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Introduction

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A broad array of Christians have wrestled with the subject of conscience from the beginnings of Christianity to the present time. Remarkably – given their differing nationalities, historical circumstances, and religious convictions – leading thinkers have regularly pursued similar questions about conscience. Sometimes they have reached overlapping conclusions. Often, however, concerning both large and small matters, they arrive at different or even radically different answers. But the persistence and correspondence of their inquiries remains a testament to the innate and universal importance of the matter of conscience.

For two millennia, leading scholars and religious figures have asked, for example: Is there such a phenomenon as conscience? What is it? Is it primarily or exclusively a religious matter, possessed by religious people, or does it also pertain to nonreligious people and convictions? What do Old and New Testament sources say about it, if anything? Does Scripture draw from prior religious or philosophical sources that treat conscience? Is conscience more or less, or even exclusively, a subjective or an objective reality? What images and metaphors for conscience are used in Scripture, and which are most helpful?

They have also asked how conscience is formed, wondering whether it is more or less, or even exclusively, the work and voice of God. Is it human beings' own work or voice? Is it the voice of the community? The voice of religious authorities? Can the opinion of a majority or some critical mass of religious adherents constitute such authority? Is conscience in any way sourced in natural law?

They also inquire about where conscience is located. Does it involve the mind, the will, the heart, feelings, and/or the soul? Perhaps some combination of these?

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Many religious and academic figures have asked, too, how conscience operates. To what extent does it discern, judge, affirm, accuse, or perhaps simply heighten perceptions of good and evil? Is it more in the nature of a divine judgment or a self-evaluation? Does it have reference more or less or exclusively to the individual or to the community? Can and should a conclusion reached by the conscience be trusted by the individual? If so, to what degree? How great is the influence of sin upon the operation of the human conscience? Is conscience fallible or infallible? What are the human and divine consequences of acting according to an erroneous conscience? If conscience errs, can it be reformed or renewed? If so by whom or what? What is the relationship between conscience and natural law, if any? Should there be one?

As societies became more religiously diverse, there arose more questions concerning conscience in the context of a pluralistic environment. What ought to be the relationship between conscience and positive law? Should the latter accommodate the former, and if so to what extent? Does Scripture or natural law have anything to say on this point? In the legal arena, scholars, lawmakers and judges contest the original and later meanings of legislative and statutory legal protections for religious and nonreligious conscience. They ask about their scope, their limits and the rationales for those limits, their constitutional and political permissibility and wisdom, their coverage of both religious and nonreligious commitments, and their moral and political wisdom and fairness.

Today, legal commentators struggle in particular with questions about accommodating conscience claims asserted by institutions. Which institutions might qualify? Why? In order to protect the individuals who comprise the institution? Because the law commands it? Or because of particular goods and interests possessed by institutions *qua* institutions?

Contemporary legal scholars, judges, and legislators also contend frequently over claims made by individuals in the context of military service, or to resist state laws incorporating ideas about sex, marriage, and parenting increasingly at odds with Christian commitments.

Proposals and common conceptions about conscience have not developed over time in a strictly linear fashion, from one set of ideas toward another set that is in the ascendancy today. Rather, from time to time over the course of the last two millennia, scholars and religious figures have proposed ideas more commonly heard in our own time – about, for example the infallibility or subjective quality of conscience – to significant acclaim. Still, it is broadly true to observe that, as compared with the past, contemporary ideas about conscience tend to value: the individual and individual values over the

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community and its values, including religious communities and authorities; the subjective over the objective; the nonreligious as much or more than the religious; positive law and majority will over religious conscience; and the political calculus more than the moral calculus.

This book illustrates this trajectory and explores the myriad questions about conscience recited above, during the period from the Old Testament to the present day and across a wide variety of Christian denominations. It treats these from the perspectives of scholars in the disciplines of history, philosophy, law, and theology. Together, the chapters witness to the persistent concern demonstrated by leading Christian intellectuals and religious figures to grasp the meaning and operation and limits of conscience.

While it is impossible to cover every person and text that influenced Christian beliefs about conscience and the rights of conscience respecting law, this book explores those figures and sources arguably exerting the most lasting influence upon the questions and answers about conscience held by a wide variety of Christian communities and sometimes also by society and/or the state. Thus, its chapters examine the Old Testament, the New Testament (especially the Gospels and the writings of St. Paul), the early Church Fathers – both East and West – Thomas Aquinas, Martin Luther, John Calvin, Pierre Bayle, John Edwards, Roger Williams, US federal and state constitutions, The Book of Mormon, the Second Vatican Council, and Pope Benedict XVI. Along the way, chapter authors also engage other important influencers, including but not limited to: Plato, Socrates, the Stoics, Philo, Aristotle, John Locke, René Descartes, Thomas Hobbes, Jean-Jacques Rousseau, James Madison, George Mason, Thomas Jefferson, Cardinal John Henry Newman, Carl Henry, Billy Graham, Harold Berman, Harold Schulweis, John Rawls, and Pope John Paul II.

Given the wide swath of history, personages, religions, sources, and ideas this book covers, the chapters are grouped under three major headings for ease of exploration. The first group of chapters (Part I) treats major themes shaping the understanding of conscience in Christianity: the teachings of the New Testament, the relationship between conscience and natural law in both the Old and the New Testaments, the treatment of conscience in the early years of Christianity, and the meaning and role of the "sensus fidei" and the Magisterium in the formation of conscience according to the Roman Catholic tradition. In Chapter 1, Wendell Willis excavates from within the New Testament (NT) the meanings of what is termed "conscience" in the English language today. Upon surveying all the books of the NT, Willis concludes that *suneidesis* (the word most-often translated in the NT as conscience) does not have a fixed meaning for NT writers. Willis's key

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contribution is to cleave the reader's understanding of *suneidesis* into two main categories, while also identifying additional shades of meaning across NT texts. For example, in the Pauline corpus, especially in 1 and 2 Corinthians, *suneidesis* seems most often to refer to a person's self-knowledge or internal understandings about himself and his past actions. Here, *suneidesis* should be understood as "consciousness" rather than "conscience". In this sense, *suneidesis* in Corinthians is fundamentally retrospective in nature, while in Romans, *suneidesis* is more often a guide for the believers' future moral choices. Other usages of *suneidesis* in the NT are a variation on the theme first established by Paul: consciousness of past actions or an inner model for one's future actions. In Chapter 2, David VanDrunen ties the natural law concepts found in both the Old and New Testaments to a sense of conscience. The notion of natural law appears early in the Old Testament (OT), in God's covenant with Noah. God instructs Noah that, for example, the killing of an innocent must be recompensed (thereby indicating that innocent people must not be wantonly killed). While there is not one Hebrew word for conscience in the OT, it does identify the "heart" (*leb*) and "kidneys" (*kelayot*) as the mechanisms by which the wise and discerning person applies what he knows to be true about the way the world works. In the New Testament, conscience is the "subjective human faculty that recognizes right and wrong and thus bears witness to a person's standing before the law." The Apostle Paul's discussion of natural law in Romans chapters 2 and 3 reveals that although not all receive God's express law (as did God's people on Mt. Sinai), all people everywhere have an innate sense of moral rectitude to which their consciences testify. All persons everywhere therefore are subject to God's righteous judgment.

In Chapter 3, John McGuckin looks at the earliest writings of Christian theologians about conscience. These relied a great deal upon the Scriptures and upon Plato, Aristotle, Stoics, Cicero, and Seneca and grappled regularly with the positive and negative possibilities of conscience. In the positive account, persons might be assured of certainty in their discernment if conscience is the inner voice of God or an internal compass. Negatively, conscience might be poorly informed and promote delusion. Greek sources concerning conscience were concerned to search out anthropological and cosmological truths, not divine ones. But Christian writers brought the inquiry into the religious domain. St. Paul wrote about conscience in connection with a law "written on the heart," a moral guide to both Christians and pagans, but fallible and in need of the grace and salvation of Christ. The Greek fathers, led by Origen, emphasized conscience as an awareness of divine things, albeit impaired by man's fall, yet still oriented

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toward union with God and obedience to moral norms. The Latin fathers, led by Augustine, emphasized humanity's corruption after the fall and need for divine grace. Thus, conscience could convict but not necessarily stimulate a person to goodness. Only loving God could accomplish this. In both Latin and Greek Christian wisdom, therefore, conscience was far more than an inner voice instructing about right and wrong. It was a set of reflections on the spiritual identity of human beings.

In Chapter 4, Christian Brugger treats an important contemporary question about conscience in Roman Catholic theology: the role of the *sensus fidei* (the sense of the faith) in relation to the formation and deliberations and correctness of conscience. Some theologians have claimed that when a significant number of the lay faithful come to a conclusion about a matter of faith or morals, they are expressing the *sensus fidei*, which merits recognition as the truth. Consequently, such a conclusion can unfailingly inform the conscience. The much-debated notion of the *sensus fidei* has a long biblical and theological history but was first prominently used by the Catholic Church in the Second Vatican Council's Constitution on the Church, *Lumen Gentium*, as part of the discussion of the work of the laity. There it concerned the idea of a divinely infused capacity of the baptized to understand the truths of, and reject false expressions of, the faith, under the guidance of the Holy Spirit, given their membership in the Mystical Body of Christ with its priestly, prophetic, and kingly roles. It is an intellectual power, though not of a syllogistic nature. Many false conceptions of the meaning and manner of exercise of the *sensus fidei* followed especially in the period after the Council. In these conceptions, it is regularly divorced from the teaching authority of the Church and inappropriately identified as a kind of subjective feeling or sixth sense about good and evil that can be exercised even by those not currently practicing the Catholic faith or engaged with Scripture and the life of Christ-like charity. The *sensus fidei* is rather communal in nature. It is always inclusive of the teachings of Jesus and the Church about right and wrong. It is about the Church as a whole and is witnessed by the universal consent of the whole Church – lay, hierarchy, and religious. It can be blunted by poor liturgy and poor formation. It is limited to matters of faith and morals and attendant to building up the Church. When properly exercised, it is one of the ways the Church can speak infallibly about what is to be believed.

The second group of chapters explores how major religious figures and Christian traditions understood conscience. These chapters cover the Church Fathers, both East and West, St. Thomas Aquinas, the Magisterial Reformers John Calvin and Martin Luther, Pierre Bayle, Roger Williams, Jonathan

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Edwards, contemporary Evangelicals, Latter Day Saints, and Joseph Ratzinger who later became Pope Benedict XVI.

In Part II, Chapter 5 by Alexis Torrance considers early Church Fathers' treatment of the origins, natural law associations, roles, limits, and images of conscience. He notes that there is no single, systematic treatment of conscience in the patristic literature, but instead, many treatments that require piecing together. He also advises attention to both the similarities and the differences between contemporary references to conscience and ancient meanings. Contemporary commentators are especially prone to speak of conscience to affirm individually autonomous judgments about subjective thoughts and feelings. Early Church Fathers, however, stressed that conscience is a gift exercised in community presupposing shared convictions. They also stressed the possibility that conscience may become impaired under a variety of influences. The idea and terminology of conscience existed in Greek and Roman culture. Christians, however, especially St. Paul, employed theological reflection in a way crucial to the deliberations of Church Fathers. New Testament letters speak of conscience as a human faculty – an important element of what it means to *be* human. Conscience is given by God, but not God's voice, though it does bring God's voice to bear in our lives. It was a Christian innovation to connect conscience with the idea of a *divinely* inscribed law. Some patristic authors identify conscience with a natural law, generally as distinct from natural law, but bearing witness to it.

Human knowledge of right and wrong will be clouded by sin, though not extinguished. Thus, conscience needs cleansing, first by baptism, but also by following the commandments, and by continual examination of conscience and confession. It also needs "guarding" of different sorts in relation to God, the neighbor, and the material world. It continually requires the grace of the Holy Spirit to govern one's moral action in a way that might lead to God.

Regarding the location of conscience, the fourth and fifth century Macarian Homilies speak of conscience as a "member of the soul," as guiding the heart as a "captain in the mind," and as a judge. It is within the soul but above other faculties of the soul as an arbiter of human activities. It is related to the mind, will, thought, and feelings. It should direct persons toward actions leading to God and away from their opposite. Conscience not only judges but also accuses, causing pain to a transgressor.

In Chapter 6, Cajetan Cuddy OP examines of the nature of conscience according to the intricate categories of St. Thomas Aquinas. Cuddy distinguishes Aquinas's understanding of conscience as an act from a common belief that it is a power of habit. It is an act of ordering knowledge – some universal knowledge, some particular – to a particular act, whether the act is

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past, present, or future. Conscience directs future acts, and with reference to past acts, can accuse or excuse.

The term "conscience" in Aquinas is distinguishable from the manner in which it is used in contemporary times, to mean an evaluation of whether or not an act is ethical or correct. Aquinas's understanding includes such a judgment, but also includes witnessing to a particular act's being a human (rational, chosen) act, therefore of a moral kind and not an unconscious one.

Aquinas also makes a distinction between conscience and the notion of *synderesis*, which is the habitual, natural, ineradicable, and infallible disposition of the human person that shapes the human power of understanding. *Synderesis* inclines human nature to the good and objects to evil. As a "preamble" to virtue, it provides a habitual awareness of the first principles of morality shaping moral reasoning to be applied to human action and begins with the first principle: do good and avoid evil. While *synderesis* concerns understanding the universal moral principles applicable to all human actions, conscience applies knowledge to a particular act. Thus, conscience proceeds from *synderesis*. But conscience has limits and can be erroneous and in need of correction because of the possibility of limits to or errors about knowledge, or how knowledge applies to the particular situation at hand. An erroneous conscience does not eradicate a human being's orientation to the truth, and error can be removed. Conscience should be distinguished from human free will. Conscience does not compel. It is the cognitional evaluation of whether or not something should be done; but free choice is the application of knowledge to an action and, with a judgment of prudence, the execution of an action. A person may choose to act against a judgment of conscience.

Conscience and the law of God have the same binding force for Aquinas, not because conscience is infallible or human reason is independent of God's law, but because conscience mediates God's moral norms to human beings undertaking a particular action, through the application of *synderesis*, which is always ordered to moral truth, meaning that it is ordered to God. Still, only a correct conscience binds absolutely while an erroneous conscience binds conditionally because our mistaken judgment might be corrected. At the same time, an erroneous judgment might excuse us subjectively if it proceeds from knowledge that is not false by our fault. Still, bad actions proceeding from an erroneous conscience will nevertheless frustrate human flourishing.

In Chapter 7, John Thompson describes how the preeminent figures of the Protestant Reformation, Martin Luther and John Calvin, treated the subject of conscience. For Luther, natural conscience is beset by the weight and ill-ease of knowing that a person can never meet the rigorous requirements of the law. Faith can relieve a human being's downtrodden conscience, which would

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otherwise accuse and condemn him. In this way, Luther distinguished himself from his teacher, Gabriel Biel, who taught that the Christian should be in a constant state of tension between the peace that comes from contemplating Christ's salvific work on the cross and the disquiet that follows from the thought that one must do "one more thing" to earn God's approval. Instead, once a person accepts the favor of God that flows solely from trusting him, his conscience is liberated. He knows he can do nothing on his own to merit that favor. His conscience is liberated "to trust God's promise of mercy and forgiveness." The highest functioning conscience for Luther, therefore, is the one that does not depend on its own goodness or perfection. To rely upon oneself renders a conscience inherently unreliable.

Calvin teaches that, though a person's conscience is a native-born faculty, it is marred and affected by the fall. Once a person is saved from sin, however, his conscience is transformed so that he desires to obey the essential will of God found in the law. This is true even though adherence to the law will not add in the least to his salvation. For this reason – to assist Geneva's Christians to grow progressively in holiness – Calvin created a catechism to train and chasten the conscience. Calvin also helped to found the Geneva consistory, which was less a disciplinary body, and rather "a school for consciences." Here, religious leaders could address believers' concerns about the Christian life in a loving way, to train hearts and consciences in the ways of God.

In Chapter 8, Jeffrey Hammond sketches the outline of a contemporary biblical theology of conscience. According to Hammond, a sensitive Christian conscience is an ever-growing, constantly recalibrating capacity of the regenerated (converted) person. Then, through the sanctifying work of the Holy Spirit, the Christian truly can seek to fulfill the two great commands of the New Testament: to love God and love your neighbor. The process of working out these commands involves judgment of what to do in any given situation. However, in making any difficult judgment, the converted, sanctified Christian is always aided by the "still, small" voice of the Holy Spirit, wise counselors, prayer, and the certain knowledge that the correct, conscientious decision will always line up with the will of God as revealed in the Word of God.

The redeemed conscience is one that is at the same time bound and freed. The Christian is bound to follow the moral instruction in the New Testament, but at the same time, she is also freed to do it. In this way, the biblically informed, Holy Spirit–led conscience channels the Christian away from decisions and conduct that would displease God, while simultaneously freeing her to both judge and act for the benefit of her neighbor. Baronelle Stutzman, the now famous florist in Washington State, was freed to use her talent to

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create beautiful floral arrangements for all her customers, no matter their sexual orientation. She was bound, though, to limit that use when asked to use her talent to celebrate something she conscientiously thought to be false – a same-sex wedding. In deploying her conscience, Stutzman reaped significant legal consequences.

The redeemed conscience is one that judges *and* will be judged by the God who perceives the deliberations of all consciences. The Christian, however, sensitive to the Spirit in both deciding and acting, can rest upon her decisions with a sense of equanimity and peace, knowing that she has faithfully exercised her conscience.

In Chapter 9, Edward Andrew discusses Pierre Bayle, an important influence upon the Enlightenment. Bayle held both that conscience was the certain, infallible "voice of God" – a view most often associated with Calvin – and that humans can make errors of judgment. As the Enlightenment progressed, leading thinkers increasingly insisted that social approval, not God's voice, was the guiding force for conscience-based decision-making. Thus, freedom of conscience became less about having an absolute certain inner knowledge of the proper course of action, and more about aligning oneself with social forces that might create harmony, peace, and stability.

Bayle maintained that conscience was a real and identifiable faculty of the human person, although subject to error. This distinguished him from another important Enlightenment thinker, John Locke, who frequently referenced conscience in his political writings. However, in his *Essay concerning Human Understanding*, Locke asserted that conscience was nothing more than one's long-standing beliefs. Bayle, however, proposed that conscience was the careful working out of the practical applications of natural law and Scripture.

Two contemporary figures make fruitful conversation partners for Bayle: Rabbi Harold Schulweis and the jurist Harold Berman. Schulweis views conscience as a force of judgment outside law. Morality is neither fixed nor inherent inside the person; rather, the person with an active conscience constantly calibrates and recalibrates her course of action and judges the right thing to do in particular situations. Berman, however, viewed conscience as a force within or alongside the law, much like a jury. A jury is a legal entity, yet it works *with* the facts and law as the court presents them. In the end, however, it renders its own judgment about the proper decision under the circumstances.

In Chapter 10, David Little presents Roger Williams as a seventeenth-century iconoclast and champion of conscience. Williams was expelled from

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the Massachusetts Bay colony that ostensibly prized free exercise but in fact recognized it only within narrow bands of religious orthodoxy. Williams thereafter prized freedom of conscience in the charter for the Providence Plantations and Rhode Island. A central guiding principle for Williams is the sharp distinction between the "inward" and "external" fora. The "inward forum" is the conscience, a "spiritual power" changeable by reason and persuasion. The "external forum" is "outward behavior," meaning actions that can be coerced by the governing authority through force, in order to protect life, property, and other tangible interests. Williams provocatively labeled coercive acts against conscience as "soul rape" and "piracy," indicating how deeply and intimately these violated the person.

Williams maintained a fruitful relationship with the Naranganset Indians, having shown them a great deal of respect, as the people who provided him refuge when he was expelled from the Massachusetts Bay colony. He did not attempt to co-opt their government and fully respected their unfettered ability to choose religion (or not), in the quiet of their own internal fora.

In Chapter 11, Michael McClymond summarizes Jonathan Edwards's theology of conscience. Edwards concedes that everyone has a conscience. Everyone's "natural conscience" can perceive right and wrong, but only the converted conscience can fully apprehend God's moral excellence and beauty. Further, the conscience operates on the principle of "reversibility": the empathetic orientation of one's actions considering their effects on others. However, the person with the converted conscience is constantly aware of his propensity to sin and that God's moral demands are forever correct.

Conscience gets stronger and more refined the more it is heeded; conversely, it gets duller the more it is resisted. The faith of true believers removes the stain of a guilty conscience., Even if not redeemed, however, that selfsame natural conscience will agree entirely with the justness of God's righteous punishment for him at the Last Judgment.

In Chapter 12, Micah Watson argues that an active conscience is the natural outgrowth of the evangelical mind. Watson defines evangelicalism as the form of Protestantism that relies on the truths of historical Christianity while navigating between mainline Protestantism and fundamentalism. For evangelicals, the notion of conscience is founded in the Bible, particularly the writings of the Apostle Paul. But the idea also flowered in the period of the post-Reformation world, during which time it was taught that an active conscience was a sign of person's salvation. The notion of conscience also led the evangelical Christian to be active in the world against all forms of unrighteousness. In the United States, this contributed to the proliferation of voluntary societies, where Christians

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