¹⁶⁵ Noble, “Le syllogisme moral,” 564: “Dans le jugement de conscience, la raison nous fait voir ce qui est bon ou mal moralement. Dans le jugement d’action, elle nous le fait vouloir, s’employant non plus seulement à connaître, mais à connaître ce qu’il faut pratiquer, sous l’impulsion de l’intention volontaire vertueuse ou vicieuse qui active son discernement et imprègne sa décision” (emphases in text). This text is repeated in Noble’s *La conscience morale*, 56.

electionis.¹⁶⁶ Just as the *judicium liberi arbitrii* is distinct from the *judicium conscientiae*, so the *judicium electionis* is also distinct, given the equivalence of meaning in Aquinas. Thus, Labourdette talks of the “clear distinction” between the two.¹⁶⁷ Here, according to this view, we finally come to the point of distinguishing the act of conscience from prudence operative in the moral act, since Aquinas declares the *judicium electionis* to be directed by prudence and the moral virtues, if the choice is right and good.¹⁶⁸ In this way it is proposed that the judgement of conscience differs from the judgement of prudence, with the latter being involved in the activity of the *liberum arbitrium* as that which assists the individual in desiring to act upon what is known as good.¹⁶⁹ Thus, McNerny says that prudence is involved in the ordering of the appetite so as to recognise “the good as good,” rather than simply relating to it cognitively, as the good as true, that is knowing the good “under the guise of truth.”¹⁷⁰

I accept that prudence is involved in assisting the individual in choosing the good, and thus, where it is lacking one can see how the *judicium electionis*, distorted or led astray by imprudence or another vice,¹⁷¹ might choose the wrong means for a

¹⁶⁶ Cf. Aquinas, Aquinas, *In II Sententiarum*, dist. 24, q.2, a.4, ad 2: “ipsum iudicium electionis liberi arbitrii est”; idem, *De Veritate*, q.16, a.1 ad 15 *ibid.*, q.17, a.1, ad 4.

¹⁶⁷ Michel Labourdette, “Théologie morale,” *Revue Thomiste* 50 (1950):192-230, at 213: “la nette distinction entre le jugement de la conscience et le jugement d’élection que prend en charge la prudence.”

¹⁶⁸ Aquinas, *In Decem Libros Ethicorum ad Nichomachum*, VI, lect. 11: “quia electio recta, quae requiritur ad operationem virtutis, non est sine prudentia nec virtute moralia. Quia virtus moralis ornat ad finem, prudentia autem dirigit circa ea quae sunt ad finem”; idem, *In III Sententiarum*, dist. 33, q.2, a.4, qc.4, arg 2: “eligere videtur esse actus prudentiae”; *ibid.*, dist. 33, q.2, a.4, qc.4 ad 2: “eligere est actus prudentiae quantum ad id quod est de cognitione in electione”; idem, *Summa Theologica*, IIa IIae, q.54, a.2, resp.: “Electio autem recta eorum quae sunt ad finem ad prudentiam pertinet”; *ibid.*, IIa IIae q.47, a.1, ad 2.

¹⁶⁹ Delhaye, *The Christian Conscience*, 170-171, at 171: “It is then not unfaithful to St. Thomas if we say that the *judicium prudentiae* intervenes in the *judicium liberi arbitrii* which is distinct from the *judicium conscientiae*.” *Judicium prudentiae* as a term seems to be highly infrequent in Aquinas’s writings, but can be found in *Summa Theologica*, Ia IIae, q.58, a.5, ad 3 and *In Decem Libros Ethicorum ad Nichomachum*, II, lect. 11.

¹⁷⁰ McNerny, “Prudence and Conscience,” 302 (emphasis in text). I would prefer to see this as “the good as desirable” rather than “the good as good,” as the good is not only “the object of appetite,” but of the practical reason, too. Therefore, it is incorrect to say that one does not yet relate to the good as good when at the cognitive level one judges by an act of conscience, before moving on to the act of choice. See *ibid.* The same passage is found in McNerny’s *Ethica Thomistica*, 106-107.

¹⁷¹ Aquinas, *De Veritate*, q.17, a.1, ad 4.

good purpose, or reject what we know to be right, because the wrong act seems more desirable in the short term.¹⁷² However, I do not agree that this is sufficient evidence to argue that prudence is not involved in the *judicium conscientiae* as well. To do so would distort the sense of the texts and to distort the nature of prudence by focusing only on one of its functions. It seems that in the desire to prove that prudence and conscience are different, certain scholars have understated the level of overlap that exists between the two.

I would suggest that this is largely caused by an excessive reliance on *De Veritate*, q.17, a.1, ad 4, coupled with a misreading of the implications of its content. The passage clearly describes the existence of two judgements: of conscience and of free choice.¹⁷³ The passage describes how the *judicium liberi arbitrii* can go astray such that one errs in choice. Accordingly, by referring to other texts, McNerny and others present the case for prudence being involved in the *judicium liberi arbitrii* to assist in ordering the choice to the right end. However, the problem seems to be that insufficient attention is given to the fact that the *judicium conscientiae* is also fallible. In doing so, the impression is given that *judicium conscientiae* and *judicium prudentiae* are different because prudence is not required in the dispassionate judgement of conscience.¹⁷⁴ It is clear that McNerny is fully aware that conscience can err,¹⁷⁵ yet this does not figure much in his specific analysis of why prudence

¹⁷² Noble, "Le syllogisme moral," 563.

¹⁷³ In fact, the passage also refers to another judgement, namely, *judicium synderesis*, but this is passed over in articles, as it does not pertain to the argument. See Aquinas, *De Veritate*, q.17, a.1, ad 4.

¹⁷⁴ Cf. also Noble, "Le syllogisme moral," 564: "Elle se prononce en une sentence sereine, impassible."

¹⁷⁵ McNerny, "Prudence and Conscience," 303-304.

cannot be related to conscience.¹⁷⁶ Here it may be useful to place McNerny's text before us:

If we look back now on the way in which St. Thomas contrasted the judgment of conscience and the judgment of choice, two observations spring immediately to mind. Conscience was said to be purely cognitive, which means that, for it to function, for the judgment of conscience to be made, all that is required is a cognitive ordination to the good. Furthermore, in his illustration of how the judgment of choice can be perverted while that of conscience is not, Aquinas is portraying the type of man Aristotle calls incontinent, that is, the morally weak man. He knows what he ought to do, his conscience is all right, but his knowledge of the good is not complemented by an effective appetitive disposition to the good as good. That is why, in the crunch, in choosing (which is a meld of mind and appetite), he goes wrong.¹⁷⁷

The problem here is that too much store has been set upon this one passage of Aquinas. Belmans is right in declaring this passage to be simply a discussion of a perversion of the will, which strays from reason and therefore from conscience.¹⁷⁸ The passage only deals with the situation in which conscience has judged rightly, and makes no comment on a situation of erroneous conscience. As a result, no conclusion about whether prudence is involved in conscience can be legitimately derived from it, just as the fact that other texts support the relationship between prudence and choice does not exclude the relationship between prudence and conscience.¹⁷⁹ I have dedicated a significant portion of this thesis to the nature of the fallibility of conscience in an attempt to highlight its need to reduce such error through virtue and grace. The fact that *conscientia* in *De Veritate* is described as a cognitive act of judgment does not exclude the possibility of error or its need for improvement, nor

¹⁷⁶ Ibid., 304-305: "It is such consideration that prevent me from suggesting that, at least in the case of the virtuous man, conscience and prudence effectively coalesce because there would no longer be any need to speak of a purely cognitive assessment of how principles apply in the concrete."

¹⁷⁷ McNerny, "Prudence and Conscience," 303.

¹⁷⁸ Belmans, "'Le jugement prudential' chez Saint Thomas," 419.

¹⁷⁹ In this way McNerny's claim that prudence is in no way related to conscience and is only "the cognitive component of our present choices" lacks sufficient evidence. Moreover, his statement that "conscience is no more a function of our moral character than is moral philosophy or ethics" seems an astonishingly detached notion of conscience; one which I cannot support. See McNerny, "Prudence and Conscience," 305.

justify the downplaying of the importance of that improvement.¹⁸⁰ Therefore, as well as relating the good end and chosen means to the will,¹⁸¹ prudence, as the perfected ability of practical reason, first of all has a cognitive task leading to a particular precept or command by means of deliberation.¹⁸² Accordingly, I would consider prudence not only related to the *judicium liberum arbitrii*, but also the *judicium conscientiae*.¹⁸³ Here the overlap between prudence and conscience is not simply some “superficial” similarity,¹⁸⁴ as, when comparing *consilium* and *electio*, Aquinas states that *consilium* or deliberation “belongs more properly to prudence” than

¹⁸⁰ McNerny’s passing comment on the correction of conscience is quite surprising, given the level of Aquinas’s attention to the problem of error. *Ibid.*, 303-304: “Moreover, if the judgment of conscience is erroneous, discussion, knowledge, maybe even the fifty drachma course, can be efficacious in correcting it.” This comment seems to limit the formation of conscience merely to the reception of correct information in such a way that the issue of disposition is excluded. As we have already noted, error occurs in conscience not only through an error of reasoning or facts, but also through the effects of disordered passions. Thus, formation of conscience does not simply involve information, but also the formation of the right environment for reasoning, which necessarily involves not only prudence, but also the moral virtues. It is strange, therefore, that McNerny rejects the idea that erroneous conscience can be caused by malice or vice, since Aquinas says that it can be deliberately caused by negligence. Cf. Aquinas, *Summa Theologica*, Ia IIae, q.58, a.5, resp.; *idem*, *In II Sententiarum*, dist. 39, q.3, a.2, ad 5; *idem*, *Summa Theologica*, Ia IIae, q.19, a.6, resp.; McNerny, “Prudence and Conscience,” 305.

¹⁸¹ Aquinas, *Summa Theologica*, Ia IIae, q.56, a.3, resp.: “subjectum prudentiae est intellectus practicus in ordine ad voluntatem rectam.” Cf. *ibid.*, Ia IIae, q.66, a.3, ad 3.

¹⁸² Aquinas, *In Decem Libros Ethicorum ad Nichomachum*, II, lect. 8: “prudentia, quae non est circa omnem cognitionem veri, sed specialiter circa actum rationis qui est praecipere”; *idem*, *Quaestiones Disputatae de Virtutibus*, in *Opera Omnia*, vol. 8 (New York: Musurgia Publishers, 1949; reprint of 1852-1873 Parma ed.), *Quaestio Disputata de Virtutibus Cardinalibus*, q.1 [unica], a.1, resp.: “Sed per prudentiam fit ratio bene praecipiva, ut ibidem dicitur. Unde manifestum est quod ad prudentiam pertinet id quod est praecipuum in cognitione dirigente.” Cf. *idem*, *Disputed Questions on Virtue: Quaestio Disputata de Virtutibus in Communi, Quaestio Disputata de Virtutibus Cardinalibus*, trans. and preface by Ralph McNerny (South Bend, IN: St. Augustine’s Press, 1999), *Disputed Question on the Cardinal Virtues*, a.1, resp.: “But it is through prudence that reason is able to command well, as is said in that same place; so it is clear that what is most important in directive knowledge pertains to prudence”; *idem*, *Summa Theologica*, IIa IIae, q.47, a.1, resp.: “Visio autem non est virtutis appetitivae, sed cognoscitivae. Unde manifestum est quod prudentia directe pertinet ad vim cognoscitivam”; *ibid.*, IIa IIae, q.48, resp. (talking of the integral parts of prudence relating to capacities of cognition and command) “quorum octo quinque pertinent ad prudentiam secundum id quod est cognoscitiva; scilicet: *memoria, ratio, intellectus, docilitas et solertia: tria vero alia pertinent ad eam secundum quod est praecipiva, applicando cognitionem ad opus: scilicet: providentia, circumspectio et cautio*” (emphases in text).

¹⁸³ Apart from giving primacy to *synderesis*, Aquinas says that conscience is formed by other *habitus*. I would suggest that these include the virtues, especially prudence. See *idem*, *Summa Theologica*, I, q.79, a.13, ad 3: “Habitus autem, ex quibus conscientia informatur, etsi multi sunt...”

¹⁸⁴ Cf. McNerny, “Prudence and Conscience,” 300.

choice,¹⁸⁵ and that *consilium* “is found in conscience”, too, in one of its functions, namely, the investigation of what should be done.¹⁸⁶

I have attempted here to show why arguing that prudence affects choice should not preclude its previous involvement in conscience. As such, I would disagree with those who consider that prudence and conscience have nothing to do with each other, and I would propose that there is some element of overlap between the two.¹⁸⁷ I would suggest that the area of overlap is that of deliberation, judgement and command; in effect, the antecedent *judicium conscientiae* and the *judicium prudentiae*, strictly speaking.¹⁸⁸ St Thomas states that antecedent conscience is an act of judgement, which is the conclusion of a deliberation over the right course of action by application of universal principles, where the person is prodded, urged or bound to carry it out (*instigare, vel inducere, vel ligare*).¹⁸⁹ In the case of prudence, after the

¹⁸⁵ Aquinas, *Summa Theologica*, IIa IIae, q.47, a.1, ad 2: “quorum duorum consilium magis proprie pertinet ad prudentiam.” He goes on in the same reply to affirm that choice can also be attributed to prudence, since choice is directed by what has been counselled.

¹⁸⁶ Aquinas, *De Veritate*, q.17, a.3, ad 2: “consilium invenitur in conscientia quantum ad unum modum applicationis; cum scilicet inquiritur de agendo.”

¹⁸⁷ I am using the idea of an overlap for two reasons: firstly, to state that the functions of conscience and prudence involve elements which do not coincide, and secondly, to distinguish my view from those who consider a portion of the operations of prudence and conscience to be identical (as opposed to the less refined theory of complete equivalence). The operations are not identical, as the impetus behind the two is not the same. Moreover, I would take the lack of coincidence in certain elements of their operation, such as the sense of remorse in conscience, to mean that conscience is not completely understood or “enclosed within the virtue of prudence,” contrary to Deman’s view. See Melina, *La Conoscenza Morale*, 211; Elders, “St. Thomas Aquinas’ Doctrine of Conscience,” 133; Deman, *La prudence*, 504: “et elle [la conscience] sera comprise alors, [...] à l’intérieur de la vertu de prudence.” “Enclosed” is Elders’ translation of *comprise*.

¹⁸⁸ As I observed earlier, Aquinas uses *judicium prudentiae* very sparingly. It may be the case that the broader use of *judicium prudentiae* in some articles may obscure the difference between prudence as an act of judgement and prudence as a disposition. I shall return to this shortly.

¹⁸⁹ Aquinas, *De Veritate*, q.17, a.1, resp. Cf. *ibid.*, q.17, a.2 ad 1: “conscientia dicitur esse naturale judicatorium, in quantum est conclusio quaedam ex naturali judicatorio deducta.” Many authors focus upon *De Veritate*, q.17, a.1, ad 4 in their description of conscience, such that the act of conscience is presented as an act of judgement “in the abstract”, without any command. This leads some to describe the function of conscience in terms of some kind of neutral “philosophizing” which requires prudence to bring the judgement into action. I would not disagree with the idea that prudence is involved in choice or in commanding the choice into action. However, the earlier text in *De Veritate*, q.17 lists a range of activities which present conscience as a far more involved capacity, one which prods, urges, binds, excuses and accuses. I would suggest that this list should not be overlooked. As a result, I would understand the activities of prodding, urging and binding to be some sort of prescriptive force which belies the description of conscience as simply some kind of cold or neutral calculation. Cf.

initial cognition, the three key acts of prudence are counsel (or deliberation), practical judgement and command,¹⁹⁰ where this virtue of right reason applies universal principles to the contingent circumstances of a particular problem.¹⁹¹

Thus, both conscience and prudence contain the activities of deliberation, judgement and present some kind of impetus to act. However, I would not go so far as to say that the evidence of an overlap in activity means that conscience and prudence are simply “two versions of the same doctrine,”¹⁹² and therefore equivalent. There are two reasons for this conclusion. The first relates to the elements of activity which do not coincide, and the second concerns the area of similar activity.

Pinckaers points out that conscience not only looks forward to future actions, but also backward to those already carried out. In this way consequent conscience with its judgement of accusation or defence, brings a sense of remorse or of being excused (or perhaps joyous satisfaction) according to the quality of the action.¹⁹³ Prudence, in contrast, “after having deliberated on the action to be carried out and perhaps calling to mind past experience, is directly concerned with the present moment of the action,¹⁹⁴ because it is through the decision that it brings the action into being in a particular way.”¹⁹⁵ Therefore, prudence is not involved in consequent conscience, but prudence also goes beyond the action of conscience as a judgement in

Pinckaers, “Conscience, Truth, and Prudence,” 89; McNerny, “Prudence and Conscience,” 304-305; Elders, “St. Thomas Aquinas’ Doctrine of Conscience,” 127; Aquinas, *De Veritate*, q.17, a.1, resp.

¹⁹⁰ Cf. Aquinas, *Summa Theologica*, IIa IIae, q.47, a.2, ad 3; *ibid.*, IIa IIae, q.49, a.6, arg.3: “principalis actus prudentiae est praecipere, secundarii autem iudicare et consiliari”; Réginald Garrigou-Lagrange, “La prudence: sa place dans l’organisme des vertus,” *Revue Thomiste* 31 (1926): 411-26, at 414-16.

¹⁹¹ Hibbs, *Virtue’s Splendor*, 98.

¹⁹² Melina, *La Conoscenza Morale*, 211 (commenting on a view he disagrees with): “due differenti versioni della stessa dottrina.”

¹⁹³ Cf. Pinckaers, “Conscience, Truth, and Prudence,” 90; Aquinas, *De Veritate*, q.17, a.1, resp.

¹⁹⁴ Aquinas, *Summa Theologica*, IIa IIae, q.49, a.4, resp.: “prudētis est rectam aestimationem habere de operandis.” This definition clearly shows the forward-looking outlook of prudence, related to that which is to be done now, rather than to some kind of theorising. Cf. *ibid.*, IIa IIae, q.47, a.1, ad 2: “ea, quae sunt praesentialiter agenda.”

¹⁹⁵ Pinckaers, “Conscience, Truth, and Prudence,” 90.

its role as *auriga virtutum*, driver or charioteer of the virtues,¹⁹⁶ meaning that it steers or directs the other virtues towards their true end: discerning and choosing the good in its particular forms.¹⁹⁷ The judgement of conscience benefits from this steering of a true course in that its judgement is less impaired by disordered passion or overthrown by a sinful choice to reject the judgement.¹⁹⁸ Here, therefore, we are dealing with the role of prudence as disposition rather than as a particular judgement.

Thus, there are areas of activity which are proper to prudence and conscience separately. However, other elements of their action coincide, namely, the application of universal moral principles to the particular situation. Yet the coincidence is not a straightforward equivalence, such that the two judgements are synonymous, as their operation is “located on two different levels.”¹⁹⁹ Rather, it is an overlap of operation in which the antecedent judgement of conscience is raised by prudence to a new level in its quality of reasoning and motivation.²⁰⁰ Pinckaers and Melina point out that Aquinas was heir to two traditions which he skillfully combined: one in which “conscience was bound to the idea of obligation with regard to the law,” and the other which sought excellence through moral virtue.²⁰¹ Conscience pursues the action in terms of obligation, while prudence as a virtue seeks the perfection of the act.²⁰² Therefore, the involvement of prudence in conscientious judgement raises it beyond a

¹⁹⁶ Cf. Aquinas, *In II Sententiarum*, dist. 41, q.1, a.1, arg. 3: “secundum Bernardum (In Cant. serm. 49), prudentia est auriga virtutum” (parenthesis in text); CCC, no. 1806.

¹⁹⁷ Aquinas, *Summa Theologica*, Ia IIae, q.58, a.5, resp.

¹⁹⁸ Cf. Noble, *La conscience morale*, 233: “Cet enrichissement de notre esprit dans la connaissance des lois morales et de leur applications n’est encore qu’une part de la perfection totale de la conscience vertueuse: elle garantit dans notre intelligence la direction de la vie morale et son discernement pratique.”

¹⁹⁹ Pinckaers, “Conscience, Truth, and Prudence,” 90.

²⁰⁰ Thus we find in the *Catechism*, “It is prudence that immediately guides the judgement of conscience.” Cf. CCC, no. 1806.

²⁰¹ *Ibid.*, 89-90; Melina, *La Conoscenza Morale*, 210. Aquinas combines law and virtue in such a way that law is “at the service of virtue.” See Pinckaers, “Conscience, Truth, and Prudence,” 90. The combination of law and virtue in St Thomas’s theory means that conscience and prudence are combined together, rather than prudence making conscience a redundant notion.

²⁰² Pinckaers, “Conscience, Truth, and Prudence,” 90. This might explain Aquinas’s particular concerns in his study of conscience for the limits of its obligation and binding quality.

morality of the bare minimum so that the person seeks the best possible solution,²⁰³ that is most apt for the circumstances, rather than settling for any one of the legitimate options.²⁰⁴ This shift is achieved through prudence's skilled capacity for practical reasoning in deliberating the concrete circumstances,²⁰⁵ and through its disposition to strive for perfection. In this way through prudence, "the perfected ability to make decisions in accordance with reality" in all its particularity, the individual is led to "ethical maturity."²⁰⁶

3.2 Conscience and Moral Virtues

The preceding section on prudence and conscience has led us, hopefully, to a clearer understanding of the relationship between the two, where both are rooted in a perception of the truth, but at different levels, in such a way that prudence refines the judgement of conscience so that it is fully attuned to the here and now. It is clear, therefore that prudence holds a fundamental role in the virtuous life.²⁰⁷ However, its own capacities for perception and direction are not impervious to attack. Indeed, its tasks of deliberation, judgement and command can all be disrupted through disordered passion in such a way that its refined capacity for application of the universal to the

²⁰³ Delhaye, *The Christian Conscience*, 172: "Prudence's task is to examine and choose in order to decide what is *de facto* the best path." Cf. Aquinas, *Summa Theologica*, IIa IIae, q.47, a.2, ad 3: "in quibus non sunt viae determinatae perveniendi ad finem." In other words, prudence comes into play when there is no fixed way of arriving at the good. This does not mean, however, that it operates without reference to objective morality. Rather, it means that prudence seeks to find and apply what is right and most appropriate, instead of subjectively inventing what it deems to be right. This is because prudence is about prescribing the means and not the ends. Cf. Aquinas, *Summa Theologica*, IIa IIae, q.47, a.8, resp; *ibid.*, IIa IIae q.47, a.15, resp. Moreover, finding the best path through prudence may also require revision of one's judgement. Such revision is in keeping with the mental models theory of deduction and also of the general defeasible nature of the practical syllogism.

²⁰⁴ Here we see the reverse of the model found in casuistry. Cf. Pieper, *The Four Cardinal Virtues*, 26-31; Pinckaers, "Conscience, Truth, and Prudence," 90.

²⁰⁵ Delhaye, *The Christian Conscience*, 171.

²⁰⁶ Pieper, *The Four Cardinal Virtues*, 31.

²⁰⁷ Aquinas, *Summa Theologica*, Ia IIae, q.57, a.5, resp.

particular would falter or be destroyed.²⁰⁸ The fact that prudence can be potentially derailed means that it requires support from the virtues that it in turn directs. In other words, prudence cannot operate without the support of the moral virtues, and the moral virtues cannot function without prudence.²⁰⁹ McNerny coined a term for this mutual support between prudence and moral virtue, namely, the “virtuous circle.”²¹⁰

While prudence, as an intellectual virtue concerned with action,²¹¹ resides in the reason, the moral virtues operate in the appetite of will.²¹² Thus, moral virtue affects the will by ordering the desire. In doing so, it not only helps the will to choose the good, but also helps us to see why we should love this particular good, rather than simply obey it. This ordering of the end into a positive desire for the good then affects prudence in its choice of means appropriate to that end.²¹³ Thus, through the influence of moral virtue, prudent action is rooted in love of the good rather than slavish obedience.²¹⁴ This also implies that through this mutual cooperation among virtues, the operation of conscience is also shaped by a love of the good at a particular level.

²⁰⁸ Cf. Aquinas [S. Tommaso d’Aquino], *Commento alle Sentenze di Pietro Lombardo e Testo Integrale di Pietro Lombardo*, vol. 3, *Libro Secondo, Distinzioni 1-20: La Creazione, Gli Angeli e i Demoni, Gli Esseri Corporei e L’Uomo*, Latin-Italian ed., trans. Carmelo Pandolfi and Roberto Coggi (Bologna: Edizioni Studio Domenicano, 2000), dist. 5, q.1, a.1, sol.: “delectatio corrumpit existimationem prudentiae”; idem, *Summa Theologica*, Ia IIae 58, a.5, resp.; ibid., Ia IIae, q. 53, a.6, resp.; Aristotle, *Nicomachean Ethics*, VI, 5, 1140b 14-15.

²⁰⁹ Aquinas, *Summa Theologica*, Ia IIae, q.58, a.5, ad 3: “prudentia non solum est bene consiliativa, sed etiam bene iudicativa et bene praeceptiva: quod esse non potest, nisi removeatur impedimentum passionum corrumpentium iudicium, et praeceptum prudentiae: et hoc per virtutem moralem.”

²¹⁰ McNerny, “Prudence and Conscience,” 302. This is perhaps a more apt description than calling it a “vicious circle.” See Cessario, *The Moral Virtues and Theological Ethics*, 134-38. Delhaye calls it “reciprocal causality.” See Delhaye, *The Christian Conscience*, 175.

²¹¹ Aquinas, *Summa Theologica*, Ia IIae, q.58, a.3, ad 1.

²¹² Idem, *In III Sententiarum*, dist. 33, q.1, a.1, qc.2, sol.; idem, *Summa Theologica*, q.58, a.5, resp.; ibid., q.59, a.4, resp.: “virtus moralis perficit appetitivam partem animae, ordinando ipsam in bonum rationis.”

²¹³ Idem, *Summa Theologica*, Ia IIae, q.59, a.1, ad 1; ibid., Ia IIae, q.66, a.3, arg 3: “virtus moralis facit rectam intentionem finis.”

²¹⁴ Pieper, *The Four Cardinal Virtues*, 34: “Only one who previously and simultaneously loves and wants the good can be prudent; but only one who is previously prudent can do good. Since, however, love of the good in its turn grows by doing good, the foundations of prudence are sunk deeper and firmer to the extent that prudence bears fruit in action” (emphases in text).

Moral virtues can relate to passions, or to our actions or activities (*operationes*).²¹⁵ The former can be exemplified in the cardinal virtues of fortitude and temperance,²¹⁶ while the other cardinal virtue, justice, offers us a key example of the latter.²¹⁷ Therefore, starting with justice, we shall now look briefly at the workings of all these virtues in relation to conscience.

3.2.1 Justice

St Thomas Aquinas considered justice to be the chief of all moral virtues.²¹⁸ Indeed, justice holds this place of honour among the moral virtues because it is fundamental to the way in which we deal with others. As a result, prompted by Cicero, Aquinas says that “the splendour of virtue is greatest in [justice].”²¹⁹ Hibbs suggests that this “exaltation of the virtue of justice undermines the objection that virtue theory is insufficiently social.”²²⁰ Indeed, some writers have forcibly advanced the notion that virtue theory, whether in part or as a whole,²²¹ is deficient because of a lack of attention to the social or relational element of morals, or because it is “trapped in an

²¹⁵ Aquinas, *Summa Theologica*, Ia IIae, q.60 aa.2 and 3.

²¹⁶ Cf. *ibid.*, Ia IIae, q.61, a.2, resp.; *ibid.*, IIa IIae, q.123, aa.1-12; *ibid.*, IIa IIae, q. 141, aa. 1-8; *ibid.*, IIa IIae, q. 143; Pieper, *The Four Cardinal Virtues*, 115-41 and 143-206.

²¹⁷ Aquinas, *Summa Theologica*, Ia IIae, q.60, a.3, resp.

²¹⁸ Aquinas, *Summa Theologica*, Ia IIae, q.66, a.4, resp.: “justitia inter omnes virtutes morales praecellit, tamquam propinquior rationi” [“justice excels among all the moral virtues, for it is closer to reason”].

²¹⁹ *Ibid.*, IIa IIae, q.58, a.3, resp.: “et, ut Tullius dicit, in I de Officiis (*in tit. De Justitia*), ex justitia praecipue viri boni nominantur; unde, sicut ibidem dicit, in ea virtutis splendor est maximus” (emphasis in text). Cf. Hibbs, *Virtue’s Splendor*, 124; Pieper, *The Four Cardinal Virtues*, 64, 66. Hibbs cites the text incorrectly as IIa IIae, q.53, a.3.

²²⁰ Hibbs, *Virtue’s Splendor*, 124.

²²¹ Although supportive of virtue theory, Keenan’s criticism of the traditional cardinal virtues is curious nonetheless. On the one hand he claims that the classical list is inadequate in its relational focus, as “justice is the only relational virtue.” This critique is peculiar in that Keenan feels obliged to increase the number of relational virtues in the cardinal quartet, while at the same time he downplays the importance of the cardinal virtues. He states that they only provide the “bare essentials for right human living” and “[do not] exhaust the entire domain of virtue.” If this be the case, I see no reason why one should feel compelled to cram more relational virtues into the list, when one can look beyond the cardinal virtues for more examples of virtues with relational focus. Therefore, I would suggest that the criticism is unjustified, since Aquinas already gives an exalted position to the relational virtue of justice, as well as tying justice to a number of other social or relational virtues of a human or theological nature. See Keenan, “Proposing Cardinal Virtues,” 714, 719.

idealized vision of self-sufficiency.”²²² This criticism seems to be unfounded, provided that Christian virtue theory is viewed in its entirety, since it is clear that right relations with others is an essential part of the theory. Indeed, if the virtuous person were truly self-sufficient, there would be no need to have a care for another,²²³ or for giving that individual his or her due. Moreover, if this were the case, not only would justice be irrelevant, but also gratitude, truth, liberality, affability and *epikeia*: the virtues connected to justice that further qualify the nature of our just and human relationships.²²⁴ It should also be noted that justice should not be understood as a virtue that stands alone, but rather as a virtue that is fundamental to the nature of all moral action.²²⁵ St Thomas says that all virtues relate to justice insofar as they direct the individual to the common good.²²⁶ In this way, if the nature of justice and the extent of its influence are properly understood, it could hardly be said that virtue theory is deficient in its relational outlook.

²²² Hibbs, *Virtue's Splendor*, 120-124. Cf. Jerome B. Schneewind, “The Misfortunes of Virtue,” in *Virtue Ethics*, ed. Roger Crisp and Michael Slote (New York: Oxford University Press, 2001), 178-200, at 187, 199-200. Schneewind argues that “classical virtue theory is of little or no use” as it gives insufficient attention to the basic needs of humanity and is ill-equipped to deal with the challenges of community living. Accordingly, he proposes that modern legal theory is more useful than virtue. One might argue, however, that law and virtue are not mutually exclusive, as was commented upon earlier. Cf. Benjamin J. Brown, “The Integration of Law and Virtue: Obedience in Aquinas’s Moral Theology,” *Irish Theological Quarterly* 67 (2002): 333-351, at 351: “Without virtue, law tends to become pharisaic; but without law, virtue tends to become self-absorbed.” Accordingly, to the criticism of an idealized self-sufficiency in virtue theory, one might also add the criticism of excessive attention to one’s self-improvement. This is an element of virtue theory, but would only be worthy of criticism if it became an end in itself.

²²³ Pieper, *The Four Cardinal Virtues*, 54-63, at 56: “Justice, therefore, ‘consists in living one with another’.” Cf. Aquinas, *In Decem Libros Ethicorum ad Nichomachum*, VIII, lect. 9: “justitia consistit in communicatione”; idem, *Summa Theologica*, IIa IIae, q.57, a.1, resp: “justitiae proprium est inter alias virtutes, ut ordinet hominem in his, quae sunt ad alterum: importat enim aequalitatem quamdam” [“It is proper to justice, when compared to the other virtues, to order man in those things which relate to another: for it brings with it a certain equality”]. Prompted by Aquinas, Pinckaers argues that the virtue of justice is rooted in the inclination to live in society with others, which proceeds from an innate sense of the other. Cf. Servais Pinckaers, “Rediscovering Virtue,” trans. Sr Mary Thomas Noble, *The Thomist* 60 (1996): 361-78, at 370.

²²⁴ Cf. Hibbs, *Virtue's Splendor*, 124-25; Aquinas, *Summa Theologica*, IIa IIae, qq.106, 109, 114, 117 and 120.

²²⁵ Pieper, *The Four Cardinal Virtues*, 59; Aquinas, *Summa Theologica*, IIa IIae, q.58, a.5, resp.; *ibid.*, IIa IIae, q.79, a.1, resp.

²²⁶ Aquinas, *Summa Theologica*, IIa IIae, q.58, a.5, resp.: “et secundum hoc actus omnium virtutum possunt ad justitiam pertinere, secundum quod ordinat hominem ad bonum commune.”

Fundamental to the virtue of justice, and to all forms of justice, is the notion of “*suum cuique*,” giving to each that which is his or her own.²²⁷ Such a duty to give what is due, as well as the right to one’s due, including one’s inalienable rights, ultimately depends upon our dignity as human persons, created by God.²²⁸ The starting point of *suum cuique* means that the primary perspective of justice is outward-looking: “oriented directly toward the good of others, and the good of the community as a whole, and not toward the good of the individual.”²²⁹ But how do we know what is due to the other? The question shows the link between justice and prudence, starting at the the level of perception. As we have seen, the virtue of prudence concerns the transposing of “the truth of real things [...] into a decision.”²³⁰ Having judged the truth of something as good, something as due to another, justice then “effects this good”, and therefore “does the truth.”²³¹ Consequently, injustice is a loss of contact with the truth,²³² or more accurately a deliberate suppression (an imprisonment) of the truth, as St Paul describes it (cf. Rom 1:18).²³³

This notion of justice as being rooted in doing the truth or effecting the good that is due to the other means that justice as a virtue differs significantly from a modern legal concept of justice. Pinckaers points out that the legal idea of justice is based upon “a balance of ‘egoisms’,” where the law supplies the framework of

²²⁷ Pieper, *The Four Cardinal Virtues*, 44. Although the idea predates him, this motto was coined by Cicero. See Ravasi, *Ritorno alle Virtù*, 54. Cf. Pinckaers, “Rediscovering Virtue,” 369: “Its [justice] proper activity is not receiving, but rather giving to others what is due to them.”

²²⁸ Cf. Pieper, *The Four Cardinal Virtues*, 50-52; Pontifical Council for Justice and Peace, *Compendium of the Social Doctrine of the Church* (Vatican City: Libreria Editrice Vaticana, 2004), nos. 35, 37, 40, 108. For a very informative article on the nature and proliferation of human rights discourse in modern times, see Martin McKeever, “The Use of Human Rights Discourse as Category of Ethical Argumentation in Contemporary Culture,” *Studia Moralia* 38 (2000): 103-25. McKeever points out that the claim of inalienable rights based on human dignity fails to articulate the source of that dignity, thus weakening its normative status. See *ibid.*, 115-21.

²²⁹ Porter, *The Recovery of Virtue*, 124.

²³⁰ Pieper, *The Four Cardinal Virtues*, 52.

²³¹ *Ibid.*, 66-67.

²³² *Ibid.*, 52.

²³³ *Ibid.*, 35. Pieper draws upon Romans 1:18 to say that “truth is held captive in the fetters of injustice.” The Greek participle *katechontōn* implies a restraining of the truth by injustice.

equality of rights with an aim of trying to satisfy the needs of individuals.²³⁴ An understanding of justice based upon a view of society as “a collection of egoisms” rather than community means that, no matter how skilled the legislator may be, the laws enacted will serve only to produce “a multiple and reinforced ‘egoism’,” which fails to significantly improve the character of the individuals of that society.²³⁵ Justice as a virtue, on the other hand, is not simply a form of respect or “the desire not to infringe on others’ rights.”²³⁶ Rather, Pinckaers sees it as “the beginning of a certain kind of love, an esteem for another that inclines us to give the other his or her due.”²³⁷ It is this understanding of justice as rooted in the truth and in an openness to the other that is of true service to our judgements of conscience.

3.2.2 *Conscience and Justice*

From our brief observations above, it is clear that any discussion on justice is “dogged by different and shifting senses in which this word is used (‘justice’ as a state of affairs, ‘justice’ as a standard, ‘justice’ as a quality of character).”²³⁸ However, McKeever reminds us that the notion of *habitus* is central to Aquinas’s use of the term, so that for Thomas “‘justice’ refers to a quality of a power (the will) and that other usages are derived from this primary sense.”²³⁹ Therefore in looking at the role

²³⁴ Pinckaers, “Rediscovering Virtue,” 370.

²³⁵ *Ibid.*, 368-69.

²³⁶ *Ibid.*, 369. Thus, the language of rights is secondary to duty in the virtuous perception of justice. If this order is turned round so that rights become more important or fundamental than duty, one risks an impoverishment of human relationships in community, since one’s primary focus becomes *mine* instead of *yours*. Indeed it is only with an outward-looking perspective that one can reach the next level of “service, love, altruism, sacrifice and gratuity.” McKeever points out that, while not denying human rights, the Gospel “wishes to go beyond the very idea of rights.” Therefore, “theological ethics can and should recognise the validity of human rights discourse, but it cannot accept that human relations be reduced to this level.” See McKeever, “The Use of Human Rights Discourse,” 123-24.

²³⁷ Pinckaers, *Rediscovering Virtue*, 369.

²³⁸ Martin McKeever, “Health and Craft as Adumbrations of Justice: Suggestive Analogies and Crucial Distinctions (*Summa Theologiae*, I-II qq.49-67),” *Studia Moralia* 43 (2005): 545-64, at 563 (parenthesis in text).

²³⁹ *Ibid.*, 263.

of justice as a virtue in its reciprocal relationship to conscience,²⁴⁰ we need to bear in mind that justice is a *habitus* or disposition of the will to seek right relations with others. If we do so, we should avoid reducing the involvement of justice in conscience to simply a cold calculation of rights or duties. Thus, rather than simply being a moral or legal standard that is wholly detached from the individual, justice as the disposition of a love of right action and right relation forms part of the dynamic, virtuous environment in which conscience both develops and makes its judgements. Acknowledging that justice involves a positive disposition towards the other allows us to incorporate care, responsibility and love into our understanding of justice and into the shaping of our judgements, in such a way that these qualities are not seen as conflicting opposites, but complementary elements of a truly human justice.²⁴¹

Robert Spaemann has proposed an ethic of responsibility operative in one's conscience as a solution to ethical subjectivism or cold legal positivism.²⁴² Acting

²⁴⁰ It is conscience that moves us to seek right relations with others and to give what is due to them. Such an attitude develops into the virtuous disposition of justice. However, once the virtue has been acquired it becomes the environment or disposition by which we become more sensitive to the needs and rights of others. Thus, conscience forms and is informed by justice. In this way, a reciprocal relationship exists between conscience and justice. One should note, however, that this dynamic reciprocity applies to all the virtues with regard to conscience, and forms the basis of the possibility of development and moral growth in conscience.

²⁴¹ Pinckaers, *Rediscovering Virtue*, 370: "Virtue forms a love of justice in us and through this it opens the way to charity." Pinckaers considers that the shift in understanding of the relationship between the individual and society, with its resultant effect on the notion of justice, has led to the perception of justice and charity being in conflict. Cf. Pinckaers, *Sources of Christian Ethics*, 39: "Since the two were now moving in opposite directions, the one giving and the other taking, these virtues could no longer operate harmoniously."

²⁴² Robert Spaemann, "Conscience and Responsibility in Christian Ethics," in *Crisis of Conscience*, ed. John M. Haas (New York: Crossroad, 1996), 111-34, at 118-120. Cf. Romano Guardini, *Learning the Virtues That Lead You to God*, trans. Stella Lange (Manchester, New Hampshire: Sophia Institute Press, 1998; revised reprint of *The Virtues: On Forms of Moral Life*, Henry Regnery, 1967), 49. Palumbieri also points to responsibility in conscience, rooted in our being and divine vocation, as the antidote to arbitrary choice, and Hans Jonas also sees it as the necessary restraint in our technological age. See Sabino Palumbieri, "L'Antropologia, Radice dell'Etica nel Compendio della Dottrina Sociale della Chiesa," *Studia Moralia* 43 (2005): 49-96, at 60-61; Hans Jonas, *The Imperative of Responsibility: In Search of an Ethics for the Technological Age*, trans. Hans Jonas and David Herr (Chicago and London: University of Chicago Press, 1984), x, 79-177. Care and responsibility have not always been considered to be part of justice. Carol Gilligan proposed that moral reasoning was defined by the psychological differences rooted in gender, with males following an ethics of justice and rights, while females followed an ethics of care and responsibility. Subsequent empirical psychological studies have shown this to be false. The conclusion of Sidney Callahan was that, "Men and women, girls and boys, do not actually reason differently; women are as principled and

from a sense of responsibility, grounded in the commandment to love God and neighbour, means that one's decisions and actions are no longer motivated by a conflict between self-interest and legal obligations, duties and constraints.²⁴³ Rather than focused on simply complying with the law, our enlarged sense of justice makes us aware of our "responsibility for one another," a responsibility that is "active" in its awareness or disposition.²⁴⁴ In this way, we recognise that we are each other's keeper (cf. Gen 4:9), responsible *for* and accountable *to* one another and to God.²⁴⁵ It is this recognition of the "authentic requirements of justice as well as a greater readiness to act accordingly," which Pope Benedict considers to be an important part of a true formation of conscience, facilitated through the teaching of the Church.²⁴⁶

justice oriented as men." Therefore, rather than seeing justice and rights and care and responsibility as two conflicting models or 'voices', they should be seen as part and parcel of a fuller notion of justice, one which applies to all, and which in different contexts different elements will come to the fore. Cf. Carol Gilligan, *In a Different Voice: Psychological Theory and Women's Development* (Cambridge, MA, and London: Harvard University Press, 1982), 24-105, at 69: "This confrontation reveals two modes of judging, two different constructions of the moral domain"; Callahan, *In Good Conscience*, 196; Spohn, "The Return of Virtue Ethics," 68-70.

²⁴³ Spaemann, "Conscience and Responsibility," 118. Aquinas observes that joy results from the act of justice. Joy would not immediately flow from grudging compliance with obligation, but would certainly result from a more positive attitude of a desire for justice. Cf. Aquinas, *Summa Theologica*, Ia IIae, q.59, a.5, resp.: "ad actum iustitiae sequitur gaudium." This desire for justice, described as hunger and thirst, is reflected in the Beatitudes. Cf. Mt 5:6.

²⁴⁴ Spaemann, "Conscience and Responsibility," 118.

²⁴⁵ *Ibid.*, 117. While all forms of justice (commutative, distributive and legal or general justice) relate to conscience through their concern with "the human good," one might suggest that distributive justice, with its particular concern for the *bonum commune* and the *dignitas* of the individual, might show most clearly the link between prudence, justice and responsible conscience. Here the just conscience of the individual is called not only to recognise and give what is due directly to other individuals (commutative justice), but also to recognise and accept the broader supportive responsibilities of living in community. Cf. Pieper, *The Four Cardinal Virtues*, 68, 73-74, 81-103.

²⁴⁶ Benedict XVI, Encyclical Letter *Deus Caritas Est* (London: Catholic Truth Society, 2006), 28 (a): "Rather, the Church wishes to help form consciences in political life and to stimulate 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. Building a just social and civil order, wherein each person receives what is his due or her due, is an essential task which every generation must take up anew"; *AAS* 98 (2006), 239: "Novitque bene non esse munus Ecclesiae ut ipsamet huic doctrinae politico modo vigorem tribuat: consulere intendit formationi conscientiae in re politica et contendere ut augescant *sive perceptio* verorum iustitiae postulatorum, *sive simul dispositio* ad hoc modo agendum, etiam cum hoc contrarium est singulorum lucri" (emphasis mine). Here the Pope is referring to conscience being helped in awakening its sense of justice. Such a living, responsible conscience is essential to vibrant political life, in that it prevents society being reduced to compliance with the mind of the ruler, or being crippled by individuals largely operating out of self-interest.

For Spaemann, Christ's declaration "I call you friends" (John 15:15) provides the decisive shift in attitude with regard to responsibility, since we become sharers in the "master's business", that is, love.²⁴⁷ In this way our intention becomes united with the Father's in our desire to live uprightly and lovingly. Once again, we see virtue and grace merging with one another, giving us a fuller understanding of the meaning and role of the virtues in conscience and the moral life. Thus, justice blends with love and mercy through one's care for the other. We shall return to the impact of grace on virtue in the final section of this chapter. However, we cannot conclude our brief reflection on moral virtue and conscience without first turning our attention to temperance and fortitude.

3.2.3 Temperance and Fortitude

In confronting the two final cardinal virtues, we are perhaps in danger of passing them by on account of the fact that *temperantia* and *fortitudo* have an "old-fashioned ring" about them.²⁴⁸ Yet to do so would be to overlook their perennial significance. Indeed, Porter observes:

As long as people feel that they must struggle with urges for more food and drink than is good for them, sexual pleasure with other people's husbands or wives, and fears that would lead them away from the bold activities that prudence or duty sometimes demands, there will be a place for some concepts roughly equivalent to temperance and fortitude.²⁴⁹

²⁴⁷ Ibid., 118.

²⁴⁸ Porter, *The Recovery of Virtue*, 111. Surprisingly, here Porter writes "*fortitudine*" instead of *fortitudo*. In addition, one should note that, like prudence, the term 'temperance' has been subject to changes in meaning and usage, particularly from the late eighteenth century in connection to movements promoting moderation or total abstinence from alcohol for the purposes of social reform and the reduction of domestic violence. In terms of describing a cardinal virtue, this history does not render the word 'temperance' obsolete. However, like prudence, it does require clarification when used.

²⁴⁹ Ibid.

Therefore, even though some may prefer different terms, such as “self-restraint and courage,”²⁵⁰ temperance and fortitude will always maintain a crucial role in the struggle between powerful emotion and moral action. As they directly relate to the emotions, temperance and fortitude are affective virtues, disposed to the ordering of the passions so that the reason, and hence conscience, is able to judge rightly.²⁵¹ They operate in the will with the purpose of removing the obstacles that hold the will back from following reason,²⁵² and thus aim at harmony of desire, decision and operation. The passions identified by Aquinas as being ordered by temperance are concupiscible emotions or desires, while fortitude is concerned with the control of fear and audacity (reckless daring).²⁵³

One can appear temperate or courageous while lacking the respective virtues. Following Aristotle, Aquinas declares that there is a difference between the virtues of temperance and fortitude and the attitudes of continence (or self-control) and bravery

²⁵⁰ Ibid.

²⁵¹ Aquinas, *Summa Theologica*, Ia IIae, q.61, a.2, resp.: “circa passiones; [...] necesse est esse duas virtutes: ordinem enim rationis necesse est ponere circa passiones, considerata repugnantia ipsarum ad rationem” [“concerning passions; [...] two virtues are needed: for it is necessary to put the order of reason into the passions, given their resistance to reason”]. Pieper points out that the etymology of temperance highlights its connections with reason and order. The Greek *sōphrosynē* indicates a state of being in sound mind, in the broad sense of reason being directed rightly. He also points to 1 Cor 12:24 as an example of the use of *temperare* to describe creating an ordered unity or harmony in the body. Here *temperavit* is used to translate *synekerasen*, which means “blended together”. However, *temperare* did also refer to moderation and self-control. Therefore temperance relates to the ordering of the passions to the benefit of reason, through moderation or self-control. Cf. Pieper, *The Four Cardinal Virtues*, 146.

²⁵² For example, cf. Aquinas, *Summa Theologica*, IIa IIae, q.123, a.3, resp.: “ad virtutem fortitudinis pertinet removere impedimentum, quo retrahitur voluntas a sequela rationis.”

²⁵³ Cf. *ibid.*, Ia IIae, q.61, a.2, resp.; *ibid.*, IIa IIae, q.123, a.3, resp.: “fortitudo principaliter est circa timores difficilium rerum, quae retrahere possunt voluntatem a sequela rationis [...] fortitudo est circa timores, et audacias, quasi cohibitiva timorum, et audaciarum moderativa”; *ibid.*, IIa IIae, q.141, a.3, ad 2, “ideo temperantia proprie est circa concupiscentias, fortitudo circa timores”; Porter, *The Recovery of Virtue*, 111. Porter also lists anger, along with fear and desire, as a passion which is addressed by temperance and fortitude, although her references to the *Summa* do not mention anger specifically. Nevertheless, in other passages Aquinas lists meekness or mildness as a virtue which forms part of temperance, and it is this which is concerned with anger and revenge. Cf. Porter, *The Recovery of Virtue*, 103; Aquinas, *Summa Theologica*, Ia IIae, q.60, a.4, resp.; *ibid.*, IIa IIae, q.143, art. unicus, resp.: “tertius autem motus est irae tendens in vindictam, quem refrænat mansuetudo, sive clementia” (emphasis in text).

“by resemblance” (*similitudinarie dicuntur fortes*).²⁵⁴ The difference between the virtues and the latter circumstances is a matter of desire and the question of perfection.²⁵⁵ Virtue is a disposition whereby we act in perfected ability. The temperate individual acts in a calm state, where desire has been “tamed by reason” (*a ratione edomitus*), while the continent person may succeed in acting properly, though still in a state of struggling with deep-seated, and pressing evil desires.²⁵⁶ Similarly, the truly brave person does not simply act out of ignorance or desire for gain, but responds on the basis of a lasting, courageous disposition, which fully recognises the danger and leads to action in steadfastness or aggression appropriate to the situation,

²⁵⁴ Cf. Aquinas, *Summa Theologica*, IIa IIae, q.155, a.1, resp.: “hoc autem modo continentia habet aliquid de ratione virtutis, [...] non tamen attingit ad perfectam rationem virtutis moralis; *ibid.*, IIa IIae, q.123, a.1, ad 2: “exercentes actum fortitudinis praeter virtutem.” Here, following Aristotle, Aquinas outlines five ways of being brave “by resemblance”: acting in ignorance of the danger; acting in hope based on learned skill in facing dangerous situations; acting on the impulse of a strong passion, such as sorrow or anger; acting out of the desire for temporal gain, or to avoid some disadvantage, such as blame, pain or loss. Cf. also Aristotle, *Nicomachean Ethics*, VII, 1-10, 1145a 15-1152a 35; IV, 9, 1128b 35: “Continenace is not a virtue either. It is a sort of mixed state”; III, 8, 1116a 16-1117a 29; Porter, *The Recovery of Virtue*, 112. One should also note that Aquinas distinguishes two meanings of continence: one related to chastity, and one related to the ordinary control of desires. Cf. Aquinas, *Summa Theologica*, IIa IIae, q.155, a.1, resp.

²⁵⁵ It should be noted that Aquinas’s comments on the perfection regarding virtue are placed within the context of levels of perfection. In all cardinal virtues, Aquinas identifies three degrees of perfection: political, purgatorial and the mystical level of those of purified souls. (He also identifies another type of virtue: exemplary virtue, where the ideal is found in God.) Thus, to have attained political, or social, fortitude still leaves the way open to further growth through prayer and grace. Cf. Aquinas, *Summa Theologica*, Ia IIae, q.61, a.5 (title): “dividuntur convenienter in virtutes politicas, et purgatorias, et purgati animi, et exemplares”; Pieper, *The Four Cardinal Virtues*, 136-41.

²⁵⁶ Aquinas, *Summa Theologica*, IIa IIae, q.155, a.4, resp.: “unde continentia comparatur ad temperantiam, sicut imperfectum ad perfectum.” Looking at the question of temperance from another angle, Gondreau says that it is the positive desire that distinguishes continence from temperance. Continence is doing the good *without* the affective desire for it, while temperance is doing the good *with* the affective desire for it. This would also imply that the virtuous judgements of conscience would not simply be a compliance with the good out of sporadic or laborious continence, but a stable desire for the good, reflective of judgements made in stable temperance. Cf. Paul Gondreau, “The Passions and the Moral Life,” *The Thomist* 71 (2007): 419-50, at 436-37. This comment should not lead us to disparage the efforts made in continence. The fact that the good was achieved in a situation of struggle is still a major step along the way of virtue. It is for this reason that continence is annexed to temperance by St Thomas. Cf. Aquinas, *Summa Theologica*, IIa IIae, q.143, art. unicus, resp. Therefore, perhaps Gondreau’s definition should be further refined to describe continence as doing the good without the *stable* affective desire for it. In continence there is a desire for the good, but it is not stable. That is why someone is “quick to repent” when he or she commits a sin out of a lack of self-control, in contrast to sinning in a state of intemperance. Cf. Pieper, *The Four Cardinal Virtues*, 164; Aquinas, *Summa Theologica*, IIa IIae, q.156, a.3, resp.: “incontinens statim poenitet.”

through control of fear and clear-thinking in such a way that daring and anger do not overwhelm the decision.²⁵⁷

Thus, we can see that temperance and fortitude aid us in dealing with our desires and fears, but in a manner that goes well beyond the moderation of our intake of food and drink,²⁵⁸ and is far from simply the inculcation of a blind fearlessness,²⁵⁹ caused by delusion or disregard for the value of one's life.²⁶⁰ Moreover, in keeping with the connection of virtues, they require prudence and justice for their right disposition, since it is this knowledge of the true and just that prevents us from restraining or endangering ourselves unnecessarily.²⁶¹

As we observed in the previous chapter, in the section on conscience and emotion, one may know what to do, but may not have the emotional resolve to carry it out. Aristotle observed that, despite knowing that the action is wrong, an incontinent person persists in acting because the desire for pleasure is too strong.²⁶² Thus, reason

²⁵⁷ Aquinas admits that the brave person, if called to fight will require "moderate anger" to fuel the aggression needed to respond to the danger. Here, again we are aware of Aquinas's positive outlook towards the passions, by which he realised that, if they are ordered, they are an integral part of our moral action. Cf. Aquinas, *Summa Theologica*, IIa IIae, q.123, a.10, ad 1 and 2. However, while aggression may form part of fortitude, the main focus of this virtue is endurance, in facing the difficulty, rather than running away from it. Endurance is the main focus of fortitude, since it is more difficult than aggression. For this reason patience and perseverance are numbered among the virtues that form parts of fortitude. Cf. Aquinas, *Summa Theologica*, IIa IIae, q.123, a.6, resp.: (drawing from Aristotle) "fortitudo est magis circa timores reprimendos quam circa audacias moderandas": *difficilius enim est timorem reprimere, quam audaciam moderari*"; *ibid.*, IIa IIae, q.123, a.6, ad 1: "sustinere est difficilium, quam aggredi"; *ibid.*, IIa IIae, q.128, art. unicus; Aristotle, *Nicomachean Ethics*, III, 9, 1117a 30-35; Pieper, *The Four Cardinal Virtues*, 128-31. Such moderate anger could also be called righteous or just anger, given its right relationship to reason. Cf. Pieper, *The Four Cardinal Virtues*, 130.

²⁵⁸ Cf. Pieper, *The Four Cardinal Virtues*, 145-46.

²⁵⁹ Aquinas, *Summa Theologica*, IIa IIae, q.126, a.1, resp.

²⁶⁰ Cf. Pieper, *The Four Cardinal Virtues*, 126-127.

²⁶¹ Cf. *ibid.*, 125: "So we cannot simply say that only the prudent man can be brave. We have further to see that a 'fortitude' which is not subservient to justice is just as false and unreal as a 'fortitude' which is not informed by prudence." Similarly an act resembling temperance which is not related to the "order of reason" or to truth will not bring a peace to the spirit ("*quies animi*"). Cf. *ibid.*, 147-52, 154-155. In this way "hyperasceticism" is as dangerous as greed.

²⁶² Aristotle, *Nicomachean Ethics*, VII, 9, 1151b 24-30, 1152a 5-7. Aristotle also includes a comparison between the incontinent and intemperate person. The intemperate person is in an even worse situation, since he thinks the wrong that he does is right. Thus, there is not even the element of awareness of evil evident in the incontinent person.

is not enough to ensure right action.²⁶³ Our reason and will need to work in harmony for the good. Therefore, conscience prompts us to acquire the virtue of temperance to tame inordinate desire, which would otherwise cloud our vision of the good or make us give in to temptation. The reciprocal relationship between conscience and virtue implies that once we have acquired temperance, our conscience is helped by it to develop further. Evidence of this growth is seen in the quality of our judgements and actions. Temperance assists our judgements of conscience by maintaining a clear perspective on reality, and the moral act is also assisted in coming to fruition through the influence of temperance on free will's acceptance of the judgement of conscience.

Similarly, fortitude strengthens conscience by helping it to hold onto the truth despite the disadvantage, ridicule or danger that may come one's way.²⁶⁴ Assisted by prudence, one's conscience may judge the particular circumstances to be unjust. The choice then presented to us is whether to speak up or keep silent.²⁶⁵ Fortitude gives us the strength of character that is able to stand up for what is right and to protect others when they are in danger. Fortitude enables us to make ourselves vulnerable²⁶⁶ for the sake of the truth, for the sake of the good, for the sake of others' good. Clearly, the "ultimate expression" of fortitude is martyrdom,²⁶⁷ where one's endurance is put to the most extreme test, that of giving one's life. However, martyrdom is "not to be

²⁶³ Cf. Aquinas, *Summa Theologica*, Ia IIae, q.58, a.5, resp.; C.S. Lewis, *The Abolition of Man*, 19.

²⁶⁴ Cf. Twomey, "A Discourse on Thomas More's Great Matter: Conscience," 165-66.

²⁶⁵ Vincent Twomey observes that even in democratic countries, where right to free speech is enshrined in law, "few are ever willing to exercise free speech due to fear of intimidation and reprisals." See *ibid.*, 166.

²⁶⁶ Cf. Pieper, *The Four Cardinal Virtues*, 117.

²⁶⁷ Twomey, "A Discourse on Thomas More's Great Matter: Conscience," 166. Cf. Aquinas, *Summa Theologica*, IIa IIae, q.124, aa.1-5.

sought,” rather, it is to be “accepted” when there is no other option,²⁶⁸ in the defence of truth or justice or one’s faith.²⁶⁹

Such heroic fortitude would be hard to sustain unaided. Indeed, it would be impossible for the Christian without the Holy Spirit’s gifts of fortitude and hope.²⁷⁰ Martyrdom is clearly an extreme case, but it presents us with an example of how the virtuous life of the Christian also embraces God’s help. However, a more common example of the need of God’s help in virtuous life arises out of our failings in virtue. We need God’s help to overcome the burden of sin. Thus, through repentance and God’s grace we are raised up again and supported in our efforts to live a virtuous life.²⁷¹ This need of God’s assistance highlights the necessary link between virtue and grace, which leads us to examine the purpose of the theological virtues, and to reflect upon the role of the Holy Spirit in conscience and the moral life.

3.3 Grace in Virtuous Living

It is the concern of some authors that most of the attempts to recover Aquinas’s moral theology, including many presentations of virtue ethics, have failed to express the complex, integrated nature of his thought. Just as the fields analysed by Aristotle were written as parts of a whole, so one section of Aquinas’s thought must be understood in the light of others. Thus, Hibbs concludes that the “complete recovery of Aquinas’s ethical teaching must, then, reckon with his theologically informed account of the virtues, with the way nature is restored and elevated by supernatural grace.”²⁷²

²⁶⁸ Pieper, *The Four Cardinal Virtues*, 133: “The readiness to meet the supreme test by dying in patient endurance so that the good may be realized does not exclude the willingness to fight and to attack.”

²⁶⁹ Twomey, “A Discourse on Thomas More’s Great Matter: Conscience,” 166.

²⁷⁰ Pieper, *The Four Cardinal Virtues*, 141.

²⁷¹ Cf. Aquinas, *Summa Theologica*, IIa IIae, q.156, a.3, ad 2; *ibid.*, III, q.85, a.1; *ibid.*, III, q.89, aa.1-6 (on the recovery of virtue by means of penance).

²⁷² Hibbs, *Virtue’s Splendor*, 10.

Beyond the matter of giving a faithful presentation of St Thomas's thought, in moral theology today there is need of a greater recognition of the role of grace in the virtues and in the moral life in general.²⁷³ The action of grace should not be considered as some kind of awkward addition to moral theory, but rather as the power of God sustaining and transforming our lives in holiness.²⁷⁴ In this way our natural striving for virtue is brought to new heights, without discarding the necessity of our own effort.²⁷⁵ Thus, Henri de Lubac concludes that "the supernatural does not merely *elevate* nature [...]; it does not merely penetrate nature to help it prolong its momentum [...] and bring it to a successful conclusion. It *transforms* it."²⁷⁶

While one could look at grace as that which "closes the gap" between the precepts of the natural law and weakness of our virtuous response, caused by sin's impact upon our moral perception,²⁷⁷ this would overlook the transforming role of grace which makes us into a "new creation" (cf. 2 Cor 5:17; Rev 21:5).²⁷⁸ Grace, therefore, not only heals and restores, but also changes our lives, opening us up to a new way of living. Within the context of the life of virtue, it is the task of the infused virtues, in particular the theological virtues, to bring us to our fuller understanding of what it means to be human, and of the value judgements that sustain that.²⁷⁹ Thus, as

²⁷³ Such recognition is to be found in the *Catechism of the Catholic Church*, since the treatise on grace is relocated in the moral section rather than presented in its usual dogmatic setting. This is done to make it clear that "Christian morality stands in the space of grace," and as such one cannot understand morals properly without due reference to grace. Cf. CCC, nos. 1949-2029. Cf. Joseph Ratzinger and Christoph Schönborn, *Kleine Hinführung zum Katechismus der katholischen Kirche* (Munich, Zurich and Vienna: Verlag Neue Stadt, 1993), 32: "Denn so wird ganz deutlich, daß christliche Moral im Raum der Gnade steht."

²⁷⁴ This means that the "real ground" of virtue is a "graced anthropology," both habitual and actual. Cf. O'Meara, "Virtues in the Theology of Thomas Aquinas," 256, 262.

²⁷⁵ Henri de Lubac, *A Brief Catechesis on Nature and Grace*, trans. Br. Richard Arandez (San Francisco: Ignatius Press, 1984), 86-87.

²⁷⁶ *Ibid.*, 81.

²⁷⁷ Hibbs, *Virtue's Splendor*, 206.

²⁷⁸ De Lubac, *A Brief Catechesis*, 81.

²⁷⁹ *Ibid.*, 88: "If the three theological virtues of faith, hope and charity do not carry out with their divine power their mission of informing, purifying, deepening and bringing to their fulfillment man's authentic human values, it is much to be feared that they themselves will be impoverished, will wither away and become denatured."

nature is not bypassed, but transformed by grace, so the cardinal virtues and the rest of our natural capabilities are not cast aside by the theological virtues, but are brought to their fulfilment instead.²⁸⁰ Such an elevation and transformation of our moral capability and understanding, however incomplete in this life,²⁸¹ has obvious consequences on our moral sense and the judgements of our conscience. We will therefore look briefly now at the impact of the infused virtues on our moral life.

3.3.1 Graced Virtue - A Change in Perspective for Conscience

Due attention to the infused virtues, particularly the theological virtues, ensures that we move away definitively from any morality of obligation, since our motivation is now centred upon a love of God and our ultimate end,²⁸² which shapes our understanding of our lives, of the reality around us, and of our actions. The infused virtues, rooted in the graced gift of faith,²⁸³ open us up to “a new aspect of reality, one that would otherwise remain inaccessible,”²⁸⁴ and also nourish us in such a way that we are “drawn beyond the boundaries of self-giving we had always accepted as fixed into a realm brighter and broader than anything hitherto experienced.”²⁸⁵ In other

²⁸⁰ De Lubac, *A Brief Catechesis*, 87. St Thomas points out that God not only gives us faith, hope and charity as infused virtues; grace also infuses the cardinal virtues, changing their purpose, and ordering the acts of the person “to celestial glory.” Cf. Aquinas, *Quaestio Disputata de Virtutibus Cardinalibus*, q.1 [unica], a.4, resp.: “Sed virtutes cardinales, secundum quod sunt gratuita et infusae, [...], perficiunt hominem in vita praesenti in ordine ad caelestem gloriam.” Cf. idem, *Disputed Question on the Cardinal Virtues*, a.4, resp.

²⁸¹ De Lubac, *A Brief Catechesis*, 88.

²⁸² Cf. Aquinas, *Summa Theologica*, Ia IIae, q.65, a.5, resp.; *ibid.*, Ia IIae, q.63, a.4, ad 1. A morality of obligation can still flourish in the context of a study of the theological virtues, as can be seen in the manualistic tradition. This is why the motivation of the love of God and the desire for eternal beatitude in his presence needs to take primary place, as this moves us away from the context of reluctantly obeying the arbitrary commands of a distant God.

²⁸³ Cf. Aquinas, *Summa Theologica*, Ia IIae, q.62, a.4, resp.; *ibid.*, Ia IIae, q.63, a.3, resp.

²⁸⁴ Pieper, *Faith, Hope, Love*, 82.

²⁸⁵ David Walsh, *Guarded by Mystery: Meaning in a Postmodern Age* (Washington, DC: Catholic University of America Press, 1999), 65-66. Here Walsh’s discussion on the way of perfection, that is a fidelity to the moral order, does not refer to the infused virtues. However, his description aptly fits their influence. Moreover, the description of moral progress he gives is entitled “Growth of Soul,”

words, if virtue is ‘perfected ability’, then infused virtue as a gift of grace,²⁸⁶ pushes us beyond that which we would achieve by nature alone. This pushing of human boundaries allows us to taste something of the joy of eternal happiness,²⁸⁷ our true end to which we are called.²⁸⁸ However, Aquinas points out that our awareness of eternal happiness as our final end and moral motivation would not be possible without God’s help (*non tamen absque adiutorio divino*).²⁸⁹ We need God’s grace to perceive that which “no eye has seen, nor ear heard, nor human heart conceived” (1 Cor 2:9).²⁹⁰ Therefore, God helps the intellect and the will so that they can direct us to our supernatural end.²⁹¹ The intellect is thus enlightened by faith, and the will is spurred on by hope and transformed by love.²⁹² It is the relationship with God and our understanding of our end through these theological virtues that reshapes all our moral action by changing our perspective on life.²⁹³ Our perspective becomes one that is focused upon our union with God, who is “known, loved and desired” through the

as a deliberate attempt to move away from focusing on obligation. See *ibid.*, 65, 67. Cf. Pieper, *Faith, Hope, Love*, 99: “Theological virtue is an ennobling of man’s nature that entirely surpasses what he ‘can be’ of himself. Theological virtue is the steadfast orientation toward a fulfillment and a beatitude that are not ‘owed’ to man.”

²⁸⁶ Pieper, *Faith, Hope, Love*, 100.

²⁸⁷ Cf. Aquinas, *Summa Theologica*, Ia IIae, q.62, a.1, resp.; Pieper, *Faith, Hope, Love*, 99: “Theological virtue is [...] a real, grace-filled participation in the divine nature, which comes to man through Christ (2 Pet I:4).”

²⁸⁸ Cf. Mt 25:34.

²⁸⁹ Aquinas, *Summa Theologica*, Ia IIae, q. 62, a.1, resp.: “unde oportet, quod superaddantur homini divinitus aliqua principia, per quae ita ordinetur ad beatudinem supernaturalem [...] et hujusmodi principia virtutes dicuntur theologicae.” Prompted by other texts of Aquinas, Pieper points out that the will is also involved in belief, because the believer “wants to believe.” Cf. Pieper, *Faith, Hope, Love*, 37 (emphasis in text); Aquinas, *Summa Theologica*, IIa IIae, q.5, a.2, resp.: “intellectus credentis assentit rei creditae, non quia ipsam videat vel secundum se, vel per resolutionem ad prima principia per se visa, sed [...] propter imperium voluntatis moventis intellectum.”

²⁹⁰ Aquinas, *Summa Theologica*, Ia IIae, q.62, a.3, resp.

²⁹¹ *Ibid.*

²⁹² *Ibid.*

²⁹³ Twomey, “A Discourse on Thomas More’s Great Matter: Conscience,” 175, n. 57: “it was Aquinas who placed the treatise on the Beatitudes at the very start of his discussion on virtue. There is no discussion of morality without first determining our final end, eternal happiness, union with God, eternal beatitudes. The new *Catechism of the Catholic Church* has restored it to that position after centuries of displacement that seems to have begun in the sixteenth century.” Cf. CCC, nos. 1716-1729, and no. 1813: “The theological virtues are the foundation of Christian moral activity; they animate it and give it its special character.”

theological virtues.²⁹⁴ Briefly, therefore, let us examine further the impact of each of the theological virtues on moral action, and hence upon our conscience.

3.3.2 *The Virtue of Faith*

“Faith is the fundamental act of Christian existence.”²⁹⁵ Faith informs reason to recognise the fuller truth of reality.²⁹⁶ Indeed faith does not simply inform reason; it “purifies reason,” liberating it from its “blind spots” enabling it to see what is true, good and just.²⁹⁷ Yet faith is not only “informative,” in that it offers dogmatic content to which we give our assent, it is also “performative,” in that it “makes things happen and is life-changing” through God becoming “truly present” to the believer through faith in Revelation.²⁹⁸ Indeed, prompted by Aquinas, this experience of the

²⁹⁴ Cf. Giovanni Kostko, *Beatitudine e Vita Cristiana nella Summa Theologiae di S. Tommaso d'Aquino* (Bologna: Edizioni Studio Domenicano, 2005), 289 (talking of the effect of the theological virtues): “A causa della loro specifica funzione, Dio si fa presente nell'uomo come realtà personale conosciuta, amata, desiderata, realizzando in lui una certa immanenza, che diviene causa prima e ragione formale di tutto l'agire umano” [“On account of their specific function, God is made present in man as a personal reality that is known, loved and desired, by realising in him (man) a certain immanence, which becomes the prime cause and formal reason of all human action”]. Moreover, Kostko points out that the theological virtues realise a certain immanence of man's final end, a taste of what is to come, which orders us to desire beatitude. Cf. Kostko, *Beatitudine e Vita Cristiana*, 289, n. 12. The incompleteness of this experience, particularly in the virtue of faith, leads to a “mental unrest”, which troubles us with doubts, but also spurs us on to desire a fulness of union with God, with whom we find our complete rest. Cf. Pieper, *Faith, Hope, Love*, 51-52; Aquinas, *De Veritate*, q.14, a.1, ad 5; St Augustine, *Confessiones*, I, 1, PL 32, 661: “fecisti nos ad te, et inquietum est cor nostrum, donec requiescat in te.”

²⁹⁵ Joseph Ratzinger, *Christianity and the Crisis of Cultures*, introduction by Marcello Pera, trans. Brian McNeil (San Francisco: Ignatius Press, 2006), 77.

²⁹⁶ John Paul II, Encyclical Letter *Faith and Reason [Fides et Ratio]* (London: Catholic Truth Society, 1998), 42: “Faith asks that its object be understood with the help of reason; and at the summit of its searching reason acknowledges that it cannot do without what faith presents”; *AAS* 91 (1999), 38: “fides postulat ut obiectum suum auxilio rationis comprehendatur: ratio, culmen investigationis attingens, necessarium ducit quidquid fides ostendit.”

²⁹⁷ *Deus Caritas Est*, 28 (a) [Vatican English trans.]; *AAS* 98 (2006), 239: “Sed simul ea [fides] est vis purificans eandem rationem.” Cf. Kostko, *Beatitudine e Vita Cristiana*, 292: “La virtù della fede rifinisce l'intelletto” [“The virtue of faith refines the intellect”]; 295: “[Tramite la fede, la ragione] ottiene la purificazione dall'errore” [“(Through faith, reason) obtains purification from error”]

²⁹⁸ *Spe Salvi*, 2. Cf. Pieper, *Faith, Hope, Love*, 84-85, at 85: “For the believer there is once more the experience that he, in accepting the message of the self-revealing God, actually partakes of the divine life therein announced. [...] Divine revelation is not an announcement of a report on reality but the ‘imparting’ of the reality itself.” See also Maurice Blondel, “What is Faith?” *Communio* 14 (1987): 162-92 [translation of brochure by F. Mallet (Maurice Blondel), *Qu'est-ce que la foi?* (Paris: Librairie Bloud, 1908, trans. T. Gerard Connolly), at 190-91: “Understood as it should be, faith then is not simply an object to be believed. [...] It consists essentially in the synthesis, divinely formed within the person and humanly referred to God, of a supernatural gift and of an intellectual and moral process.

immanence of God, accompanied by the first traces of beatitude, is summed up by Daniel Bourgeois as the *inchoatio vitae aeternae*, the “inauguration” or beginning of eternal life.²⁹⁹ Thus, stimulated by this experience of faith, our reason and will are engaged in responding to what faith presents; we choose to respond by leading “a life worthy of [our] calling” (Eph 4:1), a life in keeping with our ultimate goal,³⁰⁰ rather than seeking to distract or deceive ourselves through basing our lives on passing comforts or sensual pleasure (cf. Tit 3:3,8; 1 Cor 15:32-34). This implies that our conscience is shaped by faith,³⁰¹ in that faith relates us in a new and radical way to God. This relationship colours all our actions in such a way that we choose to follow a particular course of action not simply because it is in accordance with God’s law, including the truth and law of our very created and redeemed nature,³⁰² and that which is articulated by the Church, but because following God’s law is an expression of our desire to serve him and to be one with him (John 17:20-26).³⁰³

All this operates in such a way that by adhering to the *revealed* there is referral and attachment of self to the One *Revealing*. [...] It is rather a gift of God to the human being and of the human being to God for time and for eternity (emphasis in text).”

²⁹⁹ Daniel Bourgeois, “‘Inchoatio Vitae Aeternae’: La dimension eschatologique de la vertu théologique de foi chez saint Thomas d’Aquin,” *Sapienza* 27 (1974): 272-314, at 313: “Mais la foi n’a pas pour seule fonction de remédier à la finitude de notre intelligence. Elle est surtout le véritable principe de notre ordination à la vision. [...] nous pouvons reconnaître dans la foi l’inauguration de la vie éternelle” [“But faith does not have for its sole function the remedying of the finitude of our intelligence. It is above all the real principle of our ordering to the (beatific) vision. [...] we can recognise in faith the inauguration of eternal life”]. Cf. Aquinas, *Summa Theologica*, IIa IIae, q.4, a.1, resp.: “Fides est habitus mentis, quo inchoatur vita aeterna in nobis, faciens intellectum assentire non apparentibus.”

³⁰⁰ Cf. Ratzinger, *Christianity and the Crisis of Cultures*, 77; Joseph Murphy, *Christ our Joy: The Theological Vision of Pope Benedict XVI* (San Francisco: Ignatius Press, 2008), 62. In presenting our last end to us, the foundation for our actions, the virtue of faith is therefore the first of the virtues. Cf. Aquinas, *Summa Theologica*, IIa IIae, q.4, a.7, resp.

³⁰¹ Cf. Ratzinger, “The Church’s Teaching Authority – Faith – Morals,” 53, talking of the distinctive quality of Christian morality: “It is impossible to distill out what is specifically Christian by excluding everything that has come about through contact with other milieux. Christianity’s originality consists rather in the new total form into which human searching and striving have been forged under the guidance of faith in the God of Abraham, the God of Jesus Christ.”

³⁰² Cf. CCC, no. 1729: “*The beatitude of heaven sets the standards for discernment in the use of earthly goods in keeping with the law of God*” (emphasis in text); no. 1814; Pieper, *Faith, Hope, Love*, 78-81.

³⁰³ Here I am emphasising *fides qua*, the faith of the individual by which he or she relates to God. However, this living faith of the subject, by which we live and act morally in response to our relationship with God, is sustained by the faith which the Church believes and professes: the common, objective faith (*fides quae creditur*). This content of belief, as articulated by the Church, contains

3.3.3 The Virtue of Hope

Faith establishes an understanding about God and a relationship with him which underpins the way we are to live as his children.³⁰⁴ However, faith gives rise to hope, since it is “the substance of things hoped for.”³⁰⁵ Genuine hope must be distinguished from “naïve optimism,” which lacks any grounding or proof in reality, and also from any form of “ideological optimism,” which serves to promote some kind of unattainable, earthly utopia through absolute progress or revolution, which ultimately serves only to injure individuals or deprive them of their dignity.³⁰⁶ True hope is rooted in God.³⁰⁷ Indeed, God is both the “foundation” and the summit of all hope (which Pope Benedict calls the “great hope”), since he “encompasses the whole of reality and [...] can bestow upon us what we, by ourselves, cannot attain.”³⁰⁸ The love of God made visible through Jesus Christ (John 3:16; Col 1:15) becomes the reason for our perseverance in life, in struggling to do good despite the challenges and

elements pertaining to both faith and morals, to which we are called to give our assent and allegiance (*obsequium*). We shall return to this in the final chapter. Thus, the virtue of faith contains both objective and subjective elements. Cf. Second Vatican Council, Dogmatic Constitution on the Church *Lumen Gentium*, 25; AAS 57 (1965), 29-30. English text in *Vatican Council II: The Conciliar and Post Conciliar Documents*, general ed. Austin Flannery, trans. Colman O’Neill (Dublin: Dominican Publications, 1977), 379.

³⁰⁴ Cf. CCC, no. 1813.

³⁰⁵ Cf. Heb 11:1; Aquinas, *Summa Theologica*, IIa IIae q.4, a.1, arg.1: “*Fides est substantia sperandarum rerum, argumentum non apparentium*” (emphasis in text). The NRSV translates this statement as: “Now faith is the assurance of things hoped for, the conviction of things not seen.” The Vulgate, used by Aquinas, translates *hypostasis* as *substantia*. This seems to be better than ‘assurance’, since the notions of assurance, evidence or conviction relate better to *elenchos* in the subsequent clause. Thus, faith concerns both a reality and an assurance of that reality, as well as a personal conviction in response to it. Cf. *Spe Salvi*, 7 for a discussion of the meaning of *hypostasis* and *elenchos* in this passage. Following Pope Benedict’s analysis, the passage translates as “Faith is the reality of things hoped for; the proof of things unseen.” Cf. *Spe Salvi*, 7; Ratzinger, *Christianity and the Crisis of Cultures*, 82; Joseph Ratzinger, “On Hope,” trans. Esther Tillman, *Communio* 12 (1985): 71-84, at 77; Blondel, “What is Faith?”, 192; Bourgeois, “Inchoatio Vitae Aeternae,” 272, 275.

³⁰⁶ Murphy, *Christ our Joy*, 66; Ratzinger, *Church, Ecumenism and Politics*, 211: “The loss of transcendence evokes the flight to utopia [...] Robbed of their real greatness they [human beings] can only find escape in illusory hopes”; Twomey, *Pope Benedict XVI*, 52-53, 115; Eric Voegelin, *The New Science of Politics: An Introduction* (Chicago and London: University of Chicago Press, 1952), 107-32; *Spe Salvi*, 16-23.

³⁰⁷ Aquinas, *Summa Theologica*, IIa IIae q.17, a.1, resp.: “actus autem spei, [...], attingit ad Deum.”

³⁰⁸ *Spe Salvi*, 31.

sufferings associated with the imperfections of the world and ourselves.³⁰⁹ St Thomas says that the essence of hope consists in reaching God through leaning on his help (*innitens*) in order to obtain our ultimate good: eternal life, eternal happiness with him.³¹⁰

How, therefore, does the virtue of hope help the operation of our conscience? Perhaps we could answer this by comparing a life lived in hope to that of one which has cast all hope aside. In chapter 2 of the Book of Wisdom we find reflections on those who consider death to lead only ashes and oblivion (vv. 1-5), and so put no store in the promise of a happy final end (v. 16). Rather than choosing empty despair, the “ungodly” (Wis 1:16)³¹¹ choose to fill their emptiness with “revelry”, pleasures and injustice, oppressing the righteous poor man, even to the point of death (vv. 6-20). The righteous one makes them feel uncomfortable, even guilty, in that his way of living causes them reluctantly to think about the reality of their own dissolute way of life (vv. 14-15), and for this they wish his death. In effect, the passage describes how despair leads to giving up on a life well-lived. The passage concludes:

Thus they reasoned, but were led astray, for their wickedness made them blind, and they did not know the secret purposes of God, nor hoped for the wages of holiness, nor discerned the prize for blameless souls; for God created us for incorruption, and made us in the image of his own eternity, but through the devil’s envy death entered the world, and those who belong to his company experience it” (vv. 21-24).

From this we could say that wickedness blinds us and make us lose hope of what is better, what is godly. However, we might also say that losing hope can lead us

³⁰⁹ *Spe Salvi*, 31.

³¹⁰ Aquinas, *Summa Theologica*, IIa IIae q.17, a.2, resp.: spes de qua loquimur attingit Deum innitens eius auxilio ad consequendum bonum speratum. [...] Hoc autem bonum est vita aeterna, quae in fruitione ipsius Dei consistit, [...]. Et ideo proprium et principale obiectum spei est beatitudo aeterna. Cf. CCC, no. 1817

³¹¹ Cf. *Spe Salvi*, 27: “In this sense it is true that anyone who does not know God, even though he may entertain all kinds of hopes, is ultimately without hope.” “Ungodly” is therefore an appropriate term for those who have lost all hope to the point that it has corrupted their lives.

to giving up on what is good or holy; it can therefore destroy our commitment to virtue and holiness. In contrast to this, hope helps us to “keep on walking,” despite the challenges ahead.³¹² In one of his sermons, St Augustine offers us a wonderful exhortation to “keep on walking,” which sums up the power of hope and the impact it has upon our lives. Instead of giving up in the face of the arduous journey of life, we are carried along by the hope-filled proclamation of the Easter Alleluia. Thus, in Christian hope, we are prompted to “make progress in goodness,” since hope reinforces the drive to do good found in conscience.

Augustine’s sermon likens us to travellers or wayfarers (*viatores*); a motif we find recurring in writing of St Thomas Aquinas and in Josef Pieper in their accounts of the virtue of hope.³¹³ Pieper points out that “the concept of the *status viatoris* is one of the basic concepts of every Christian rule of life,” that is, the idea that our earthly life is a “pilgrimage” shapes our understanding of ourselves and our actions.³¹⁴ Our *status viatoris*, our condition of being on the way, identifies that we are in a state of “not-

³¹² St Augustine, *Sermons*, in *The Works of Saint Augustine: A Translation for the 21st Century*, part 3, vol.7: *Sermons 230-272B*, trans. and notes by Edmund Hill, ed. John E. Rotelle (Brooklyn, New York: New City Press, 1993), 256, 3 (pages 169-70): “But even here, among the dangers, among the trials and temptations of this life, both by others and by us let *alleluia* be sung. [...] God be praised there, and God be praised here; [...] here in hope, there in hope realised; here on the way, there at home [in eternity]. So now, my dear brothers and sisters, let us sing, not to delight our leisure, but to ease our toil. In the way travelers are in the habit of singing; sing, but keep on walking. [...] What’s ‘keep on walking’? Make some progress, make progress in goodness. [...] You, if you’re making progress, are walking; but make progress in goodness, progress in right faith, progress in good habits and behavior. Sing and keep on walking. Don’t stray off the road, don’t go back, don’t stay where you are.” Cf. St Augustine, *Sermo* 256, 3, PL 38, 1192-93: “Sed etiam hic inter pericula, inter tentationes, et ab aliis, et a nobis cantetur Alleluia. [...] Ibi laudes Deo, et hic laudes Deo: [...] hic in spe, ibi in re; hic in via, illic in patria. Modo ergo, fratres mei, cantemus, non ad delectationem quietis, sed ad solatium laboris. Quomodo solent cantare viatores; canta, sed ambula [...]. Quid est, ambula? Profice, in bono profice. [...] Tu si proficis, ambulas: sed in bono profice, in recta fide profice, in bonis moribus profice: canta, et ambula. Noli errare, noli redire, noli remanere.”

³¹³ Cf. Aquinas, *Summa Theologica*, IIa IIae, q.17, a.2, ad 1; IIa IIae, q.18, a.2, ad 1; IIa IIae q.18, a.3, resp.: “sed in viatoribus, sive sint in vita ista, sive in purgatorio, potest esse spes; quia utrobique apprehendunt beatitudinem ut futurum possibile” [“But hope can be in travellers, whether they be in this life or in purgatory, because in either case they perceive beatitude as a future possible thing”]; Pieper, *Faith, Hope, Love*, 91-98.

³¹⁴ Pieper, *Faith, Hope, Love*, 91. Similarly, Häring’s reflections on hope lead him to conclude that Christian ethics “is a pilgrim ethics.” See Häring, *Free and Faithful in Christ*, I, 253.

yet-existing-being”,³¹⁵ reflecting a creaturely nature that stretches forward to “fulfillment beyond time” with God.³¹⁶ Therefore the *status viatoris* is to be compared with the *status comprehensoris*, the state of having grasped this fullness, where becoming arrives at complete being.³¹⁷ Thus, “to have encompassed this goal, to be a *comprehensor*, means to possess beatitude.”³¹⁸ In contrast, our earthly life is incomplete; indeed, without the possibility of reaching complete fullness through God’s grace, we should be considered as “absurd beings – an aberration in the evolution of the species,” since we would be seeking that which is beyond our reach.³¹⁹ This is why God’s grace and our hope in that truth are so important. Our understanding of our incompleteness, our struggle toward beatitude, is given meaning, since all our frailties are placed within the context of the eschatological hope of wholeness of heaven, when God “will wipe away every tear” (Rev 21:4). As we have observed in Wisdom 2:1-24, without hope, our efforts for goodness seem pointless; our failings beyond repair. But grace transforms our lives, giving them direction and hope, so that our weakness and sins do not crush us, to the point of despair or to a sense of nothingness.³²⁰ Rather we are called to make progress toward God and to “make progress in goodness.” Thus, the Christian virtue of hope is essential to our commitment to living a moral life, and fundamental to forming our conscience,³²¹ that

³¹⁵ Pieper, *Faith, Hope, Love*, 98.

³¹⁶ *Ibid.*, 95.

³¹⁷ *Ibid.*, 94, 96. Cf. Aquinas, *Summa Theologica*, IIa IIae q.18, a.2, ad 1. Pieper points out that the notions of *comprehensor* and *status comprehensoris* were drawn by theology from Paul’s discourse on pressing on to the goal of heaven, which in this life he had not yet obtained. Cf. Phil 3:12-13, for example Phil 3:13 [Vulgate]: “Fratres, ego me non arbitror comprehendisse”; Pieper, *Faith, Hope, Love*, 92.

³¹⁸ Cf. Pieper, *Faith, Hope, Love*, 92; Aquinas, *Summa Theologica*, III, q.15, a.10.

³¹⁹ Ratzinger, “On Hope,” 75. See *ibid.*: “The anthropological problem of hope therefore consists in the human need for something that goes beyond all human ability.”

³²⁰ Pieper, *Faith, Hope, Love*, 97-98.

³²¹ Häring highlights the connection between the eschatological desire for God, for the return of the Lord, and the formation of conscience in his discussion on vigilant conscience and vigilant prudence. Here, in the light of eschatological hope, “conscience is sensitive [to] the Lord’s calling and trustful of his grace,” while vigilant prudence applies that sensitivity to God’s ways to correct appraisal

its judgements may be more in tune with God's ways, and reflective of the goal for which we are striving.

The formation of conscience is far from an isolated activity. We need the help of others to deepen our understanding, and develop our right dispositions. We draw insight from what is good in society at all levels, but above all, the Catholic Christian, living in *communio*, looks to the Church for assistance in the formation of conscience.³²² The conscience of the individual flourishes in the context of virtue and grace, but the individual is prompted to pursue a life of virtue and grace through the example of the believing community, and underpinning that way of life is the community's faith-filled hope.³²³ In this way, a primary task of all members of the Church is to be bearers of hope, so that people are *spe salvi*: saved in hope (Rom 8:24) and healed by hope. Hope spurs us on to holiness, but also banishes fear and lifts us up from our sense of inadequacy (cf. Luke 5:8-10). It is therefore an essential part of the Church's mission to proclaim and convey the reality of God's loving, forgiving and sustaining presence to all people,³²⁴ but particularly to those who struggle with the challenges of life or suffer from a deep sense of moral failure.³²⁵ The fundamental tenet of virtue theory is the possibility of growth, but this growth is only truly possible with God's grace and mercy.³²⁶ Through the gift of hope, God reaches

of reality and right judgement of what is needed to be done. See Häring, *Free and Faithful in Christ*, I, 254.

³²² Cf. Livio Melina, "Moral Conscience and 'Communio': Toward a Response to the Challenge of Ethical Pluralism," trans. Robert Slesinski, *Communio* 20 (1993): 673-86. Cf. Ratzinger, "Bishops, Theologians, and Morality," 55-56, 62-64, at 63: "The right of conscience [to respect] is [also] the obligation of the formation of conscience. [...] For us this means that the Church's magisterium bears the responsibility for correct formation."

³²³ *Spe Salvi*, 14-15.

³²⁴ Ratzinger, "If You Want Peace... Conscience and Truth," 99 (talking of the need for expiation and forgiveness to wash off the guilt of conscience): "This is *the real novelty of Christianity: the Logos, the Truth in person, is also this expiation, the transforming forgiveness that transcends all our own abilities and inabilities*" (emphasis in text).

³²⁵ Cf. 1 Pt 5:7: "Cast all you anxiety on him, because he cares for you."

³²⁶ Cf. Cessario, *The Moral Virtues and Theological Ethics*, 70. James Keenan describes the way of virtue as the "call to grow, the call to move forward as disciples" of Christ, which he says is

out towards us to offer his mercy, forgiveness and peace. Thus, hope brings light to the darkness of sin, and prompts the conscience through trust and repentance to seek to follow God's ways ever more closely.

3.3.4 *The Virtue of Love (Charity)*

Our comments on the theological virtues so far indicate a change of perspective that affects our acquired virtues, changing our motivation or even the action chosen as we are further attuned to the "things of God".³²⁷ Such a change of perspective, as we have seen is rooted in faith, sustained by hope, but reaches its true fruition in the virtue of love or charity. Such is the importance of charity that Pieper asserts that "the highest and most fruitful achievements of the Christian life" depend not only upon prudence, but upon its "felicitous collaboration" with charity.³²⁸ But what is this virtue of love or charity?³²⁹

Our first problem is the word 'love' itself. In confronting the word 'love' we are faced with such a breadth of meaning, that it may even seem impossible to pin it down. Indeed, how can the same word describe a liking for food or music, as well as

"heard in the Christian conscience." See Keenan, *Moral Wisdom*, 30. Discipleship (*sequela Christi*) is a key concept for Klaus Demmer, who supervised Keenan's doctoral thesis. This influence is therefore still evident in his current work. Cf. Keenan's section on Demmer in *Jesus and Virtue Ethics*, 55-58.

³²⁷ Comparing infused virtues to those which are acquired, Aquinas notes that the virtuous act remains the same *materialiter*, but *formaliter* change owing to its connection to a different end or motivation. However, focusing on our supernatural end may also change the act chosen, in that something considered excessive (*superfluum*) according to an earthly standard may be appropriate according to a heavenly measure. St Thomas gives the examples of someone choosing to fast or be put to death in order to defend the faith. Cf. Aquinas, *In III Sententiarum*, dist. 33, q.1, a.2, qc.4, ad 2: "quamvis sit idem actus virtutis acquisitae et infusae materialiter, non tamen est idem actus formaliter: quia per virtutem acquisitam collimitantur circumstantiae secundum proportionem ad bonum civile, sed per virtutem infusam secundum proportionem ad bonum aeternae gloriae [...] unde etiam aliquid superfluum secundum virtutem civilem est moderatum secundum virtutem infusam, sicut quod homo ieiunet, et se voluntarie morti offerat propter defensionem fidei"; idem, *Summa Theologica*, Ia IIae, q.61, a.5, resp.; Cessario, *The Moral Virtues and Theological Ethics*, 111.

³²⁸ Pieper, *The Four Cardinal Virtues*, 37.

³²⁹ Our primary focus here is love as a theological virtue. Pieper accepts that a theologian may use *caritas* or charity to express the theological virtue of love of God and neighbour, in contrast to all other uses of love. However, he observes that any attempt at popular use of such a precision runs into difficulty given the current application of the word 'charity' to "organized care for those in need." In the context of this thesis, however, it still seems necessary to use 'charity' to enable us to make the distinctions between it and other forms of love. Cf. Pieper, *Faith, Hope, Love*, 150.

the relationships between friends, family or husband and wife, and still also define the nature of God (1 Jn 4:16)?³³⁰ The Greeks and Romans had several words to describe different forms of love: in Greek *eros*, *philia*, *storgē*, *agapē*, and in Latin *amor*, *dilectio*, *affectio*, *pietas*, *passio*, *caritas*, and even *studium*.³³¹ However, all these terms exist to describe not attitudes in their own right, but facets of the same thing,³³² expressing what pleases us (*affectio*), what we select or elect as good (*dilectio*), what satisfies our appetite, both in terms of the senses and intellect (*amor*),³³³ or what is so ‘dear to us’ (*carus*) that we are willing to pay a high price for it (the self-sacrifice of *caritas*).³³⁴ Thus, we begin to realise that at its root, “‘love’ is a single reality, but with different dimensions,” and that at different times, one dimension may be emphasised over another.³³⁵ However, basic to all these dimensions is that love is an act of the will, of wanting, that both affirms something or someone as good, as well and demands encounter with this good.³³⁶ Indeed love is, in fact, the “primal act [...] of the will,”³³⁷ the assent of our very being. This is the fundamental element out of

³³⁰ Cf. *Deus Caritas Est*, 2, *AAS* 98 (2006), 219; Pieper, *Faith, Hope, Love*, 145-46.

³³¹ Cf. Pieper, *Faith, Hope, Love*, 152-58; *Deus Caritas Est*, 3, *AAS* 98 (2006), 219.

³³² For Pieper’s description of these different aspects, see *Faith, Hope, Love*, 152-58.

³³³ Cf. Aquinas, *In III Sententiarum*, dist. 27, q.1, a.1, sol: “amor ad appetitum pertinet”; *ibid.*, q.2, a.1, sol.: “amor est quaedam quietatio [...]; unde sicut appetitus invenitur in parte sensitiva et intellectiva, ita et amor.” Cf. Pieper, *Faith, Hope, Love*, 153: “In the purely sensual realm, *dilectio* naturally has no place, whereas the word *amor*, as Thomas says, embraces the sensual and the mental, and even the spiritual and supernatural elements.”

³³⁴ It should also be noted that given the common element to the terms, the distinctions between the terms was blurred in use. Hence, the Vulgate uses *amor*, *dilectio*, *caritas*, *diligere* and *amare* as interchangeable translations of *agapē*, *agapein*. Cf. Pieper, *Faith, Hope, Love*, 155.

³³⁵ *Deus Caritas Est*, 8, *AAS* 98 (2006), 224. Indeed, the Pope cautions against completely separating the facets of love, since to describe love as purely one form, such as the receiving, possessive love of *eros*, or the self-giving, oblation love of *agapē*, is to create a caricature of love, “or at least an impoverished form of love.” See *ibid.*, 7-8, at 7: “Anyone who wishes to give love must also receive love as a gift”; *AAS* 98 (2006), 224: “Quicumque amorem donare vult, illum tamquam donum ipse recipiat oportet.” Cf. Pieper, *Faith, Hope, Love*, 152-58.

³³⁶ Cf. Pieper thus says that love “combines affirmation and demand in a unity.” *Faith, Hope, Love*, 192. Pieper’s fundamental thread in his analysis of love is the affirmation ‘How good it is that you/this exist[s]!’ For example, cf. *ibid.*, 173, 193, 198-99.

³³⁷ Pieper, *Faith, Hope, Love*, 167. Cf. Aquinas, *Summa Theologica*, I, q.20, a.1, resp.: “Primus enim motus voluntatis, et cujuslibet appetitivae virtutis est amor” [“Love is the first movement of the will and of every appetitive faculty”]; *ibid.*, I, q.60, prol. Cf. Gilman, *The Primacy of Charity in Moral Theology*, 155.

which action and virtue develop, since it is the *principium* and motivating force of our specific decisions.³³⁸

While our intellect is fundamental to our human nature, it is our will that compels us to act.³³⁹ Therefore, love, as the first act of the will, is an essential part of our human nature, and therefore “strikes at the root of the whole structure of [our] existence.”³⁴⁰ In this way, love is “nothing but our spiritual being insofar as it is active; [...] nothing but the exercise of our being, of our form of being.”³⁴¹ Love defines our state of being, as our appetite can be drawn to good or bad.³⁴² Therefore, “for the person as a whole to be ‘right’ and good,” and hence virtuous, the person’s love “must be ‘in order’.”³⁴³ As with all virtues, part of that ordering is virtuous intention. Love of the good orders our acts rightly. However, our ultimate good is God. Hence, St Augustine saw love of God as the ultimate intention that defines our good acts.³⁴⁴ We love *propter Deum*, because of God.³⁴⁵ God forms the beginning and end of our love, as we were created in his love, and it is love that leads us to him.³⁴⁶

³³⁸ Pieper, *Faith, Hope, Love*, 166. Cf. Aquinas, *Summa Theologica*, I, q.60, prol.: “omnis actus appetitivae virtutis ex amore, seu dilectione derivatur”; Aquinas, *Quaestio Disputata de Caritate*, in *Opera Omnia*, vol. 8 (New York: Musurgia Publishers, 1949; reprint of 1852-1873 Parma ed.), q.1 [unica], a.2, resp.: “amor est principium omnium voluntariarum affectionum.”

³³⁹ Pieper, *Faith, Hope, Love*, 166: “Rather, in the great tradition of European thinking about man it has always been held that just as the immediate certainties of seeing are the foundation and prerequisite of all intellectual activity, so also love is the primal act of willing that permeates all willing-to-do from its very source.”

³⁴⁰ *Ibid.*, 166.

³⁴¹ Gilleman, *The Primacy of Charity in Moral Theology*, 131: “The mystery of love can be reduced to the mystery of being and unity. St Thomas teaches that love is the fundamental activity of being. In us, love is nothing but our spiritual being insofar as it is active; there is continuity between being and action just as between first and second act. Love is nothing but the exercise of our being, of our form of being.”

³⁴² Aquinas, *Summa Theologica*, I, q.20, a.1, resp.

³⁴³ Pieper, *Faith, Hope, Love*, 167.

³⁴⁴ Juan José Pérez-Soba, “La Carità e le Virtù nel Dinamismo Morale,” in *La ‘Sequela Christi’: Dimensione Morale e Spirituale dell’Esperienza Cristiana*, ed. Livio Melina and Olivier Bonnewijn (Rome: Lateran University Press, 2003)135-59, at 143.

³⁴⁵ Cf. *ibid.*; Augustine, *De Trinitate*, VIII, 8, PL 42, 959: “Ex una igitur eademque charitate Deum proximumque diligimus: sed Deum propter Deum, nos autem et proximum propter Deum” [“Therefore, we love God and neighbour out of one and the same love, but we love God because of God, and ourselves and our neighbour because of God.”]

³⁴⁶ Cf. 1 Jn 4:19: “We love because he first loved us”; *Deus Caritas Est*, 17, AAS 98 (2006), 231.

All of this leads Augustine to conclude that virtue is rooted in love, such that virtue is the “*ordo amoris*.”³⁴⁷ The nature of virtue is thus transformed by a fuller understanding of its basis, since virtue not only leads to the happy life, but to the blessed life with God through its underlying intention.³⁴⁸ However, such an intention needs to be purified if we are to truly grow in virtue, and grow closer to God.³⁴⁹

Augustine’s understanding of our love or desire as having its foundation and goal in God provides the foundation for the various medieval reflections on love.³⁵⁰ Yet, it is in the writing of St Thomas that the fullest expression of the relationship between love and virtue, and love as a theological virtue is reached.³⁵¹ St Thomas observes that God’s continual gifts of love lead us to respond to him in love, and, couched in Aristotelian terms, Aquinas thus defines God’s action and our response in terms of friendship.³⁵² This friendship is an interaction of mutual sharing and

³⁴⁷ See St Augustine, *De Civitate Dei*, XV, 22, PL 41, 467: “Unde mihi videtur, quod definitio brevis et vera virtutis, Ordo est amoris: propter quod in sancto Cantico canticorum cantat sponsa Christi, civitas Dei, *Ordinate in me charitatem* (Cantic. II, 4)” (emphasis in text). Cf. Pieper, *Faith, Hope, Love*, 167; Pérez-Soba, “La Carità e le Virtù,” 141.

³⁴⁸ Pérez-Soba, “La Carità e le Virtù,” 143.

³⁴⁹ *Ibid.*, 142.

³⁵⁰ Hence Peter Lombard almost repeats Augustine’s formula regarding *propter Deum*. Given the lasting influence of Lombard’s *Sentences*, the definition sets the framework for understanding the theological virtue of *caritas*. See Peter Lombard, *Liber Sententiarum*, III, d. 27, cap. 2,1: “Caritas est dilectio qua diligitur Deus propter se, et proximus propter Deum vel in Deo.” Cf. Pérez-Soba, “La Carità e le Virtù,” 145.

³⁵¹ Cf. Pérez-Soba, “La Carità e le Virtù,” 148.

³⁵² Thomas Franklin O’Meara, *Thomas Aquinas, Theologian* (Notre Dame, IN and London: University of Notre Dame Press, 1997), 123: “Love moves through the hundreds of articles of the *ST*, from Love creating to Love redeeming. Born of goodness, the Creator’s love drew a universe out of nothingness, and love led the Word of God to become a human being. [...] For Aquinas God’s love for us brought a kind of friendship; that is friendship explains how God views and relates to people.” Cf. Aquinas, *Summa Theologica*, IIa IIae, q.23, a.1, resp.: “charitas amicitia quaedam est hominis ad Deum.” While St Thomas frames his argument in Aristotelian terms, Voegelin observes that Aristotle argued that “friendship between God and man was impossible because of their radical inequality.” St Thomas’s account of the revealed truth of mutual friendship with God, achieved by grace, “which imposes a supernatural form on the nature of man,” is therefore described by Voegelin as “the specific difference of Christian truth,” in comparison to earlier, partial truths. Cf. Voegelin, *The New Science of Politics*, 77-78; Aristotle, *Nicomachean Ethics*, VIII, 7, 1158b 29-1159a 13.

communication,³⁵³ and the kind of love that is based on this communication between us and God is *caritas*.³⁵⁴

Charity is a special kind of love, and hence a special virtue, since it specifically has the divine good as its object.³⁵⁵ Having God directly as its object, it surpasses our natural faculties,³⁵⁶ and so is infused in us as a gratuitous gift of the Holy Spirit.³⁵⁷ Love of neighbour and ourselves also form part of the object of charity, as the final object is the same.³⁵⁸ Hence, we love our neighbour that he or she may be in God (*ut in Deo sit*).³⁵⁹ Indeed, it is this common, ultimate good that motivates our love for all people and our acts of beneficence towards them.³⁶⁰ Moreover, it is through the simple, everyday acts of kindness and helpfulness, summed up in St Paul's list of attitudes towards others (1 Cor 13:4-8), that the desire for the ultimate good for our neighbour is indirectly expressed.³⁶¹ Love of self, if well-ordered and not excessive,³⁶² is also virtuous, since we are to love the "things of God," which includes ourselves and our bodies created by him.³⁶³

³⁵³ Cf. Aquinas, *Summa Theologica*, IIa IIae, q.23, a.1, resp.: "sed nec benevolentia sufficit ad rationem amicitiae, sed requiritur quaedam mutua amatio [...]: cum ergo sit aliqua communicatio hominis ad Deum, secundum quod nobis suam beatitudinem communicat, super hanc communicationem oportet aliquam amicitiam fundari"; O'Meara, *Thomas Aquinas, Theologian*, 123.

³⁵⁴ Aquinas, *Summa Theologica*, IIa IIae, q.23, a.1, resp.: "amor autem super hanc communicationem fundatus est charitas."

³⁵⁵ *Ibid.*, IIa IIae, q.23, a.4, resp.: "ideo amor charitatis, qui est amor hujus boni [beatitudinis]; est specialis amor: unde et *charitas est specialis virtus*" (emphasis in text).

³⁵⁶ *Ibid.*, IIa IIae, q.24, a.2, resp.: "charitas est amicitia quaedam hominis ad Deum, fundata super communicatione beatitudinis aeternae: haec autem communicatio non est secundum dona naturalia, sed secundum dona gratuita: [...] unde et ipsa charitas facultatem naturae excedit."

³⁵⁷ *Ibid.*, IIa IIae, q.24, a.2, resp.: "[...] sed per infusionem Spiritus Sancti, qui est amor Patris, et Filii, cujus participatio in nobis est ipsa charitas creata."

³⁵⁸ *Ibid.*, IIa IIae, q.25, a.1, resp.; IIa IIae, q.25, a.4, resp. Cf. Lev 19:18; Mk 12:28-34.

³⁵⁹ Aquinas, *Summa Theologica*, IIa IIae, q.25, a.1, resp.

³⁶⁰ *Ibid.*, IIa IIae, q.25, a.1 ad 2.; IIa IIae, q.31, a.2, resp.: Similarly, one may also include almsgiving and fraternal correction as part of our charity toward our neighbour. Cf. *Ibid.*, IIa IIae, q.32, a.1, resp.; *ibid.*, IIa IIae, q.33, a.1, resp.; Porter, *The Recovery of Virtue*, 171.

³⁶¹ Cf. Pieper, *Faith, Hope, Love*, 193.

³⁶² Cf. Aquinas, *Summa Theologica*, Ia IIae, q.77, a.4, ad 1; O'Meara, *Thomas Aquinas, Theologian*, 123.

³⁶³ Cf. Aquinas, *Summa Theologica*, IIa IIae, q.25, a.4, resp.: "ad ea quae sunt Dei: inter quae etiam est ipse homo"; *ibid.*, IIa IIae, q.25, a.5, resp.

Aquinas describes charity as a communication or sharing with God. What do we share with him? We share in his divine nature,³⁶⁴ in such a way that we are transformed by him, even deified by him.³⁶⁵ Thus, we participate in God's goodness and wisdom, but also in his charitable, self-giving love, expressed in particular by our love of neighbour.³⁶⁶ However, in this sharing or participation we also achieve a *unio affectus*.³⁶⁷ It is this union in mutual self-giving love which transforms our actions, and therefore all the other virtues, shifting their perspective and fortifying the will to act in accordance with God's will. Hence the change of perspective gained through the theological virtues reaches its fullness in the virtue of charity, which empowers unifies and perfects all acquired virtue.³⁶⁸ In this way charity operates as the "*forma virtutum*."³⁶⁹ Charity becomes the organising principle for the person's actions and virtuous dispositions, not in such a way that the individual virtues lose their specificity, but rather in such a way that they are united in one ultimate goal: love.³⁷⁰

³⁶⁴ Cf. *ibid.*, Ia IIae, q.62, a.1, resp.; Porter, *The Recovery of Virtue*, 170.

³⁶⁵ Aquinas, *Summa Theologica*, Ia IIae, q.112, a.1, resp.: "Sic enim necesse est quod solus Deus deificet, communicando consortium divinae naturae per quamdam similitudinis participationem"; Gilleman, *The Primacy of Charity in Moral Theology*, 154. Gilleman, Pieper and Porter all emphasise that we are not lost in this transformation; it is still we who act. Cf. Gilleman, *The Primacy of Charity in Moral Theology*, 155; Pieper, *Faith, Hope, Love*, 220; Porter, *The Recovery of Virtue*, 171.

³⁶⁶ Aquinas, *Summa Theologica*, IIa IIae, q.23, a.2, ad 1. Cf. O'Meara, *Thomas Aquinas, Theologian*, 123.

³⁶⁷ Cf. Aquinas, *Summa Theologica*, IIa IIae, q.27, a.2, resp.: "importat enim quamdam unionem secundum affectus amantis ad amatum [...]; sic ergo in dilectione, secundum quod est actus charitatis, includitur quidem benevolentia; sed dilectio, sive amor addit *unionem affectus*" (emphasis mine); Pérez-Soba, "La Carità e le Virtù," 149.

³⁶⁸ Cf. O'Meara, *Thomas Aquinas, Theologian*, 123: "Love is faith's affection and virtue's empowerment"; Kennedy, *Doers of the Word*, I, 228: "The acquired virtues remain inadequately defined as virtue if they are not motivated and informed by charity as love of God and neighbour." Cf. Aquinas, *Summa Theologica*, Ia IIae q.65, a.2

³⁶⁹ Aquinas, *Summa Theologica*, Ia IIae q.62, a.4: "charitas est mater omnium virtutum, et radix, in quantum est omnium forma"; *ibid.*, IIa IIae, q.23, a.8, resp.: "[charitas] dicitur forma omnium virtutum" (emphasis in text). From among others, Aquinas drew this idea from St Ambrose (or at least from a work then attributed to him), as he refers to him in his argument. See *ibid.*, IIa IIae, q.23, a.8, sed contra. The passage he draws from may be "Dum enim charitatem, quae mater omnium bonorum est, non sectantur, non sciunt sicut oportet. Ut ergo scientia fructum habere possit, charitati se debet subijcere." See St Ambrose [now attrib. to Ambrosiaster], *Commentaria in Epistolam B. Pauli ad Corinthos Primam*, VIII, 1, PL 17, 226. For further comment on charity as the form of all virtue, cf. Hibbs, *Virtue's Splendor*, 20; Leclercq, "La morale des vertus," 901; Gilleman, *Le primat de la charité*, 47-55; Gilleman, *The Primacy of Charity in Moral Theology*, 35-45.

³⁷⁰ Cf. Gilleman, *The Primacy of Charity in Moral Theology*, 166-170, at 170: "In brief, since every partial end is eminently contained in the ultimate and general end of charity, it is easy to turn

Charity is thus the form of a “more excellent way” of life,³⁷¹ in which, through our meritorious actions, we as *viatores* make progress in getting closer to God. This is made possible through charity’s capacity to unite our wills and minds to God’s (*mens Deo unitur*).³⁷²

If the theological virtue of charity unites our minds to God’s, this has a direct effect upon the function of conscience. Our perception and judgement is further attuned to the truth, and attuned to the mind of Christ. In this way charity presents us with a new motivation, a motivation we receive from participation in the life of the God who is love. We are told by him, “Go and do likewise” (Lk 10:37). Thus, our union with God calls us to see “with the eyes of Christ.”³⁷³ United with Christ, my desire to do good, to help my neighbour becomes second nature, more alert, less hesitant, less fearful, less sporadic. A life where charity blossoms is thus brought to deeper consistency in action, since through our union with Christ we have a new motivation: “the love of Christ urges us on” (2 Cor 5:14). We shall discuss further the effects of our union and imitation of Christ in the final chapter.

4. Conclusion – Coming into the Light: Connatural Conscience

Our study of the virtues in relation to conscience has highlighted the role of the virtues in disposing the person to the truth, and in desiring to act upon that truth.

objects of virtue into objects of love. Our entire terrestrial community life can be made charitable.” See also *ibid.*, 184: “supernatural finality does not suppress natural finality, but rather deepens it and leads it into contact with God.”

³⁷¹ Cf. 1 Cor 12:31; Aquinas, *Summa Theologica*, IIa IIae, q.24, a.4, resp.: “et ideo Apostolus charitatem viam nominat, dicens I. ad Cor. 12.: *Adhuc excellentiorem viam vobis demonstro*” (emphasis in text).

³⁷² Aquinas, *Summa Theologica*, IIa IIae, q.24, a.4, resp.: “in hac autem via tanto magis procedimus, quanto Deo magis propinquamus; cui non appropinquatur passibus corporis, sed affectibus mentis. Hanc autem propinquitatem facit charitas: quia per ipsam mens Deo unitur.” Cf. Kostko, *Beatitudine e Vita Cristiana*, 308.

³⁷³ *Deus Caritas Est*, 18; *AAS* 98 (2006), 232: “Christi oculis inspicio.” The verb used here highlights that to see with the eyes of Christ means that we do not stop at the level of appearances and exterior need.

Prudence affects our intellect and will in assessing the situation clearly, judging the appropriate action and inclining the individual to choose it. In doing so, the judgement of conscience is better attuned to the needs of the situation, and moved to choose the best option for action. The moral virtues also assist conscience by ordering our will to desire the good evident in the particular action. Grace lifts the judgement of conscience further by infusing the acquired virtues and shaping our outlook through the great theological virtues of faith, hope and love. In this way a connaturality, a sympathy between the person and the true good is achieved,³⁷⁴ where choosing the good appropriate to the circumstance becomes truly “second nature,”³⁷⁵ such that in doing so we walk in the light of truth, in the light of Christ (John 3:21).³⁷⁶

Over the course of this study of virtue and conscience we have also discovered that grace plays a fundamental role in creating the possibility for virtue, changing its perspective and in making virtue more effective in its function.³⁷⁷ Thus, the assistance

³⁷⁴ Aquinas, *Summa Theologica*, IIa IIae, q.45, a.2, resp.: “hujusmodi autem compassio, sive connaturalitas ad res divinas fit per charitatem, quae quidem unit nos Deo” [“Now such sympathy or connaturality for divine things comes about through charity, which unites us to God”]. Following Aquinas, Hibbs points out that goodness (or graced, virtuous living) in the person leads to our perception more readily matching up with reality. Cf. Hibbs, *Virtue’s Splendor*, 130: “For the good person, ‘the true and apparent goods are the same thing’.” Cf. Aquinas, *In Decem Libros Ethicorum ad Nichomachum*, IX, lect. 4: “Dicit ergo primo, quod virtuosus maxime vult sibi ipsi bona et vera et apparentia. Eadem enim sunt apud ipsum vera et apparentia bona. Vult enim sibi bona virtutis, quae sunt vera hominis bona.”

³⁷⁵ Aquinas, *De Virtutibus in Communi*, q.1, a.9, resp.: “ita quod ista dispositio superinducta, est quasi quaedam forma per modum naturae tendens in unum. Et propter hoc dicitur, quod consuetudo est altera natura” (emphasis mine). Cf. idem, *Disputed Question on the Virtues in General*, a.9, resp.: “This superimposed disposition is like a form tending to one in the manner of nature. That is why is it said that custom is second nature.”

³⁷⁶ Cf. *Veritatis Splendor*, 64: “Such a connaturality is rooted in and develops through the virtuous attitudes of the individual himself: prudence and the other cardinal virtues, and even before these the theological virtues of faith, hope and charity. This is the meaning of Jesus’ saying: ‘He who does what is true comes to the light’ (Jn 3:21)”; *AAS* 85 (1993), 1183: “Eiusmodi connaturalitas radicesit et erigitur in propositis ipsius hominis: prudentia ceterisque virtutibus cardinalibus, et vel in primis virtutibus theologalibus fidei spei et caritatis”; Pieper, *The Four Cardinal Virtues*, 40.

³⁷⁷ For example McCabe says that prudence “cannot be exercised effectively without the infused virtues.” See McCabe, “Virtue and Truth,” 169.

offered to conscience by the virtues is never completely without grace,³⁷⁸ and such assistance reaches its fullness in the context of where grace abounds.³⁷⁹

There is a danger, however, that we might imagine that this context of grace and growth in infused virtue is far removed from the reality of ordinary life. Yet the virtues of faith, hope and love “are not enigmatically conveyed” to us,³⁸⁰ like some bolt from the blue.³⁸¹ Rather, they “flow from the very heart of ordinary Christian living and the sacramental life of the parish.”³⁸² It is therefore in the context of “our ordinary practices and places, [that] faith, hope, and love become imbued (set up a home) in the depths of our consciences.”³⁸³ Such an ordinary life presents us with many experiences, mixing joy with sorrow. As Vincent Twomey reminds us, ordinary life also includes “drama and tragedy (the passion and cross)” which many people face with “real heroism (resurrection).”³⁸⁴ Such heroism is a sign not only of growth in virtue, but also a growth in holiness.³⁸⁵ It is therefore to this life of holiness and its impact upon conscience that we turn our attention in the final chapter.

³⁷⁸ Thus Pieper affirms that “in the Christian era there is no such thing as ‘purely natural virtue’ without actual reference to the order of grace.” See Pieper, *The Four Cardinal Virtues*, 134.

³⁷⁹ Taking into account the origin of acts in the natural inclination of *synderesis*, Aquinas still says that a meritorious act cannot be performed on the basis of “purely natural gifts” alone. Indeed, to “impute this to natural capability alone is the Pelagian impiety.” See Aquinas, *De Veritate*, q.16, a.1, ad 12: “Non autem sequitur ex hoc quod in opus meritorium homo ex puris naturalibus possit: hoc enim naturali facultati imputare solummodo, Pelagianae impietatis est”; idem, *Truth*, q.16, a.1, ad 12.

³⁸⁰ Cf. James Keating and David M. McCarthy, “Habits of Holiness: The Ordering of Moral-Mystical Living,” *Communio* 28 (2001): 820-42, at 835.

³⁸¹ O’Meara and Bouchard identify this transitory understanding of grace as a “Baroque” theology of grace, which downplayed the “pervasive” quality of grace in human existence (where grace interacts with human nature and its capacities “in an organic way”) and emphasised the intervention of actual grace in a more mechanistic manner, reflecting the mechanistic sacramental theology of the time. Cf. O’Meara, “Virtues in the Theology of Thomas Aquinas,” 271; Charles E. Bouchard, “Recovering the Gifts of the Holy Spirit in Moral Theology,” *Theological Studies* 63 (2002): 539-558, at 545-46.

³⁸² Keating and McCarthy, “Habits of Holiness,” 835.

³⁸³ *Ibid.*, 836. In this way, ordinary life within the Church supports the *anamnesis* of faith, or the Christian memory, which refers to our conscience as informed by our baptismal identity. Cf. Ratzinger, “If You Want Peace... Conscience and Truth,” 94-95.

³⁸⁴ Twomey, “Moral Renewal,” 228-229, n. 51.

³⁸⁵ *Ibid.* See also Pope Benedict’s comments on everyday action and suffering as a setting for learning and practising hope, a hope which sustains the saints and martyrs. Cf. *Spe Salvi*, 35-40.

Chapter Six

Conscience and the Call to Holiness

1. Introduction

Our last chapter led us to conclude that conscience flourishes in the context of virtue, but that the virtues themselves only reach their full potential in the context of grace, which further shapes these virtues, and hence further refines the judgements of conscience.¹ It is therefore appropriate in this final chapter to explore elements of this context of grace, which is none other than the lived expression of the universal call to holiness.² In what ways do we live out our call to holiness and how do these practices affect our moral living, both in the formation of virtue and of our conscience?³ Once again, given the limitations of this thesis, the aspects discussed in this chapter will not be dealt with in any extensive way. However, in an attempt to avoid the symptoms of fragmentation (which has affected moral theology, and was discussed at the outset of this thesis), it is necessary to include at least some indications of the key elements of the life of holiness,⁴ in an attempt to provide a cohesive theory of Christian conscience, reflecting a life of moral and spiritual integrity.⁵

¹ Thomas Hibbs, "Imitatio Christi and the Foundation of Aquinas's Ethics," *Communio* 18 (1991): 556-573, at 569; "The full import of the natural virtues, their power to inform and aid in the perfection of human nature, can be had only from the perspective of grace."

² Cf. *Lumen Gentium*, 39-42; *AAS* 57 (1965), 44-49. English text in *Vatican Council II: The Conciliar and Post Conciliar Documents* (Flannery ed.), 396-402; *CCC*, no. 2013; Livio Melina, "The Call to Holiness in the *Catechism of the Catholic Church*: The Morality and Spirituality of 'Life in Christ'," trans. Robert Slesinski, *Communio* 21 (1994): 437-49.

³ Cf. Keating and McCarthy, "Habits of Holiness," 821. This question of how we live out our moral-spiritual life is important, in that it grounds our shaping of conscience and the Christian theory of virtue ethics in the context of real life and real practice. This prevents our analysis of concepts remaining at an abstract level, since our focus is on development "within a habitat," that is, within a life of holiness with its "relationships, duties, and rule of living." Cf. *ibid.*, 822.

⁴ Cf. David L. Schindler, "Catholicity and the State of Contemporary Theology: The Need for an Onto-logic of Holiness," *Communio* 14 (1987): 426-50, at 449: "it seems to me, [...] that the fragmentation in contemporary theology in fact signals a lack of holiness, that it can and must be redressed therefore only by a recovery of holiness."

⁵ Keating and McCarthy, "Habits of Holiness," 821.

In recent decades, growing interest has been paid to the task of reintegrating spirituality and morality. While Scripture, and patristic and early medieval writing held dogmatic, moral and spiritual themes together for the purposes of preparing us “for a loving union with God,” from the Middle Ages onwards, “spiritual doctrine [became] less and less an integral part of speculative theology,” since “the direct goal of theologizing [was] no longer contemplation.”⁶ Stephen Robson highlights the role of Peter Abelard in the early stages of the separation of spirituality from dogmatic and moral issues. His desire was to synthesize reason and faith, but his approach led instead to divorcing theology from spirituality through its rationalist thrust.⁷ By the late Middle Ages this separation resulted in spiritual matters being discussed under separate categories of mystical theology and ascetical theology,⁸ while a fully distinct moral theology grew out of the manuals for confessors, invented to provide guidance for the confessor and practical solutions to pastoral problems.⁹ Eventually, the

⁶ Roch Kereszty, “Theology and Spirituality: The Task of Synthesis,” *Communio* 10 (1983): 314-332, at 316-17 and 319. Cf. Stephen Robson, ‘*With the Spirit and Power of Elijah*’ (*Lk 1:17*): *The Prophetic-Reforming Spirituality of Bernard of Clairvaux as Evidenced Particularly in his Letters*, *Analecta Gregoriana*, no. 293 (Rome: Editrice Pontificia Università Gregoriana, 2004), 380: “During the first millennium up to the age of Bernard, theology, morality and spirituality were all seen as part of the same unified approach to the Christian life. Theory and practice were not separate categories, but were united in the common goal of seeking and following Christ.”

⁷ Robson, ‘*With the Spirit and Power of Elijah*’, 380. Robson’s comment on theology requires the corrective of identifying the pastoral manuals as the theological form that filled the gap concerning sin and practical solutions. Cf. Pinckaers, *Sources of Christian Ethics*, 257. Robson also states that the rationalism of the eighteenth century Enlightenment “completed the divorce,” leaving theology largely detached from the practical concerns of ordinary people, and spirituality as some kind of “faddish, superficial and unbalanced” exercise. See *ibid.* For further comments on the Enlightenment and the separation between “faith and reason, spirituality and morality, prayer and conscience,” see Dennis J. Billy and James F. Keating, *Conscience and Prayer: The Spirit of Catholic Moral Theology* (Collegeville, MN: Michael Glazier/Liturgical Press, 2001), 19.

⁸ In their revised medieval forms (i.e. texts which no longer referred to any speculative theology), mystical theology refers to the analysis of the phenomena of the spiritual life, such as mystical states or visions, while ascetical theology deals with the means to spiritual perfection, “with an emphasis on moral struggle, mortification and spiritual exercises” See Kereszty, “Theology and Spirituality,” 319. Cf. Servais-Théodore Pinckaers, *La vie selon l’Esprit: Essai de théologie spirituelle selon saint Paul et saint Thomas d’Aquin*, AMATECA Manuels de Théologie catholique, vol. 17, 2 (Luxembourg: Éditions Saint-Paul, 1996), 34; *idem*, *Sources of Christian Ethics*, 255.

⁹ Cf. Kereszty, “Theology and Spirituality,” 319-20; Bouchard, “Recovering the Gifts of the Holy Spirit,” 543. Bouchard reminds us that Aquinas fought against this tide of separation, firmly locating his moral theology in the context of treatises on God, creation and Jesus Christ, and Pinckaers reminds us that St Francis de Sales also achieved some success in providing works that combined

approaches of moral and ascetical/mystical theology started to pull in opposite directions, with manualistic moral theology focusing upon (minimum) obligation, or that which was needed for salvation,¹⁰ while ascetical/mystical theology concentrated upon the way of perfection, leading to “a two-class system” in which the extra burdens of seeking perfection were the preserve of a spiritual elite.¹¹

Pinckaers points out that theology loses “its vitality and creative power” when it is separated from spirituality and pastoral care;¹² a diminished state which should give us cause to reunite these elements. Now, finally, after many centuries, theologians are beginning to address the question of reintegration, though the progress is slower than might have been anticipated. While initial attempts were made in the period following the Second World War,¹³ leading up to the Second Vatican Council, the task is still far from complete.¹⁴ However, more recently, in addition to the work of writers like Servais Pinckaers, a major shift in emphasis has been signalled by the moral section of the *Catechism of the Catholic Church* (Part Three). Here, the presentation of Christian morality as “Life in Christ,” is underpinned by the idea that our vocation is to life in the Spirit:¹⁵ a common calling to holiness, expressed in

dogmatic, spiritual and practical teaching in a style that was accessible to all. See Bouchard, “Recovering the Gifts of the Holy Spirit,” 543; Pinckaers, *Sources of Christian Ethics*, 256.

¹⁰ Commenting on the manualistic tradition, Philippe Delhaye says there was little place for the Spirit in its structure and outlook. Somewhat prophetically, drawing upon *Lumen Gentium*, Delhaye suggests that the universal call to holiness is the way forward for moral theology. See Ph. Delhaye, “L’Esprit Saint et la vie morale du chrétien,” *Ephemerides Theologicae Lovanienses* 45 (1969) 432-443, at 433-434.

¹¹ Cf. Bouchard, “Recovering the Gifts of the Holy Spirit,” 548; Pinckaers, *Sources of Christian Ethics*, 256-57: “The counsels were supplementary [to the precepts] and dealt with superogatory [*sic*] actions left to each individual’s free initiative. By this very fact, they were reserved to the chosen few who sought perfection.”

¹² Pinckaers, *Sources of Christian Ethics*, 258.

¹³ Prime examples of this in the field of moral theology are Häring’s *Law of Christ*, which sought a more scriptural and christocentric approach, and Gillemann’s *The Primacy of Charity in Moral Theology*, which sought to bring moral theology and ascetical/mystical theology together through the interpretive key of charity.

¹⁴ Kereszty, “Theology and Spirituality,” 314.

¹⁵ CCC, no. 1699: “Life in the Spirit fulfils the vocation of man.”

charity and solidarity,¹⁶ ordered to beatitude by the Beatitudes,¹⁷ and rooted in our being created in God's image and likeness.¹⁸ Therefore, it is in recognising that all Christian moral endeavour is sustained by the grace of the Spirit¹⁹ we realise that our actions reflect a call to holiness.²⁰ This radically changes the perspective of moral theology,²¹ moving it from focusing on a static compliance with obligation, or even from the dynamic of human growth in an impersonal theory of virtue, to the true ground of virtue or perfected ability: a dynamic, personal relationship with God.²² It is in this context that we recognise that the stirrings of conscience are intimately linked to the promptings of the Holy Spirit, and that we are thus called to be docile to him.²³

From this point of view morality and moral theology reclaim the notion of the "way of perfection" as a way of life for all, rather than for some spiritual elite. Melina points out that the way of perfection expressed in moral action is "the response to a gratuitous call to realise the image of God in us,"²⁴ the image of the God who is love.

¹⁶ CCC, nos. 1695, 1828, 1939, 2013, at 1695: "'sanctified ... [and] called to be saints' , Christians have become the temple of the *Holy Spirit*. This 'Spirit of the Son' teaches them to pray to the Father and, having become their life, prompts them to act so as to bear the 'fruit of the Spirit' by charity in action" (emphasis and parenthesis in text). Cf. 1 Cor 6:19.

¹⁷ CCC, nos. 1716-1724.

¹⁸ CCC, nos. 1701-1709.

¹⁹ Melina, "The Call to Holiness," 443: The primacy of grace and of the gospel does not annul morality and does not render human effort superfluous, but rather encourages and sustains it."

²⁰ Ibid., 439: "Before there is moral action, before there is a free response of the Christian, there is the recognition of a gift that constitutes his [or her] very dignity. But this dignity is the dignity of a call: '[...] called to be saints'." Von Balthasar also recognises the call to holiness as the meaning of Christian life and of moral theology, but allies it with the call to mission. See Hans Urs von Balthasar, "Theology and Holiness," trans. Peter Verhalen, *Communio* 14 (1987): 341-50, at 344-45: "The Spirit that has been bestowed on the Church is the Spirit of both sanctification and mission. Everyone who counts himself as a member of the Church of Christ must in his particular way be both saint and witness. [...] It is at the same time clear that when Christians are called 'saints,' they are all such primarily through God and his sacraments, but immediately afterwards through their lives which reflect this." Cf. Hans Urs von Balthasar, "Editorial: Sanctity, Crisis, Theological Renewal," *Communio* 14 (1987): 340.

²¹ Twomey, "Moral Renewal," 228: "holiness [is] the ultimate object of morality. [...] All morality is finally measured by that goal."

²² See Gillemann, *The Primacy of Charity in Moral Theology*, 154: "Moral doctrine should present each action as an inchoate personal relation with men and with God, as an answer to a call addressed to me alone. This is to replace the hard mask of the law with a living face."

²³ See Twomey, "Moral Renewal," 229.

²⁴ Melina, "The Call to Holiness," 439. Melina also points out that as the way of perfection is based on the understanding of our being made in the image of God, moral life described in terms of a way of perfection "implies a *strict relationship between morality and dogmatics*, on the one hand, and

It is also an expression of our desire to model ourselves on Christ.²⁵ Thus, our relationship with God defines our understanding of moral action: a call to perfection (striving to grow in love and other virtues), reflective of the call to “Be perfect, therefore, as your heavenly Father is perfect” (Mt 5:48), and the call to holiness, in keeping with the call to “be holy, for I the Lord your God am holy” (Lev 19:2).²⁶ Of course, such a vocation does not ignore human frailty and sinfulness,²⁷ but neither does it reduce morality to a defeatist position of the bare minimum.²⁸ Rather, it invites us to grow in the context of grace and mercy, in union with Christ and imitation of him.²⁹

with spirituality, on the other.” See *ibid.*, 439 (emphasis in text). For a historical review and discourse on the importance of ‘image of God’ in theology, see Servais Pinckaers, “Ethics and the Image of God,” trans. Sr Mary Thomas Noble and Craig Steven Titus, in *The Pinckaers Reader: Renewing Thomistic Moral Theology*, ed. John Berkman and Craig Steven Titus (Washington, DC: Catholic University of America Press, 2005), 130-43.

²⁵ Cf. *Lumen Gentium*, 40: “The Lord Jesus, divine teacher and model of all perfection, preached holiness of life [...] to each and every one of his disciples without distinction: ‘You, therefore, must be perfect, as your heavenly Father is perfect’ (Mt. 5:48). [...] It is therefore quite clear that all Christians in any state or walk of life are called to the fullness of Christian life and to the perfection of love, and by this holiness a more human manner of life is fostered also in earthly society” (trans. from Flannery edition); *AAS* 57 (1965), 44: “Omnis perfectionis divinus Magister et Exemplar, Dominus Iesus, sanctitatem vitae, [...], omnibus et singulis discipulis suis cuiuscumque conditionis praedicavit: ‘Estote ergo vos perfecti, sicut et Pater vester caelestis perfectus est’ (Matth. 5, 48). [...] Cunctis proinde perspicuum est, omnes christifideles cuiuscumque status vel ordinis ad vitae christianae plenitudinem et caritatis perfectionem vocari, qua sanctitate, in societate quoque terrena, humanior vivendi modus promovetur.”

²⁶ Such perfection is ultimately the perfection of love, which is the union of the soul with God. See footnote 42 of this chapter.

²⁷ The discussion of perfection made here should be understood as incorporating previous comments on perfection made in earlier chapters, with particular reference to those who might misunderstand the term as demanding the impossible. Keating and McCarthy also warn that perfectionism can be seen as an “attempt to gain God through our goodness.” However, this would be putting the cart before the horse, since it is the desire for God which prompts the goodness. See Keating and McCarthy, “Habits of Holiness,” 837. Properly understood, and liberated from Pelagian or oppressive notions of immediate and unaided perfection, the way of perfection is simply a way of growth in virtue, centred upon Christ, and sustained by the Spirit.

²⁸ *Veritatis Splendor*, 15: “Jesus brings God’s commandments to fulfilment, particularly the commandment of love of neighbour [...]. Jesus shows that the commandments must not be understood as a minimum limit not to be gone beyond, but rather a path involving a moral and spiritual journey towards perfection, at the heart of which is love (cf. Col 3:14)” (emphasis in text). Cf. *AAS* 85 (1993), 1145: “Iesus ad plenitudinem adducit mandata Dei, praesertim mandatum amoris proximi [...]. Iesus ostendit mandata haberi non posse terminum minimum non praetereundum, sed potius semitam quae patet ad morale spiritualeque perfectionis iter, cuius anima est amor (cf. Col 3:14).”

²⁹ While acknowledging its difficulties, the call to perfection is a vocation to be what we already are – it is a call to truth or authenticity. Cf. Melina, “The Call to Holiness,” 447; Keating and McCarthy, “Habits of Holiness,” 839: “The beauty of the good is known through the particular

Such a way of perfection is far from easy, particularly when we remember that we are challenged both from within and from without. As well as having to face the reality of our own concupiscent nature, we live in a society which at times operates according to different values, and expects us to accept or cooperate with these values.³⁰ Therefore, one cannot avoid the fact that Christian morality involves an element of “struggle”.³¹ Indeed the *Catechism* states that:

The way of perfection passes by way of the Cross. There is no holiness without renunciation and spiritual battle. Spiritual progress entails the ascesis and mortification that gradually lead to living in the peace and joy of the Beatitudes (*CCC*, no. 2015).

This passage identifies the effort involved in spiritual progress. However, this should be understood in the context of seeing spirituality and morality as interrelated. Thus, we are led to understand that our spiritual *and* moral development is not achieved without struggle, without the cross. This also implies that our conscience is necessarily formed and developed through the experience of the cross or through a process of purification, known as *ascesis*.³²

2. Ascesis – A Purification of Intent

Chapter Five saw us encounter such unpopular or unfashionable terms as ‘virtue’ and ‘prudence’. Once again, we seem to have arrived at a notion which has largely gone out of favour, yet still “awakens resentment” through a misunderstanding of its significance.³³ *Ascesis* or asceticism might be misunderstood as simply a denial of

judgment and act, when the simple act is marked by and resonates with the greater truthfulness of our lives.”

³⁰ Keating and McCarthy sum this up as the “public-private dilemma and the divided self.” Cf. Keating and McCarthy, “Habits of Holiness,” 831.

³¹ Melina, “The Call to Holiness,” 447; Keating and McCarthy, “Habits of Holiness,” 841.

³² The difference here between *ascesis* as moral struggle or spiritual combat in a separate ascetical theology and *ascesis* in the context of an integrated morality and spirituality is that in the latter case *ascesis* is no longer supererogatory, but an essential part of Christian morality.

³³ Guardini, *Learning the Virtues*, 85.

sensual pleasure for spiritual gain. It is true that *ascesis* involves self-control of our basic urges (and hence involves the virtue of temperance), so that they do not fall into harmful excess or perversion.³⁴ However, to limit our understanding of *ascesis* to an ordering of physical urges would overlook its reference to our “mental and spiritual urges,” such as the desire for power, esteem, knowledge or freedom, all of which can also run to an excess that is harmful to ourselves and to others.³⁵ Therefore, *ascesis* touches all aspects of human existence, because it is an approach to life that concerns its ordering. Indeed, drawing from its Greek origins, the word means “practice and exercise,” and hence “exercise in the proper directing of one’s life.”³⁶ Hence, *ascesis* is not some kind of “contempt for the body”³⁷ or self-hatred.³⁸ However, Henri de Lubac points out that neither is Christian asceticism simply “some sort of training imposed on our human nature to enable it to perform certain feats in its own order.”³⁹ Rather, Christian *ascesis* is “the indispensable condition for realization of the union of [...] two incommensurables: God and man.”⁴⁰ As such, *ascesis* forms an essential and

³⁴ Ibid., 85-89.

³⁵ Ibid., 89.

³⁶ Ibid., 88. Pinckaers points out that the term *askēsis* was originally attached to the methodic exercises used in the physical training of athletes and soldiers. Cf. Pinckaers, *La Vie Selon L'Esprit*, 235.

³⁷ De Lubac, *A Brief Catechesis*, 83. This contempt has dualist roots. Cf. Pinckaers, *La Vie Selon L'Esprit*, 237.

³⁸ Hugh Connolly, *Sin* (London and New York: Continuum, 2002), 137-38: “Seen in this way [that is, the involvement of the whole self in the process of conversion], asceticism is not at all about self-hatred, still less is it about personal feats of endurance or showing ‘what one can do for God’. Spiritual ‘machismo’ can have no genuine point of contact with a gospel of humility and truth.”

³⁹ De Lubac, *A Brief Catechesis*, 83.

⁴⁰ Ibid.

“unceasing”⁴¹ part of the life of grace, with its purpose centring upon our graced transformation to enable our union with God.⁴²

This transformation reflects a response to the new self or new creation we became in baptism, which contains the ontological imperative (our calling) to live a life in keeping with our redeemed nature, in keeping with our restored likeness to God.⁴³ It is the stripping of the old self for the purposes of being clothed anew for holiness of life which constitutes the purpose of *ascesis*.⁴⁴ Therefore, *ascesis* is a process of purification, or purgation, as it has been called in the history of spirituality.⁴⁵ The painful nature of the process of purification reflects the fact that it deals with the reality of our sinful lives, rather than dealing with some abstract

⁴¹ Pieper, *The Four Cardinal Virtues*, 66. Cf. John Paul II, Post-Synodal Apostolic Exhortation *Reconciliatio et Paenitentia* (London: Catholic Truth Society, 1984), 4: “In this sense, *penance* means, in the Christian theological and spiritual vocabulary, *asceticism*, that is to say the *concrete daily effort* of a person, supported by God’s grace, to lose his or her own life for Christ, as the only means of gaining it” (emphasis in text); *AAS* 77 (1985): 191: “Secundum hunc sensum *paenitentia* in sermone christiano theologico et spirituali *ascetin* significat, id est *nisum concretum et cotidianum* hominis, gratia Dei suffulti, eo pertinentem ut is vitam suam propter Christum perdat, qui unicus sit modus ut eam inveniat” (emphasis in text).

⁴² This transformation is the necessary beginning of that which will reach its fulfilment at the Parousia (Phil 3:20-21). See De Lubac, *A Brief Catechesis*, 82-83. Cf. St John of the Cross, *The Dark Night of the Soul*, in *The Collected Works of St. John of the Cross*, trans. Kieran Kavanaugh and Otilio Rodriguez (Washington, DC: ICS Publications, 1979), II, 3, 3 (page 333): “perfection, [...] is the union of the soul with God.”

⁴³ For example, see Eph 4:22-24: “You were taught to put away your former way of life, your old self, corrupt and deluded by its lusts, and to be renewed in the spirit of your minds, and to clothe yourselves with the new self, created according to the likeness of God in true righteousness and holiness.” The Orthodox writer Paul Evdokimov considers asceticism to be fundamental to the moral-spiritual life (a unity which he believes should not be severed) as the foundation for the restoration of the beauty our lives as images of God and the transfiguration, or divinisation, of our lives (*theosis*). See Christopher P. Klofft, “Gender and the Process of Moral Development in the Thought of Paul Evdokimov,” *Theological Studies* 66 (2005): 69-95, at 76-77, 87 and 89-92. Cf. Dumitru Staniloae, “Image, Likeness, and Deification in the Human Person,” *Communio* 13 (1986): 64-83; St John Damascene, *De Fide Orthodoxa*, II, 12, PG 94, 919-920B. Here John Damascene talks of our being made in God’s image as referring to our mind and freedom of choice, and being made in his likeness as relating to “the greatest possible similitude in virtue.” Translation in Staniloae, “Image, Likeness, and Deification,” 73. See also Cessario, *The Moral Virtues and Theological Ethics*, 47, 83.

⁴⁴ John of the Cross, *The Dark Night of the Soul*, II, 3, 3 (page 333). John of the Cross’s text focuses on God’s activity. God strips us of our old self. He “divests the faculties, affections, and senses,” to leave “the intellect in darkness, the will in aridity, the memory in emptiness, and the affections in supreme affliction,” to refashion us and draw us into closer union with him. This passage is helpful in that it indicates the *ascesis* is far from a one-sided practice, where we become holy purely by our own efforts. Rather primarily we become holier by giving God the occasion to work in us.

⁴⁵ Traditionally the three ways of spiritual progress have been classified as the purgative, illuminative and unitive, where we are purified and enlightened in order to reach union with God. Cf. Dennis J. Billy and James Keating, *The Way of Mystery: The Eucharist and Moral Living* (New York and Mahwah, NJ: Paulist Press, 2006), 85-92.

collection of flaws.⁴⁶ Thus, in this purgation we reflect prayerfully upon the state of our life and ask for the grace to change, so that we may more readily choose God's ways. In the practice of *ascesis* we also open ourselves to God's grace so that our thoughts and desires are not clouded with *logismoi* (bad thoughts).⁴⁷ Without the practice of *ascesis* through prayer and action (such as almsgiving or fasting), we leave ourselves open to self-deception and to moral torpidity, whereby our conscience is dulled or duped by a false appraisal of our actions.⁴⁸ As a result, central to *ascesis* is the purification of intent and a purity of heart: "purify your hearts, you double-minded" (James 4:8).⁴⁹ *Ascesis* gives us the clarity to judge the true value of things (cf. 1 Cor 2:15), and, in the face of competing choices,⁵⁰ to surrender other things in

⁴⁶ Billy and Keating, *The Way of Mystery*, 87.

⁴⁷ The eight *logismoi* of the desert fathers, first codified by Evagrius of Pontus, were the traditional list of distracting, tempting thoughts, or states of mind, that, if entertained, draw us away from God and lead to sinful action. (They also formed the basis of Pope St Gregory the Great's list of seven deadly sins.) The *logismoi* are gluttony, fornication, avarice, sadness (self-pity), anger, *acedia* (radical boredom), vain glory and pride. Cf. Evagrius of Pontus, *On the Eight Thoughts*, in *The Greek Ascetic Corpus*, trans. with introduction and commentary by Robert E. Sinkewicz (Oxford: Oxford University Press, 2003; paperback ed., 2006), 66-90; Andrew Nugent, *The Slow-Release Miracle: A Spirituality for a Lifetime* (Dublin: Columba Press, 2006), 25-37; Benedict XVI, Address *In Inauguratione Anni Academici Pontificiorum Athenaeorum in Urbe* (23 October 2006), *AAS* 98 (2006), 817-19, at 818: "Il pensiero ha sempre bisogno di purificazione per poter entrare nella dimensione in cui Dio pronuncia la sua Parola creatrice e redentrice" ["Thought always needs purification to be able to enter into the dimension in which God pronounces his creative and redemptive Word"].

⁴⁸ Cf. Evagrius of Pontus, *To Eulogios: On the Confession of Thoughts and Counsel in their Regard*, in *The Greek Ascetic Corpus*, XX, 21 (p. 47): "Your conscience bears witness for you: do not give it up to a thought that treats your fault lightly and coats it with honeyed words"; *ibid.*, XIV, 13 (p. 40) [on the effects of pride over ascetic achievement]: "their soul's conscience was torn apart, the disease of fame spread abroad." For insightful comments on the effects of *acedia*, or sloth as it came to be known, see Kenneth R. Himes, "The Formation of Conscience: The Sin of Sloth and the Significance of Spirituality," in *Spirituality and Moral Theology: Essays from a Pastoral Perspective*, ed. James Keating (New York and Mahwah, NJ: Paulist Press, 2000), 59-80, at 65: "Sloth permits the voice of conscience to be muted so that the moral quest for goodness ceases." Far from simply being laziness, *acedia* or sloth is a "hardening of the heart, a developing indifference to the good." *Ibid.* Aquinas called *acedia* a disgust or boredom for action, and a sadness concerning the spiritual good, of which charity rejoices. See Aquinas, *Summa Theologica*, IIa IIae, q.35, a.2, resp. Cf. Jean-Charles Nault, "Accidia: *Taedium Operandi et Tristitia de Bono Divino*," in *La 'Sequela Christi': Dimensione Morale e Spirituale dell'Esperienza Cristiana*, ed. Livio Melina and Olivier Bonnewijn (Rome: Lateran University Press, 2003), 161-75, at 165-69.

⁴⁹ On 'purity of heart' in relation to love of God and neighbour, see John Cassian, *Conferences*, trans. and preface by Colm Lubheid (New York and Mahwah, NJ: Paulist Press, 1985), I, 5-7 (pages 40-42).

⁵⁰ Guardini, *Learning the Virtues*, 92: "Plainly, we cannot have everything at the same time; we must choose, must surrender one thing in order that the other can come to pass."

order to gain what is desired.⁵¹ Purity of intent or purity of heart focuses us upon following the Lord and seeking to do things which lead us to him. In this way, *ascesis* forms an essential part of our graced transformation so that our minds are renewed, enabling us to “discern what is the will of God” (Rom 12:2).⁵²

3. Conscience and Prayer

Fundamental to this renewal of our minds, and hence the renewal of our consciences, is the practice of prayer. If *ascesis* in general is the practice of ordering our lives to God’s will, prayer is both the environment and source of direction of this re-ordering. With regard to moral living, therefore, prayer is not simply a step in the process of moral-spiritual development, or a primary stage in ethical deliberation, but rather, if properly understood, the existential context of our moral judgements and choices,⁵³ the fire that enlivens our morality and prevents it from being “twisted into pharisaism.”⁵⁴ In this context, each of us “decides as a prayerful believer in Christ.”⁵⁵ Prayer is our encounter with the Triune God through “loving familiarity” with his Word,⁵⁶ through

⁵¹ See the conclusion to St Ignatius’s Principle and Foundation: “I ought to desire and elect only the thing which is more conducive to the end for which I am created.” Cf. Ignatius of Loyola, *Spiritual Exercises*, no. 23 (page 130).

⁵² De Lubac, *A Brief Catechesis*, 82.

⁵³ James Keating warns against the reduction of the role of prayer “in moral living and deliberation” to “a step in a process,” or to “a benediction preceding one’s independent ethical deliberation.” From this point of view, prayer will have little or no effect on one’s conscience, as it has been compartmentalised. He gives the example of saying grace before a political luncheon, where the influence of prayer on ethical discussion is reduced to a “nod to religion.” Cf. James Keating, “The Conscience Imperative as Prayer,” *Irish Theological Quarterly* 63 (1998): 65-89, at 65.

⁵⁴ Hans Urs von Balthasar, *Prayer*, trans. Graham Harrison (San Francisco: Ignatius Press, 1986), 22: “what is essential is that incandescent center which is the very heart and source of morality, and without which it would very swiftly grow cold and become twisted into pharisaism. The vital thing is the living encounter with the God who speaks to us in his Word, whose eyes pierce and purify us ‘like a flame of fire’ (Rev 1:14).”

⁵⁵ Keating, “The Conscience Imperative as Prayer,” 66.

⁵⁶ Benedict XVI, *In Inauguratione Anni Academici*, AAS 98 (2006), 818: “Tale ascesi si basa sulla familiarità amorosa con la Parola di Dio e direi prima ancora con quel ‘silenzio’ da cui la Parola prende origine nel dialogo d’amore tra il Padre e il Figlio nello Spirito Santo” [“Such *ascesis* is based on loving familiarity with the Word of God and, I would say even before that, with that ‘silence’ from which the Word takes its origin in the dialogue of love between the Father and the Son in the Holy Spirit”]. Cf. Sergio Bastianel, *Prayer in Christian Moral Life*, trans. Bernard Hoose (Middlegreen, Slough and Nairobi, Kenya: St Paul Publications: 1988), 80.

the communal worship of the Church, particularly in the Eucharist and other sacraments,⁵⁷ and through the stillness of private meditation. Though there are different forms and purposes of prayer, varying from petition to adoration,⁵⁸ in order for prayer to be a true dialogue,⁵⁹ all forms of Christian prayer need some element of silence and an attitude of listening, so that we are receptive to what God is saying to us: “O that today you would listen to his voice! Harden not your hearts” (Ps 94 [95]:8).⁶⁰

3.1 Conscience and Prayer as Listening

This attitude of listening is fundamental to the forming of the Christian conscience. Such listening to God in prayer, however, is not simply hearing what is said, but listening to his Word receptively,⁶¹ desiring to put it into practice (James 1:22-25), desiring that it may transform our minds and actions. Clearly, such a prayerful encounter of active, “rapt listening”⁶² can only be made in humility and docility to God.⁶³ Located in this environment of prayerful docility, the formation of Christian

⁵⁷ Cf. Melina, *Sharing Christ's Virtues*, 152-54; Billy and Keating, *The Way of Mystery*, 60-84, at 79: “Out of the silence of communion, we hear the call to live the moral life within culture, and we go forth from worship to do the truth.”

⁵⁸ Pinckaers, *La vie selon l'Esprit*, 225.

⁵⁹ Cf. James Keating, “Prayer and Ethics in the Thought of Hans Urs von Balthasar,” *Irish Theological Quarterly* 62 (1996/97): 29-37, at 30. Von Balthasar highlights that the dialogue begins with God speaking to us through his Word; we listen to him and then respond. Therefore, prayer is not “a weak isolated cry to an unknown God,” but arises out of a “context of trust” as a “response to a merciful divine presence who knows us and invites us into intimacy.” See *ibid.*, 30, 32-33.

⁶⁰ Cf. Billy and Keating, *Conscience and Prayer*, 57. The translation of Psalm 94 [95] used here is the 1963 Grail version. Its only difference from the NRSV is a more poetic word-order. I have used it here, as it is the version used for prayer in liturgies.

⁶¹ Cf. Billy and Keating, *Conscience and Prayer*, 56-57; CCC, no. 1785: “In the formation of conscience the Word of God is the light for our path; we must assimilate it in faith and prayer, and put it into practice”. Pinckaers says conscience is “enlightened” by the Word of God. See Pinckaers, *La vie selon l'Esprit*, 224: “la conscience, éclairée par sa Parole.”

⁶² For Von Balthasar, this attitude of rapt listening is related to obedience to God and to his Word, epitomised in Mary, the Mother of God. Cf. Keating, “Prayer and Ethics in the Thought of Hans Urs von Balthasar,” 33-35; Von Balthasar, *Prayer*, 22, 29-31.

⁶³ Billy and Keating, *Conscience and Prayer*, 57; Billy and Keating, *The Way of Mystery*, 70. Von Balthasar considers docility before Christ, the Word, to be the “original wellspring of all Christian life and prayer.” See Von Balthasar, *Prayer*, 30-31, at 31. Cf. Keating, “Prayer and Ethics in the Thought of Hans Urs von Balthasar,” 34.

conscience therefore becomes a matter of relationship (our filial relationship as adopted sons and daughters of God, as co-heirs with Christ),⁶⁴ rather than simply the gathering of rules and compliance to “certain allegedly Christian principles.”⁶⁵ Thus, Von Balthasar states that, “in so far as we are Christians, our consciences must always listen for and remain open to the Holy Spirit of Christ, which, free and unrestricted, rules in and over us.”⁶⁶

In this attitude of docile, receptive listening, the person seeks the voice of God (cf. 1[3] Kings 19:12 [Vulgate]; Ps 3:4; 25:4-5). Likewise, therefore, conscience is called through prayer to go beyond itself and seek God’s voice.⁶⁷ The description of ‘voice of God’ in relation to conscience is a powerful one, and made popular in recent times through the influence of the writing of John Henry Newman,⁶⁸ but it is a notion that also brings its own problems, if taken too literally. We must be careful that the idea is not oversimplified or misinterpreted, in such a way as it is understood as some

⁶⁴ Cf. Réal Tremblay, “Una Antropologia Filiale: Cosa Significa?”, in *L’Antropologia della Teologia Morale secondo L’Enciclica “Veritatis Splendor”: Atti del Simposio promosso dalla Congregazione per la Dottrina della Fede, Roma, settembre 2003* (Vatican City: Libreria Editrice Vaticana, 2006), 57-72.

⁶⁵ Hans Urs von Balthasar, *Who is a Christian?*, trans. John Cumming (Westminster, MD: Newman, 1967), 86. Cf. Keating, “Prayer and Ethics in the Thought of Hans Urs von Balthasar,” 34.

⁶⁶ Von Balthasar, *Who is a Christian?*, 86. Cf. Keating, “Prayer and Ethics in the Thought of Hans Urs von Balthasar,” 34.

⁶⁷ *Veritatis Splendor*, 58: “Moral conscience does not close man within an insurmountable and impenetrable solitude, but opens him to the call, to the voice of God”; *AAS* 85 (1993), 1180: “Conscientia moralis non in solitudine insuperabili et impenetrabili includit hominem, sed vocationi aperit vocique Dei.” Quotation taken from John Paul II, Address *La Coscienza Morale è il Luogo del Dialogo di Dio con l’Uomo* (General Audience, 17 August 1983) in *Insegnamenti di Giovanni Paolo II*, vol. 6, part 2: 1983 (Vatican City: Libreria Editrice Vaticana, 1983), 2 (page 256).

⁶⁸ Newman clearly uses “voice” to describe God’s communication and command, made known particularly through conscience, leading him also to call conscience the “voice of God.” However, while maintaining the idea of God’s presence and guidance, the notion is not to be taken as a direct auditory communication, otherwise he would not equally call conscience “His [God’s] representative.” Thus, the image is on a par with St Bonaventure’s description of conscience as God’s herald. Cf. *Veritatis Splendor*, 58; *AAS* 85 (1993), 1179: “sicut praeco Dei et nuntius”; John Henry Newman, *Parochial and Plain Sermons*, new ed., vol. 1 (London and New York: Longmans, Green and Co., 1891), II, page 21: “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”; *ibid.*, p. 22: “obey the secret voice of God”; Newman, *Parochial and Plain Sermons*, new ed., vol. 2 (London and New York: Longmans, Green and Co., 1894) XXIII, p. 288: “conscience [...] the voice of God”; Newman, *Parochial and Plain Sermons*, new ed., vol. 8 (London and New York: Longmans, Green and Co., 1891), IV, p. 59: “obey God’s inward voice.” Cf. also Newman, *Words of Conscience in Parochial and Plain Sermons*, ed. Fabio Attard, 89, 117, 78.

kind of direct divine communication, which always bypasses our reflective human faculties.⁶⁹ In following the promptings of prayer in conscience, we do not “jettison reason and affection [,] but [...] come to utilize those powers as bathed in the virtues of faith, hope and love.”⁷⁰ Indeed, St John of the Cross, one of the great mystics of the Church, forcefully argues that prayer is not to be understood as some kind of door to mystical revelations which render (moral) reasoning redundant.⁷¹ Therefore, given that the term ‘voice of God’ can be misconstrued as an indication that conscience operates largely or wholly through “divine positivism and or illuminism,”⁷² or through divine audition,⁷³ this metaphor should be applied to conscience with care and with clarification.⁷⁴ Nonetheless, when used appropriately, the notion of conscience as ‘voice of God’ or similar language describing conscience as the locus of God’s

⁶⁹ Billy and Keating also highlight the problem of misinterpreting our own selfish thoughts, or parental or societal expectations as God’s voice in our conscience. See *Conscience and Prayer*, 70-71.

⁷⁰ *Ibid.*, 46. Cf. Keating, “The Conscience Imperative as Prayer,” 66: “Prayer will not make ethical decision making infallibly correct. Prayer does not usually carry oracles from God which circumvent our human integrity. What prayer does add to moral deliberation is the hope that, in prayer, the deciding agent will be acting as one dependent upon God for all moral wisdom.”

⁷¹ St John of the Cross, *The Ascent of Mount Carmel*, in *The Collected Works of St. John of the Cross*, trans. Kieran Kavanaugh and Otilio Rodriguez (Washington, DC: ICS Publications, 1979), II, 21, 4 (page 174): “We should make such use of reason and the law of the Gospel that, even though – whether we desire it or not – some supernatural truths are told to us, we accept only what is in harmony with reason and the Gospel law. [...] We ought, in fact, to consider and examine the reasonableness of the truth when it is revealed even more than when it is not.”

⁷² Keating, “Conscience Imperative as Prayer,” 89.

⁷³ Pinckaers highlights that the nature of communication between us and God is ontological, between substances, and we use symbolic and metaphorical language in an attempt to describe this profound dialogue. Cf. Pinckaers, *La vie selon l’Esprit*, 149.

⁷⁴ In this way, the description found in *Gaudium et Spes* of God’s voice echoing or resounding in the conscience reduces the chance for misconstruing the notion as plain illuminism, given that an echo can be misunderstood or go unnoticed through inattention. In this context, the listener is clearly involved in seeking to understand. Cf. *Gaudium et Spes*, 16; *AAS* 58 (1966), 1037: “Conscientia est nucleus secretissimus atque sacrarium hominis, in quo solus est cum Deo, cuius vox resonat in intimo eius.” The passage draws heavily from a speech made by Pius XII. Cf. Pius XII, Radio Message *De Conscientia Christiana in Iuvenibus Recte Efformanda* (23 March 1952), *AAS* 44 (1952), 270-78, at 271: “La coscienza è come il nucleo più intimo e segreto dell’uomo. Là egli si rifugia con le sue facoltà spirituali in assoluta solitudine: solo con se stesso, o meglio, solo con Dio – della cui voce la coscienza risuona – e con se stesso. [...] La coscienza è quindi, per dirla con una immagine tanto antica quanto degna, una *aduton* un santuario” [“The conscience is like the most intimate and secret nucleus of man. There he takes refuge with his spiritual faculties in absolute solitude: only with himself, or better, only with God – of whose voice conscience resounds/echoes – and with himself. [...] Conscience is therefore, to say it with an image that is as old as it is worthy, an *aduton*, a sanctuary”].

communication with us,⁷⁵ and our dialogue with him, serves as a necessary foil against interpreting the individual conscience as totally closed in on itself and absolute in its judgement, such that we make ourselves out to be gods in our decisions.⁷⁶ In recognising our prayerful openness of to God in our conscience, we also avoid reducing conscience to a faculty that simply obeys exterior laws.⁷⁷ In this way we take into account the ontological imperative rooted in our graced existence and graced relationship with the God in whom “we live and move and have our being” (Acts 17:28).⁷⁸

3.2 Conscience and Prayer as Memory

Our consciences are formed therefore through prayerful listening. However, they are also formed through prayerful memory. As was mentioned previously, the *anamnesis* of faith⁷⁹ recalls our transformed identity, “received in faith and transmitted by baptism,”⁸⁰ namely, as adopted sons and daughters of God, brothers and sisters in Christ, and heirs to the Kingdom (cf. Rom 8: 14-17, Gal 3:27; 4:4-7). This recollection in faith of our adoption and our “*living relationship with the ‘Abba’ of the Son*” through the action of the Holy Spirit,⁸¹ draws the believer to recognise that, at

⁷⁵ *Veritatis Splendor*, 58: “In this, and not in anything else, lies the entire mystery and the dignity of the moral conscience: in being the place, the sacred place where God speaks to man”; *AAS* 85 (1993), 1180: “In hoc tantum, neque alibi, totum positum est mysterium conscientiae moralis eiusque dignitas: esse scilicet locum et ambitum, ubi Deus hominem alloquitur.” Quotation taken from John Paul II, Address *La Coscienza Morale*, 2 (page 256).

⁷⁶ Keating describes the absolute claim of conscience as “idolatry.” Cf. Keating, “Conscience Imperative as Prayer,” 88-89: “In order to avoid idolatry in submitting to the absolute claim of conscience one must simultaneously hear the voice of God in this claim.”

⁷⁷ Cf. Billy and Keating, *Conscience and Prayer*, 72.

⁷⁸ Keating, “Conscience Imperative as Prayer,” 89. Cf. Keating, “Prayer and Ethics in the Thought of Hans Urs von Balthasar,” 60: “Without prayer and worship, ethics becomes imposed, law-centred and self-enclosed.” Cf. Pinckaers, *La vie selon l’Esprit*, 149.

⁷⁹ Ratzinger, “If You Want Peace... Conscience and Truth,” 94-95.

⁸⁰ Tremblay, “Una Antropologia Filiale: Cosa Significa?”, 65: “L’uomo che è oggetto di questo dono [di filiazione] (evidentemente accolto nella fede e trasmesso dal battesimo) vede il suo statuto d’essere metamorfosarsi” [“Man, who is the object of this gift [of sonship] (evidently received in faith and transmitted by baptism) sees that his status of being is transformed”].

⁸¹ *Ibid.*: “una relazione viva con l’ ‘Abba’ del Figlio” (emphasis in text).

the level of our being,⁸² he or she participates in the mystery of the Trinity.⁸³ Such a filial understanding of one's being, remembered and experienced in prayer, has implications for one's moral understanding, in that it is now love that motivates one's conscience to choose acts that give glory to God (cf. Mt 5:16),⁸⁴ and that reflect attitudes of love and service which are in keeping with the love shown to us in Christ (Jn 15:12-17; Mk 10:45).⁸⁵ Thus, motivated by love, rather than simply obligation, we are called to go beyond the minimum in generosity,⁸⁶ going the extra mile for the benefit of our neighbour, or even our enemy (Mt 5:41; Lk 10:25-37).⁸⁷

Just as conscience operates on different levels, so the memory relates to conscience in different ways. So far, we have been discussing the deeper ontological level, but memory also affects the judgement of actual conscience. We use our memory to review the moral quality of our actions (or rather, we should use our memory to review our actions), to see whether the right thing was done, or whether we have wronged someone, requiring us to make amends. This review is the task of the consequent conscience, but in the context of prayer this act of reflection becomes an examination of conscience, where "God is [our] witness,"⁸⁸ where our consciences

⁸² Ibid.: "la filiazione del credente, opera del Dio trinitario, *concerne l'ontologia*. L'uomo che è oggetto di questo dono [...] vede il suo statuto d'essere metamorfosarsi" ["the sonship of the believer, work of the trinitarian God, *concerns ontology*. Man, who is the object of this gift [...] sees that his status of being is transformed "] (emphasis in text).

⁸³ Ibid.: "si sperimenta l'autentica partecipazione al *mistero dei Tre*" ["the authentic participation in the *mystery of the Three* is experienced"].

⁸⁴ Ibid., 71.

⁸⁵ Pinckaers says that our "freedom to love as God loves us in Christ, despite our faults and weaknesses," is a "pure gift of the Spirit." Cf. Pinckaers, *La vie selon l'Esprit*, 246: "La contestation de ce monde par l'ascèse chrétienne [...] proclame à sa façon [...] qu'il existe une autre espèce de liberté, qui est un pur don de l'Esprit: la liberté d'aimer comme Dieu nous aime en Jésus-Christ, malgré nos fautes et nos faiblesses."

⁸⁶ Tremblay calls it "*una morale del maximum*": a morality of the maximum. Cf. Tremblay, "Una Antropologia Filiale: Cosa Significa?", 72.

⁸⁷ Cf. Keating, "The Conscience Imperative as Prayer," 65: "Prayer activates the memory of being loved by God which can deepen the reverence which I hold for myself and all other persons. Out of this reverence for God, self and others the agent is better prepared to decide what is the right behaviour in any situation."

⁸⁸ The *Catechism* quotes St Augustine in saying "Return to your conscience, question it... Turn inward, brethren, and in everything you do, see God as your witness." Cf. CCC, no. 1779; St

are answerable to God.⁸⁹ This reflection, in the presence of God, “before the Lord’s Cross,”⁹⁰ allows us to recognise the underlying motivations that caused us to act.⁹¹ We are honest with God and ourselves,⁹² and so give thanks for the good we have done with his help, we ask for forgiveness for the sins we have committed, and seek his grace to grow in love and wisdom. Although we may be discouraged from examining our conscience by the distractions of life,⁹³ or out of a fear of feeling guilty when facing our sins, we need to examine our conscience regularly. A lack of reflection and examen, an unwillingness to listen in our lives, can lead to a hardness of heart, or can be symptomatic of a hardened heart. It was this hardness of heart that Pope John Paul described as a loss of a “*proper sense of sin*” (*aequus sensus peccati*), rooted in a damaged “*sense of God*” (our relationship with him) and an “obscured” or

Augustine, *In Epistolam Joannis ad Parthos*, VIII, 9: PL 35, 2041: “Redi ad conscientiam tuam, ipsam interroga. [...] Redite ergo intro, fratres; et in omnibus quaecumque facitis, intuemini testem Deum.”

⁸⁹ *Reconciliatio et Paenitentia*, 31: “The sacramental sign of this clarity of conscience [which acknowledges one’s sins] is the act traditionally called the *examination of conscience*, an act that must never be one of anxious psychological introspection but a sincere and calm comparison with the interior moral law, with the evangelical norms proposed by the Church, with Jesus Christ himself who is our Teacher and Model of life, and with the heavenly Father, who calls us to goodness and perfection (emphasis in text); *AAS* 77 (1985), 260: “Signum sacramentale huius claritatis conscientiae est actus ille qui translaticio more nuncupatur *examen conscientiae*, actus, qui esse non debet sollicita quaedam inspectio psychologica, verum sincera serenaque comparatio cum interna lege morali, cum normis evangelicis ab Ecclesia propositis, cum Iesu Christo ipso, qui nobis magister est et vitae exemplar, necnon cum Patre caelesti, qui nos ad bonum vocat atque perfectionem” (emphasis in text).

⁹⁰ *CCC*, no. 1785: “We must also examine our conscience before the Lord’s Cross.”

⁹¹ Evagrius, *To Eulogios*, XXVII, 29: “For the more you treat your body harshly, penetrate all the more your conscience. Learn to know yourself by perceiving the secret plunderings of the thoughts [the *logismoi*], lest perhaps, swept away unawares regarding their hidden thieveries, we find ourselves in darkness to reap the virtues by austerity alone.” Here Evagrius is warning us that we need to reflect even more in the situation of a pious or ascetic life, since the intention driving our actions may be pride or vain glory, rather than love of God and neighbour.

⁹² Cf. Connolly, *Sin*, 135: “Honesty and candour are the starting points for the individual’s process of turning away from sin and returning to the loving presence of God”; *Reconciliatio et Paenitentia*, 22: “Every individual therefore is invited by the voice of divine truth to examine realistically his or her conscience, and to confess that he or she has been brought forth in iniquity, as we say in the *Miserere* Psalm”; *AAS* 77 (1985), 232: “Unusquisque ergo voce Veritatis divinae monetur ut conscientiam suam ex rerum momentis perscrutetur et confiteatur se in iniquitate generatum esse, quemadmodum in psalmo *Miserere* dicimus.”

⁹³ Cf. *CCC*, no. 1779: “It is important for every person to be sufficiently present to himself in order to hear and follow the voice of his conscience. The requirement of *interiority* is all the more necessary as life often distracts us from any reflection, self-examination or introspection.”

numbed conscience.⁹⁴ In contrast, in the practice of examination of conscience we come to the Lord with a “humbled, contrite heart” (Ps 50 [51]:17, Grail), willing to face the reality of our sins,⁹⁵ and asking God for his mercy, in child-like trust.⁹⁶ Such humility seeks God’s healing, expressed in various forms of penitential prayer and action, but received most effectively through the Sacrament of Penance, or Reconciliation.⁹⁷

From these reflections on the effects of prayer in conscience, we can see that, just as in the case *ascesis*, in different ways prayer draws us into a deeper relationship with God, through attitudes of humility, docility and love. These attitudes open us to his healing, but also to a fruitful reception and use of the gifts of the Spirit.

4. The Gifts of the Holy Spirit and their Role in Conscience

In discussing the role of the virtues in the workings of conscience we have highlighted their role of ordering the intellect and will through prudence and the moral virtues, so that reason and will cooperate in judging and choosing rightly. St Thomas emphasised that the fullness of virtue is in the graced disposition and operation of the infused virtues, which leads to a connaturality with God’s ways. Pinckaers describes connaturality as a “spiritual sensibility,” where reason and will act in an instinctive

⁹⁴ *Reconciliatio et Paenitentia*, 18 (emphasis in text); *AAS 77* (1985), 224-28, at 224: “accidit ut conscientia moralis hominum multorum obscuretur. [...] ‘Habemusne recte cogitam conscientiam? [...] ne torpescat vel conscientiae quasi “anaesthesia” afficiantur?’” *Reconciliatio et Paenitentia*, 26 also talks of the effects of present-day culture, leaving conscience “confused and obscured.” Cf. *AAS 77* (1985), 244: “conturbatur et obscuratur.”

⁹⁵ For Pinckaers’ discussion of the relationship between humility and our recognition of sin, rooted in both a respectful fear of the Lord and a trust in him, see *La vie selon l’Esprit*, 224, 284-85. Cf. Prov 15:33: “The fear of the Lord is instruction in wisdom, and humility goes before honor.”

⁹⁶ *Reconciliatio et Paenitentia*, 22: “When we realize that God’s love for us does not cease in the face of our sin or recoil before our offences [...], then we exclaim in gratitude: ‘Yes, the Lord is rich in mercy’, and even: ‘The Lord *is* mercy’” (emphasis in text); *AAS 77* (1985), 233: “Cum animadvertimus amorem, quo Deus nos prosequitur, non velut consistere ante peccatum nostrum, non removeri ab offensionibus nostris [...], haec verba effundimus profitendo: ‘Ita est; Deus est dives in misericordia’, quin immo affirmamus: ‘Dominus est misericordia’.”

⁹⁷ Cf. *Reconciliatio et Paenitentia*, 28; *AAS 77* (1985), 251.

way through a clarity of perception made possible through love.⁹⁸ Such connaturality has intellectual and affective elements. While not contradicting reason, a disposition of connaturality no longer requires the individual to make step by step reflection, since the capacity for grasping and responding to the problem has become so refined or practiced.⁹⁹ Moreover, through connatural affectivity we become more attuned to God's will, and to desiring God's will through loving union with him.¹⁰⁰ It is in these ways that the person acts instinctively, so much has a love of God and of his ways become part of him or herself. However, Aquinas says that the impact of the theological virtues is still imperfect, since our knowledge and love of God is incomplete,¹⁰¹ still as though "through a glass, darkly" (1 Cor 13:12, KJV),¹⁰² and our attention towards our final end is not so firm as to require no further assistance.¹⁰³ Ultimately, therefore, it is our openness to God in the Spirit (our capacity for receiving God: *capax Dei*),¹⁰⁴ that takes us beyond the human limits of our reason,¹⁰⁵

⁹⁸ Pinckaers, *Sources of Christian Ethics*, 26. As we have said before, this connatural, instinctive way of thinking is a developed mode, rather than something that is innate, gained by the practice of virtue and the action of the Holy Spirit, whereby we know longer require to think through every stage of reasoning before we act. We therefore act with *solertia*.

⁹⁹ Bouchard, "Recovering the Gifts of the Holy Spirit," 549.

¹⁰⁰ See *ibid.* Pinckaers identifies this affective connaturality as a "connaturality of love" ("*La connaturalité d'amour*"). See Pinckaers, *La vie selon l'Esprit*, 149. This affective sense or cognition is epitomised in spiritual discernment, which was discussed in chapter four, as part of the reflection on the validity of the notion of a holistic conscience, made up of different, supporting capacities, rather than simply operating by deduction alone. As was mentioned earlier, such connatural affectivity does not operate in opposition to reason.

¹⁰¹ Aquinas, *Summa Theologica*, Ia IIae, q.68, a.2, resp.: "imperfecte enim diligimus, et cognoscimus Deum."

¹⁰² Cf. NRSV version of 1 Cor 13:12: "For now we see in a mirror, dimly, but then we will see face to face."

¹⁰³ Aquinas, *Summa Theologica*, Ia IIae, q.68, a.2, resp: "Sed in ordine ad finem ultimum supernaturalem, ad quem ratio movet, secundum quod est aliquid, et imperfecte informata per virtutes theologicas, non sufficit ipsa motio rationis, nisi desuper adsit instinctus, et motio Spiritus Sancti, secundum illud Roman.8: *Qui spiritu Dei aguntur, hi filii Dei sunt, et heredes*: et Psal. 142. dicitur: *Spiritus tuus bonus deducet me in terram rectam* (emphasis in text)"; *ibid.*, q.68, a.2, ad 2: "per virtutes theologicas, et morales non ita perficitur homo in ordine ad ultimum finem, quin semper indigeat moveri quodam superiori instinctu Spiritus Sancti." Gardeil sums this up by saying that the theological virtues are effective in pointing the way for the person, but cannot absolutely guarantee reaching the destination. Thus, we need the Spirit to aid us in reaching beatitude. Cf. A. [Ambroise] Gardeil, "Dons du Saint-Esprit," in *Dictionnaire de Théologie Catholique*, vol. 4, part 2, ed. A. Vacant, E. Mangelot, and É. Amann (Paris: Librairie Letouzey et Ané, 1939), 1736.

¹⁰⁴ Pinckaers, "Ethics and the Image of God," 141; Pinckaers, *Sources of Christian Ethics*, 453: "As spiritual beings, we are capable of receiving God, *capax Dei*, even though this capacity is

transforming our understanding and our actions (cf. Rom 12:1-2; Mt 16:23). Hence, connaturality derived through virtue is not only made possible, but also brought to further perfection through a life lived according to the Holy Spirit, in docile receptivity.¹⁰⁶ As a result, the Spirit not only infuses the virtues with grace, but perfects their goal and function through his gifts.¹⁰⁷

It is for this reason that Aquinas saw the virtues as connected to the gifts of the Spirit, as well as to the Beatitudes and the fruits of the Spirit.¹⁰⁸ This is why, after his general discussion on virtue, St Thomas not only treats the gifts, Beatitudes and fruits of the Spirit in successive questions (Ia IIae, qq. 68-70), he also pairs the virtues with individual gifts in the *Secunda Secundae*. So what are the gifts of the Spirit, and how do they assist in the formation of conscience?¹⁰⁹

wholly passive and receptive. The grace of the Holy Spirit touches us in our ‘substance,’ in our personal being, and acts even at the level of our natural inclinations.”

¹⁰⁵ Cf. Aquinas, *Summa Theologica*, Ia IIae, q.68, a.1: “qui moventur per instinctum divinum non expedit consiliari secundum rationem humanam, sed quod sequantur interiorem instinctum; quia moventur a meliori principio, quam sit ratio humana” [“(Aristotle says) it is not profitable for those moved by divine instinct to deliberate according to human reason, but that they should follow the interior instinct, because they are moved by a better principle than human reason”]. We shall return to the issue of *instinctus* below.

¹⁰⁶ Pinckaers points out that we are active in the development of virtues, but passive in their perfection since this is the task of the gifts of the Holy Spirit. Our task in this circumstance is to be receptive to the movement of the Spirit. Cf. Pinckaers, *La vie selon l’Esprit*, 206. Accordingly Aquinas sees no contradiction between virtue as a perfection and gift as perfection, since the word ‘gift’ highlights its cause or origin. Cf. Aquinas, *Summa Theologica*, Ia IIae, q.68, a.1, resp. Gardeil says that we have to be open and receptive to the Holy Spirit, the Gift, in order to receive his gifts. Gardeil, “Dons du Saint-Esprit,” 1730: “[Le Saint Esprit] il est Don. [...] c’est grâce à la reception en nous du don de l’Esprit-Saint, amour substantiel de Dieu, que nous recevons les autres dons” [“(The Holy Spirit) is Gift. [...] it is thanks to the reception in us of the gift of the Holy Spirit, the substantial love of God, that we receive the other gifts”].

¹⁰⁷ Pinckaers, *Sources of Christian Ethics*, 225: “They [the virtues] are perfected by the gifts of the Holy Spirit, to which are added the Beatitudes and the fruits of the Holy Spirit.” Aquinas says that while the theological virtues help to perfect the naturally acquired virtues, they do so in an imperfect way, since in them our love of God is still imperfect or incomplete, and our reason is not fully directed or focused on our ultimate, supernatural goal. Thus, to assure our attainment of beatitude we still require the gift of the Holy Spirit. Cf. Aquinas, *Summa Theologica*, Ia IIae, q.68, a.2, resp.

¹⁰⁸ In their connection Aquinas was influenced by the earlier connections made by saints such as Ambrose and Augustine. Cf. Aquinas, *Summa Theologica*, Ia IIae, q.69, a.1, obj.1 and ad 1. St Ambrose had related the Beatitudes to the cardinal virtues and St Augustine connected the Beatitudes with the gifts of the Holy Spirit. Cf. Pinckaers, *Sources of Christian Ethics*, 151-54.

¹⁰⁹ CCC, no. 1785.

In the West, theologians and spiritual writers have often used the list of the seven gifts of the Holy Spirit to describe his “sanctifying activity.”¹¹⁰ The form of the seven gifts is based upon the Septuagint version of Isaiah 11:2-3,¹¹¹ which enumerates certain attributes of the shoot from Jesse’s stock.¹¹² In identifying Christ as this righteous shoot, the early Greek and Latin Fathers originally described these qualities as attributes of Christ.¹¹³ However, Saint Augustine proposed a different view on the basis of linking the Beatitudes to the gifts, presented in reversed order.¹¹⁴ In doing so, he also identified the gifts of the Holy Spirit as the action of the Spirit (*septiformis operatio*) in the lives of Christians, those to whom the Beatitudes are addressed.¹¹⁵ With some preferring the scriptural order instead of Augustine’s,¹¹⁶ a succession of writers continued to develop the doctrine of the gifts of the Holy Spirit,¹¹⁷ to the point that by the time of early Scholasticism it had taken the form we are familiar with

¹¹⁰ Yves M.J. Congar, *I Believe in the Holy Spirit*, vol. 1, *The Holy Spirit in the ‘Economy’: Revelation and Experience of the Spirit*, trans. David Smith (New York: The Seabury Press; London: Geoffrey Chapman, 1983), 122.

¹¹¹ Only the Septuagint enumerates seven gifts, as piety (*eusebeia*) is missing from the Hebrew text, mentioning fear of the Lord twice instead. Cf. Isaiah 11:2-3. This Septuagint version of the gifts then passed into the first Latin Vulgate translation, which has since been revised.

¹¹² Cf. Pinckaers, *Sources of Christian Ethics*, 151.

¹¹³ *Ibid.* Pinckaers mentions this theology in connection with the Greek Fathers. Gardeil points out that this teaching is also present among the Latin Fathers, such as Tertullian. Moreover, the fact that the seven powers or gifts of Isaiah 11:2-3 were first attributed to Christ should not lead us to think that the early Church did not hold that the Spirit acts in our lives, too. Therefore, it should be noted that the Isaiah passage offers a form to a pre-existing belief. Cf. Gardeil, “Dons du Saint-Esprit,” 1766. For a historical summary of the Greek and Latin Fathers’ writing on the gifts, see Gardeil, “Dons du Saint-Esprit,” 1754-66. Both Congar and Bouchard state that Gardeil’s historical article, which sparked renewed theological interest in the gifts of the Holy Spirit, is still a most valuable tool for current research, owing to its comprehensive nature. Cf. Yves M.J. Congar, *I Believe in the Holy Spirit*, vol. 2, *‘He is Lord and Giver of Life’*, trans. David Smith (New York: The Seabury Press; London: Geoffrey Chapman, 1983), 139, n.3; Bouchard, “Recovering the Gifts of the Holy Spirit,” 540.

¹¹⁴ Cf. Pinckaers, *Sources of Christian Ethics*, 151; Gardeil, “Dons du Saint-Esprit,” 1763-64. Augustine changes the order found in Isaiah, since “*initium sapientiae timor Domini*.” The reversed order also fits with the order of the Beatitudes. Hence he states, “*primus ibi est timor Dei, secunda pietas, tertia scientia, quarta fortitudo, quintum consilium, sextus intellectus, septima sapientia*.” See St Augustine, *De Sermone Domini in Monte secundum Matthaeum*, I, 4, 11; PL 34, 1234.

¹¹⁵ Pinckaers, *Sources of Christian Ethics*, 151; Augustine, *De Sermone Domini*, I, 4, 11; PL 34, 1234. The *Catechism* upholds both the giving of the Spirit in fullness to Christ and the action of the gifts in our lives by stating that the gifts sustain the “moral life of Christians,” but “belong in their fullness to Christ, Son of David,” that is, the one who is of Jesse’s line. Cf. CCC, nos. 1830, 1831 and 1831, n.109.

¹¹⁶ For Aquinas’s discussion on the order of gifts, see *Summa Theologica*, Ia IIae, q.68, a.7.

¹¹⁷ Cf. Gardeil, “Dons du Saint-Esprit,” 1766-1771; Congar, *I Believe in the Holy Spirit*, I, 115-18.

today, namely: *wisdom, understanding, counsel, fortitude, knowledge, piety and fear of the Lord*; seven gifts distinct in function from the other actions of the Spirit, as found in the virtues and charisms.¹¹⁸

Of all the distinct functions of the seven gifts of the Holy Spirit, as outlined by St Thomas, the primary purpose of the gifts concerns our salvation.¹¹⁹ We cannot reach beatitude by our own weak efforts, as our foolishness will drag us away. Thus, the Spirit protects and guides us by perfecting our reason and will to act in accord with our ultimate goal, directing it away from foolishness, ignorance, dullness or harshness,¹²⁰ and by leading it to respond well to his prompting, his *instinctus*.¹²¹

¹¹⁸ Congar points to Philip the Chancellor, in 1235, as the first writer to create a systematic treatise on the gifts of the Spirit, discussed as “specific realities of grace as distinct from the virtues and the charisms.” Cf. Congar, *I Believe in the Holy Spirit*, I, 118; idem, *I Believe in the Holy Spirit*, II, 134. This distinction is still in evidence in modern Church documents. For example, *Lumen Gentium* talks of the Spirit directing the Church through “varied hierarchic and charismatic gifts.” Cf. *Lumen Gentium*, 4; AAS 57 (1965), 7: “diversis donis hierarchicis et charismaticis”; CCC, no. 768. The *Catechism* declares that the Spirit “works in many ways different gifts and charisms to build up the Body of Christ. CCC, no. 798. Thus, the seven gifts are not to be considered the only forms of intervention by the Holy Spirit. Congar also notes that the number seven also became more important at the time of early Scholasticism. Previously, Fathers such as Saints Ambrose and Gregory the Great had considered the number seven to mean “fullness” or “completeness,” such as the fullness of the virtues. However, by the time of the early Scholastics the idea had changed to “discrete gifts of grace, distinguished in accordance with the subject-matter denoted by their name.” Cf. Congar, *I Believe in the Holy Spirit*, I, 117; Gardell, “Dons du Saint-Esprit,” 1763, 1765, at 1763: “Le nombre sept signifie la plénitude des vertus.” For Gregory’s description of the sevenfold gift of the spirit as seven virtues (*sancti Spiritus septem in nobis virtutes*), whose sister virtues are faith, hope and love, and which act against seven temptations, see *Moralia in Job*, I, 27, 38, PL 75, 544; *ibid.*, II, 49, 77, PL 75, 592.

¹¹⁹ Aquinas, *Summa Theologica*, Ia IIae, q.68, a.2, resp.: “quia scilicet in haereditatem illius terrae beatorum nullus potest pervenire, nisi movetur, et deducatur a Spiritu Sancto.” As the gifts are necessary for salvation, rather than some optional extra, they are not the preserve of a spiritual elite. Cf. Bouchard, “Recovering the Gifts of the Holy Spirit,” 548.

¹²⁰ *Ibid.*, Ia IIae, q.68, a.2, ad 3: “sed ille [Deus], [...] sua motione ab omnia stultitia, et ignorantia, et hebetudine, et durtia, et ceteris hujusmodi, nos tutos reddit.” See also *ibid.*, Ia IIae, q.68, a.4, resp.

¹²¹ *Ibid.*, Ia IIae, q.68, a.2, ad 3: “et ideo dona Spiritus Sancti, quae faciunt nos bene sequentes instinctum ipsius, dicuntur contra hujusmodi defectus dari” [“and therefore the gifts of the Holy Spirit, which make us follow his *instinct* well, are said to be given against these defects” (emphasis mine)]. Pinckaers comments that translators and theologians have long been suspicious of Aquinas’s use of *instinctus*, given their concern that ‘instinct’ at the heart of ethics might imply some kind or irrational core to our morality. However, Aquinas’s use of *instinctus* is quite deliberate and is more evident in his later works. Of the 298 appearances in the Thomistic corpus, 50 of them relate to moral life, and 51 of the relate directly to the Holy Spirit. The highest concentration of the word concerns the gifts of the Holy Spirit. The problem for us is that we imagine instinct as a sense or urge that is basic and interior in its origin. St Thomas’s use in relation to the Spirit is quite different: “it refers to an interior impulse, whose origin is nevertheless exterior [i.e. from an Other], or rather superior.” In this way, the *instinctus* is neither base nor irrational, but rather supra-rational, helping us beyond the feebleness of our own reason. Cf. Servais Pinckaers, “Morality and the Movement of the Holy Spirit: Aquinas’s Doctrine of

Therefore, the gifts are *habitus*,¹²² lasting dispositions, which perfect the whole human person,¹²³ further equipping us for living a good life,¹²⁴ and hence for our journey to God.

The difference between the infused virtues and the gifts is that, unlike the former, the gifts, as a higher motivating force (*superior instinctus*),¹²⁵ are not only given by God, but are given so that we are readily open to being moved by divine inspiration.¹²⁶ In this way the gifts as *instinctus*, which is interiorised inspiration and illumination,¹²⁷ lead to a deeper inclination “toward the truth and the divine goods that are revealed to us,” and to obedience to the One who is the source of all that is good and true.¹²⁸ However, one should not misinterpret the moving of the Spirit’s *instinctus* in us as some kind of “sporadic” intervention,¹²⁹ or as something that renders all human effort as worthless.¹³⁰ As we have noted earlier, St Thomas considered the gifts and virtues to be intimately connected. Therefore, our moral life does not operate according to virtues in some cases and the gifts in others. Rather the two form “a vital and dynamic organism,”¹³¹ with the gifts offering “constant” support to the virtues,¹³²

Instinctus,” trans. Craig Steven Titus, in *The Pinckaers Reader: Renewing Thomistic Moral Theology*, ed. John Berkman and Craig Steven Titus (Washington, DC: Catholic University of America Press, 2005), 385-95, at 389.

¹²² Aquinas, *Summa Theologica*, Ia IIae, q.68, a.3, resp.: “unde et dona Spiritus Sancti sunt quidam habitus.”

¹²³ Ibid., Ia IIae, q.68, a.1, resp.: “dona sunt quaedam hominis perfectiones”; ibid., Ia IIae, q.68, arg. 2: “Dona Spiritus Sancti perficiunt hominem.”

¹²⁴ Ibid., Ia IIae, q.68, a.4, ad 1: “dona Spiritus Sancti perficiunt hominem in his, quae pertinent ad bene vivendum.”

¹²⁵ Ibid., Ia IIae, q.68, a.2, ad 2.

¹²⁶ Ibid., Ia IIae, q. 68, a.1, resp.: “ut efficiatur prompte mobilis ab inspiratione divina.” Cf. Pinckaers, *La vie selon l’Esprit*, 94.

¹²⁷ Pinckaers, “Morality and the Movement of the Holy Spirit,” 389-90.

¹²⁸ Cf. ibid., 389; Aquinas, *Summa Theologica*, Ia IIae, q.68, a.3, resp.: “dona Spiritus Sancti sunt quidam habitus, quibus homo perficitur ad *prompte obediendum Spiritui Sancto*” (emphasis mine).

¹²⁹ Pinckaers, “Morality and the Movement of the Holy Spirit,” 391.

¹³⁰ De Lubac, *A Brief Catechesis*, 86: “[The supernatural] neither disdains nor replaces [nature]. It informs it, remolds it; if necessary it can exorcise it [...]; it transfigures it in all of its concepts and activities.”

¹³¹ Pinckaers, “Ethics and the Image of God,” 139.

¹³² Pinckaers, “Morality and the Movement of the Holy Spirit,” 391: “The coordination between gifts and virtues [...] shows that this spiritual instinct formed in us by the gifts does not act in a sporadic way, through sudden inspirations, but in a constant way, supporting the enduring patience

that “enable[s] the Christian to act with excellence under the motion of the Spirit of God.”¹³³ The motion of the gifts may go beyond human reason, but this does not mean that they lead us into an irrational fog. Indeed, four of the gifts are related to the reason: wisdom, understanding, counsel and knowledge.¹³⁴ St Thomas says that the gifts perfect the apprehension (discovery) and judgement of the truth, both in the speculative and practical realms. In apprehension, speculative reason is perfected by understanding, and practical reason by counsel. In right judgement, speculative reason is perfected by wisdom, and practical reason by knowledge.¹³⁵ Therefore, the gifts of the Spirit “bring us light”;¹³⁶ they help us to develop an *intellectus fidei*, that understands the fuller meaning of reality and that helps us to judge what is truly prudent, in keeping with the wisdom of God.¹³⁷ It is this light of the Holy Spirit, operating in the docile person,¹³⁸ that guides and supports moral action. Since the virtues are aided by the Spirit’s gifts, this means that our conscience is also supported by the enlightening gifts of the Spirit, through a deepening of our perception of the truth and of our awareness of God’s will, and in opening us up to his judgment. In this

required by the practice and progress of virtues.” The efficacy of this support, however, is clearly linked to docility.

¹³³ Pinckaers, “Ethics and the Image of God,” 139. In this way we achieve acts that are “higher than acts of virtue.” Cf. Aquinas, *Summa Theologica*, Ia IIae, q.68, a.1, resp.: “dona perficiunt hominem ad altiores actus quam sint actus virtutum.” While much of Thomas O’Meara’s analysis of the gifts agrees with Pinckaers (particularly in identifying the gifts as “special, divinely infused dispositions,” rather than “transitory actual graces”), his comments on the role of the gifts in exuberant, spontaneous action, in contrast to the “frequent, deliberate, thoughtful” acts of virtues might be misconstrued as splitting the gifts and virtues into two styles of operation, rather than seeing the gifts as offering further perfection to virtuous action, making the act higher in quality than that which would be achieved by virtue alone. Cf. O’Meara, *Thomas Aquinas, Theologian*, 125.

¹³⁴ Cf. Aquinas, *Summa Theologica*, Ia IIae, q.68, a.4, resp.

¹³⁵ See *ibid.* While the other gifts operate in the reason, St Thomas observes that piety, fortitude and fear of the Lord operate in the will. See *ibid.*

¹³⁶ Pinckaers, “Morality and the Movement of the Holy Spirit,” 392.

¹³⁷ *Ibid.*

¹³⁸ Cf. Pinckers, “Morality and the Movement of the Holy Spirit,” 391: “Likewise the spiritual instinct, formed in us in our initial yes to a vocation, continues its inspiring work in the secret of the soul, all throughout our life, if we are faithful to it.”

way, the gifts of the Spirit assist both in the examination of conscience and the formation of conscience.¹³⁹

Moral growth is dependent upon a deepening awareness and performance of truth. Part of that truth is the truth about ourselves. In examining our conscience in prayer, the presence of the Spirit and the *instinctus* of his gifts throw light upon the truth of ourselves, both in the reality of our divine calling and in our failure to live up to that call in our actions. Congar sums this up thus:

The Holy Spirit acts within us or he penetrates into us like an anointing. He makes us, at a level that is deeper than that of mere regret for some fault, conscious of the sovereign attraction of the Absolute, the Pure and the True, and of a new life offered to us by the Lord, and he also gives us a clear consciousness of our own wretchedness and of the untruth and selfishness that fills our lives. We are conscious of being judged, but at the same time we are forestalled by forgiveness and grace, with the result that our false excuses, our self-justifying mechanisms and the selfish structure of our lives break down.¹⁴⁰

Earlier it was noted that God is our witness in an examination of conscience.¹⁴¹ The Holy Spirit is that witness, that revealer of the whole truth (cf. Jn 16:13), that calls us both to recognise our sins and to live the new life we have been given. Pope John Paul writes in a similar vein in his encyclical *Dominum et Vivificantem*. He points out that in the Paschal Mystery our consciences are purified by the blood of Christ (cf. Heb 9:14), enabling the Holy Spirit to enter in.¹⁴² The Holy Spirit thus becomes “the light of hearts,” that is, “the light of consciences,” and so makes us aware of our sins (cf. Jn 16:8) and directs us to the good.¹⁴³ Hence, we

¹³⁹ CCC, no. 1785.

¹⁴⁰ Congar, *I Believe in the Holy Spirit*, II, 123.

¹⁴¹ Cf. CCC, no. 1779.

¹⁴² *Donum et Vivificantem*, 42; AAS 78 (1986), 858-59: “Idcirco *Epistula ad Hebraeos* asserit hunc sanguinem ‘emundare conscientiam’: qui igitur – ut ita loquamur – *viam Spiritui Sancto aperit ad hominis intima, seu conscientiarum humanarum sacrarium*” (emphasis in text).

¹⁴³ Cf. *Donum et Vivificantem*, 42: “By becoming ‘the light of hearts,’ that is to say the light of consciences, the Holy Spirit ‘convinces concerning sin’”; AAS 78 (1986), 858: “Cum fiat ‘*lumen cordium*’, seu conscientiarum, Spiritus Sanctus ‘arguit de peccato’, id est efficit ut homo *malum suum cognoscat*, et simul *eum ad bonum dirigit*” (emphasis in text). The description of the Spirit as *lumen cordium* refers to a line in the sequence *Veni, Sancte Spiritus*. Cf. Bouchard, “Recovering the Gifts of

recognise our need for conversion and for the ongoing help of the Holy Spirit. John Paul writes that “every kind of human sin can be reached by God’s saving power,” thanks to the gifts of the Holy Spirit, whose “multiplicity” of gifts gives him the name the “sevenfold one.”¹⁴⁴ Thus, “by virtue of the seven gifts of the Holy Spirit all evils are destroyed and all good things are produced.”¹⁴⁵

The Spirit therefore offers his gifts to help us in our weakness,¹⁴⁶ and to aid us in doing good. If we accept wholeheartedly, the Spirit truly becomes our guide (Gal 5:25; Rom 8:14), and we are thus enlightened and drawn forward in the knowledge and desire for goodness. It is this drawing forward in goodness provided by the *instinctus Spiritus Sancti* that further shapes or forms our conscience in a “connaturality of love and wisdom.”¹⁴⁷ Thus, the acts of prudence and discernment involved in the judgement of conscience are heightened by the gifts of counsel and knowledge,¹⁴⁸ backed by understanding and wisdom. All the other virtuous dispositions that influence our conscience are likewise developed by the gifts of fortitude, piety and fear of the Lord. In these ways conscience becomes more

the Holy Spirit,” 551: “One of the most important aspects of the gifts, especially the gift of understanding, is that it purifies our vision so that we can let our illusions die and see our own sinfulness and need for God’s grace.” Prades observes that the guidance of the Spirit was often described by the Fathers as a *lux beatissima*, “a new source of knowledge, according to an internal unity between faith and knowing”. Cf. Javier Prades, “‘Guidati dallo Spirito’ (Rom 8:14): Itinerari Spirituali e Morali della Prospettiva della Missione,” in *La ‘Sequela Christi’: Dimensione Morale e Spirituale dell’Esperienza Cristiana*, ed. Livio Melina and Olivier Bonnewijn (Rome: Lateran University Press, 2003), 55-81, at 79: “una *lux beatissima*, una nuova fonte di conoscenza, secondo un’unità interna tra fede e sapere.”

¹⁴⁴ *Donum et Vivificantem*, 42; *AAS* 78 (1986), 858: “Vi multiplicium donorum eius, unde tamquam ‘septiformis’ invocatur, quodlibet hominis peccatum potest potentiae Dei salvificae subici.”

¹⁴⁵ Cf. Bonaventure, *De Septem Donis Spiritus Sancti*, coll. II, n. 3: “Unde per septem dona Spiritus Sancti omnia mala destruuntur, et omnia bona introducuntur”; *Donum et Vivificantem*, 42; *AAS* 78 (1986), 858 (translation of Bonaventure taken from English text of *Donum et Vivificantem*).

¹⁴⁶ Bouchard says that this work of the gifts of the Holy Spirit progresses in two stages: a clear vision of sinfulness and smoothing the “rough edges”, leading to consistency and integrity of life. Cf. Bouchard, “Recovering the Gifts of the Holy Spirit,” 551-53, 555-56.

¹⁴⁷ Cf. Pinckaers, *La Vie Selon L’Esprit*, 149: “La connaturalité d’amour et de sagesse est le meilleur don de l’Esprit Saint.”

¹⁴⁸ On prudence and counsel, see Aquinas, *Summa Theologica*, IIa IIae, q.52, aa. 1-2.

sensitive, serene and courageous, leading to “the proper judgment and joyous fulfilment.”¹⁴⁹

We should not conclude, however, that the work of the Spirit is limited to the development of virtue.¹⁵⁰ Rather, as Pinckaers states, “the Holy Spirit communicates to Christians the new life issuing from the resurrection. It recreates them, changes them in the depths of their being, producing in them a presence that causes them to live ‘in Christ’ and forms them in the image of Christ.”¹⁵¹ It is therefore in the Spirit that we become imitators of Christ,¹⁵² which has further implications for the shaping of conscience.

5. Imitatio et Sequela Christi in the Formation of Conscience

It is through the gift of the Spirit that we are able to encounter the risen Christ, and in freedom develop a “progressive self-identification” with his way of thinking, feeling and loving.¹⁵³ Prades points out that when in the New Testament it is said that we have the mind of Christ (1 Cor 2:16), or we are to have the same thoughts, feelings or attitudes as Christ (Phil 2:5),¹⁵⁴ and love each other as Christ has loved us (Jn 13:34-35), “it is not using a metaphorical language to vaguely allude to a correct behaviour,

¹⁴⁹ Häring, *Free and Faithful in Christ*, I, 255: “The special gift of the Holy Spirit which brings prudence to perfection is counsel. [...] Under the inspiration of the gift of counsel, the conscience rejoices in the divine dispositions and directives and thus becomes more sensitive to all the possibilities of the here and now. If the conscience is solidly guided by the Holy Spirit and trusting in the Lord, serenity and courage will guarantee the spiritual atmosphere that provides the proper judgment and joyous fulfilment.”

¹⁵⁰ Cf. Pinckaers, *Sources of Christian Ethics*, 120.

¹⁵¹ *Ibid.*

¹⁵² *Ibid.*, 121: “Imitation rooted in faith operates at a deeper level, for it is the work of the Holy Spirit.” Cf. Pinckaers, *La vie selon l’Esprit*, 94.

¹⁵³ Prades, “‘Guidati dallo Spirito’,” 77. Prades uses the term “progressiva immedesimazione”: self-identification, literally, a progressive ‘making the same’.

¹⁵⁴ There are various possible translations of *phronein*, whose meaning can range from ‘to think’ to ‘entertaining sentiments of a specific kind.’ In Phil 2:2 and 2:5 we are urged to think the same way as Christ. However, the context talks of having “compassion and sympathy” (Phil 2:1). Therefore the thought described here involves affectivity. The Vulgate translates this as “*id ipsum sentientes*” and “*sentite in vobis quod et in Christo Iesu.*” Thus, we are to think and feel as Christ does.

that would tend to the good and avoid the evil.”¹⁵⁵ Rather, it is truly a proposal of personal conformity with Christ, which reaches us not as a theory, but is addressed to us as a “vocation,”¹⁵⁶ of imitation and following (*sequela*), and hence as a vocation to holiness in union with God.

The imitation of Christ should therefore not be misconstrued as simply an external copying of Christ, on the level of praxis, in which we relate to Christ as a role model.¹⁵⁷ Rather our self-identification with Christ, under the guidance of the Spirit, is a *sequela Christi*,¹⁵⁸ a living relationship with Christ.¹⁵⁹ The *sequela Christi* is the call of the disciple to “learn from [Christ]” (Mt 11:28-29),¹⁶⁰ to “follow” and to “serve” Christ, offering one’s life so completely that one seems to lose it, only in fact to have truly gained it (cf. Jn 12:24-26).¹⁶¹ Such a discipleship of participation and union is lived out in our prayer and communion with him,¹⁶² but also in our love and

¹⁵⁵ Prades, “‘Guidati dallo Spirito’,” 77: “non sta usando un linguaggio metaforico per alludere vagamente ad un comportamento corretto, che tenda al bene ed eviti il male.”

¹⁵⁶ *Ibid.*, 78.

¹⁵⁷ Cf. Prades, “‘Guidati dallo Spirito’,” 80; Pinckaers, *Sources of Christian Ethics*, 121; *Veritatis Splendor*, 21: “Following Christ is not an outward imitation, since it touches man at the very depths of his being” (emphasis in English text); *AAS* 85 (1993), 1150: “Sequi Christum non simplex est exterior imitatio, quia ad intima hominis pertinet.”

¹⁵⁸ Cf. Prades, “‘Guidati dallo Spirito’,” 80; *Veritatis Splendor*, 19; *AAS* 85 (1993), 1148.

¹⁵⁹ Cf. Billy and Keating, *The Way of Mystery*, 104: “Suffice it to say that we are not called to mimic Christ in his personal acts [...]. We are, however, called *literally to follow him to the source of his obedience*, [namely, the Father]” (emphasis in text).

¹⁶⁰ Cf. Juan Antonio Reig Plà, “L’Insegnamento Morale: Un Cammino nella Chiesa,” in *Camminare nella Luce: Prospettive della Teologia Morale a Partire da ‘Veritatis Splendor’*, ed. Livio Melina and José Noriega (Rome: Lateran University Press, 2004), 371-83, at 376.

¹⁶¹ Cf. Réal Tremblay, “*Sequela* e Beatitudine: Riflessioni alla Luce di Gv 12, 25-26,” in *La ‘Sequela Christi’: Dimensione Morale e Spirituale dell’Esperienza Cristiana*, ed. Livio Melina and Olivier Bonnewijn (Rome: Lateran University Press, 2003), 41-53, at 46.

¹⁶² Babini sees “participation” or “union” with Christ as the interpretive key that prevents the imitation of *sequela* being reduced merely to the moral imitation of a role model. Cf. Ellero Babini, “*Sequela*: Dall’Imitazione alla Partecipazione,” in *La ‘Sequela Christi’: Dimensione Morale e Spirituale dell’Esperienza Cristiana*, ed. Livio Melina and Olivier Bonnewijn (Rome: Lateran University Press, 2003), 297-303, at 301.

Our participation in Christ leads to a participation in the life of the Trinity, since through Christ we become adopted sons and daughters, bearing his likeness. Through the action of the Holy Spirit we are conformed to the image of Christ, imperfectly in this life, and completely in eternal life. Thus, Pinckaers points out this our imitation of Christ is a dynamic process, leading to progressive resemblance and increasing conformity to Christ. Cf. Prades, “‘Guidati dallo Spirito’,” 80; Pinckaers, “Ethics and the Image of God,” 140. On the two stages of resemblance (imperfect and perfect), cf. Aquinas, *Summa Theologica*, III, q.45, a.4, resp.: “adoptio filiorum Dei est per quamdam conformitatem imaginis ad Filium Dei naturalem: quod quidem fit *dupliciter*: primo quidem fit per

service of him in our neighbour (cf. Mt 25:31-46). Thus, if in imitation of Christ we are called to follow his way of love and service, that imitation will necessarily include the cross. Christ says, “where I am, there will my servant be also” (Jn 12:26). Therefore, we are called to follow his path completely, not shrinking from accepting the self-sacrifice involved in love (cf. Jn 15:12-13).¹⁶³

This means that it is our relationship with Christ in *imitatio* and *sequela*, lived in the Spirit, that forms the environment for the flourishing of a life lived in holiness and virtue.¹⁶⁴ Indeed, Pope John Paul saw that attitude of following Christ as “the essential and [particular] foundation of Christian morality.”¹⁶⁵ In *imitatio* and *sequela* our thoughts, feelings, actions are thus remoulded according to Christ. Pinckaers says that in the imitation of Christ (and hence in the resoration of image and likeness), “participation of the intellect” is “essential.”¹⁶⁶ Here he mentions its acts of wisdom and prudence as being affected by our imitation of Christ. Indeed, this is to be expected, given that St Paul calls Christ our wisdom (cf. 1 Cor 1:30). However, one

gratiam viae, quae est conformitas imperfecta: *secundo* per gloriam patriae, quae erit conformitas perfecta” (emphasis in text); Romanus Cessario, “Christian Personalism and Adoptive Sonship,” in *L’Antropologia della Teologia Morale secondo L’Enciclica “Veritatis Splendor”*: Atti del Simposio promosso dalla Congregazione per la Dottrina della Fede, Roma, settembre 2003 (Vatican City: Libreria Editrice Vaticana, 2006), 92-101, at 93.

¹⁶³ Cf. *Veritatis Splendor*, 20-21, at 21: “Being a follower of Christ means *becoming conformed to him* who became a servant even to giving himself on the Cross (cf. *Phil.* 2:5-8)” (emphasis in text). Cf. *AAS* 85 (1993), 1150: “Iesu discipulos [discipuli] esse significat Ei conformes fieri, qui servus factus est usque ad sui ipsius donationem in cruce.” Among many possible examples in spiritual writing, both Thomas à Kempis and John of the Cross clearly recognise that imitating Christ is not all “sweetness and ease,” but involves the way of the cross. Cf. Thomas à Kempis, *The Imitation of Christ*, trans. of 1441 manuscript by Edgar Daplyn (London: Sheed & Ward, 1952; paperback ed., 1978), II, 11-12, at 12 “Why therefore fear to bear a cross by which you come into a kingdom?”; John of the Cross, *Ascent of Mount Carmel*, II, 7, 8 (p. 124): “A man makes progress only through imitation of Christ, Who is the Way, the Truth, and the Life. [...] Accordingly, I should not consider any spirituality worthwhile that would walk in sweetness and ease and run from imitation of Christ.”

¹⁶⁴ Cessario says that the new form of being cultivated in the believer by the infused virtues “amounts to a real participation in the *imitatio Christi*.” Thus, we should always recognise that the starting point of *imitatio* and of the virtuous life is given by God, and is not established by ourselves. Cf. Cessario, *The Moral Virtues and Theological Ethics*, 112.

¹⁶⁵ *Veritatis Splendor*, 19: “*Following Christ is thus the essential and primordial foundation of Christian morality*” (emphasis in English text); *AAS* 85 (1993), 1149: “Qua de re Christum sequi fundamentum est essenziale et proprium doctrinae moralis christianae.” It seems to me that ‘particular’ rather than ‘primordial’ as in the English text would have been a better translation of *proprium*.

¹⁶⁶ Pinckaers, “Ethics and the Image of God,” 140. Naturally, Pinckaers also observes the necessary involvement of our free will. See *ibid.*

should add conscience to the list, too. In “*holding fast to the very person of Jesus*,”¹⁶⁷ our conscience also starts to take on the form of Christ. Billy and Keating see the cross as central to this transformation.¹⁶⁸ It is in living in the paschal mystery of Christ that we see the sense in, and gain the courage to, take up the cross daily (cf. Lk 9:23; Mk 8:34), and meet temptation or evil with goodness and love.¹⁶⁹ Thus, the “conscience begins [...] to bear marks of the cross” in meeting evil with good, acting in obedience to the Father, as Christ did.¹⁷⁰ This means that at the heart of ‘putting on the mind of Christ’ is the development of an attitude of self-sacrifice, a conscience that is moulded in imitation of the love of Christ.

The blueprint of our imitation is presented to us in his commandment to love (Jn 15:12) and in the Beatitudes,¹⁷¹ which are “sort of *self-portrait of Christ*.”¹⁷² Therefore, to imitate him we are to walk the way of the Beatitudes, in the light of the Decalogue and the apostolic teaching, and sustained by the grace of the Holy Spirit.¹⁷³ Yet, this imitation needs a setting, which, in fact, is the reality of our lives in all its variety. This means that the judgements of our conscience are conformed to Christ in the very circumstances of our lives.¹⁷⁴

¹⁶⁷ *Veritatis Splendor*, 19 (emphasis in text); *AAS* 85 (1993), 1149: “*adhaerendo ad ipsam Christi personam*.”

¹⁶⁸ Billy and Keating, *The Way of Mystery*, 108.

¹⁶⁹ *Ibid.*: “Specifically, the cross entails the disposition to meet evil with love. [...] In the face of evil, this disposition can place the believer in the throes of suffering. This suffering is known by those who wrestle with the choice of virtue in the context of temptation.”

¹⁷⁰ *Ibid.* Similarly, Von Balthasar declared all Christian ethics to be “*cruciform*,” both in its reference to God and humanity, but also more fundamentally because the paschal mystery, the crucified Christ stands at the centre. See Hans Urs von Balthasar, “Nine Propositions on Christian Ethics,” in Heinz Schürmann, Joseph Cardinal Ratzinger, and Hans Urs von Balthasar, *Principles of Christian Morality*, trans. Graham Harrison (San Francisco: Ignatius Press, 1986), III, 3 (p. 86):

¹⁷¹ See *CCC*, nos. 1716-1729.

¹⁷² Cf. *Veritatis Splendor*, 16 (emphasis in text); *AAS* 85 (1993), 1147: “*quaedam Christi imago ab ipso picta*”; *CCC*, nos. 1717, 459, at 459: “The Word became flesh *to be our model of holiness*. [...] Jesus is the model for the Beatitudes and the norm of the new Law: ‘Love one another as I have loved you. This love implies an effective offering of oneself, after his example’” (emphasis in text).

¹⁷³ *CCC*, 1724.

¹⁷⁴ Keating and McCarthy, “Habits of Holiness,” 835: “The heart of spirituality and moral living point enduringly to the ordinary location of our lives, the parish, the home, our work or profession, our children and their needs.”

Our lives present us with systems and conventions which follow conflicting values. This can place us in challenging situations where we are called upon to make tough decisions. It would be nice to think that morality could resolve such conflict, relieving us of the unpopular or difficult choice. However, morality cannot resolve values that are diametrically opposed; an attempt at resolution would relativise both truth and goodness. Therefore, rather than seeking to combine contradictory practices, we are called to ask: "What kind of practices can sustain an agent's formation and orientation to the good? What kind of practices orient us to seeing God in the world?"¹⁷⁵ Keating and McCarthy propose that the practice of goodness and holiness in ordinary life is held together through a life lived in the Church.¹⁷⁶ We are therefore led to conclude this chapter with a brief reflection on the impact of the life of the Church on conscience.¹⁷⁷

6. Communio as the Key Context for Christian Conscience

An oft-quoted maxim summarising the relationship between our practice of prayer as Church and the content of our faith is *lex orandi, lex credendi*.¹⁷⁸ However, our life of prayer not only articulates our faith: it also necessarily expresses the foundation of our

¹⁷⁵ *Ibid.*, 833.

¹⁷⁶ *Ibid.*, 835: "When the 'exercise' of day-to day living coheres with the practices of the Church [...] spirituality encompasses the task of living well and uncovers the divine *origin* of the everyday, even as it directs one to God as *ultimate end*" (emphasis in text)

¹⁷⁷ Here I am limiting myself to discussion of the the formation of conscience within the Catholic Church. However, further research should be made into how this relates to the formation of conscience in those who belong to other churches or ecclesial communities, as well as beyond the ambit of the Christian faith. As the Spirit blows where he wills (cf. Jn 3:8), through the whole of creation and all of history, some have proposed the action of the Spirit as an interpretive key to such an investigation. Cf. Dennis J. Billy, "The Person of the Holy Spirit as the Source of the Christian Moral Life," *Studia Moralia* 36 (1998): 325-59; Philip J. Rosato, "The Mission of the Spirit Within and Beyond the Church," *The Ecumenical Review* 41 (1989): 388-97; Yannis Spiteris, "Il Dialogo Inter Cristiano e Interreligioso e Lo Spirito Santo: Segni di Speranza," *Studia Moralia* 36 (1998): 479-507.

¹⁷⁸ Cf. Yves M.-J. Congar, *Tradition and Traditions: An Historical and a Theological Essay*, trans. Michael Naseby and Thomas Rainborough (London: Burns & Oates, 1966), 354-55. *Lex orandi, lex credendi* is the typical form of the maxim drawn from Prosper of Aquitaine's statement "*ut legem credendi lex statuat supplicandi*." Cf. Aidan Kavanagh, *On Liturgical Theology: The Hale Memorial Lectures of Seabury-Western Theological Seminary, 1981* (New York: Pueblo, 1984), 91, 181, n.1.

action, a foundation that goes to the depths of our being through our living covenantal bond with the Father in the Spirit, forged through the saving act of the Son (cf. Heb 9:14-15), in which we are called to live for God the new life we have received (cf. Rom 6:11, 6:5).¹⁷⁹ The reality of our faith, expressed in prayer, is to be made effective through love,¹⁸⁰ in imitation of Christ. Thus, we could say that our prayer, faith and action as Christians are inextricably linked as *lex orandi, lex credendi, lex agendi*.¹⁸¹ This also implies that this rule of action is not the preserve of isolated individuals. Livio Melina observes that the “new commandment of charity, like the Eucharist, is given first of all to the Church and in the Church.”¹⁸² Therefore, we can say that Christian morality has a constitutive “*ecclesial form*.”¹⁸³ It is in the environment of the Church that we both live and act as the adopted sons and daughters of God,¹⁸⁴ and it is therefore in this *communio* that we most find that which sustains our moral action, and that which is most conducive to the Christian formation of conscience.¹⁸⁵ The Church, gathered and acting in Christ’s name (cf. Mt 18:20; John 14:13), is the context in which we receive God’s grace and mercy, authoritative teaching and the support of mutual example and help of our fellow Christians.¹⁸⁶

¹⁷⁹ Luis F. Ladaria, “Chiesa e Vita Morale,” in *Camminare nella Luce: Prospettive della Teologia Morale a Partire da ‘Veritatis Splendor’*, ed. Livio Melina and José Noriega (Rome: Lateran University Press, 2004), 301-17, at 301-302.

¹⁸⁰ Cf. Gal 5:6: “the only thing that counts is faith working through love.”

¹⁸¹ Cf. Billy and Keating, *The Way of Mystery*, 25; Robson, ‘*With the Spirit and Power of Elijah*’, 380-81.

¹⁸² Livio Melina, “Moral Theology and the Ecclesial Sense: Points for a Theological ‘Re-dimensioning’ of Morality,” trans. Sr Mary Jeremiah, *Communio* 19 (1992): 67-93, at 81.

¹⁸³ Ibid. Melina continues, “Ecclesial *communio* is the proper form of the new life which is born from the Eucharist. See *ibid*.”

¹⁸⁴ Cf. Ladaria, “Chiesa e Vita Morale,” 305, 309.

¹⁸⁵ Cf. *Veritatis Splendor*, 119: “Christian morality consists, in the simplicity of the Gospel, in following Jesus Christ, in abandoning oneself to him, in letting oneself be transformed by his grace and renewed by his mercy, gifts which come to us in the living communion of his Church” (emphasis in text); *AAS* 85 (1993), 1226: “[...], quia illa [christiana doctrina moralis], secundum evangelicam simplicitatem, consistit in sequendo Iesum Christum et in nobis ipsis Ei tradendis, necnon in sinendo ut ipsius gratia transformemur atque eius misericordia renovemur: quae ad nos perveniunt per vitam communionis Ecclesiae eius.” Cf. Ladaria, “Chiesa e Vita Morale,” 315.

¹⁸⁶ CCC, no. 1785: (talking of the formation of conscience): “We are assisted by the gifts of the Holy Spirit, aided by the witness or advice of others and guided by the authoritative teaching of the Church.”

Our vocation in the Spirit as adopted sons and daughters of God, as a *communio* of the Body of Christ (Rom 12:4-5),¹⁸⁷ in union with Christ and with each other, provides the basis for the *sensus fidei* which “also includes the *sensus morum*.”¹⁸⁸ The moral sense of each individual Christian is very much bound up with his or her union with the rest of the Church,¹⁸⁹ such that our search for the truth and our recognition that we are called to live in love relate to our identity as “we”.¹⁹⁰ Thus, the implications of the ecclesial identity of the Christian means that the conscience of the individual Christian also contains an essential ecclesial dimension.¹⁹¹ In this way *con-scientia*, knowing-with, coincides with *sentire cum ecclesia*, thinking with the Church.¹⁹² The relational, interpersonal element of conscience, the *cum alio scientia* that seeks the truth in one’s being, in others and in God, thus finds a privileged place in knowing with the Church, a *communio* of persons in union with each other through their oneness in the Spirit.¹⁹³ From this understanding, conscience and Magisterium are no longer perceived as opposites, but rather “complementary functions, working at distinct, but not separate levels” united in their origin in the Holy Spirit and in their goal, namely, to seek and do the truth,

¹⁸⁷ For Pinckaers’ comments on Paul’s ecclesial notion of conscience inserted into the Body of Christ, see Servais Pinckaers, “Conscience and Christian Tradition,” trans. Sr Mary Thomas Noble, in *The Pinckaers Reader: Renewing Thomistic Moral Theology*, ed. John Berkman and Craig Steven Titus (Washington, DC: Catholic University of America Press, 2005), 321-41, at 325-329, 338.

¹⁸⁸ Cf. Ladaria, “Chiesa e Vita Morale,” 305, 309; *Lumen Gentium*, 12; *AAS* 57 (1965), 16.

¹⁸⁹ Cf. Ladaria, “Chiesa e Vita Morale,” 315: “La vocazione del singolo non si può separare da quella dei fratelli, non si può cercare la verità da solo senza il rischio dello smarrimento” [“The vocation of the individual cannot be separated from that of his brothers and sisters; one cannot seek the truth alone without the risk of getting lost”].

¹⁹⁰ See also Von Balthasar, *Nine Propositions on Christian Ethics*, II, 3 (p. 84): “At the more-than-organic – that is, the personal – level of the Church, our membership in the ‘one body’ means that we are given a personal awareness of being a ‘we’; implementing it in terms of life is the Christian’s ethical task.”

¹⁹¹ Cf. Ladaria, “Chiesa e Vita Morale,” 314.

¹⁹² Cf. Melina, “Moral Theology and the Ecclesial Sense,” 92, 90.

¹⁹³ Cf. *ibid.*, 92: “The reference back to the ecclesial ‘we’ becomes the condition of truth [,] for opening to the Spirit given by Christ to his Spouse the Church. Starting from a theological rediscovery of the conscience-Church-Holy Spirit relationship, an earlier moral theology using an autonomous and individualistic conception of conscience must be critically examined.”

that we might bear the image of Christ.¹⁹⁴ In this context, through its “maieutic function,” the Magisterium serves the conscience to helping it to recognise and receive the truth, a truth that is already part of oneself,¹⁹⁵ and it is to this truth that we give our personal assent.

Clearly this view differs radically from a moral pluralist stance, whereby the level of particular, “‘categorical moral questions’” is excised from the bond between faith and morals, and the conscience is viewed in more individualistic terms, making it “external to ecclesial ‘communio’.”¹⁹⁶ However, to separate the Church from the individual in such a way as to reduce the Church’s moral role to the general, transcendental level is to forget that following Christ’s way is trod “step by step, by everyday acts,”¹⁹⁷ and not at the level of generalities, and that we walk the way of Christ together as Church. The conscience of the individual has a unique and essential place in moral action. As such, it cannot be bypassed or substituted by the Magisterium of the Church.¹⁹⁸ However, given our ecclesial existence as the Body of Christ, the conscience is not alone in its judgements, indeed, nor need it be or should it be. We need challenge and support in seeking the truth and the good.¹⁹⁹ Thus, Servais Pinckaers says:

¹⁹⁴ Melina, “Moral Theology and the Ecclesial Sense, 92-93.

¹⁹⁵ Cf. Ratzinger, “If You Want Peace... Conscience and Truth,” 94. Since this truth is in our very being, (as *synderesis* or *anamnesis*), the role of the Magisterium is therefore to help this primordial memory “become aware of its own self.” See *ibid*.

¹⁹⁶ Melina, “Moral Conscience and ‘Communio’,” 674-75. Elsewhere, Melina calls this separation of the Church from the particular level of morals a “de-moralising” of the Church (*de-moralizzare*). Cf. Livio Melina, “La Chiesa e il Dinamismo dell’Agire,” in *Camminare nella Luce: Prospettive della Teologia Morale a Partire da ‘Veritatis Splendor’*, ed. Livio Melina and José Noriega (Rome: Lateran University Press, 2004), 281-99, at 283.

¹⁹⁷ CCC, no. 1724.

¹⁹⁸ Cf. Melina, “Moral Conscience and ‘Communio’,” 686.

¹⁹⁹ Cf. Servais Pinckaers, “La Coscienza e L’Errore,” *Communio* [Milan ed.] 130 (1993): 40-51, at 51. With regard to challenge, Von Balthasar says our conscience, as “God’s voice” within, needs to be challenged by the external Word of God in Scripture and “the living word of the Church [...] in sermon and teaching”, listened to “in an attitude of worship, in the milieu of the Church and in connection with her sacraments.” See Von Balthasar, *Prayer*, 30-31.

[Conscience] pushes us to make use of all the sources of truth that are at our disposal: the teaching of Revelation and of the Church in its magisterium, the doctrine and example of the saints, both canonised and non, the reflections of theologians and the advice of experts or of our friends, because we need each other in the search for the good. But above all, conscience invites us to apply ourselves to listening to the interior Teacher, Christ, our light, in assiduous meditation of his word and in the conversation of prayer.²⁰⁰

The ecclesial dimension of Christian conscience therefore implies that it depends upon a whole raft of elements for support in its moral deliberation and judgement. Pinckaers says that “we need each other in the search for the good.” This should not be understood as weakness, nor as an argument created simply to justify the place of magisterial teaching in specific moral issues. Rather, conscience in the context of *communio* invites us to put Christ at the centre of things, and to make our judgements in faith and humility, with a willingness to listen to and to accept good counsel.

7. Conclusion

This chapter has focused more directly upon the context of holiness within which the Christian conscience operates and flourishes. Here the virtuous life, informed by grace, is placed fully within the setting of our relationship with God in prayer, a relationship which nourishes our moral understanding and sustains our resolve to seek the truth and to do the good out of love for him and love for neighbour. This thesis has argued for a dynamic approach to conscience,²⁰¹ a perspective which recognises

²⁰⁰ Pinckaers, “La Coscienza e L’Errore,” 51: “[La coscienza] ci spinge a servirci di tutte le fonti della verità che sono a nostra disposizione: gli insegnamenti della Rivelazione e della Chiesa nel suo magistero, la dottrina e gli esempi dei santi, canonizzati e no, le riflessioni dei teologi e i consigli degli esperti o dei nostri amici, poiché noi abbiamo bisogno gli uni degli altri nella ricerca del bene. Ma soprattutto la coscienza ci invita a porci all’ascolto del Maestro interiore, Cristo, nostra luce, nella meditazione assidua della sua parola e nel colloquio della preghiera.”

²⁰¹ Pinckaers calls this “dynamic interiority.” Cf. Pinckaers, “Rediscovering Virtue,” 364-65.

that conscience needs to grow, and that such growth is most fittingly made through virtue and grace, in the context of striving to live in a life of holiness (cf. 2 Peter 3:11-15.18) in communion with God and with others. Such a context also fully recognises the struggles people face in trying to live in holiness, tempted and weak as we are. Here we turn to God's mercy and grace, and to the support of the Church to lift us up and call us forward in hope once more.

Ultimately, then, acknowledging both its dignity and its weaknesses, conscience cannot fruitfully operate in isolation. Christian conscience is a human capacity that is to be exercised in union with God. It is a judgement rooted in the truth of reality, that is made beautiful through virtue and grace, so that it becomes a worthy meeting place of the soul with Christ. St Albert the Great sums this up by likening conscience to a bed strewn with flowers,²⁰² where the soul meets Christ her Spouse. The flowers are the virtues, which need to be in evidence if we wish to stay close to Christ.²⁰³ Thus, conscience directs our moral action, but ultimately it directs us to God, the source of all goodness, and it is in staying close to him that we are able to “discern [...] what is good and acceptable and perfect” (Rom 12:2).

²⁰² St Albert draws from the Vulgate version of the Cantic of Canticles, in which we find: “*Ecce tu pulcher es dilecte mi et decorus lectulus noster floridus*” (Cantic. 1:15).

²⁰³ Cf. St Albert the Great, *De Natura Boni*, in *Opera Omnia*, vol. 25, part 1, ed. E. Filthaut (Aschendorff: Monasterii Westfalorum, 1974), tract. II, pars 3, cap. 2A, q. 2 (page 104): “*Est autem lectulus floridus conscientia respersa virtutibus [...]. Si ergo conscientiae lectulus non prius virtutibus sit refertus, non requiescet tecum sponsus in ipso*” [“Now the flowery bed is conscience strewn with virtues (...). If, therefore, the bed of conscience is not filled with virtues beforehand, the Spouse will not rest in it with you”]; Pangallo, *Legge di Dio*, 141-42. The imagery may seem to describe conscience more in terms of a faculty, but other texts of Albert would affirm it to be an act of judgement. Perhaps, therefore, we could use this image to describe the unity of the two levels, *habitus* and act, that is, *synderesis* and *conscientia*.

Conclusion

1. Reviewing the Aim of the Thesis

Understanding conscience in subjectivist terms has become commonplace in modern culture. The inviolability and dignity of conscience is rightly promoted, but in a manner which is detached from its proper context. Detached from other elements that bestow and qualify its dignity, conscience is therefore seen by many as the ultimate decision-maker, one that cannot be challenged. Clearly, seeing conscience in absolute terms, as supported by emotivism, we are left in a situation where the individual conscience is defended, but the question of moral truth is left to the side, relativised by competing arbitrary opinion. This understanding of conscience is obviously far from the notion presented in history, particularly in the context of Catholic moral theology. However, over the centuries, shifts in style in moral theology have occasioned a progressive emptying of the perceived content or function of conscience, to the point that it has come to be understood by many as the either the locus of blind obedience or justified opposition to an imposed external law. In this way elements of a fragmented (or isolated), emotivist understanding of conscience have coloured the theological notion, either in terms of a rigorist reaction against the secular notion, or by way of an incorporation of certain aspects of the subjectivist viewpoint.

It is the prevalence of this weakened, individualist notion of conscience that presented the starting point for this investigation into the nature and context of conscience. Stimulated by pastoral experience, particularly with individuals and their moral dilemmas, I was drawn to make further enquiry into how conscience might operate in relation to the other elements of morality, such as objectivity, truth, authoritative teaching, social setting and counsel from others. However, a major part

of my questioning focused upon the moral growth of the individual. If the conscience is not absolute, it is capable of error. This fundamental conclusion leads us to investigate two major issues: the perception of error and the desire for the reduction of error.

It is said that we learn by our mistakes, but if the errors are not perceived as mistakes, we cannot learn from them, so perpetuating the wrongdoing, or leading us to do something worse. This situation of ignorance or self-inflicted blindness draws us to reflect upon conscience's perception of truth and goodness, and its capacity to reflect upon performed action. Moreover, if an acceptance of the fallibility of conscience is coupled with a desire to do the good, or to do better morally, we are led to seek some means of reducing the likelihood of error. Both issues of awareness and improvement led me to research into virtue, grace and the call to holiness as the setting for this reduction of error, or put more positively, the setting for moral growth. With these basic premises we arrive at the motivation behind the major elements of this thesis. In highlighting the question of fragmentation in moral theory, and in our understanding of conscience, the first chapter set the scene for a study in chapters two to four of the nature of conscience according to historical periods and specific themes, with the particular intention of highlighting both the dignity and the fallibility of conscience, as well as its relational nature. This provides us with the foundation for a discussion on virtue and grace, culminating in a notion of conscience which firmly sets its purpose and function in the context of a living relationship with God and with others, particularly in the *communio* of the Church. Having now summarised the aim of the thesis, let us briefly review some of its key findings, starting with the historical study.

2. Conscience in History

Our exploration of the Christian use of conscience first drew us back to its origins in the Greek term *syneidēsis*, dating back to about 500 B.C. *Syneidēsis* is the noun drawn from the verb *synoida* which refers to someone who ‘has knowledge of something with’ another person or oneself, or knows something well. Although the usage of the term was rare at first, it became more frequent and more stable in meaning in both secular Greek writings and Hellenistic Jewish works by the time of the first century A.D., as attested to by writers such as Plutarch, Philo and Josephus. This frequency of usage continued in Roman authors, such as Cicero and Seneca, through the Latin translation *conscientia*, which is a contraction of *cum-scientia*. While in time the moral significance of *syneidēsis* (and *conscientia*) came to hold sway, from early on, the word was used to describe two different, though at times related, acts: physical awareness and moral awareness. Prior to Christian usage the word *syneidēsis* was almost always related to bad past actions, and most of the attention was given to its role in drawing attention to the wrongdoing by means of eliciting painful or guilty feelings, though this did not completely exclude some limited understanding of *syneidēsis* as also an act of judgement concerning the wrongful deed.

In sacred Scripture, apart from very rare appearances in Sapiential Literature, the word *syneidēsis* appears exclusively in the New Testament, where St Paul is the first to use the term. In the writings of St Paul *syneidēsis* has the characteristics of being an instance of critical reflection about oneself and about the actions of others, that is found in all people. For Paul, *syneidēsis* is a human capacity which, though related to God’s presence, is not without the possibility of error or conflict with another person, and so should not be considered as the ultimate judge of our actions, since this is, in fact, God. It is clear that Paul develops the meaning of the term, in

such a way that his usage should not simply be equated with the former profane notion, focused on past bad actions, epitomised in painful metaphors. Given St Paul's background, it would be sensible to infer that some of the meaning of the Jewish use of 'heart' (*leb*) forms part of his understanding or expanded use of *syneidēsis*.

In later New Testament writings, we note that, by and large, conscience is now characterised by its attributes, nearly all of which are positive, such as a 'good' or a 'clear' conscience. Thus, in comparison to the profane Greek notion, the focus has shifted completely, and the good or clear conscience (linked to our relationship with God), rather than a guilty conscience, is now the norm rather than the exception. A number of the passages express a much stronger connection to belief in the tenets of the faith, and in some instances continue to relate the state of the conscience to the state of the heart. These positive descriptions therefore indicate a concentration on fidelity to God and integrity of life, rather than on guilt or perplexity. As a result, many of the post-Pauline texts accentuate the ecclesial dimension of an individual's conscience, as well as encouraging Christians to be good citizens.

The Middle Ages saw the first attempts at a systematic study of conscience. The efforts of the Scholastics were not only built upon Scripture and Greek philosophy, but also Patristic sources. As a result, Scholastic analysis was heavily influenced by an extract from St Jerome's *Commentary on Ezekiel* presented in the widely-used *Glossa Ordinaria*, which contained a spelling error, changing *syneidēsis* to *synderesis*. Thus, medieval analysis of conscience was divided into two levels: *synderesis* and *conscientia*. A detailed survey of the Scholastic study of conscience, with particular attention given to the works of Saints Bonaventure, Albert the Great and Thomas Aquinas, leads us to conclude that their analysis of *synderesis* and *conscientia* is very rich, and offers us a great deal in the way of clarification. In the

context of their precise analysis we realise that the introduction of *synderesis* should not be understood as an aberration of history or an unnecessary additional complication to the meaning of conscience. Rather, *synderesis* assisted theology by offering a term for an already-existing understanding, namely, that conscience operates on the basis of an innate, non-deliberative inclination to the moral good, an inclination that provides the fundamental imperatives from which specific moral judgements are made. In effect, *synderesis* operates as the anchor for objectivity in morals. Though numerous descriptions of the nature of *conscientia* abounded during the Scholastic period, by the time of Aquinas it had come to be understood as an act of judgement of practical reason, which is the conclusion of the process of an application of universal moral principles to the particular situation. Drawing upon Aristotle, Saints Albert and Thomas Aquinas presented this in terms of a syllogism. In doing so, they recognised both capability and flaw, since this process of deduction is subject to error and failure. Nevertheless, the Medievals also saw *conscientia* as the herald of God's law, and so deserving of the greatest respect. Indeed, for the Scholastics, it is its relationship to God and to the search for the truth rooted in God that gives conscience its very dignity and authority.

With the advent of manualistic moral theology we find that the role of conscience has shifted significantly, reflecting the revised form of morality, namely legal obligation. Such a shift reflects the progressive impact of nominalism, where morality is atomised and therefore analysed in terms of discrete acts, judged simply in terms of obeying the law. In this context spiritual-moral growth is given little or no attention, leading to an ossified, voluntarist morality of obligation, and thereby losing sight of the positive motivations behind doing the good. Here morality is seen as an imposition or a burden, and so conscience steps to the fore, not so much as herald of

the truth, but as protector of one's liberty. Thus, conscience operates as the stage upon which the tension between the freedom of the individual and the authority of the external law-giver plays out. Depending upon the system adopted by a person, in the case of uncertainty, the individual would feel obliged to comply more or less with the authority. Therefore, a minimum morality begins to flourish, fuelled by a growing antagonism between the individual and authority. This antagonism sets up the context for modern opposition between conscience and Magisterium, where Church teaching is seen as a burdensome imposition, the merits of which being judged ultimately by the individual's conscience. In this context conscience is perceived in an increasingly subjectivist manner, where external teaching can at best offer advice that is either accepted or rejected.

3. Particular Issues Concerning the Nature and Function of Conscience

In turning to the detail of the nature of conscience, further exploration into the function of moral reasoning leads us to recognise that the medievals were right to distinguish between the two levels of conscience, namely, *synderesis* and *conscientia*. This allowed them to maintain the delicate balance between conscience as a capacity of moral judgement that is rooted in objective reality, while still being flawed or limited in its achievements. Through the writings of Josef Pieper and Joseph Ratzinger in particular, we deepen our understanding of *synderesis* (or primordial conscience or *anamnesis*, as they call it), so that we appreciate it as our necessary access to the fundamental truth of reality on an ontological level, and the necessary drive to seek good and avoid evil that underpins all our moral activity. It is this ontological grounding that gives conscience its solid point of reference, thereby preventing it from being reduced to an excuse mechanism. Conscience is thus the

application of the basic knowledge of the good to the particular concrete situation. However, such application can run into difficulty, either involuntarily or voluntarily, through faulty reasoning, psychological problems or sin. Research made by the field of modern cognitive psychology supports the medieval view that, for a variety of reasons, we make frequent errors in our moral deduction, not only because of sin or overpowering emotion, but also because of the defects in our deductive abilities. Our review of the elements supporting our moral reasoning reminds us that one must also be careful not to reduce conscience solely to some kind of dispassionate deduction. Other human capacities and traits are involved in correcting our perception of reality and strengthening our resolve to act, such as various forms of non-deductive or unarticulated reasoning, like insight, induction or prayerful discernment, as well as the constructive influence of well-ordered passions.

Both the study of *conscientia* and *synderesis* highlight the fact that conscience does not operate in isolation. *Synderesis* does not create the fundamental moral principles itself, but recognises them in the fabric of our created being and in the world around us. This recognition is supported through the maieutic activity of the Church's Magisterium, which assists through the articulation and defence of these principles. On the level of conscience our particular moral reasoning is far from perfect, and so cannot operate in isolation. Therefore, it is in constant need of development and of the assistance of others, particularly the Church, as well as God's mercy. The development of our conscience therefore centres upon our growth in virtue and grace, in a life of holiness.

4. Conscience, Virtue, Grace and the Call to Holiness

This contextual development of conscience forms the subject of the final two chapters of this thesis. In discussing virtue or elements of a life of holiness, we are faced with

the difficulty of clearing away the negative connotations presently attached to some of the key terms. Instead of being understood as concepts related to strength or excellence, words like 'virtue', 'prudence', 'temperance' or 'asceticism' probably conjure up ideas of a repressed, cautious, puritanical life that lacks any joy or excitement. However, such a view is a distortion of a much richer reality, one that allows us to move away from a morality of mere obligation to a morality of growth that positively seeks to choose and do the good and ultimately seeks union with God out of love.

Virtue assists in disposing the person to a right understanding of the end of action, and in acting in accordance with this end, by carrying out a good act, the person flourishes or develops morally. This has obvious implications for the moral conscience, in that virtue provides the environment for both the functioning and the refinement of our moral capacity for reflection and judgement. Central to the shaping of conscience so that it is perfected or connaturally attuned to the true and the good, and therefore also to God's will, is its relationship to the cardinal and theological virtues. Prudence helps conscience by raising the act of judgement to a new level in its quality of reasoning and motivation, such that the person seeks the best possible solution for the concrete circumstances of the problem, rather than simply any one of a number of legitimate possibilities. Justice prompts conscience to judge with responsibility and due care for others. Temperance and fortitude support conscience by ordering our passions, particularly those of desire or fear. In this way our moral judgement is upheld in the context of temptation or danger. However conscience is not only offered the natural support of human virtue; we are offered divine assistance through grace.

Current moral theology is once again giving greater recognition to the role of grace in the virtues and in the moral life in general. The action of grace should therefore not be considered as some kind of awkward addition to moral theory, but rather as the power of God sustaining and transforming our lives in holiness. In this way our natural striving for virtue is brought to new heights, without discarding the necessity of our own effort. Grace changes our perspective, so that we desire to grow in sympathy with God's ways. Thus, the infused virtues, particularly the theological virtues of faith, hope and charity, direct our actions so that they are in accord with our supernatural end. Faith draws us to live a life in keeping with our recreated nature and eternal goal. Hope sustains our efforts for goodness, even in the face of trial or failure, and through our participation in God's nature, charity unites our minds to God's, forming all virtues so that they reflect the ultimate goal of love. Such a transformation of virtue, and hence of conscience, through the action of grace cannot flourish without the necessary setting. Hence we conclude that the most fruitful context for development of conscience through virtue and grace is a life that is lived in response to the call to holiness.

A life of holiness as the setting for spiritual-moral growth necessarily involves purification. Thus the practice of *asceticism* forms an essential part of the life of grace in that it renews our minds by clearing away a false appraisal of our actions and purifies our intention to follow the Lord. Fundamental to this renewal of our minds is the practice of prayer. In prayer we listen for the Lord, with obedience and docility, in a living relationship of sons and daughters in the Son. This relationship calls us to examine our conscience before the Lord, so that we may receive his mercy and healing, but also so that we may make fruitful use of the gifts of the Holy Spirit, which enlighten our minds and assist in both the deeper examination and formation of

our consciences. Our life in the Spirit also leads us to imitate Christ, learning from him and serving him in *sequela*. This participation in the life of Christ moulds our consciences so that our judgements are made with the same attitude of loving self-sacrifice. Ultimately, however, such a life of grace cannot be lived alone. We live in *communio* as the Body of Christ, nourished by the Lord through the Church, and so our desire for a conscience that judges according to God's ways, and according to our eternal goal, finds its fullest setting in the life of the Church. In this context the conscience of the individual receives support and challenge so that in our daily lives we may faithfully live as God's adopted sons and daughters.

This thesis has attempted to present a moral theory of conscience which sees virtue and grace in the context of a life of holiness as both a remedy for fragmentation in moral theory and an environment where the Christian conscience can flourish. However, such flourishing does not preclude all error. We will never reach perfection in this life, and so our moral judgements will still be subject to some extent to the drama of temptation and human frailty. Nonetheless, this does not diminish the honesty of our desire to live holy lives. In answering the call to holiness every day we are expressing our desire to follow the Lord, and to allow him to mould us, so that we may truly live in love, a "love that comes from a pure heart, a good conscience, and sincere faith" (1 Tim 1:5).

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Abbreviations

AAS: *Acta Apostolicae Sedis*

DS: Denzinger, Henricus and Adolfus Schönmetzer, eds. *Enchiridion Symbolorum, Definitionem et Declarationum de Rebus Fidei et Morum*. 36th rev. ed. Barcelona, Freiburg im Breisgau, Rome: Herder, 1976.

PG: Migne, J.-P., ed. *Patrologiae Cursus Completus (Series Graeca)*. Paris: n.p., 1857-1866.

PL: Migne, J.-P., ed. *Patrologiae Cursus Completus (Series Latina)*. Paris: n.p., 1844-1855.

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