

The Primacy of Conscience

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The principle of the primacy of conscience is deeply embedded in our western moral tradition. The expression is sometimes used explicitly, sometimes equivalent expressions are used. For example, Eric D'Arcy refers to 'the sovereign authority of conscience'.¹ John Henry Newman in his *Difficulties of Anglicans*² speaks of conscience as 'the aboriginal Vicar of Christ, a prophet in its informations, a monarch in its preemtoriness'.

The present Pope Benedict XVI writing as Cardinal Joseph Ratzinger, recalls the signal contribution John Henry Newman made in his life and work to the question of conscience and the famous sentence in his letter to the Duke of Norfolk: 'Certainly, if I am obliged to bring religion into after-dinner toasts (which indeed does not seem quite the thing), I shall drink – to the Pope, if you please, – still to conscience first and to the Pope afterwards'. Against the prevailing opinions of the time Newman wanted to make no bones about his avowal of the authority of the pope whilst at the same time making it clear that the papacy can only be rightly understood 'not put in opposition to the primacy of conscience but based on it and guaranteeing it'.³



The Pope also likens Newman to Britain's other great witness of conscience, St. Thomas More, 'for whom conscience was not at all an expression of subjective stubbornness or obstinate heroism. He numbered himself, in fact, among those faint-hearted martyrs who only after faltering and much questioning succeed in mustering up obedience to the truth, which must stand higher than any human tribunal or any type of personal taste'.⁴

The Meaning of the Primacy of Conscience

The teaching of the primacy of conscience is not an invitation to a lax attitude towards morality or downplaying the truth. Rather, as will be seen from the following pages, it poses a challenge to live in accord with the truth and to act responsibly in all one does.

In the first place the primacy of conscience is not to be understood in a radically subjective sense, as though conscience were a law unto itself, independently determining moral good and evil, or a purely arbitrary judgment tailoring the morality of one's actions to one's personal wishes.⁵ Two

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¹ *Conscience and its Right to Freedom* (London: Sheed and Ward, 1961), p. 75

² Quoted in Robert Hodge, *What's Conscience For?* (Middlegreen, Slough: St. Pauls, 1995). p. 217

³ Cardinal Joseph Ratzinger, *Conscience and Truth, 1991* (Eternal Word TV Network, Irondale, AL35210), p. 5

⁴ *Conscience and Truth*, p. 5

⁵ It is sometimes claimed that this doctrine of the primacy of conscience is responsible for the shift towards relativism in morals and complete independence on the part of an increasing number of people today. It is true that many believe that one is entitled to make up one's own mind without reference to any outside authority, either church or state. It is not unreasonable to suggest that these views on morality are in very large measure due to cultural changes and other social factors. Our secularised society is marked by a growing disillusionment with established structures, both civil and ecclesial, and in consequence, with little reliable external guidance to rely on, a corresponding fallback on an exaggerated moral autonomy. The 1993 Papal Encyclical *Veritatis Splendor* (Homebush, NSW: St. Paul's, 1993), reacted strongly against this exaggerated exaltation of personal freedom and its offshoot, "a claim to a *moral autonomy* which would actually amount to an *absolute sovereignty*" and make conscience a law unto itself (35:3). On this

points need to be made in relation to this.

First of all, we are responsible not only *before* our conscience, in the sense of following its dictates, but even more we are responsible *for* our conscience. This means that we have a serious obligation to work towards developing a *mature* conscience, that is, one that is *formed* by cultivation of moral virtue and love of the true and the good, and *informed* about what we need to know in order to make right choices in our life.



Secondly, in reaching a judgment about what we should or should not do in a concrete situation, we have a serious obligation to try and find the right answer. Our responsibility is to ensure that the judgment arrived at is as far as possible in accord with objective truth. Vatican II says: ‘The more a correct conscience holds sway, the more persons and groups turn aside from blind choices and strive to be guided by objective norms of morality’.⁶

Pope John Paul II put it even more strongly, ‘the maturity and responsibility of these judgments – and, when all is said and done, of the individual who is their subject – are not measured by the liberation of conscience from objective truth, in favour of an alleged autonomy in personal decisions, but, on the contrary, by an insistent search for truth and by allowing oneself to be guided by that truth in one’s actions’.⁷

However, while the primacy of conscience does not mean and has never meant liberation from objective truth (in this sense objective truth holds a certain primacy), no objective formulation of truth or moral law coming from outside ourselves can take the place of conscience, because ‘it is upon the human conscience that these obligations fall and exert their binding force’.⁸ Hence, as the document continues, ‘In all one’s activity one is bound to follow one’s conscience faithfully’, in order to ‘come to God, for whom we were created’.⁹

In sum, the precise meaning of the principle of the primacy of conscience is that one must follow the sure judgment of conscience even when through no fault of one’s own it is mistaken. St. Paul had occasion to address this issue in regard to what Christians should do about food that had been sacrificed to idols and was therefore thought taboo (1 Cor 8 and Rom 14): ‘Consider the man fortunate who can make his decision without going against his conscience. But anybody who eats in a state of doubt is condemned, because he is not in good faith’ (Rom 22-23).

The morality of what one does is thus for Paul essentially dependent on one’s clear conviction of being right or ‘in the truth’. In this he affirms the primacy of the person (and of conscience), even when he or she is objectively mistaken in good faith.

basis it criticised unidentified moral theologians, who, it claims, have distorted the true understanding of conscience “in relation to human freedom and God’s law” (55:1-56:2).

⁶ *The Pastoral Constitution on the Church in the Modern World (Gaudium et Spes)*, n.16

⁷ Pope John Paul II, Encyclical Letter *Veritatis Splendor*, n.61.2. Vatican II again stressed the point that all ‘are bound to seek the truth, especially in what concerns God and the Church, and to embrace the truth they have come to know, and to hold fast to it’, n.1

⁸ Declaration, *On Human Dignity*, n.1

⁹ *On Human Dignity*, n.3

The Question of Error in Conscience

Because it is an exercise of human reason, conscience is fragile and fallible. It is prone to error. When it is in accord with objective truth, conscience is said to be right or *correct*. When there is disaccord between the two it is called an *erroneous* conscience, which may result from *ignorance* that is either involuntary and inculpable, or voluntary and culpable.

Moral theology has attempted to convey the traditional doctrine regarding the primacy of conscience by referring to it as the *proximate norm, the ultimate and supreme subjective measure of the goodness or evil of what we do*.¹⁰ The force of this is that a correct conscience always obliges us to follow it. But it also means that, even if, because of unavoidable lack of knowledge, our conscience is erroneous, it still remains the immediate norm or measure of the morality of our action and must be followed, or at least not acted against.

St. Thomas Aquinas supports what he says on this point by a couple of rather startling illustrations. Not to have extramarital sex, he says, can be mistakenly seen as a bad thing. In this case one does wrong in refraining because one would then be prepared to choose what is seen as evil. For the same reason it would be wrong for someone, he says, to believe in Jesus Christ when this is erroneously apprehended as a bad thing. In doing so in either case, according to St. Thomas and the tradition of the Church, one would commit sin.¹¹

As George Lobo comments, ‘these examples show that the primacy of conscience as the subjective norm of morality is an age old principle in the Church. It might have been obscured in practice by authoritarianism, but it has never been denied’.¹²

In memorable words Vatican II upholds and defends the inviolable sanctity and unassailable dignity of personal conscience: ‘The gospel has a sacred reverence for the dignity of conscience and its freedom of choice’¹³, even though through no personal fault it is an erroneous conscience. The same document had already stated: ‘Conscience frequently errs from invincible ignorance without losing its dignity’.¹⁴ It does not lose it because its dignity is not first and foremost the dignity of conformity with conventional conscience, but the dignity proper to the human person, namely to engage freely in a sincere search for what is right and good. Only when this personal dignity is lost does conscience lose its dignity.



¹⁰ Cf. Richard M. Gula, ‘Conscience’, in Bernard Hoose (ed.), *Christian Ethics*, (London: Cassall, 1998), 114; George V. Lobo, *Christian Living according to Vatican II* (Bangalore: Theological Publications in India, 1980), 335-339.

¹¹ *Summa Theologiae* I-II, I9, 5.

¹² *Christian Living*, 336.

¹³ *Gaudium et Spes*, n.16

¹⁴ *Gaudium et Spes*, n.16

The same cannot be said of a conscience that is erroneous because of *voluntary* ignorance. People are sometimes responsible for their own ignorance and false, even anaesthetised, conscience. We may not *want* to know the right thing, so we deliberately shut our eyes to the truth. We simply may not care one way or another. Long-allowed bad habits may have resulted in a conscience that has grown practically sightless. In all such cases we are responsible for our own ignorance. Our erroneous conscience is our own fault and we are not justified in following it. Our prime obligation is to correct it. One cannot speak of primacy in regard to such a conscience.

A further and very important consideration now comes to the fore. Reference to conscience as anaesthetised or sightless recalls that there are deeper levels of conscience beyond the first level of decision in relation to a particular act. There remains the issue of guilt at these deeper level of our being. At this deeper level conscience implies 'the perceptible and demanding presence of the voice of truth in the subject himself'¹⁵. It implies the conquest of mere subjectivity in the encounter of our inner self with the true and the good.

What we are saying here is inconceivable for those who see conscience as mere subjective conviction and the subsequent absence of doubts and scruples. Conscience does not mean liberation from the demands of truth. It is wrong to act against one's beliefs and convictions, but it can be wrong to have arrived at these beliefs and convictions in the first place, by having stifled the openness to truth placed deep in our being.

An example may help to clarify the point. The guilt lies, in the case of gangland killers perhaps, or Hitler or Himmler or Stalin, not maybe in the actual judgment of conscience that killing is morally indifferent, but in closing oneself, no doubt over a long period of time, against the overtures of truth



within one's heart. 'Certainly, one must follow or at least not go contrary to an erroneous conscience if it arises out of invincible ignorance. But the departure from truth which took place beforehand and now takes its revenge is the actual guilt which first lulls man into false security and then abandons him in the trackless waste.'¹⁶

In other words, we are not justified by our subjective conviction and the lack of doubts and scruples that follow from this. Our ability to recognise guilt is essential to our spiritual make-up. Whoever cannot perceive guilt is spiritually ill, a living corpse. The feeling of guilt at the deepest level of conscience disturbs our complacency and, bearing witness as to how it is with us, accuses us that our image of ourself, our self-understanding, deep in our heart is violated by our actual condition. The guilt lies here, not in the present judgment of situational conscience, but in that inner neglect which led in the first place to being deaf to the internal promptings of truth. This is why convinced criminals like Hitler and Stalin are guilty.

The possibility of self-deception, therefore, is very real. Indeed, in this area self-deception is perhaps harder to unmask than anywhere else. Moral philosopher, John Macquarrie, cites the example of renowned Anglican Bishop Butler, whose respect for conscience and its vital role in life was well known, who showed in his writings 'how subtly the conscience of a good man can be

¹⁵ *Gaudium et Spes*, n.16

¹⁶ Ratzinger, *Conscience and Truth*, p.4

influenced and distorted by self-deception'¹⁷. If progress in society is to happen, it would seem inevitable that at times there be clashes between the conscience of some individual members of society and conventional morality. The problem is: how can these individuals be sure that their revisionist protests against accepted standards are not mere results of self-delusion?

Macquarrie responds to the difficulty by insisting on taking account of the essential social dimension that is part of all human existence. We live and find fulfilment in community. That belongs to our nature as human beings. Hence, if conscience leads us to take issue with generally accepted standards in our community, we ought to open our conscience judgment to the judgment and counsel of the members of our society. If we are Christians, we should also open it to any teaching of the Bible and the Church on the matter in question. Only after trying as best we may to concede our own tendency to be mistaken can we back our own conscience in opposition to accepted social standards. We may still be wrong, but unless some members of society are prepared to run that risk, it is hard to see how any social progress can ever take place.¹⁸

A final implication regarding the primacy of conscience follows from what has been said. No one is to be forced to act against conscience. The right and duty to seek the truth and adhere to it once it has been found would be compromised unless individual persons 'enjoy immunity from external coercion as well as psychological freedom'¹⁹. For the same reason it is never justified to restrain anyone from acting according to their conscience. This right is essential to human dignity. However, as in the exercise of all freedoms, it is subject to personal and social responsibility. Individuals and social groups are bound to respect the rights of others and to honour their own duties towards others and the common welfare of all.

The Declaration goes on to say that 'society has the right to defend itself against possible abuses committed on the pretext of freedom of religion. It is the special duty of government to provide this protection. However, government is not to act in arbitrary fashion or in an unfair spirit of partisanship'.²⁰

Conclusion

In conclusion, the precise meaning as well as the limits of the primacy of conscience which we have attempted to expound show that this doctrine accords well with both our dignity and our frailty as human beings. One who understood this profoundly was the 18th century moral theologian, St. Alphonsus Liguori. In an era of rigorism in morals, Alphonsus, a staunch follower of Aquinas, learned from his experience working among the shepherds and goatherds scattered through the rugged hills behind the Amalfi coast to trust in the moral goodness of the ordinary often ignorant person.

In the light of this he taught that confessors not only may but indeed must leave honestly mistaken people in peace, unless of course the common good or the rights of innocent parties were at stake. Not only are they not guilty of any moral fault in following their invincibly erroneous conscience, but on the understanding that they are acting with prudence and out of love for God or neighbour their decisions are good and meritorious. For Alphonsus this is how real people actually live and act. One could hardly be called rash in echoing his trust in the goodness of normal human beings.

¹⁷ *Three Issues in Ethics* (SCM Press Ltd: London, 1970), p.116

¹⁸ *Three Issues in Ethics*, p.116-117

¹⁹ *On Human Dignity*, n.2

²⁰ *On Human Dignity*, n.7