

“The protest ‘I have to follow my conscience’ often is just a way to shut down conversation. Kathryn Lilla Cox uses the claim to open up a dialog with a rich Catholic history of reflection on conscience, dissent, and scandal. With exceptionally clear writing, extensively documented research, and carefully nuanced analysis, she makes an original contribution to the relational quality of conscience wholly engaged in contemporary living.”

— Edward Vacek, SJ
Stephen Duffy Chair of Catholic Studies
Loyola University
New Orleans, LA

“Dr. Kathryn Lilla Cox’s *Water Shaping Stone* is a greatly needed book. For too long, discussions of conscience have been couched in the tired debates of personal autonomy versus compliance to authority. Instead of rehashing the arguments or taking sides in them, Dr. Cox shifts the conversation by considering conscience in light of the Christian call to discipleship. Her perspective speaks to why forming a conscience is important, communities are essential for this process, and the development of the whole person cannot be neglected. This relational approach also leads to an interpretation of dissent and scandal not so much as problematic discord but rather as part of the inevitable and important struggles of a community pursuing faithfulness to Jesus. Dr. Cox’s is a rich and significant perspective, one that should make *Water Shaping Stone* the starting point for any future discussions on conscience.”

— Jason King
Associate Professor of Theology, Saint Vincent College
Associate Editor, *Journal of Moral Theology*

“Appeals to conscience in the midst of high-profile arguments about hot-button political issues have become more and more common in recent years, and this book found its genesis in helping students and others sort through what conscience is and how it might guide them with respect to such arguments. But Kathryn Lilla Cox is interested in far more than the relationship between faith and politics: instead, she guides her readers step by step, with clear and precise explanations and arguments, into an understanding of conscience that is not simply about particular moral choices but rather deeply rooted in the lifelong work of discipleship. Her insight, compassion, and depth of understanding shine as she argues that conscience, when understood in the context of the call to discipleship, can guide us through the ambiguous, shadowed, uncertain times of our lives, illuminating new possibilities for how we might better follow in the footsteps of Christ.”

— Colleen Mary Carpenter, PhD
Sister Mona Riley Endowed Chair of the Humanities
Associate Professor of Theology
Book Review Editor, *Horizons*, The Journal of the College Theology Society
Saint Catherine University

“This is a timely and superb book that very much needed to be written. Not only that, but its prose is both accessible and academically informed as well as inviting and compelling. Many persons, including Catholics and other Christians, may be conscious of conscience, but in an emaciated way that fails to interface robustly with the moral life or, for those of faith, the call to discipleship. Kathryn Lilla Cox is a conscientious and gracious moral theologian, and we are indebted to her for this graceful contribution to a topic that all too often is either oversimplified or over one’s head.”

— Tobias Winright
Maeder Endowed Chair of Health Care Ethics
Saint Louis University

Water Shaping Stone

Faith, Relationships,
and Conscience Formation

Kathryn Lilla Cox



A Michael Glazier Book

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Preface

Sometimes theologians choose the topic about which they research and write. Other times, events happen and research topics are chosen for theologians. The latter is how the seeds that resulted in this book were sown. Conscience as a category of sustained study, reflection, and consideration primarily occurred for me several weeks each fall semester. My students and I read and discussed together John Paul II's encyclical *Veritatis Splendor*, as well as Richard Gula's three chapters on conscience in his book *Reason Informed by Faith*. Then 2012 arrived, an election year, and Minnesota (where I live and work) had two ballot initiatives.

Both initiatives requested changes to the state constitution. The first would have required voters to present valid picture identification when voting. The Minnesota voter identification initiative, along with voter identification initiatives across the country, raised and continues to raise many important ethical questions about race, economic status, and societal power. The second initiative would have written into the state constitution a definition of marriage as between one man and one woman. In 2012, state law already defined marriage as between one man and one woman. The legislature as a body could vote to change any state law, but changes to the state constitution require a populace vote.¹

While the voter identification ballot initiative was and remains an important moral issue, attention given to the marriage amendment by

¹ Therefore, in 2012, advocates for and many opponents of the constitutional changes knew that if the proposals passed any subsequent legislative changes to state law would require a prior vote by Minnesota citizens to change the constitution first. Both proposals to amend the state constitution failed to pass. Subsequently, the Minnesota state legislature in May 2013 passed gender-neutral language regarding marriage, and a bill permitting same-sex marriages in the legal arena. This legal right to marry does not entail the right to a religious marriage ceremony. In other words, the legal or state definition of marriage does not necessarily concur with religious definitions of marriage. After the law changed some religious groups and some denominational churches now facilitate same sex marriages, even as other groups and churches do not.

the media, politicians, and many religious communities leading up to the November 2012 election overshadowed the voter identification initiative. The Minnesota bishops supported the proposed constitutional marriage amendment, and former Minneapolis–St. Paul Archbishop Nienstedt, with the help of donors, spent approximately three quarters of a million dollars putting forward the Roman Catholic teaching on marriage. The Minnesota marriage amendment, church teaching, how to vote one’s conscience, the effects of highly charged conversations on families and faith communities, and the desire of some same-sex couples to marry and have their relationships recognized loomed large. As people listened to appeals to “vote their conscience” in Minnesota several factors coalesced, creating confusion regarding what exactly “voting one’s conscience” meant. These factors included the voices of bishops in other Christian denominations supporting same-sex marriage, the distinction between religious and legal understandings of marriage, the perceived political advocacy by some Catholic bishops, and competing definitions about what it meant to vote, let alone form, one’s conscience.

This was the political and localized ecclesial context throughout 2012, particularly as November approached, that shaped my classroom teaching and my speaking to various groups about conscience and conscience formation. Time and again it was a heartwarming and heartrending privilege to listen as people shared their struggles to live their faith, follow the teachings of their Catholic bishops, and consider how to vote in that fall’s election. People were wrestling with the reality of their experiences informed by their faith journeys, realities that at times misaligned with the mandates coming from Catholic bishops or Vatican offices. This wrestling included deep, respectful engagement with Roman Catholic teaching, insights from the depth and breadth of Roman Catholic intellectual life and history, Catholic bishops’ statements, the statements of their own religious leaders (many students and people were Christian but not Catholic), and the secular issues of state politics. My 2012 experience researching, presenting, and teaching about conscience in the classroom, along with listening to people’s stories and questions and having conversations with several colleagues, resulted in this book’s basic structure.

While the 2012 Minnesota election year was the initial backdrop for this book, appeals to conscience are ongoing. Since 2012, appeals to conscience have been raised in relation to the Affordable Health Care Act and, most recently, in early reactions to Pope Francis’s newest encyclical,

Laudato Si (On Care for Our Common Home).² Santa Clara University's Markkula Center for Applied Ethics sponsored a series of lectures looking at conscience in relationship to stem cells, cloning, peace and justice, and Snowden and the internet, as well as the moral responsibility of corporations. Taken together, these explorations and appeals to conscience showcase the importance of conscience and its formation in many areas of human life.

Despite conscience's importance and relevance, one difficulty I encountered throughout 2012 in groups and in my classroom was the need to dismantle two competing and false understandings of conscience. The first claimed conscience relied on personal experience, thought, and feeling as the sole arbiter of truth. The second believed conscience meant following a course of action dictated by authority (often understood as bishops or Vatican offices) because of obedience conceived of as following orders while seeing no need for personal responsibility or accountability regarding a decision. These two extreme and erroneous perceptions of conscience pit personal experience and convictions against the teaching and authority of the Magisterium, whereby a person or community must choose one over the other. This false binary framework for considering conscience risks the moral agent's capacity for moral responsibility as well as hiding and gutting the call to discipleship.

An eviscerated notion of discipleship diminishes our ability to conceive our capacity for ongoing conversion and growth as a new being in Christ with the accompanying skills, practices, and virtues as features of a moral life. A centuries-long tradition, theological reflection, and the teaching at Vatican II acknowledges and keeps in dynamic tension the teaching authority of the Magisterium along with the individual/community's requirement to follow their conscience in the context of faith and relationship with God—in other words, discipleship.

The reality that discipleship, moral growth, formation, and right judgments of conscience occur over time—often in fits, starts, regression, renewal, and ongoing illumination—is alluded to in this book's title. Various relationships—and for believers the central relationship with the triune God—shape, form, and correct individual and communal consciences over time. Furthermore, the title carries many scriptural resonances

² The encyclical is dated May 24, 2015, and was released on June 18, 2015. It can be accessed at w2.vatican.va.

regarding water, heart, and formation that framed the research and writing of the book. Consequently, the title functions metaphorically for discussing conscience grounded in the call to and growth in discipleship. In other words, human moral formation (conscience formation) is an ongoing endeavor.

The first word—*Water*—recalls the many scriptural references to water and all that water symbolically means. Water first appears in Genesis when God separates the water from sky, and we hear about all the life that teems within it. Moses parts the Red Sea and the Hebrew people take the first steps toward freedom passing through the walls of water. Numerous wells mark the places where God meets women and men in sacred and revelatory ways (for example, Hagar and Jacob). The prophets see water rushing down the walls. Water also figures prominently in the New Testament, starting with the baptism of John the Baptist, Jesus' baptism, the calming of the waters, Jesus turning water into wine, and so forth. For Christians, water recalls our own baptism into a communal life of prayer, sacramentality, and relationship with the triune God and the requirement to live that life of faith. In all of these instances, water signifies in some way the movement into new life, celebration, transformation, and encounter with the triune God.

Therefore, for me, water highlights that our consciences are not simply a place within our psyches. Conscience, as a concept, pulls together our cognitive, affective, bodily, and spiritual dimensions. Conscience, while experienced as a judging faculty, also has elements of being a skill and virtue, always pointing toward and illuminating the status of our relationships. It is too facile and simplistic to presume that we can predict what conclusions our conscience will arrive at or truths it will illuminate. Instead, our encounters with the living God, with other human beings, with the created world, and with ourselves begin to elucidate the contours of understanding right, wrong, good, evil, discipleship, and holiness. While often difficult, following one's conscience requires focus on what God is bringing forth, where new life is arising, what is being cleansed or washed away—in short, discerning and responding to where God is acting in our lives. This holds true for individuals, communities, and families.

The second and third words—*Shaping Stone*—stem from scriptural resonances to hearts of stone and time spent near the ocean visiting family, friends, and while on sabbatical. Beaches that form the Long Island Sound or the coast of California have many stones and rocks. The stones are different colors, textures, and sizes, shaped by different types of waves,

yet shaped by water nonetheless. The shaping of rock into diverse stones takes time. Gradually pieces of rock break apart, sharp edges wear down, and, with the passage of time far exceeding our life span, the rocks and then stones become grains of sand so tiny by themselves. Yet together they form a textured ground upon which to walk, run, and play. Thus, *Shaping Stone* alludes to the manner in which God works on our hearts of stone. We are resistant, hard-hearted, slow. God, patiently and like the waves of the ocean, continues to wash over us, cleansing, shaping, and contouring us over a lifetime—not immediately, but gradually over the years. Like the stones carried and tossed by waves, we are often picked up, carried elsewhere, or tossed around by others, while always remaining within the water, carried by God, the one in whom we live and move and have our being. Becoming a new being in Christ and faithfully living the covenantal relationship, manifest in our relationship with family, friends, enemies, neighbors, strangers, and the rest of God’s creation, remains a slower process than we like to think. As is the ability to discern the Spirit’s breath of new life, stirring creative responses to the signs of the times. The same holds true for conscience formation.

The subtitle for this book, *Faith, Relationships, and Conscience Formation*, is an acknowledgment that we are relational and spiritual beings, an insight stemming from the belief that we are *imago Dei*, *imago* triune God. We do not emerge into the world as actualized, fully free moral agents. Neither do we form ourselves in isolation. We are born into a matrix of relationships and familial, cultural, national, religious histories not initially of our making. Thus, while it could be argued that newborns and children do not share the same hardness of hearts that adults have, nonetheless children are born into a world of sin and grace, initially shaped and formed by the communities into which they arrive. As we grow from newborns into adulthood, we interact with the various persons and forces within these communities. We begin making decisions and judgments regarding our actions, the type of person we wish to be, and how we want to be known. As a result, we add our own story and history to the communal mix, becoming part of the formation process for others.

For better or worse, human beings help shape each other. We do so by ignoring God’s grace and self-offer while living out of ego, self-destruction, death, and sin—thus, squashing and killing life, hopes, and dreams in so many ways. We also live by responding to God’s grace and self-offer by birthing, nourishing, fostering, and supporting new life, hopes, dreams, and the reign of God. Our lifetime work consists, then, in growing, undergoing

conversion, and falling more deeply in love with God, fellow humans, and all God's creation. Our faith and relationships form the matrix within which we develop as moral agents and beings.

May God—the One who created, sustains, and calls us to live more deeply a life of love, mercy, compassion, kindness, and justice—help us to see each other and the world as God sees it. May Jesus Christ be our model and guide for understanding what living a life of service, justice, healing, and relational sacrifice entails. May the Spirit enlighten us in our whole being—mind, body, affections, and spirit—as we seek life-giving Truth and deeper intimacy with the Ground of our being so that we may live more intentionally as witnesses to the triune God's love, faithfulness, mercy, compassion, kindness, and justice.

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This book is dedicated to the monastic women of Saint Benedict's Monastery with deep joy, affection, and gratitude for their faithful witness, joyful welcome, listening to God with the ear of their hearts, and the ability to midwife gifts in others.

Introduction

Moral theology's history, like any other theological discipline, is richly complex, filled with pitfalls and life-giving insights for Christian living. Over time various emphases within moral theology have swung, shifted, and coexisted. Therefore, even as moral manuals dominated the era immediately before Vatican II, theological shifts were already under way. Consequently, when the Second Vatican Council called for moral theology's renewal, many postconciliar theologians were poised to ponder not only actions but also the human person (moral agent), questions of being (who am I or who are we becoming), and character (practice and cultivation of virtue).¹ Additionally, ongoing research into moral theology's history reinscribed the value of casuistry while dismantling the misconception that moral theology was a static field.²

While the renewal brought forth bountiful fruit, Linda Hogan noted in 2000 that contemporary moral theology is fraught with divisions among

¹An early wave of postconciliar writings and debates addressed moral theology's method and content, the implementation of conciliar directives, and responses to *Humane Vitae*, the papal encyclical published a mere three years after the council ended. More specifically, these early postconciliar debates examined the question of an autonomous ethic as opposed to a faith ethic, considered the status of natural law and the role of Scripture in ethics, and fostered the retrieval of virtue ethics. For some overviews of these debates, see Richard A. McCormick, *Notes on Moral Theology: 1965–1980* (Washington, DC: University Press of America, 1981); Charles E. Curran and Richard A. McCormick, eds., *Readings in Moral Theology, No. 1–8* (New York: Paulist Press, 1979–1983); Paulinus Ikechukwu Odozor, *Moral Theology in an Age of Renewal: A Study of the Catholic Tradition since Vatican II* (South Bend, IN: Notre Dame Press, 2003).

²See, for example, Albert Jonsen and Stephen Toulmin, *The Abuse of Casuistry* (Berkeley: University of California Press, 1988); James F. Keenan and Thomas Shannon, eds., *The Context of Casuistry* (Washington, DC: Georgetown University Press, 1995); Charles E. Curran, *The Origins of Moral Theology in the United States: Three Different Approaches* (Washington, DC: Georgetown University Press, 1997); Klaus Demmer, *Shaping the Moral Life: An Approach to Moral Theology*, trans. Roberto Dell'Oro, ed. James Keenan (Washington, DC: Georgetown University Press, 2000); Julia Fleming, *Defending Probabilism: The Moral Theology of Juan Caramuel* (Washington, DC: Georgetown University Press, 2006).

theologians themselves, and between theologians and the Magisterium. She wrote that conscience “figures prominently in popular perceptions and discussions of these academic debates” even as conscience rarely has “sustained analysis.”³ Therefore, Hogan saw the need to “reconstruct a theology of conscience in light of the problems of contemporary Catholic moral theology.”⁴ Her reconstruction accounts for various understandings of conscience within the intellectual tradition, including church documents. While maintaining the church’s role in conscience formation, she argues that the church must educate and nurture in ways that are “respectful of the seriousness with which most people engage in ethical reflection and that is supportive of their conscientiously held beliefs and values.”⁵ Hogan identifies the need to ask questions that consider how we act on our conscientious decisions rather than continually focusing on the status of church teaching, its authority, and what obedience is due the teaching as foundational concerns for conscience. She provides a road map for this shift premised on a personalist understanding of conscience. Hogan’s personalist framework attends to the moral agent and their formation when considering moral action and decision making. Her paradigm considers and respects the lived reality, nuance, and various considerations humans bring to bear on their moral judgments, decisions, and actions. Additionally, Hogan argues for shared general principles and sees value in acknowledging that there is a legitimate plurality of applications and interpretations of norms. Her personalist paradigm also has room to consider and judge both character and action.

So, if Hogan provided a framework and model for considering conscience that aids the moral agent in his or her decision-making process and proposes a way beyond some contemporary methodological issues in moral theology, why another book on conscience? Despite Hogan’s work and the work of others, as I experienced in 2012, conscience and its role are still frequently misunderstood and misemployed.

Thus, this reality highlights that even with the vibrancy and renewal of moral theology in the fifty years after the council, renewal work re-

³Linda Hogan, *Confronting the Truth: Conscience in the Catholic Tradition* (New York/Mahwah, NJ: Paulist Press, 2000), 1. She discusses the debates throughout the book in more detail.

⁴*Ibid.*, 2.

⁵*Ibid.*, 6–7. Hogan uses the term “church” in a variety of ways, sometimes meaning the Magisterium or the papacy, other times not. A more extensive description of how she uses the term “church” is beyond the scope of this project.

mains indispensable. Charles Curran recently wrote that he sees “the most significant agenda for Catholic moral theology today—[as] the need to develop a moral theology that is truly theological in light of Vatican II.”⁶ Developing a truly theological moral theology necessitates further examination of the areas already explored in Vatican II’s aftermath. Moral theologians must continue working to incorporate more fully into their work theological insights from the areas of Scripture, God, Christology, pneumatology, ecclesiology, discipleship, and so forth. This task is more than one book or person can accomplish.

My purpose is to contribute, however modestly, to the job laid out by Charles Curran “to develop a moral theology that is truly theological in light of Vatican II” by addressing once again conscience and the moral agent’s formation. My approach will neither detail nor provide a literature review on conscience. Nor do I try to resolve any tensions inherent within the tradition, including the Vatican II documents themselves and in the various interpretations of conscience after Vatican II. Rather, I lay out a selection of conscience’s intellectual and historical patrimony in order to lift up and focus on theological aspects drowned out by the noise when personal autonomy stays pitted against magisterial authority. This means I choose to focus on selected thinkers and ideas, raising up certain resources within the tradition for comprehending conscience’s role in our moral lives. The purpose is to provide some perspective on why various views on conscience exist and consider often overlooked or underutilized theological resources on conscience. Furthermore, I point to, as an outgrowth of the Second Vatican Council’s call to holiness and engagement with the world, how discipleship enriches and deepens our perceptions regarding conscience’s value and role in our moral lives.

The book proceeds in the following fashion. Chapter 1 examines conscience as defined in contemporary Catholic magisterial documents composed in the latter half of the twentieth century: specifically, *Gaudium et Spes*, *Dignitatis Humanae*, the *Catechism*, and *Veritatis Splendor*.

Chapter 2 explores conscience in other sources, starting with biblical understandings of conscience and then the work of theologians Thomas Aquinas, Cardinal John Henry Newman, Bernard Häring, and Anne Patrick. Each theologian was selected for the way he or she illuminates the intellectual tradition informing or stemming from Vatican II’s teaching.

⁶Charles E. Curran, *The Development of Moral Theology: Five Strands* (Washington, DC: Georgetown University Press, 2013), 284.

Chapter 3 discusses how individual and communal conscience formation is a process for developing moral awareness and ongoing discernment that leads to moral decision making, action, and continual reflection on the validity of judgments. The formation process touches on the role of the church community, Scripture, and prayer ritual in our moral formation, illuminating the complexities of and myriad influences on our formation as moral agents.

Chapter 4 explores the question of what is required of a formed conscience leading to a different judgment than official magisterial pronouncements. Avery Dulles's typology of dissent and criteria for dissenting is analyzed along with the 1968 United States bishops' norms for licit dissent. After identifying that dissent as described and considered in these sources concerns orthodoxy, the possibility of legitimate plurality of practices is briefly explored. The work of Thomas Kopfensteiner on the metaphorical structure of normativity and Anthony Godzieba's work on unity, identity, and difference is employed in considering legitimate plural practices springing from a given norm.

Chapter 5 contemplates the reality of scandal as a possibility stemming from rightful disagreement. Thus, defining scandal becomes crucial, as does distinguishing sociological from theological scandal. Both sociological and theological scandal can result from both action and inaction. Theologically, Christians must grapple with the truth that scandal occurs not only because of sinful behavior but also from graced living. Jesus Christ shows us that discipleship can mean causing scandal because one follows the ways of the living God. Therefore, highlighting that scandal can result from both action and inaction, Christianity must deal with the scandal of the cross. In so doing, Christian discipleship and the scandal of the cross refocus our efforts for understanding the formation of the moral agent (conscience formation). Christian discipleship contextualized by the scandal of the cross should influence, inform, and foster how we view conscience formation, practices, and actions. Any individual or community's claim to live from a well-formed conscience needs to be determined not only by assent to doctrine but also by how well we live the demands of discipleship.



Conscience in Late Twentieth-Century Magisterial Texts

Introduction

The Catholic Church's intellectual history regarding conscience contributes to contemporary differences in the understanding and application of conscience. Current tensions surrounding conscience within magisterial documents, as well as among theologians, laity, and the Magisterium, are not unique given the complexity of this history. In this chapter, I examine how the definition and articulation of conscience's function in four specific contemporary Catholic magisterial sources actually contributes to the tensions surrounding conscience. The sources are as follows: the conciliar documents *Gaudium et Spes* and *Dignitatis Humanae*, the *Catechism of the Catholic Church*, and a papal encyclical by John Paul II, *Veritatis Splendor*.¹

Before proceeding, a word about method in this chapter. Given the ecclesial practice of using prior magisterial texts and statements, Scripture, and other sources when promulgating new ecclesial documents, a chronological analysis of these documents can be insightful. A chronological study helps identify whether reiteration, reinterpretation, recontextualization,

¹Each of the ecclesial documents has different functions; therefore, when reading and analyzing the ecclesial documents and statements we have to resist the temptation to see them all as carrying equal measure and authority, potentially raising all statements and teaching to the level of infallible, irreformable dogma. For more depth and information on the weight of various magisterial pronouncements, see, for example, Richard R. Gaillardetz, *Teaching with Authority: A Theology of the Magisterium in the Church* (Collegeville, MN: Liturgical Press, A Michael Glazier Book, 1997); Richard R. Gaillardetz, *By What Authority? A Primer on Scripture, the Magisterium, and the Sense of the Faithful* (Collegeville, MN: Liturgical Press, 2003); Francis A. Sullivan, *Creative Fidelity: Weighing and Interpreting Documents of the Magisterium* (Eugene, OR: Wipf and Stock Publishers, 1996).

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or renewal of ideas has occurred in the promulgation of new documents. The chronological analysis aids the researcher or reader with this identification by noticing where language or ideas are adopted, dropped, or placed within close proximity to each other. Adaptation, deletion, and placement of ideas within documents shape and inform our contemporary understanding of conscience and its application. As a result, intertextual chronological work can reveal the overlapping and divergent ways new documents utilize authoritative statements that define and interpret conscience. Therefore, remembering that various magisterial documents have distinctive functions, reinterpretation happens, various interpretations can be correct, and new insights emerge remains essential when reading and explaining particular documents on conscience. It is helpful to keep these considerations in mind when studying the effective history of ideas and the Catholic intellectual history starting with four magisterial sources.

This methodological decision for discussing and analyzing *Gaudium et Spes*, *Dignitatis Humanae*, the *Catechism of the Catholic Church*, and *Veritatis Splendor* illustrates how the meaning of a term can shift and change based on context. Both the *Catechism* and *Veritatis Splendor* rely on *Gaudium et Spes* in describing conscience, yet the selective use of textual material subtly shifts the meaning given to conscience in *Gaudium et Spes*.

The discussion and analysis of the four sources proceeds in three major sections. Section 1 briefly introduces hermeneutics since the intertextual work and analysis intended in this chapter is a hermeneutical exercise. Section 2 examines the four documents noted earlier, focusing on an analysis of each document's definition and description of conscience. This analysis includes some brief attention to what other documents or resources are used from the tradition, aiding the assessment of how conscience has been reinterpreted or reappropriated. Section 3 builds on the work done in section 2 by highlighting points of coherence and dissonance between the documents' descriptions of conscience. The points of coherence and dissonance raise additional questions that will be considered in later chapters.

Section 1: Hermeneutics

Hermeneutics as a discipline articulates, studies, and develops various theories of textual interpretation. A text can be a written document, a painting, a sculpture, a musical score, and so forth. Broadly speaking, the

field describes the relationship between author and text, the relationship between reader and text, and the effective history of the text's interpretation by individuals and communities. Hermeneutics strives to explain how we engage the potentially myriad interpretations of a text in order to comprehend their meaning within and for a community as sources and frameworks for knowledge. Additionally, hermeneutics aims to illustrate how a text's given meaning shapes and frames the interpretation and comprehension of current or future events or experiences. Thus, texts often have a transcendent quality where they can speak about timeless truths about reality across generations, even as they (texts) require appropriation in new milieus. David Tracy calls these timeless texts classics.² The classic text continually reveals or speaks to people even as it contains elements that appear strange or alien to readers in new eras. Further appropriation adds fresh layers of interpretation and possible meaning.

David Tracy argues that this phenomenon occurs because, once the words are written, the author's intention and meaning are no longer in the author's control. Instead, the text is put into a dynamic conversation with the reader. Any textual interpretation and comprehension begins while reading the text because readers bring to any text the constellation of their life experiences, worldview, culture, and other knowledge. This constellation of factors affects how readers interpret, comprehend, and respond to both new and familiar texts.³ This dynamic interplay between reader and text helps explain why in a book club, Bible study, or art class varied explanations of a book's, Scripture's, or a painting's meaning occur. In fact, you as a reader are already forming opinions, thoughts, and reactions to what you are reading here, informed by your current frameworks, knowledge, and experiences, thus employing the dynamic that the field of hermeneutics explains and explicates.

Experience of God

German theologian Klaus Demmer argues that an experience of God roots all other experiences for the believing moral agent. Believers have an encounter with God that becomes the cornerstone for engaging and

²David Tracy, *The Analogical Imagination: Christian Theology and the Culture of Pluralism* (New York: Crossroad, 1981).

³David Tracy, *Plurality and Ambiguity: Hermeneutics, Religion, and Hope* (Chicago: University of Chicago Press, 1987).

interpreting other experiences within a framework of meaning. According to Demmer, while the individual's unique experience of God shapes her life in myriad ways, "it is the history of God with humanity and of humanity with God, which constitutes the specific object of religious experience."⁴ In other words, salvation history is a communal history. Our individual experiences with God, while forming an individual narrative, exist within and are part of a communal narrative, a community's history with God. As Demmer points out, the original shared experience by the original disciples of the life, death, and resurrection of Jesus is centrally important for the Christian community. For Demmer, this original experience includes the anthropological reality that the revelation of God's self in Jesus Christ releases humanity's truth, as understood by Christians. This releasing of humanity's truth reveals our capacity to respond freely to grace—God's self-communication—manifest in human actions, behavior, and interior integrity.⁵ Stated slightly differently, experiences of responding to God's self-communication become the crucibles by which believers grow into the possibilities of their freedom.⁶ For Demmer, this process of growing into possibilities of freedom through experience is filtered by and interpreted in a faith context. This process, filtration, and interpretation of experience and encounter form the basis for a Christian moral obligation and ultimately lead to norms for action.⁷ Thus, experience is not knowledge we collect but a structuring of our life, with the continual process by which we evaluate meaning, our value system, and obligations to God and others manifest in our actions.⁸

⁴Klaus Demmer, "Sittlich Handeln aus Erfahrung," *Gregorianum* 59 (1978): 661–90, at 683. All translations from this article are mine.

⁵Klaus Demmer, *Living the Truth: A Theory of Action*, trans. Brian McNeil (Washington, DC: Georgetown University Press, 2010).

⁶Demmer, "Sittlich Handeln aus Erfahrung," 683. Demmer acknowledges the reality that the response to God can be a no, or a turning away from the offer of God's self. A discussion of freedom's complexity is beyond the scope of this text.

⁷Ibid., 683–84.

⁸Ibid., 686. German has two words that can be translated into English as "experience," *das Erlebnis* and *die Erfahrung*. There are nuances between the two terms even though both are translated as "experience." *Die Erfahrung* carries connotations of discovering or knowing about something through living life. For more information on the differences, see *Langenscheidts New College German Dictionary*, ed. Sonia Brough, rev. ed. (New York: Langenscheidt, 1995), s.v. "Erfahrung," 191; s.v. "Erlebnis," 195; Hans-Georg Gadamer, *Truth and Method*, rev. 2nd ed., trans. Joel Weinsheimer and Donald G. Marshall (New York: Continuum, 1995), xiii.

According to Demmer, our experience (*Erfahrung*) is not just data to be added to moral methodology. A dialectical relationship exists between experience and insight. New experiences can result in a changed interpretive framework or perspective, permitting new insights to emerge; with those new insights, new strategies for action can be discovered. This dynamic means Demmer recognizes the reality that moral insight remains grounded in history's developments and conditions.⁹ Moral insight—in history and not ahistorical—is both rooted in past experiences and insight and at the same time develops through new experience.¹⁰ Therefore, no pure insight exists since our comprehension of reality, truth, and meaning remains incomplete, always unfolding and revealing what was hidden, potentially opening the human being up to that which goes beyond one's own experience or self.¹¹ Additionally, experiences themselves are not absolute but always interpreted and understood in light of underlying insights.¹² Experience, while essential to growth in freedom, must be critically appropriated. As Demmer argues, "Experience does not convert mechanically into insight."¹³ In other words, experience cannot be put on an assembly line to gain insight. Humans must critically examine and reflect on experience in order to arrive at insight, always mindful that common experiences can yield different moral interpretations or applications—thus the necessity for reflection and critical examination in dialogue.¹⁴

This brief foray into hermeneutics highlights that knowledge remains partial and incomplete, as does our comprehension or grasp of that knowledge. The theological counterpart is the recognition that God reveals the fullness of truth, yet due to our finitude, our grasp of truth is partial, mediated, and incomplete.¹⁵ This partial, incomplete grasp of truth

⁹Demmer, "Sittlich Handeln aus Erfahrung," 661–62. The conditions of history to which Demmer alludes include experience and the known anthropological foundations exerting a moral claim in history, including freedom.

¹⁰Ibid., 662.

¹¹Ibid., 681. In other words, there are experiences that tear the fabric of people's lives, whether positively or negatively, and cannot be reduced to a snapshot of the event. Certain experiences disrupt a worldview, touch us deeply, and require some form of reweaving the fabric of our lives in the attempt to structure a meaningful way to engage the world. Life teaches us that knowledge is more than just facts; knowledge includes practical wisdom, insight.

¹²Ibid., 682.

¹³Ibid., 679–80.

¹⁴Ibid., 680n49.

¹⁵Cf. 1 Cor 13:12.

requires ongoing reflection and meditation as we seek a deeper, richer understanding of truth both personally and communally. I would argue that the hermeneutical relationship Demmer perceives between experience and insight helps with reading Vatican II on conscience.

Vatican II documents are the entry point for contemporary understandings of conscience since they provide the theoretical description of conscience and its workings.¹⁶ No one comes to those documents a *tabula rasa*, however. Human beings and communities live the results of conscience's formation, judgment, and effects—author and reader included. Eventually, multiple explications must be considered and placed within an effective history of interpretation, influencing contemporary and future understandings of conscience. The Vatican II documents make use of prior descriptions of conscience while their own definition of conscience permits and requires interaction between objective standards (norms, laws, rules) and subjective engagement (human experience). Any judgment of conscience requires awareness and commitment to truth as

¹⁶ Ecclesially, we see a testing of hermeneutical theory as new books are written, theories debated, and new analyses emerge about Vatican II and our ongoing reception and implementation fifty years after the initial event. Questions of meaning, different tropes for understanding the council, and new facts require looking anew at conciliar documents and our own prior comprehension, interpretation, and implementation or lack thereof regarding the council and its effects on theological fields of study. The fiftieth anniversary of Vatican II spanned the years from 2012 to 2015. A plethora of articles, books, commentaries, lectures, and so forth has resulted. These works consider the events of Vatican II itself, who was there, how the documents developed, what the voting results were, among other issues at the council. The analysis of Vatican II also explores events and theological insights that occurred before the council and the effect of those events and insights. Additionally, debates and conversations continue regarding the interpretation of Vatican II. How are we to continue interpreting and appropriating its documents and legacy? How do prior interpretations influence contemporary understandings of the council and its documents? See, for example, the six sets and a series of works celebrating Vatican II published by the Jesuit journal *Theological Studies* from September 2012 to March 2014, now collected and published as *50 Years On: Probing the Riches of Vatican II*, ed. David Schultenover (Collegeville, MN: Liturgical Press, 2015); John W. O'Malley, *What Happened at Vatican II* (Cambridge, MA, and London: The Belknap Press of Harvard University Press, 2008); Massimo Faggioli, *Vatican II: The Battle for Meaning* (New York: Paulist Press, 2012); Kristin Colberg, "The Hermeneutics of Vatican II: Reception, Authority, and the Debate over the Council's Interpretation," *Horizons* 38, no. 2 (September 1, 2011): 230–52; James L. Heft and John O'Malley, eds., *After Vatican II: Trajectories and Hermeneutics* (Grand Rapids, MI, and Cambridge: William B. Eerdmans Publishing Company, 2012); Matthew Lamb and Matthew Levering, eds., *Vatican II: Renewal within Tradition* (Oxford: Oxford University Press, 2008); William Madges, ed., *Vatican II: Forty Years Later* (Maryknoll, NY: Orbis, 2006)

well as the knowledge of the human moral agent (subject) who must live out their commitments, values, and judgments regarding right action. Therefore, the ongoing renewal of moral theology and understanding exactly what the council said about conscience and the effective history of those statements requires turning now to the magisterial documents, starting with *Gaudium et Spes*.

Section 2: Examination of Select Magisterial Documents

General Context

I just finished arguing that experience matters and no author or reader remains uninfluenced by what came before him or her, and this is also true of the council's participants. The conciliar fathers and participants carried with them in various ways effects from political events,¹⁷ ecclesial concerns,¹⁸ papal writings,¹⁹ theological intellectual currents,²⁰ and historical and societal

¹⁷ For example, the French Revolution, the elimination of Papal States in Italy, the Enlightenment, and "liberalism" created upheaval for ecclesial leadership. See O'Malley, *What Happened at Vatican II*, 53–54.

¹⁸ In some intellectual circles within the magisterium there was distrust of certain philosophical schools, the use of the historical method for scriptural exegesis, and other social sciences in the theological endeavor. O'Malley, *What Happened at Vatican II*, 53–92.

¹⁹ Gregory XVI in his 1832 encyclical *Mirari Vos* (On Liberalism and Religious Indifferentism) stated that freedom of conscience for everyone was an "absurd and erroneous proposition." Thirty years later, in 1864, Pius IX published the *Syllabus of Errors*, meant to highlight problems with the current thought and culture seen as threatening Catholicism's place and influence in the world. Leo XIII took a different tack to the concerns regarding modern philosophy, however, when he promulgated *Aeterni Patris* (1879) on the restoration of Christian philosophy. While referencing the great universities of the Middle Ages along with other scholastic theologians, Leo XIII primarily focused on the work of Thomas Aquinas. Theologically the return to Thomism led to various schools of neo-Thomism. See Gerald A. McCool's two books for more details on the neo-Thomism schools of thought: *Nineteenth-Century Scholasticism: The Search for a Unitary Method* (New York: Fordham University Press, 1989); idem, *From Unity to Pluralism: The Internal Evolution of Thomism* (New York: Fordham University Press, 1989). Finally, scriptural studies took a different turn with Pope Pius XII's promulgation of *Divino Afflante Spiritu* in 1943. This encyclical set the stage for Catholic biblical scholarship to utilize the previously suspect historical-critical method of scholarship, leading to new ways of comprehending and assimilating biblical insights.

²⁰ Some dogmatic theologians were returning to the sources of the early church, the writings of the patristic era. This *ressourcement* laid groundwork for later theological movement. Meanwhile, certain moral theologians sought alternatives to the moral manual. For examples, see Gérard Gillet, *The Primacy of Charity in Moral Theology*, trans. William F. Ryan and André Vachon (Westminster, MD: Newman Press, 1959); Franz Tillmann, *The*

changes.²¹ The various ecclesial, theological, and societal events formed the background canvas and chorus for Vatican II's participants, while their experiences, training, debates, and study became the soil that bore the conciliar fruit of their labor bringing the church into the modern world.

Gaudium et Spes

Pope John XXIII called for the council in 1959. The council's preparatory years occurred between 1959 and 1962. The council itself consisted of four sessions, each ten weeks long, from 1962 to 1965.²² The Second Vatican Council resulted in sixteen documents promulgated by Pope Paul VI, "in his name and in the name of the council."²³ These sixteen documents are placed into three categories: constitutions, decrees, and declarations. The first, constitutions, carry the most weight and consist of four documents: *Sacrosanctum Concilium* (Constitution on Sacred Liturgy), *Lumen Gentium* (Dogmatic Constitution on the Church), *Dei Verbum* (Dogmatic Constitution on Divine Revelation), and *Gaudium et Spes* (Pastoral Constitution on the Church in the Modern World).

Originally, *Gaudium et Spes* (*GS*) was not on the conciliar agenda. The seeds for it were planted, however, during debates in the first session on the church schema. Cardinal Leo Joseph Suenens distinguished between "the church looking inward (*ad intra*) and the [church] looking outward to the world (*ad extra*)."²⁴ The role of the church looking outward eventually was captured and put forth in *GS*.²⁴ *Gaudium et Spes* passed during the

Master Calls: A Handbook of Morals for the Layman, trans. Gregory J. Roettger (Baltimore: Helicon Press, 1960); and Bernard Häring, *The Law of Christ*, 3 vols., trans. Edwin Kaiser (Westminster, MD: Newman Press, 1961). For an excellent discussion of their lives and work, see James F. Keenan, *A History of Moral Theology in the Twentieth Century: From Confessing Sins to Liberating Consciences* (New York: Continuum, 2010), 59–110.

²¹ O'Malley, *What Happened at Vatican II*, 53–92; David Hollenbach, "Commentary on *Gaudium et Spes*," in *Modern Catholic Social Teaching: Commentaries and Interpretations*, ed. Kenneth R. Himes (Washington, DC: Georgetown University Press, 2005), 267–69. The historical and societal events include, but are not limited to, the Enlightenment, the industrial revolution, the United States Civil War and later the civil rights movement, two world wars, the effects of neocolonialism on the continents of Africa and Asia, and the Cuban Missile Crisis.

²² For more specific information on the council, see O'Malley, *What Happened at Vatican II*.

²³ *Ibid.*, 333n2. This footnote discusses that Paul VI was the first signatory, and then that all the conciliar fathers signed the documents. Each document had the same prologue.

²⁴ *Ibid.*, 157–58. For more detail on *GS*'s road to promulgation, see Michael G. Lawler, Todd A. Salzman, and Eileen Burke-Sullivan, eds., *The Church in the Modern World: Gaudium et Spes Then and Now* (Collegeville, MN: Liturgical Press, 2014).

fourth and final session on December 7, 1965, the day before the council closed. As a pastoral rather than a dogmatic constitution, *GS* does not restate doctrine even as it remains grounded in doctrinal principles.²⁵ Rather, the document seeks to illuminate the solidarity between Christians and all people, to provide guidance for helping people engage the world, live their faith, and show faith's relevance in answering or engaging the questions of the day. As the opening lines read:

The joys and hopes, the grief and anguish of the people of our time, especially of those who are poor or afflicted, are the joys and hopes, the grief and anguish of the followers of Christ as well. Nothing that is genuinely human fails to find an echo in their hearts. For theirs is a community of people united in Christ and guided by the holy Spirit in their pilgrimage towards the Father's kingdom, bearers of a message of salvation for all of humanity. That is why they cherish a feeling of deep solidarity with the human race and its history. (*GS* 1)²⁶

These opening lines indicate that Christians share the same hopes, joys, sorrows, and anguish of all people. Christians belong to the human family and thus are affected by its problems and life-giving endeavors; we are not separate from but integrated into the world. From the perspective of faith, we view the problems and possible solutions "in the light of the Gospel" and have resources and insights to bear on the world's ills (*GS* 3). How does *GS* attend to these issues, and where does conscience fit in?²⁷

²⁵ Austin Flannery, ed., *Vatican Council II: The Conciliar and Postconciliar Documents* (Collegeville, MN: Liturgical Press, 2014), 903n1.

²⁶ While an argument can be made to keep the original translation from the Latin into English, since "man" or "men" could at the time mean all of humanity (female and male) or men in particular, I have chosen to use the gender-inclusive language translation.

²⁷ Structurally, *Gaudium et Spes* has a preface, an introduction, and two parts. The preface and introduction to *GS* cover paragraphs 1–10. Part 1 has an introduction and four chapters incorporating paragraphs 11–45. Paragraphs 11–39 discuss the human person and develop the theological anthropology undergirding part 2. Paragraphs 40–45 discuss the relationship of the world and the church as well as the faithful who inhabit both spheres. The dynamic learning from each other is briefly acknowledged and sketched before moving to part 2.

Part 2 looks at the issues and problems facing the world and its people, offering response outlines grounded in part 1's theological anthropology. Part 2 has an introduction and five chapters spanning paragraphs 46–93 that consider the following issues: marriage and family, cultural development, economic and social life, the political community (public life and politics), peace, the community of nations, war, and the role of the church/its members in all of these areas. Part 2 provides the contours supporting the argument for connecting personal (individual or even communal) with public, social morality.

Pick up many moral theology books discussing conscience and *Gaudium et Spes* 16 (see below) is cited as the conciliar statement on conscience. While it is valid to use *GS* 16 as the basis for describing conscience, this paragraph is not the only place *GS* speaks about conscience. One danger in focusing on *GS* 16 without considering its textual placement or other descriptions of conscience within *GS* is the risk of proof-texting. Hermeneutically, where the term appears matters since the surrounding discussion affects any definition, comprehension, and interpretation of conscience. Knowing where and how conscience shows up in the document provides additional clues for understanding conscience. For example, comparing the English translation provided by Austin Flannery²⁸ with the Vatican's English translation²⁹ reveals slight variations in how the Latin *conscientia* is translated into English. Where variance appears, both usually maintain the sense of the original Latin, *conscientia*. Therefore, I will focus on the twenty-five times both English translations use "conscience" as the translation of *conscientia*.³⁰

The term "conscience" shows up in seventeen different paragraphs dispersed almost equally throughout parts 1 (16, 19, 26, 27, 31, 41, 43) and 2 (47, 50, 52, 61, 74, 76, 79, 87), with one mention each in the preface (3) and the introduction (8). Each paragraph uses conscience once, with paragraph 16 being the one exception. Eight of the twenty-five shared references in Flannery's and the Vatican's translations occur in paragraph 16, almost a full third. This simple fact highlights why theologians cite

²⁸ Austin Flannery, ed., *Vatican Council II; The Conciliar and Post Conciliar Documents*, (Collegeville, MN: Liturgical Press, 2014). This is the inclusive-language translation.

²⁹ The Vatican's translation can be found at <http://w2.vatican.va/content/vatican/en.html>.

³⁰ The Latin version of *Gaudium et Spes* uses *conscientia* or a declension of this term thirty-eight times. The Vatican's English translation uses conscience twenty-seven times in the text and once in a footnote. The term "conscience" can be found in the Vatican's English translation in the following paragraphs: 3, 8, 16, 19, 26–27, 31, 41, 43, 47, 50, 52, 61, 73–74, 76, 79, and 87. The other eleven declensions of *conscientia* are usually translated as awareness, or as a sense of responsibility or cooperation. Comparing the Vatican texts with the commonly used translation by Austin Flannery, Flannery uses conscience twenty-five times, corresponding to the Vatican's English translation. Eleven times Flannery's translation of *conscientia* or its declension matches or closely matches the alternative usage in the Vatican's English translation. Thus, thirty-six times the English translations agree. Twice the English translations do not agree with how to translate the Latin. These differences are found in paragraphs 52 and 73. The Vatican's translation uses conscience twice in paragraph 52, where the Flannery translation only uses it once. Flannery does not use conscience in paragraph 73, where the Vatican does. A thank you goes to Mary Forman, OSB, who helped me assess the validity of the translation variations. Any mistakes remain mine.

GS 16 so often when exploring magisterial teaching on conscience or when defining conscience. Nonetheless, the almost even dispersal of the term “conscience” throughout parts 1 and 2 illuminates the reality that any consideration of conscience must grapple with its theological-anthropological significance and its function in prudential and practical judgments regarding responses to the world’s problems and concerns as it is used across the document. I turn first to the theological-anthropological implications as outlined in part 1 of *Gaudium et Spes*.

Conscience’s first two mentions occur contextually in a brief description of the human being’s meaning, purpose, and *telos* in light of current world trends. Humanity remains central in any consideration of the world’s concerns, and humans are to be considered “in his or her totality, body and soul, heart and conscience, mind and will” (GS 3). The council notes that the world’s accomplishments and trends can create imbalances, one of which “occurs between concern for practical effectiveness and the demands of moral conscience; yet another occurs between life in society and the individual’s need for reflection and contemplation” (GS 8). Using “conscience” here with the adjective “moral” points to the reality that conscience carries with it a requirement to act and respond to events or trends, even as the council does not immediately offer a resolution to the tensions noted. The first two remarks about conscience indicate that, on the one hand, conscience is a dimension of the human being like the body, soul, heart, mind, and will. On the other hand, conscience places demands on us propelling us to consider our communal and relational responsibilities, highlighting that we are not islands. Both ideas are found together along with others in GS 16.

Paragraph 16 is also the next time conscience is mentioned. The full paragraph reads:

Deep within their consciences men and women discover a law which they have not laid upon themselves and which they must obey. Its voice, ever challenging them to love and to do what is good and to avoid evil, tells them inwardly at the right moment: do this, shun that. For they have in their hearts a law inscribed by God. Their dignity rests in observing this law, and by it they will be judged. Their conscience is people’s most secret core, and their sanctuary. There they are alone with God whose voice echoes in their depths. By conscience, in a wonderful way, that law is made known which is fulfilled in the love of God and of one’s neighbor. Through loyalty to conscience, Christians are joined to others in the search for truth and

for the right solution to so many moral problems which arise both in the life of individuals and from social relationships. Hence, the more a correct conscience prevails, the more do persons and groups turn aside from blind choice and endeavor to conform to the objective standards of moral conduct. Yet it often happens that conscience goes astray through ignorance which it is unable to avoid, without thereby losing its dignity. This cannot be said of the person who takes little trouble to find out what is true and good, or when conscience is gradually almost blinded through the habit of committing sin.³¹

The first thing to notice is that, as in the earlier contexts, conscience exists as part of the human being. While the idea of “deep within” indicates place, conscience is not a place. Rather, the term “conscience” directs our attention inward, to our interiority, and to the reality that within ourselves we recognize that which is both in us and yet comes from outside of us. In our depths, in stillness, conscience is where we meet God, engage God, and find God’s law.³² Additionally, *GS 16* provides other images describing conscience as a voice calling to us and as a sanctuary. As a voice, conscience calls to us and helps us love, know, and do good while shunning and avoiding evil. As a sanctuary, conscience is where we encounter God, who speaks to us.

Sanctuary is a sacred place, a holy place where we meet God. In architecture, the sanctuary, the innermost core of the church, is often quiet or the space of communal worship. James T. Bretzke argues that the sanctuary of the conscience is the dynamic interplay between understanding what God is asking and our response to the understanding of God’s call.³³

³¹ There are three biblical citations referenced with this paragraph, Romans 2:15-16; Matthew 22:37-40; and Galatians 5:14. The only other citation in this paragraph is Pius XII’s radio message on rightly forming the Christian conscience in youth from 1952. Nevertheless, the love of God and neighbor is a biblical command that can be found in the gospels, Deuteronomy, and Leviticus. See Matt 22:37-40; Luke 10:27; Mark 12:30-31; Deut 6:5; and Lev 19:18.

³² The term “law” has many nuances beyond the scope of this discussion; however, at a minimum one should keep in mind that scripturally “laws” are found in the Torah. The Torah serves both individuals and the community in fostering a more intimate relationship with God, seeing the world as God sees it, a structure for guiding, imagining, and living into the kingdom of God. Law in this sense is not a minimum requirement but a starting point for cultivating a more just world.

³³ James T. Bretzke, *A Morally Complex World: Engaging Contemporary Moral Theology* (Collegeville, MN: Liturgical Press, 2004), 110, 129. While Bretzke says this of the individual conscience, it holds true for communal or familial discernment as well. What is God calling

Thus, identifying conscience as the sanctuary within us draws attention to the ability to get beyond the surface noise to our deepest selves, the place where God speaks within us. The community captures shared experiences of God's revelation and summons in Scripture, and yet as individuals and communities we must continually reencounter God's summons. God's summons happens in the common sanctuary when we worship together and in the individual sanctuary of our inmost being.

The law that conscience reveals by its voice and by our keeping company with God is charity, the love of both God and neighbor. Our human dignity rests on obeying the law written on our hearts by God, so we are judged by how well we fulfill the law by loving God and neighbor. Who is the neighbor to whom we are obliged by obedience to conscience? Expanding on the list found in Matthew 25:35-40 (the hungry, the sick, the naked, the imprisoned, the stranger), *GS* identifies the neighbor as every human being. More specifically, and giving some examples, *GS* equates our neighbor with the elderly, the abandoned elderly, refugees, immigrants, the child born into circumstances beyond his or her control, the "starving human being who awakens our conscience," those who think differently than us, our enemies, and our persecutors (*GS* 27-28). In other words, this nonexhaustive list requires us to attend to anyone who would shake us out of our complacency. In so doing, we find the areas within communities and ourselves that still need conversion to the reign of God.

Elsewhere, *GS* delineates a list of actions that foster death rather than life, further illuminating and giving substance to the neighbor who is to be loved. Listing actions to be avoided (sin or evil) provides an implicit description of required actions. Engaging in murder, genocide, abortion, euthanasia, mutilation, or torture (physical and mental), by fostering or permitting subhuman living conditions, slavery, prostitution, treatment of persons as "tools for profit rather than free and responsible persons," is deplorable, degrading the human dignity of both sufferer and inflictor (*GS* 27). Therefore, when we individually and as a society choose not to participate in genocide, torture, inhuman working conditions, or other destructive patterns of behavior and when we resist genocide, human trafficking, torture, and so forth—we work toward a more just society

a spousal unit or extended family unit to do? What is God asking a religious community to do? Anne Patrick explores this question in her book on women religious communities. See Anne E. Patrick, *Conscience and Calling: Ethical Reflections on Catholic Women's Church Vocations* (New York and London: Bloomsbury, 2013).

premised on human respect, dignity, and love of neighbor. In other words, all of humanity is our neighbor, and loving our neighbor by following the voice of conscience means serving life, wholeness, and laboring toward a just society rooted in the dignity of each person and acknowledging the breaking in of the Reign of God. The list and tasks can be overwhelming, yet we are called to participate in some fashion as an embodied manifestation of our love for God. I would argue that participation requires an interior changing of attitude that necessitates encountering our own biases regarding others. Stated differently, what cultural and religious assumptions regarding purity, righteousness, and moral behavior connected to a person's dignity have we correctly absorbed and which ones are faulty, requiring conversions?

Per the wisdom of *GS*, both individuals and groups need to turn away from sin and toward grace. This interior movement and conversion manifests itself outwardly in our actions and approaches to others. Thus, *GS* 16 states that the more individuals or communities follow "right conscience" the more they turn from blindness toward truth (defined as objective norms of moral conduct). "Right conscience" matters because conscience can be wrong; it can err. Yet, if conscience errs because of "invincible ignorance" (unavoidable ignorance), conscience retains its dignity.

Nevertheless, we can become undignified and subsequently risk creating an undignified conscience. *GS* 16 conveys the reality of both the undignified human being and the undignified conscience in this manner: "This cannot be said of the person who takes little trouble to find out what is true and good, or when conscience is gradually almost blinded through the habit of committing sin." In other words, humans undermine and betray their inherent dignity when they ignore truth and goodness because they seek and live from other values, such as thirst for power, control, and personal gain. Repetitious sinful behavior distorts one's perception, leading to unclear vision or the inability to notice the good, true, and beautiful. Like an unexercised muscle or an overgrown garden due to neglect, our conscience can be rendered less effective at perceiving grace, goodness, truth, and beauty and cherishing the obligation to love both God and our neighbor (in all the messiness of the human condition). This "practically sightless" conscience often results from habitual sin that is unexamined or deemed unimportant.³⁴ "Practically sightless" indicates

³⁴ The Vatican translation of *GS* 16 uses the phrase "practically sightless" instead of "almost blinded." "Almost blinded" calls to mind the various biblical passages where Jesus

that sight still exists; therefore, we can still respond to the glimmers of light, goodness, and grace present in our lives through our encounters with God, our neighbors (all of humanity), and the rest of the created world. But we see much less, and what we do see is distorted by our near blindness. In another paragraph, we are cautioned not to be like the rich man who disregarded Lazarus but to remember that in caring for those around us we care for Christ (*GS* 27).³⁵

Given our limitations, finitude, and blindness, the search for truth must take place together, as one human community across belief systems. As stated in *GS* 16, “Through loyalty to conscience, Christians are joined to others in the search for truth and for the right solution to so many moral problems which arise both in the life of individuals and from social relationships.” In other words, while Christians have a perspective on truth grounded in belief and relationship with the living God, others too are searching for the truth. Therefore, searching for the truth, the good to be done, and solutions to humanity’s suffering and problems requires cooperation among Christians, other theists, agnostics, and atheists.

Thus, the first ten instances of the term “conscience” in *GS* occur in the preface, the introduction, and paragraph 16. Conscience was alternatively defined as a dimension of the human being and as a voice speaking to our hearts. Conscience directs us toward truth and the good to be done. Following one’s conscience is manifested in love of God and neighbor. Conscience can err. It can be disfigured and become undignified if error is avoidable. Conscience maintains its dignity, however, when its error is unavoidable. Finally, seeking truth, goodness, and solutions to the problems of the human condition are communal virtues grounded in relationships.

After paragraph 16, the term conscience can be found scattered fifteen more times throughout *GS*. Conscience is mentioned in discussions on atheism (19), the dynamism between the individual’s rights and the common good (26), duties of conscience (27, 31), and the role of the church and its members (41, 43). These instances continue to develop the idea that conscience is a part of the human being and crucial to human dignity, contextualized and understood in a relationship with the Divine, a

heals those who are blind. Thus, “blinded” reminds us of the need for God’s grace. While if we are “sightless,” it could be due to our own actions, or the participation in structures of sin that we do or do not recognize as sinful.

³⁵ References are made to Luke 16:19-31 and Matthew 25:40. For a connection to the broader tradition of Catholic Social Teaching, see Bernard Evans, *Lazarus at the Table: Catholics and Social Justice* (Collegeville, MN: Liturgical Press, 2006).

relationship mediated in and through the church.³⁶ Part 2 of *GS* concerns certain urgent problems, so conscience is discussed in relationship to marriage (47, 50, and 52), cultural education (61), political life (74, 76), war (79), and economic life (87). In the contexts just mentioned, conscience functions in the practical, social, relational aspects of daily life. In other words, conscience aids in making practical judgments.

Taken together, the brief remarks on conscience in the context of other concerns illuminate other aspects of conscience's form and function. Conscience's dignity and humanity's dignity when we follow our conscience is reiterated and reaffirmed. Attention to those who awaken conscience highlights that morality has a deeply social dimension that requires an outward response to social ills. In associating conscience with the laity's work, marriage, economic life, and war, what emerges is the connection between social structures, communal values, and personal decisions for action. Furthermore, there is both a corporate and an individual responsibility to form and inform conscience as well as follow it. Forming, informing, and following conscience fosters human dignity and common, communal undertakings, service to God in freedom by love of neighbor, and activity in the world.

Additionally, it is clear by references to scientific advances and references to other humanities that *GS* recognizes that informing consciences requires engagement with fields besides theology. Engagement with culture and other disciplines remains a both/and endeavor. On the one hand, it requires learning about and incorporating knowledge from other fields into various theological areas. On the other hand, it requires analyzing and offering a specific life-giving stance rooted in the scriptural message, and person of Christ, mediated through the church to the rest of the world. In this vein, following one's conscience requires attention to not only formation, information, and conscience's dignity; it also necessitates recognizing one's position and role within the church. In what capacity is the individual or communal body acting, as a citizen, in the name of the church, as members of the church but acting in their own name? The implications and complications surrounding these distinctions are referenced later in the book in the chapters on formation and dissent. Finally, *GS* also mentions the dignity of conscience connected to religious liberty, which Vatican II's decree on religious liberty, *Dignitatis Humanae* (*DH*) more fully elaborates.

³⁶ Church should be understood within the context of how the council defined church in *Lumen Gentium*, the Dogmatic Constitution on the Church.

Dignitatis Humanae (DH)³⁷

The experience of the Catholic Church in the United States and certain European and some Asian countries influenced the drafting and promulgation of *Dignitatis Humanae*. Catholics who immigrated to the United States from the 1700s through the early 1900s came as outsiders to the predominately Protestant cultural ethos. Catholics founded their own educational system, hospitals, and other institutions to aid their fellow Catholics. Their capacity to be civic-minded citizens was often called into question because of misunderstandings regarding the relationship of Catholics to the papacy in Rome. This began changing with the election of the first and only Catholic US president, John F. Kennedy, in 1960. Meanwhile, across the Atlantic and Pacific Oceans in Europe and Asia, Catholics in many countries were not permitted to freely practice their faith. In some instances, the church was underground, or Christians' ability to practice was severely curtailed by governmental mandates and controls. These general experiences affected the conciliar approach and debates regarding *Dignitatis Humanae*.³⁸

Bishops and cardinals from these various regions advocated for a document on religious freedom and liberty. Other bishops and cardinals wanted a document more tightly aligning church and state.³⁹ Despite the debates and disagreements, *Dignitatis Humanae* was promulgated on December 7, 1965, on the eve of the council's conclusion. While falling into the third category of a declaration and thus technically carrying less weight than a constitution or decree, *Dignitatis Humanae* was still important at the time of the council. Furthermore, its influence has grown because of its use and

³⁷ Like any conciliar document, a variety of writings concerning *Dignitatis Humanae* exists. See, for example, Ladislav Orsy, "The Divine Dignity of Human Persons in *Dignitatis Humanae*," *Theological Studies* 75, no. 1 (March 2014): 8–22; Catherine E. Clifford, "The Ecumenical Context of *Dignitatis humanae*: Forty Years after Vatican II," *Science Et Esprit* 59, nos. 2–3 (May 1, 2007): 387–403; Mary Doak, "Resisting the Eclipse of *Dignitatis humanae*," *Horizons* 33, no. 1 (March 1, 2006): 33–53; Leslie Griffin, "Commentary on *Dignitatis humanae*," in *Modern Catholic Social Teaching*, 244–65; John Courtney Murray, "The Declaration on Religious Freedom," in *Change in Official Catholic Moral Teachings*, ed. Charles E. Curran (New York/Mahwah, NJ: Paulist Press, 2003); F. Russell Hittinger, "The Declaration on Religious Freedom, *Dignitatis Humanae*," in Lamb and Levering *Vatican II*; David L Schindler, "Freedom, Truth, and Human Dignity: An Interpretation of *Dignitatis Humanae* on the Right to Religious Liberty," *Communio* 40, nos. 2–3 (2013): 208–316.

³⁸ O'Malley, *What Happened at Vatican II*, 211–18, 254–58. O'Malley gives an overview as well as additional references in his footnotes.

³⁹ *Ibid.*, 211–18.

practical employment since its promulgation.⁴⁰ John O'Malley points out that, over forty years after the council, "the distinction between decrees and declarations, no matter what it originally meant, has become meaningless." This is because some decrees have fallen by the wayside, "virtually forgotten," while declarations like *Dignitatis Humanae* and *Nostra Aetate* (On Non-Christian Religions) have maintained their importance.⁴¹ In other words, the effective history of interpretation and application has in part determined *Dignitatis Humanae's* value in the tradition.⁴²

DH recognizes that the world's nations are implementing and people are demanding limits to the "powers of government" regarding "rightful freedom of persons and associations" (*DH* 1). Therefore, the document includes religion and its free practice as part of the trend toward limited powers of government over persons' and associations' freedom to act.⁴³ In the contemporary context of the Affordable Health Care Act in the United States, questions, debates, and arguments have ensued about how to interpret the free practice of religion as it pertains to living from conscientious positions possibly at odds with secular mandates. I turn now to what *DH* says about conscience.⁴⁴

⁴⁰ The most recent example is in the United States where the United States Conference of Catholic Bishops and various Catholic institutions are using the language from *Dignitatis Humanae* on conscience and religious liberty to fight aspects of the Affordable Health Care Act. These groups are specifically challenging provisions in the act regarding the contraception coverage in the AHCA by claiming they are following their consciences.

⁴¹ O'Malley, *What Happened at Vatican II*, 3.

⁴² Structurally, *DH* has an introduction and two chapters. It is a relatively short document encompassing only fifteen paragraphs. *DH's* introduction is paragraph 1. Following a brief description of various obligations and duties, chapter 1 discusses "the general principle of religious freedom" in paragraphs 2–8. Chapter 2 explores "religious freedom in the light of revelation" in paragraphs 9–15.

⁴³ The United Nations Declaration of Human Rights was promulgated in 1948. While *DH* does not explicitly refer to this document, it is possible that the UN's declaration forms part of the background here.

⁴⁴ The Vatican's Latin and English translations can be found at <http://w2.vatican.va/content/vatican/en.html>. The Latin uses *conscientia* in paragraphs 1–3, 11, 13–15. Paragraphs 1–2 and 11 have two usages; paragraph 3 has four, and the others one. The Latin version of *DH* uses *conscientia* or a declension of this term thirteen times. The Vatican's English translation uses conscience ten times: once as a clarifying term in paragraph 3, and nine times consistent with the Latin. The four additional times the Latin uses a form of *conscientia* the Vatican's English version translates it as consciousness, awareness, or convictions. The commonly used translation edited by Austin Flannery matches or closely matches the alternative usage in the Vatican's English translation. Thus, the English translations agree on the use of *conscientia* or its declensions.

The ten times *conscientia* is translated as “conscience” occur in five of the fifteen paragraphs of *DH* (1, 3, 11, 13, and 14). Half of its occurrences are in paragraph 3, making this paragraph key when exploring the church’s teaching on conscience and religious freedom. Conscience is first mentioned, though, in the introduction (1).

Conscience appears in the introduction after the conciliar fathers set the stage for understanding conscience in the context of this document on religious freedom. They connect freedom and the practice of religion to people’s spiritual aspirations, whereby the church aids in the determination of how the spiritual aspirations cohere with truth and justice, aided by tradition and church teaching. The council professes several beliefs. First, God has revealed to humanity how to serve God, have salvation, and “reach happiness in Christ.” Second, while open to others, the council believes “that this one true religion exists in the Catholic and Apostolic church.” Third, humans are required to seek the truth, “especially in what concerns God and the church.” This truth is to be embraced and held onto as it is learned and found. Following this three-point list is the statement: “The sacred council likewise proclaims that these obligations bind people’s consciences. Truth can impose itself on the human mind by the force of its own truth, which wins over the mind with both gentleness and power” (*DH* 1). In other words, revelation binds conscience; belief about the status of the Catholic Church binds conscience; the quest for truth binds conscience. Truth is not coercive but persuasive because of its merits. Stated differently, conscience is shaped by revelation in the context of the Catholic and Apostolic Church, requiring the ongoing pursuit of or quest for truth. The realization by the council fathers that the fullness of truth continues unfolding can be found in their own words: “Furthermore, in dealing with the question of liberty the sacred council intends to develop the teaching of recent popes on the inviolable rights of the human person and on the constitutional order of society” (*DH* 1).

The conciliar fathers go onto argue that religious freedom is a right because of human dignity. This right cannot be taken away even if people do not live up to it and the right cannot be interfered with “as long as the just requirements of public order are observed” (*DH* 2). Since we have the capability of participating in divine law, guided by God, we all have an obligation and “the right to seek the truth in religious matters so that, through the use of appropriate means,” we may “form prudent judgments of conscience which are sincere and true” (*DH* 3). Not only do we have the right to form judgments of conscience, we are required to do

so. While not directly stated, the need for discernment regarding what constitutes prudential judgments of conscience is implied. Two criteria are given for this discernment. Prudent judgments must be sincere and they must be true. Teaching, communication, and dialogue are the ways in which humans “share with each other the truth they have discovered, or think they have discovered, in such a way that they help one another in the search for truth” (*DH* 3). Thus, both judgments and the search for truth have a communal dimension that should remain noncoercive and nonoppressive. Furthermore, the council acknowledges that humans can both discover truth and be mistaken in thinking we have discovered truth. Hence, the need exists for ongoing discernment, dialogue, and engagement with each other, testing insights for their validity and truthfulness.

As noted above, *DH*'s largest discussion of conscience in occurs in 3. The full passage reads:

The human person sees and recognizes the demands of the divine law through conscience. All are bound to follow their conscience faithfully in every sphere of activity so that they may come to God, who is their last end. Therefore, the individual must not be forced to act against conscience, especially in religious matters. The reason is because the practice of religion of its very nature consists primarily of those voluntary and free internal acts by which human beings direct themselves to God. Acts of this kind cannot be commanded or forbidden by any merely human authority. But the social nature of the human person requires that individuals give external expression to these internal acts of religion, that they communicate with others on religious matters, and profess religion in community. Consequently, to deny the free exercise of religion in society, when the just requirements of public order are observed, is to do an injustice to the human person and to the very order established by God for human beings.⁴⁵

The verb choices indicate a dynamic movement toward God that conscience mediates, whereby conscience functions as a conduit to God. This meditation, movement, and following of conscience does not conform us to the world but aids Christians in knowing and coming to God. Therefore, our consciences are the final guide on the path to knowing and being in relationship with God. The individual cannot be coerced into acknowledging or

⁴⁵ This paragraph cites two recent popes. See John XXIII, *Pacem in Terris*, encyclical, April 11, 1963: AAS 55 (1963), 270; Paul VI, radio message, December 22, 1964: AAS 57 (1965), 181–82.

coming to God. Rather, the individual must respond in freedom and of his or her own accord. However, the conciliar fathers do move the following of conscience into a communal context when they speak of religion. Religion by its composition, by its structure, is communal. By invoking conscience in matters religious, they place the following of individual conscience and the coming to God within the matrix of religious institutions. In this context, what we also see is the religious community being asked to follow its conscience when religious sensibilities regarding proper courses of action might differ from the broader societal notions of correct action. What is unclear is whether practices include more than how one worships. If so, and practices include patterns of actions and behaviors in society, then practical differences may arise not only within the Christian community but also between the Christian community and the broader society.

Conscience is next mentioned in chapter 2, paragraph 11 as part of the discussion on religious freedom and revelation. Reiterating it in various ways, the council claims that the human response to God must be free. God calls us to God and does not coerce us; rather, God invites us into a relationship and into service. Conscience joins, connects, and binds us to God (*DH* 11). Furthermore, recognizing that the demands of faith are often different from societal demands, citing Romans 4:12 the council argues that Christians ultimately must give an accounting to God for their lives and thus “we are all bound to obey our conscience” (*DH* 11).

Conscience, then, is about more than right judgment, or doing the good. In the context of faith and religion, conscience draws our attention and focus back to humanity’s relationship and covenant with God. We are ultimately responsible to God, even as we have duties and responsibilities to the governments under which we live. This dual responsibility entails service, preaching the Gospel, being Gospel leaven, supporting faith in a noncoercive manner, and maintaining faithfulness to God’s ways and God’s truth.

In a discourse related to the church’s function within civil society, *DH* rearticulates the belief that not only Christians but also all people have the right to live freely according to their consciences. Institutionally, the church must have religious freedom to do its work of promoting the Gospel and to live according to the requirements of Christian faith. Yet Christians and all people “have the civil right of freedom from interference, the right to lead their lives according to their conscience” (*DH* 13). Yet there is a tensile relationship between civil society, religious institutions, and the individual when it comes to religious liberty and the following of

conscience. This tension manifests itself within the document, for example, when the right to religious freedom is qualified by the requirement that a just social order be maintained. There needs to be consensus about what is a just social order that has space for people to practice their faith.⁴⁶ Additionally, this means that any claim to following “conscience” cannot be a trump card overriding any other argument or rationale for action. The validity of conscience claims can be subject to an appraisal by one’s community or society. Therefore, freedom from coercion does not mean freedom from ongoing assessment of one’s claims or actions originating in conscience. The tension in these different areas might be undergirding various challenges within the United States to components of the Affordable Care Act by religious communities and private organizations like Hobby Lobby using the argument of religious liberty. We see the difficulty in adjudicating and prioritizing various rights to live from conscience in these instances. People have arrived at different judgments about specific issues and courses of actions stemming from varying interpretations of what religious freedom means within society.

Finally, *DH 14* cites a radio address by Paul VI in a brief mention of conscience formation. The purpose of forming consciences is not to be judgmental but to form the faithful so they may spread charity, the life-giving Gospel message, and engage those in error or ignorance with charity and patience. This formation of conscience requires that the “faithful must pay careful attention to the holy and certain teaching of the church” because “the Catholic Church is by the will of Christ the teacher of truth” (*DH 14*). This paragraph talks about the holy and certain teachings of the church. The use of the term “certain teaching” implies that some teachings are not certain. No mention is given, however, for determining certain from uncertain teachings. Furthermore, the document uses the term “church,” not “magisterium,” in reference to teaching and teacher of the truth. Given the various models of church that are articulated at the Second Vatican Council and present in Scripture—how we understand and define “church” matters—it seems to me that this means we come to truth about Christ and Christ’s will together, all of us. This has implications for understanding how conscience is formed and who is involved in that formation.

⁴⁶ While beyond the scope of this chapter and book, there is a need to consider how the chapters in *Gaudium et Spes* on the development of culture, economic and social life, along with the political community shed light on resolving these tensions within *Dignitatis Humanae*.

What can be seen with this overview of a few key passages from *Gaudium et Spes* and *Dignitatis Humanae* is that the conciliar documents use the term “conscience” in various ways with different emphases. These different emphases sometimes occur in the same paragraph of a given document, for example, *GS* 16. What has begun emerging is a multifaceted perspective of conscience. Conscience metaphorically is described as a place, a sanctuary, highlighting that it is a safe refuge where one meets God. Conscience is a mediator, a conduit between individuals, institutions, and God’s revelation. Conscience functions as a signpost pointing toward good and away from evil. Conscience is rooted in the dignity of the human person and therefore has an inviolable dignity itself—although this dignity can be harmed or betrayed. Following conscience can lead to errors in judgment and action, but not the loss of conscience’s dignity. Habitual sin can render conscience and its judgments ineffectual. Therefore, the shaping and forming of conscience must occur so that conscience can more fully illuminate and permit proper perception of the good. According to *DH*, religion and communities have a central role in forming consciences as they sincerely seek the truth. Given the importance of the church as a teacher of the truth, we turn to the reception of Vatican II’s teaching on conscience in two postconciliar magisterial sources, the *Catechism of the Catholic Church* and *Veritatis Splendor*.

*Catechism of the Catholic Church (CCC)*⁴⁷

The *CCC* is included in this chapter because it contains outlines of Catholic teaching, and it is where many Catholics would turn for information on conscience. The *Catechism* developed as an outgrowth of the 1985 extraordinary assembly of the Synod of Bishops convened by John Paul II on the twentieth anniversary of Vatican II. John Paul II approved it in 1992.⁴⁸ Therefore, what the *CCC* says regarding conscience becomes part of Vatican II’s effective history and a factor in ongoing debates,

⁴⁷ *The Catechism of the Catholic Church*, 2nd ed., can be found on either the Vatican’s or United States Conference of Catholic Bishops’ websites. See http://www.vatican.va/archive/ENG0015/_INDEX.HTM or <http://www.usccb.org/beliefs-and-teachings/what-we-believe/catechism/catechism-of-the-catholic-church/epub/>. All of my references to the *Catechism* are from the English print version: *The Catechism of the Catholic Church*, rev. 2nd ed. (Vatican City, Rome: Libreria Editrice Vaticana, 1994, 1997).

⁴⁸ John Paul II, *Fidei Depositum*, apostolic constitution (On the publication of *The Catechism of the Catholic Church*), in *CCC* 1–3.

conversations, and dialogues concerning Vatican II's implementation, interpretation, and purpose.

Speaking both to pastors and to the faithful, John Paul II wrote, "This catechism is given to them that it may be a sure and authentic reference text for teaching catholic doctrine and particularly for preparing local catechisms."⁴⁹ This short sentence touches on many issues; however, it is the term "reference text" that raises some intriguing questions for utilizing the *Catechism* when considering church teaching on conscience or any other issue.

A reference text is usually a dictionary, encyclopedia, thesaurus, or another book of general knowledge or informational websites that did not exist when the *Catechism* was written. A reference text often does not provide in-depth knowledge or information on a given topic; it supplies a general, foundational, topical overview. What does it mean, then, to say that the *Catechism* is a reference text and to use it as such? As a reference text, the *Catechism* is the first stop for deepening knowledge. It is a resource, a starting point, for teaching about the faith, for considering how the faith is lived out and how to engage more contemporary moral questions. A brief story illustrates these realities.

In the undergraduate healthcare ethics course I teach, even though I assign readings from a variety of sources, students sometimes use the *Catechism* as their main source of knowledge on a topic. One day a student came in mad, dropped the *Catechism* on a desk, and voiced frustration that the *Catechism* had no answers regarding the day's topic. Thus, this student demonstrates the point above that the *Catechism* is a starting point for moral consideration, since the moral questions we encounter and try to answer often outpace church teaching or guidance. Therefore, given the *CCC*'s status as a reference text for church teaching, any analysis of conscience in the *CCC* needs to keep in mind that, as a reference text, its consideration of conscience remains a summary of centuries of teaching and tradition on conscience.

The *CCC*'s primary consideration of the term "conscience" appears within the chapter titled "The Dignity of the Human Person."⁵⁰ This par-

⁴⁹ "Apostolic Constitution," in *CCC*, pg. 5.

⁵⁰ A word search in the online version of the *Catechism* shows that it uses the term "conscience" 101 times, with approximately 80 percent of these occurrences appearing in part 3. This makes sense, given that in part 3 a description of conscience, its function, obligations, and formation are discussed. Conscience appears after discussions on humans

ticular chapter is itself a subsection of the *Catechism* dealing with the Christian's "Life in Christ."⁵¹ The dignity of the human person and, subsequently, conscience are reflected on as part of the discussion surrounding our human vocation and life in the Spirit. The structure and organization of the *Catechism*, indicates that conscience contributes to the dignity of the human person while being constitutive of our life in both Christ and the Spirit.

The introduction to "The Dignity of the Human Person" summarizes the upcoming discussion and says this related to conscience: "By his deliberate actions (*article 4*), the human person does, or does not, conform to the good promised by God and attested by moral conscience (*article 5*). Human beings make their own contribution to their interior growth; they make their whole sentient and spiritual lives into means of this growth (*article 6*)" (*CCC* 1700).⁵² Thus, with these two sentences the *Catechism* connects deliberate actions, passions (emotions), our sentient lives (perceptions and feelings), and spirituality to conscience. Additionally, we contribute to our own growth in conforming to what is good as promised by God.

The *Catechism* addresses the topic of conscience primarily in paragraphs 1776–1802.⁵³ Paragraph 1776 partially cites *GS* 16 and introduces the *CCC*'s topical treatment of conscience.⁵⁴ The topics covered within the *CCC* concern the following: conscience's judgment (1777–82), conscience's formation (1783–85), choosing with conscience (1786–89), and mistaken or flawed judgment (1790–94) followed by a bullet-point summary (1795–1802).

The reader of the *Catechism* would learn that conscience is where we are alone with God, where God speaks to us; it is our core and sanctuary.

as the image of God, vocation to beatitude, human freedom, the morality of human acts, and the morality of the passions and before the discussion of the virtues and sin.

⁵¹ The *Catechism* has a four-part structure. Part 1 lays forth the profession of faith. Part 2 explains the celebration of the Christian mystery, focusing on the sacramental life of the church, starting with the liturgy while looking at both sacraments and sacramentals. Part 3 looks at the Christian's life in Christ. It is in this section that the largest discussion of conscience takes place. In its entirety, the section concerned with "Life in Christ" considers what it means to live a "life worthy of the gospel of Christ" through a description of "Man's Vocation: Life in the Spirit" and "The Ten Commandments." Part 4 focuses on Christian prayer.

⁵² *CCC*, pg. 424.

⁵³ *Ibid.*, pgs. 438–42.

⁵⁴ *Ibid.*, pg. 438.

Conscience points us toward God's law. Conscience appeals to us to do the good and avoid evil. It helps us judge right and wrong; its judgment is a feature of reason. Conscience can judge before, during, or after acting and helps us be responsible and accountable for our actions. We have a responsibility to both inform and form our conscience. Formation is an ongoing task, done not in isolation but in and through relationships, guided by Scripture (the Word of God) and the Roman Catholic Church's authoritative teaching. Certain judgments of conscience must be followed. While conscience can be wrong, distinctions are made between holding the moral agent more or less responsible for errors, even while acknowledging that actions resulting from error are still evil (wrong). On the other hand, continually following a right and true conscience leads to conversion.

In laying out and explaining these points, the *Catechism's* authors utilize scriptural references; Vatican II documents, specifically *GS* and *DH*; and particular theologians from the tradition.⁵⁵ While an assessment of each category could be undertaken, I will focus on the use of the Vatican II document, *GS*, to show the reception of this document.

Despite starting with *GS*, the *CCC* is selective in its use of *GS*, referencing only *GS* 16. Furthermore, the citation of *GS* 16 is partial, subtly shifting how conscience's relationship to laws and various types of authority are conceived. The *CCC* in paragraph 1776, with its partial recitation of *GS* 16, emphasizes law, a law from God. This in itself is not problematic. The only reference to specific scriptural laws, however, is to the ten commandments in 1778, although divine law is mentioned in several places (1778, 1786, and 1787). Are these the only laws the *CCC* considers or should the reader also reflect on additional ritual laws governing communal relationships laid out in Scripture? Does the *CCC* mean to include the fulfillment of the law by loving God and one's neighbor as explained in *GS* 16 in reference to the Gospel? It is hard to say since they do not cite the portion of *GS* that says conscience recognizes the fulfillment of the law when one loves God and neighbor. Nor does the *CCC* cite *GS* 16 that Christians work together with others in seeking truth and answers to the moral concerns of individuals and society. Instead, the *CCC*, with

⁵⁵ The two theologians cited in the footnotes are Augustine and Cardinal John Henry Newman. Although, if one has familiarity with Thomas Aquinas's thought, the influence of Aquinas can be seen in many statements on conscience. Most of the scriptural references are from the New Testament, with one Old Testament reference to Ps 119.

its citations, subtly implies that guidance comes only from God, fellow Christians, and the teaching of the church. To support this idea the CCC cites *DH* 14, which looks primarily at the responsibility of the Christian to Christ and, unlike the openness to the world and to others found in *GS*, advises caution when encountering and engaging those who do not share the faith. Although, in 1788 the CCC does say humans are assisted by the advice of competent people, the virtue of prudence, and the Holy Spirit.⁵⁶

Regarding the capacity of our consciences to make mistakes in judgments there is also a subtle difference between *GS* and CCC. Both documents acknowledge that mistaken judgments will occur. Both documents make distinctions between avoidable and unavoidable ignorance that leads to mistaken judgments of conscience. *GS* can, however, give the reader the sense that striving together to discover truth, goodness, and solutions to moral concerns is a noble endeavor. Individuals and groups become more attuned to appropriate moral behavior as our consciences make accurate and truthful judgments. *GS* 16 is clear that mistaken judgments will happen due to ignorance, and yet conscience retains its dignity in these instances. We retain our dignity and the dignity of our conscientious judgments if ignorance happens simply because we cannot know everything, new information becomes known after we have made a judgment, or we did not accurately predict possible outcomes resulting from our actions. Only after articulating the positive aspects of conscience and softening the reality of mistaken judgments do we find *GS* mentioning culpable judgments of conscience. *GS* is clear that if we are lazy and do not seek the information we need to make a sound judgment we are culpable for erroneous judgments. Likewise, we are culpable if we make erroneous judgments of conscience due to habitual sin.

While *GS* discusses errors arising from undesired mistakes first, followed by the statement regarding culpability for erroneous judgments, the CCC inverts the order. The CCC begins its discussion of erroneous judgments in paragraphs 1790 and 1791, utilizing some language from *GS* 16, stating that ignorance is no excuse for an erroneous conscience if the ignorance could have been avoided or if ignorance results from habitual sin.⁵⁷ The next paragraph (1792) provides a list of potential reasons for

⁵⁶ See CCC, par. 1785n55.

⁵⁷ This leads Brian Johnstone to conclude that, while the CCC might not have included certain sections of paragraph 16 from *GS* for reasons of length, the result is a "submissive mode of conscience." See Brian Johnstone, "Erroneous Conscience in *Veritatis Splendor* and

errors in judgment before engaging the possibility that a person's ignorance could be invincible. This ordering implies more deliberate errors by the person regarding their judgments of conscience than not. In contrast to *GS*, which upholds the dignity of the moral agent's conscience when invincibly ignorant, the *CCC* makes a slightly different move. Even though the *CCC* does acknowledge the possibility of invincible ignorance, the *CCC* does not mention the dignity of conscience in instances of invincible ignorance and chooses to focus on the resulting evil action and the need to correct errors. This is a valid point, the need to correct errors of judgment; however, taken together, the whole article on conscience in the *CCC* implies that our judgments of conscience will be either correct or incorrect (see 1786). This does not seem to reflect accurately the experiential reality that our judgments often are partially correct. *GS*'s description of conscience in the context of a changing world permits a space to grapple with judgments of conscience that yield both positive and negative effects, granting a space for ongoing growth and conversion.

From this brief overview, it can be argued that the *CCC* does function as a starting point for understanding conscience, since it articulates some areas of Vatican II's teaching on conscience and neglects others. The *CCC*, if read on its own, represents a narrowing of the tradition and magisterial teaching on conscience. As a result, the *CCC* remains a starting point for understanding conscience, and interested persons should read the conciliar documents and other sources informing the *CCC* in their entirety.

There is one other magisterial source frequently referenced or read by those wanting to understand Catholic teaching on conscience: John Paul II's encyclical *Veritatis Splendor*.

Veritatis Splendor

If people consulted the *CCC* first, they might then want to know what the pope says about conscience, or they might even go to papal documents first. John Paul II's fundamental moral theology encyclical, *Veritatis Splendor*, was promulgated on August 6, 1993.⁵⁸ John Paul II

the Theological Tradition," in *The Splendor of Accuracy: An Examination of the Assertions Made by Veritatis Splendor*, ed. Joseph A. Selling and Jan Jans (Grand Rapids, MI: William B. Eerdmans Publishing Co, 1995), 114–35, at 116–17.

⁵⁸ John Paul II, *Veritatis Splendor* (1993), http://w2.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_06081993_veritatis-splendor.html.

indicated his intention to write the encyclical, however, on August 1, 1987 (the second centenary of the death of Alphonsus Liguori, patron saint of moral theologians and confessors). *Veritatis Splendor* is concerned with addressing developments in moral theology since the conclusion of Vatican II. During the time between Vatican II and the writing of John Paul II's encyclical, moral theology had undergone many methodological changes. These changes occurred for several reasons. Moral theologians had to deal with a changing moral theological landscape and the need to address contemporary issues not in the typical textbooks (manuals of moral theology). Vatican II had called for moral theology's renewal, specifically in the decree *Optatum Totius* and with its approval of *Gaudium et Spes*. Methodologically, questions arose, for example, over how to utilize and incorporate adequately the tools of analysis from different sciences (human, social, empirical, psychology, sociology, anthropology, philosophy, and so forth). There have been efforts to reintroduce Scripture into moral methodology and reflection, which meant a philosophical deductive approach to moral reasoning was no longer sufficient. In this context, John Paul II wrote his encyclical in response to moral theological writings and method after the council.

The response to the encyclical by the theological community was mixed. Some appreciated its tone and saw it as settling the disputes and debates within moral theology. Others responded by stating that *Veritatis Splendor* should be carefully interpreted, "not as the last word in a controversy put to rest, but rather as a call to participate further in the process of discernment, clarifying the issues at hand and making suggestions for the way forward."⁵⁹ While it would be interesting to explore the full reception of *Veritatis Splendor* by the theological community, even as the encyclical is addressed to John Paul II's brother bishops, the focus here concerns what John Paul II says about conscience.

Veritatis Splendor starts with Scripture, which in itself is a contrast to the manuals and the centuries-old tradition of relying on natural law

⁵⁹ Selling and Jans, eds., *The Splendor of Accuracy*, 10. For other analyses of *Veritatis Splendor*, see the following collection of essays: Michael E. Allsopp and John J. O'Keefe, eds., *Veritatis Splendor: American Responses* (Kansas City, MO: Sheed & Ward, 1995); and J. A. DiNoia and Romanus Cessario, eds., *Veritatis Splendor and the Renewal of Moral Theology* (New Rochelle, NY: Scepter Publishing, 1999).

for moral theology.⁶⁰ Nevertheless, John Paul II's approach to conscience is framed less by Scripture and more by the moral theological debates after the council and his concern over dissent from church teaching. He mentions conscience in the encyclical's introduction and we see here that John Paul II has problems with how conscience is understood in contemporary moral theology. For him, conscience does point to truth and goodness, yet individuals can easily be lead astray. The majority of John Paul II's discussion of conscience takes place in chapter 2, paragraphs 54–64.⁶¹ He starts his discourse on conscience with these words: "The relationship between man's freedom and God's law is most deeply lived out in the 'heart' of the person, in his moral conscience" (VS 54). He then quotes from *GS* 16, but not the full paragraph, emphasizing the portion that talks about law (VS 54). He then draws on Paul in Romans 2:14-15 to identify conscience as a witness, which confronts us with what we have done and whether we have been "faithful or unfaithful" to the law. Conscience as witness applies both to ourselves as witness and, more important, to God as witness (VS 57–58).

Furthermore, conscience also functions as an inner dialogue with God. John Paul II, citing Bonaventure as support, says that conscience binds because what is demanded of us by conscience comes from God, calling us to obedience.⁶² He then returns to the idea of conscience as judgment regarding what to do or not do, as well as judgment regarding what has already been done (VS 58–59). In this consideration of conscience's judgment on actions, John Paul II distinguishes the general, universal norm to "do good and avoid evil" from the practical application of the norm in specific situations. Conscience judges our ability to apply the universal norm (VS 59).

⁶⁰ The encyclical has three chapters. Chapter 1 has been described as an extended homily as it features a meditation on the gospel story of the rich young man. Chapter 2 comprises the technical discussion and engagement with moral theology and method by theologians over the prior twenty years. Chapter 3 discusses authority and discipline in the church.

⁶¹ Chapter 2 as a whole discusses and engages the following methodological debates in moral theology: the role of Scripture; whether faith is autonomous, theonomous, or heteronomous; questions surrounding human freedom, will, sin, and grace; absolute norms; natural law; moral action; moral truth; fundamental option; and, of course, conscience. He mentions conscience in paragraphs 30–32, 34, 36, and 52, prior to his more focused discussion. In these other paragraphs, John Paul II misses the opportunity to address the positive understandings and workings of conscience in the tradition by emphasizing what he sees as the distortions in theological descriptions of conscience.

⁶² An assessment of how Bonaventure understands conscience and John Paul II's use of him is beyond the scope of this work.

While this vision of conscience resonates, John Paul II's certainty that all situations fall into the binary framework of judging actions as all good or all evil poses some difficulties. He does not acknowledge or provide guidance for how conscience should judge the application of the universal norm to do good and avoid evil in situations that are morally ambiguous because actions or responses will have both moral goods and moral evils in them. How do we account for these types of situations and judgments of conscience where one needs to act and the actions are not pure?⁶³

John Paul II does, however, make the case for the requirement to follow conscience. We must follow conscience because while conscience's judgment "does not establish the law" it does testify to the objective universal truth given by natural law, which participates in God's divine law (*VS* 60–61). This obligation to follow conscience's judgment requires us to take responsibility for our actions, as well as serving as a reminder of our need for God, God's grace, and to ask for forgiveness.

Given that we need to follow conscience's judgment, John Paul II considers how conscience can error. We make errors in practical judgments, in perceiving the good, and about the goodness of our actions. We do not always recognize how we are blind in these areas. John Paul II references *GS* 16 and argues that the erroneous conscience due to nonculpable ignorance retains its dignity. He stresses the distinction between the objective truth that remains and the subjective perception of the truth made by the person. It is at the level of subjective perception where mistakes or errors are made. In other words, we can be wrong about our perceptions of the truth. This distinction preserves objective truth while implicitly acknowledging that humans' subjective perceptions can be skewed.

Furthermore, while we might not be culpable for our errors, the resulting action is still evil, which John Paul II defines as "a disorder in relation to the truth about the good" (*VS* 63). In other instances, we are culpable for our sinful action. John Paul II succinctly describes how we are culpable for our erroneous judgments by citing this passage from *GS* 16: "when man shows little concern for seeking what is true and good, and

⁶³ The moral theological tradition has often dealt with situations that are ambiguous by utilizing the principle of double effect or the principle of cooperation. It seems to me, however, that both of these principles focus, as does John Paul II, on our human capacity for sinfulness and the negative effects of actions. How do we more adequately focus on our capacity for graced responses and the positive effects of actions so that we see how we are helping foster God's reign? This is an area for ongoing study and reflection.

conscience gradually becomes almost blind from being accustomed to sin” (see *VS* 63). He buttresses his argument with an appeal to Scripture (Matt 6:22-23) and Jesus’ warning that the eye needs to be sound so that the body is sound. In other words, our perceptions (sight) influence our actions and behaviors.

Finally, John Paul II considers the formation of conscience and the need for its ongoing “conversion to what is true and to what is good.” In this conversion, however, knowledge of the good is not enough. The heart must be “converted to the Lord and to love of what is good,” for this is “really the source of *true* judgments of conscience.” This conversion is grounded in and supported by the various virtues, more particularly, the theological and cardinal virtues. He specifically mentions prudence, the virtue that supports and enables practical judgments. This would lead one to think John Paul II was going to uphold insights of practical judgments from the community writ large, yet he concludes this section on conscience by stating that he sees the formation of conscience aided by the Magisterium and teaching authority of the church with no mention of other sources (*VS* 64). This move, particularly in light of *VS*’s chapter 3, which explores the relationship between theologians and the teaching authority of the bishops, can make one wonder if there is a role for the *sensus fidelium*, the whole body of the church, when rightly perceiving objective truth and their exercising of prudence. Alternatively, is prudence a virtue solely for the Magisterium? This question is especially pertinent when one considers that *GS* can be read as saying we discover the truth through conversation and encounters with God, our neighbor, and the world. Given that *VS* cites *GS* and responds to other interpreters of Vatican II, how does John Paul II reinterpret *GS* on conscience?

Mary Elsbernd examines how *VS* reinterprets *GS* in several key ways.⁶⁴ Regarding conscience, she believes that *VS* recontextualizes *GS* 16 “into a framework of law.” She draws on the hermeneutic of silence and looks at the portions of *GS* 16 not cited by *VS*. The omissions are striking. *VS* ignores the *GS* 16 statement that the law “is fulfilled by love of God and neighbor” and that Christians join in with other humans in search for both truth and solutions to the world’s problems. Thus, Elsbernd concludes

⁶⁴ Mary Elsbernd, “The Reinterpretation of *Gaudium et Spes* in *Veritatis Splendor*,” *Horizons* 29, no. 2 (2002): 225–39. She analyzes conscience on pages 233 and 234. See also Brian Johnstone, “Erroneous Conscience in *Veritatis Splendor* and the Theological Tradition,” in *The Splendor of Accuracy*, 114–35.

that “obedience of conscience to the law of love and the engagement of Christians with others in the quest for truth and solutions to contemporary problems are de-emphasized in *Veritatis splendor* by this omission.”⁶⁵ In other words, our capacity and the requirement to embody love, the phenomenon that good people with good intentions miss the mark, the reality that new situations require an uncovering of the truth and possible actions are all truncated. In this area, we can see that the CCC and VS both refocus conscience on following the law: a law that already sets out a predetermined, stipulated, proper course of practical action. It is actually surprising, however, that John Paul II does not attend to the love of God and neighbor when he quotes GS since he starts VS with a meditation on the story of the rich young man. This parable, while not directly quoting Jesus requiring the love of God and neighbor, discusses what must be done in addition to keeping the commandments (law). Sell all, give to the poor, and follow Jesus (Mark 10:17-31; Matt 19:16-30). The story points to the need to attend to the poor (neighbor) among us. This is the fulfillment of the law, the following of our conscience according to GS.

Yet, in one area, regarding conscience’s dignity, VS more adequately follows GS than does the CCC. Brian Johnstone notes that VS reintroduces into the discussion of conscience sections of GS relating to conscience’s dignity and the distinction between a culpable and nonculpable erroneous conscience.⁶⁶ The description of conscience’s dignity, and the difference between culpable and nonculpable erroneous conscience requires attention to the moral agent, the subjective element of morality. Thus, VS attends at least in part to the person who acts in conscience even as its predominant framework is law, understood primarily as specific, practical applications of universal truth claims.

Conclusion

This chapter began with a brief description of hermeneutics. It then examined the development of conscience as a theoretical category for moral theology during Vatican II and in the half century since the council. Priests, bishops, theologians, and the faithful need time to incorporate

⁶⁵ Elsbernd, “*Gaudium et Spes* in *Veritatis Splendor*,” 233. She references Johnstone’s article and his point that this passage of GS 16 was an addition to the final text. See Johnstone, “Erroneous Conscience in *Veritatis Splendor* and the Theological Tradition,” 116n10.

⁶⁶ Johnstone, “Erroneous Conscience in *Veritatis Splendor* and the Theological Tradition,” 115–18.

a new worldview or conceptual framework into their thinking patterns and behaviors. Thus, while Vatican II revived ancient teaching and held together various understandings about conscience, changes in moral theology or understandings of moral agency did not immediately happen. Following the council, debates, disagreements, and even confusion as to conscience's role in moral agency occurred, including when to follow it and what constitutes its proper formation. This resulted in part from the various descriptions of conscience embedded in the Vatican II documents themselves. *Gaudium et Spes* alternatively discusses conscience as the voice of God, a sanctuary where the voice is heard, as needing to be informed as well as formed. A person with a well-formed conscience will act from love of God and neighbor, seeking justice in all manners of life. *Dignitatis Humanae* highlighted the more communal dimension of conscience by highlighting the social nature of the individual who participates in religion.

John Paul II sought through his teaching office, as pope, to clarify and reiterate the teaching on conscience. The CCC and his encyclical *Veritatis Splendor* at times reaffirm *GS*'s teaching and at other times recast the teaching. Most specifically, the CCC and *VS* ignored the more relational aspects of conscience articulated by Vatican II regarding loving God and neighbor as manifested in responses to the world's problems, as considered in part 2 of *GS*.

The method of examining magisterial documents in chronological order indicated that the use of Vatican II to describe and define conscience in later magisterial documents was itself an exercise in hermeneutics. The reception and interpretation of Vatican II on conscience in the *Catechism* and John Paul II's encyclical in some instances subtly changed Vatican II's approach to conscience. This subtle shift could be partially responsible for the false perception that a well-formed conscience means waiting for a magisterial pronouncement on new issues or questions. Likewise, John Paul II's emphasis on certain aspects of Vatican II's approach to conscience shifts emphasis away from the gospel demands in particular ways. Law, for many, has become the law of the Roman Catholic Church rather than the covenantal law detailed in Sacred Scripture. This is in spite of John Paul II's use of Scripture in his writings.

Thus, questions still linger regarding conscience. Questions such as these: Have we understood what the council said about conscience? Given John Paul II's suspicion of theological interpretations of *GS* on conscience, what exactly have theologians said about conscience? Is the proper forma-

tion of conscience predominately a matter of obedience to the teachings in ecclesial documents? Therefore, the hermeneutical task continues in chapter 2, which takes a much longer view of the intellectual tradition on conscience. It briefly explores the biblical roots of conscience, Thomas Aquinas in the medieval period, and Cardinal John Henry Newman in the nineteenth century. This work indicates that the tensions and debates about conscience are not new. The second half of the chapter examines how theologians Bernhard Häring and Anne Patrick, writing after Vatican II, have understood and interpreted conscience. Their work recaptures and refocuses our attention on the Vatican II insight that the formation of our consciences (our moral formation) is grounded in relationship to God and manifest in both love of God and love of neighbor. We embody this love of God and neighbor in our actions for justice and rightly ordered living.