

***First Annual St Thomas More Forum Lecture***  
***Cardinal Newman on Conscience***

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In his encyclical *Veritatis Splendor* (“The Splendor of Truth”) in 1993 Pope John Paul II claimed that the Church was facing a genuine crisis which touched the very foundations of moral theology.<sup>1</sup> He explained that this crisis was no longer a matter of limited and occasional dissent but of an overall and systematic calling into question of traditional moral doctrine.<sup>2</sup>

Today in Australia it is a moot point whether the crisis has lessened or deepened, or indeed whether the situation remains basically as it was. Rome has spoken, but in the English-speaking world there is no evidence that the matter has been successfully concluded. I speak as an Australian bishop primarily about the situation in Australia.

After a few introductory words to set the scene I wish to speak on a topic central to human dignity and moral responsibility, which was treated extensively in *Veritatis Splendor*, the role of conscience.

### **The Pontificate of John Paul II**

Pope John Paul II is an historical anomaly. We risk categorising his outstanding achievements as being normative for the papacy. This is particularly a danger for young Catholics who have known no other Pope. In fact no Pope in history, even Pope John XXIII, has exercised such an influence in so many fields. This is partly a consequence of the mass media today, but more particularly it is a consequence of his unique contribution. *Veritatis Splendor* was discussed everywhere throughout the Western world. The major papers in just about every Western capital city editorialised on this encyclical. His defence of human rights against Communism and totalitarianism was pivotal. These are but one part of his extraordinary achievements. An important task for the future will be to assimilate his teachings and put them into practice.

This encyclical had been announced on the Feast of St. Alphonsus in 1987, but did not appear until after the publication of the *Catechism of the Catholic Church*. It was eagerly awaited by admirers of the Pope and also by his opponents inside and outside the Catholic Church. The traditional loose alliance of dissidents were well organised with their allies in the secular media to orchestrate a chorus of dissent, as they had done so successfully in 1968 against Pope Paul VI’s encyclical *Humanae Vitae*.

However the world had changed since 1968 in a number of significant ways. First of all the scope for dissent had enlarged immeasurably. In 1968 the arguments for individual judgement or private conscience were advanced on the topic of the new means of contraception, which it was alleged, with some justification, was disputed even within the

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1. *Veritatis Splendor* §5.  
2. VS §4.

Catholic tradition. Today what remains in dispute are the grounds for moral argumentation itself within the Catholic and indeed Christian tradition, and the controverted areas now include every area of sexual practice, and many issues which touch human life. Consequently there are also significant debates on marriage and family life. There has been no period in Church history where such a range of moral teachings has been rejected and the rejectors have continued to insist on remaining within the Church and aspiring to change Church teaching. Also there has probably been no period in Church history where so many have been able to do this without effective retribution. To my knowledge no bishop has taken up the recommendation of the Holy Father in *Veritatis Splendor*<sup>3</sup> to take away the title “Catholic” from Catholic institutions which are deviating significantly from sound moral doctrine.

In 1968 many in the Church were optimistic that the progressive reforms of the Second Vatican Council would soon bring wonderful fruits, and that dialogue with the world would be one of the means for this. *Humanae Vitae* was a valuable corrective to this inflated optimism. The collapse of the Church, for example, in Holland and French-speaking Canada then lay in the future, as did the exodus of many priests and religious and the radical decline in vocations to the priesthood and religious life in many parts of the Church. Today we are much better aware of the consequences of the acid rain of modernity on our Catholic communities, of our minority status as serious Christians everywhere in the English-speaking world, and of the damaging power of the neo-pagan world of communications. Probably too we are better aware of the fruits of internal dissent.

However Pope John Paul II has been an immensely more powerful influence than Pope Paul VI. Pope Paul was fated to lead the Church at an intensely difficult time but he will not rank with Leo the Great or Gregory the Great. John Paul II will, and one major reason for this will be his moral teaching, especially as outlined in *Veritatis Splendor* and *Evangelium Vitae* (“The Gospel of Life”), (1995).

### **No Primacy of Conscience**

Sections 54–64 of *Veritatis Splendor* are the best short piece written on conscience since Cardinal Newman’s *Letter to the Duke of Norfolk* in 1875. It is a sophisticated and accessible piece of work, quoting section 16 of the Second Vatican Council’s Constitution on “the Church in the Modern World” (*Gaudium et Spes*) about the voice of conscience always summoning us to love good and avoid evil. “For man has in his heart a law written by God. To obey it is the very dignity of man; according to it he will be judged (cf. Romans 2:-14-16)”. Naturally, though this law is written in our hearts, it is not our hearts’ law: it is God’s law. There is an explicit reference to the development in the Church’s moral doctrine similar to the development in the doctrines of faith, provided the original meaning is preserved intact.<sup>4</sup> The encyclical is not fundamentalist.

Naturally I accept the teaching of the Second Vatican Council and *Veritatis Splendor* on the crucial role of conscience for us all. However for some years I have spoken and written against the so-called “doctrine of the primacy of conscience”, arguing that this is incompatible with traditional Catholic teaching. Not surprisingly this has in turn provoked a

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3. VS §116.

4. VS §54 & n.100.

number of hostile public criticisms and quite a number of letters from friends and acquaintances attempting to persuade me of the error of my ways.

My object is twofold: firstly to explain that increasingly, even in Catholic circles, the appeal to the primacy of conscience is being used to justify what we would like to do rather than what God wants us to do. Even within Catholic discourse two different notions of conscience are at work; a) neo-pagan or secular, which feels free to override official Catholic moral teaching, even when it is confirming New Testament teaching, and b) a Christian understanding of conscience which recognises explicitly the authority of New Testament moral teaching and the official Catholic affirmation or development of that teaching. My second claim is that conscience does not, even in the second and Catholic sense, enjoy primacy, because conscience always involves a human act of judgement which could be mistaken, innocently or otherwise and the consequences of all decisions have to be played out in some ordered human community. Every human community has to limit the rights of its members to “err” however error is defined.

One should say that the word of God has primacy or that truth has primacy, and that a person uses his conscience to discern the truth in particular cases. Individual conscience cannot confer the right to reject or distort New Testament morality as affirmed or developed by the Church. To use the language of *Veritatis Splendor*, conscience is “the proximate norm of personal morality” whose authority in its voice and judgement “derives from the truth about moral good and evil”.<sup>5</sup> That is so for everyone, but in a special sense for Catholics, for whom the Church’s moral teaching cannot be just “another view”, along with dissenting theologians, professors, the ABC, etc.

Whatever the pressures for conformity produced by public opinion and the mass media today, there is a healthy rhetoric about respect for the rights of the individual, including the right to private judgement, in the English-speaking democracies. Today we value our freedom of speech, however much political correctness and prevailing taboos in the media limit public discussion with invisible parameters, like the proverbial glass ceilings. We take it for granted that all citizens have a freedom to choose their career, their home and all adults presume unreflectingly the right to choose a spouse – or now, increasingly in Australia, a temporary partner. Just as people have the right in a democracy to choose their religion so too some Catholics feel they should be able to choose the type of morality they follow and remain “good” Catholics. The title “smorgasbord Catholics” is not rejected as an insult, but as a proper right and title. Of course, no one actually “chooses” a morality: conscience is not the ability to make morality out of nothing. Too often, though, it is presented as moral source, not moral knowledge.

Unless all kinds of implicit Christian assumptions are made explicit, the claim to the primacy of individual conscience easily becomes in our cultural context the same as a claim to personal moral autonomy. Fine though autonomy is, in Christian hands this has tended to become code for “rationalisation of personal wishes” and there is no dignity in that, unless our wishes are for the genuine good. A wish isn’t dignifying just because it’s mine. Most Western moral philosophers since the eighteenth century, with the exceptions of the Marxists and the Christians, have followed Kant in advocating some form of moral self-legislation and government (autonomy), as distinct from heteronomy or rule by others. Kant would be appalled by contemporary autonomy liberalism. He believed in objective morality (“practical

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5. VS §60.

reason”) which autonomy gives us the means and opportunity to follow, never a self-made morality of private preference.

We should ask what is the extent of the agent’s freedom to follow his own will? In response one can usefully give two versions of moral autonomy. The first emphasises the person’s right to choose in the areas of life generally open to moral evaluation, leaving the limits outside which the agent might curtail his right generally unspecified.

John Rawls has defined the extreme of this version of autonomy with characteristic lucidity. It is “the complete freedom to form our moral opinions so that the conscientious judgement of every moral agent ought absolutely to be respected”<sup>6</sup>. The realities of social life and public order constrain us into recognising the impracticalities of such a principle as a basis for our personal conduct. In any society the only two alternatives are unanimity or the exercise of authority. The second version of autonomy, the more practical version, always spells out in some way the constraints necessary for social life. The principle of autonomy which informs Rawls’ own work, his alternative and more practical meaning, defines acting autonomously as “acting from principles that we would consent to as free and equal rational beings”<sup>7</sup>. I am not arguing this account is adequate; merely that it is one example of the limitations and precisions required.

Those Catholics who appeal to the primacy of conscience cite a number of classical references. The first comes from the Second Vatican Council’s “Declaration on Religious Freedom” (*Dignitatis Humanae*), which states that religious freedom “has to do with immunity from coercion in civil society”; “The truth cannot impose itself except by virtue of its own truth”. However these advocates often leave unsaid the conciliar teaching from the same paragraph that religious freedom “leaves untouched traditional Catholic doctrine on the moral duty of men in society towards the true religion and towards the one Church of Christ”.<sup>8</sup> So while the Declaration explains that in matters religious “no man is to be forced to act in a manner contrary to his own beliefs . . . within due limits”, it also goes on to say that all men are “bound by a moral obligation to seek the truth, especially religious truth”.<sup>9</sup>

The American Father John Courtney Murray, S.J., who had such a profound influence in the production of the Declaration wrote in his introduction to the English translation: “The conciliar affirmation of the principle of freedom was narrowly limited – in the text. But the text itself was flung into a pool whose shores are wide as the Universal Church. The ripples will run far. Inevitably, a great second argument will be set afoot – now on the theological meaning of Christian freedom”.<sup>10</sup> In other words *Dignitatis Humanae* speaks of relationships between state and Church, and between the state and individual. It does not deal with the relationship between the magisterium and the baptised.

A second reference frequently quoted, and indeed cited by the Holy Father himself in *Crossing the Threshold of Hope* comes from St. Thomas Aquinas, who explains that if a man is admonished by his conscience, even when it is erroneous he must always listen to it and

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6. John Rawls, *A Theory of Justice* (Oxford University Press, Oxford: 1973), 518.

7. Ibid. 516.

8. *Dignitatis Humanae* §1.

9. DH §2.

10. John Courtney Murray SJ, *The Documents of Vatican II*, gen. ed. William M. Abbot SJ (Chapman, London & Dublin: 1966), 674.

follow it.<sup>11</sup> The supporters of primacy of conscience do not go on to explain, as Aquinas does and John Paul II has done over a life-time of writing, that the binding force of conscience, even mistaken conscience, comes from the person's belief that the conscientious decision is in accord with the law of God.<sup>12</sup> I also believe that a person following Aquinas' advice might not only err in an objective sense, but could be guilty for his mistaken views. But more on this later.

### **“The aboriginal Vicar of Christ”**

A final passage, also frequently cited, is Cardinal Newman's famous declaration at the end of his *Letter to the Duke of Norfolk*: “Certainly, if I am obliged to bring religion into after-dinner toasts (which indeed does not seem quite the thing) I shall drink – to the Pope, if you please – still, to Conscience first, and to the Pope afterwards”.<sup>13</sup> Newman was concerned about the Ultramontane claims of extreme infallibilists, facetiously explaining that if the Pope told the English bishops to order their priests to work for teetotalism or to hold a lottery in each mission, they would not be obliged to do so.<sup>14</sup> Here he is addressing a situation in which Popes issue orders – not moral teaching – that exceed their authority. Newman would of course believe that confronted with Church teaching, we all have the obligation to form and inform our consciences by that. But there is no doubt also that his understanding of conscience is very specifically Christocentric and God-centred, within the Catholic tradition.

Conscience is not a long-sighted selfishness, nor a desire to be consistent with oneself; but it is a messenger from Him, who, both in nature and in grace, speaks to us behind a veil, and teaches and rules us by His representatives. Conscience is the aboriginal Vicar of Christ, a prophet in its informations, a monarch in its peremptoriness, a priest in its blessings and anathemas, and even though the eternal priesthood throughout the Church should cease to be, in it the sacerdotal principle would remain and would have a sway.<sup>15</sup>

Newman carefully distinguishes this proper understanding of Christian conscience from its secular alternative, which is “in one way or another a creation of man”. “Conscience is a stern monitor, but in this century it has been superseded by a counterfeit, which the 18 centuries prior to it never heard of, and could not have mistaken for it, if they had. It is the right of self will”.<sup>16</sup>

Some reject the Christian version as “a twist in primitive and untutored man” where the very notion of guiltiness is “simply irrational”.<sup>17</sup> They espouse “the right of thinking, speaking, writing and acting, according to their judgement or their humour, without any thought of God

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11. Pope John Paul II, *Crossing the Threshold of Hope* (Jonathan Cape, London: 1994), 191.

12. Thomas Aquinas, *Summa Theologica* 1-2, 19.5. See also the Commentary *In Epistolam ad Romanos*, c.14 lect. 2 (ad v.5).

13. John Henry Newman, *Letter to the Duke of Norfolk* (1875); in *The Genius of John Henry Newman: Selections from his Writings* (Clarendon Press, Oxford: 1989), 267.

14. Ibid.

15. Ibid. 263-64. Cf. *Catechism of the Catholic Church* (1994) §1778.

16. Newman, *Letter to the Duke of Norfolk* 247.

17. Ibid. 249.

at all”; for what “they think is an Englishman’s prerogative for each to be his own master in all things”. It is the “very right and freedom of conscience to dispense with conscience”.<sup>18</sup>

He also points out in a clarification which is more useful today than it was in 1874 that when Pope Gregory XVI and Pope Pius IX condemned freedom of conscience (a “*deliramentum*” or madness according to Gregory) they were not condemning what the Church now proposes, not condemning the notion of conscience Newman proposed i.e. conscience in “a high sense” as “dutiful obedience to what claims to be a divine voice, speaking within us”.<sup>19</sup> They condemned a conscience which rejected God and natural law.

Newman also explains elegantly why conscience is “the highest of all teachers, yet the least luminous”. It is because “the sense of right and wrong, which is the first element in religion is ... so easily, puzzled, obscured, perverted ... so biased by pride and passion, so unsteady in its course”.<sup>20</sup> He was completely correct.

Neither would Newman have hesitated to reject the notion that any secular notion of conscience has primacy. Might he claim that a proper notion of Christian conscience does have primacy? Would this be a primacy of honour or a primacy of jurisdiction or no primacy at all?

He is typically precise and limited in his claims, pointing out that conscience is “not a judgement about any speculative truth”, but “bears immediately on conduct, something to be done or not done”.<sup>21</sup> He outlined a number of incidents from St. Peter to Pope Urban VIII, who persecuted Galileo, when popes erred (and therefore were not infallible on those occasions), and acknowledges that “conscience truly so called” does have “the right of opposing the supreme, thought not infallible Authority of the Pope”.<sup>22</sup>

He does not spell out the possible alternative consequences of refusing to follow an infallible papal teaching, but he differs from the Second Vatican Council in talking about the relationship between the magisterium and believers and follows Cardinal Jacobatius in acknowledging that if a person cannot “conform himself to the judgement of the Pope, in that case it is his duty to follow his own private conscience, and patiently to bear it, if the Pope punishes him”.<sup>23</sup>

It is beside my purposes to debate whether it was wise for a pope to excommunicate Queen Elizabeth I or imprison Galileo, although in most cases popes and bishops who governed unwisely (or unjustly) were probably following their consciences. My concern is with moral teaching. Nor am I arguing that a person should act contrary to her personal conscientious judgement. However such a judgement is not the last word in a number of ways. First, is this conscience, or a wish? It is interesting that few argue that if your conscience instructs you to be racist or weak on social justice issues, it is acceptable to be so. Primacy of conscience only appears with the sexual, or like, issues. This does look rather suspicious.

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18. Ibid. 250.

19. Ibid. 251-52; 255.

20. Ibid. 253-54.

21. Ibid. 256.

22. Ibid. 257.

23. Ibid. 261.

Any moral ruling and the obedience or disobedience of the subject must be evaluated in the light of revealed Christian teaching and the various grades of authority of official Catholic teaching. Rulers and subjects might act correctly or erroneously, innocently or with malice, ignorantly or after deep study, but all will answer to God for their decisions. Also the Catholic authorities, primarily the pope and bishops as guardians of the apostolic tradition, have an obligation in truth to preserve and defend core Catholic teachings in morality as well as faith and to preserve prudently and charitably rudimentary Church order. Therefore it is possible that not only individual actions might exclude us from the body of believers, e.g. abortion, apostasy, physically attacking the Pope, but that explicit rejection of solemnly taught Catholic moral teachings (e.g. as defined in “*Evangelium Vitae*” on killing the innocent, abortion, euthanasia) might call into question our membership of the Church.

For these reasons no individual moral decision of conscience, nor, any general conscientious moral teaching, has the primacy i.e. is the ultimate judgement or decision. All actions and decisions are judged by conformity to the truth, or even to the Word of God. Truth and truth specified as the word of God have primacy. It is interesting that when St. Thomas deals with these matters, in his disputed question on truth, it is to a part of our minds called *synderesis* that he grants infallible knowledge of the human good. *Conscientia* or conscience is the act of applying that knowledge and this is fallible. Without a good moral education, a sustained attempt to understand Church teaching, and a humble disposition, we will be vulnerable to erroneous conscientious judgements. There is many a slip between cup and lip – or between *synderesis* and *conscientia*.

Therefore in Catholic theological language the claim to primacy of secular conscience is a cliché, which only requires preliminary examination for us to conclude that it needs to be refined and developed to have any plausible meaning at all. I do not even favour the substitution of the primacy of *informed* Christian conscience, because it is also possible that with good will and conscientious study a devout Catholic could fail to recognise some moral truth, act upon this failure and have to face the consequences.

While occasionally at the theological level I feel that all I am doing is forcing my way through an open door, it is at the pastoral level that this espousal of the primacy of conscience has disastrous effect. Let me give you a crass but actual example, recounted to me by a friend who witnessed this encounter. A man asked this question; suppose I have been regularly “sleeping with my girlfriend”. Would it be wrong for me to be receiving Holy Communion? Without hesitation the theologian replied, “Vatican II has taught that in answering any moral question, you must obey your conscience. Just do that”. Such a teaching is insufficient and misleading. Does it mean there are no moral absolutes or authorities? Is it sufficient to follow one’s feelings? Or was Charlie Brown correct forty years ago to claim that “it doesn’t matter what you believe as long as you are sincere”? That enquirer truly wanted to know, and the theologian gave him nothing, just left him where he was.

In many places, even in the Catholic world, the category of mortal or death-bearing sin is now an endangered species, because the unthinking presumption is that everyone is honestly doing his or her “own thing”, following conscience. Obviously public opinion places limits to this world of easy options, often coterminous with the limits of political correctness, but many areas of sexual conduct and activities such as contraception, abortion, euthanasia, the number of children are “free go” areas, where one opinion is held to be as good as another.

This reflects the fact that there has been a dramatic shift in the tectonic plates of public moral discourse within the Catholic Church, and certainly within the ranks of the other Christian churches. The public disarray in the Anglican churches on the suitability of ordaining homosexually active men and women to the Anglican ministry is one spectacular example of this.

## Conclusion

Once upon a time it was pastorally useful, sometimes necessary to explain the possibility of invincible ignorance among those who differed from us, because of the temptation to presume bad faith in opponents. Nowadays, it can mean “invincibly wilful”. Now for many, tolerance is the first and most important Commandment. Therefore it is necessary and important for us to argue for the possibility of culpable ignorance, indeed the possibility of culpable ignorance, that usually has been built up through years of sin and is psychologically invincible, short of a miracle. The idea of culpable moral blindness is discussed as infrequently as the pains of hell.

Jesus knew human nature very well and *Veritatis Splendor* quotes that marvellous saying of Our Lord from St. Matthews gospel: “the eye is the lamp of the body. So if your eye is sound, your whole body will be full of light; but if your eye is not sound, your whole body will be full of darkness. If then the light in you is darkness, how great is the darkness!”

Christian writers at different times have expounded wonderfully on the concept of culpable moral blindness. St. Thomas More wrote his *Dialogue of Comfort Against Tribulation* in the final year of his imprisonment in the Tower, speaking there of conscience’s susceptibility to corruption whether by the cynicism and self-love of Father Renard (Father Fox) and Master Wolf, or by conscientious blindness through the stupidity of poor scrupulous Master Ass.

Even earlier, in 1377-78, St. Catherine of Sienna in her *Dialogue* spoke of the consequences of pride, sensuality, impatience and the consequent lack of discernment. These four chief vices constitute a tree of death. “Within these trees a worm of conscience nibbles. But as long as a person lives in deadly sin the worm is blinded and is so little felt”.

Sin darkens the intellect. Old spiritual books used to say that as a commonplace, but today it has been largely forgotten. Those who live conscientiously by the Commandments are better judges of morality than clever people who live in sin. That can sound arrogant, but it is simply the truth. As Newman put it, it is a better ethical disposition that enables some to discover the truth. Newman also spoke of an “ethical incredulity” that blocked some from accepting genuine evident miracles.<sup>24</sup> *Courage* to face the truth, *a desire to know* the truth, and *humility* in accepting it from others or from a higher authority such as the New Testament and official Church teaching, play a greater part in having right moral and religious beliefs than native intelligence or cleverness.

In conclusion a few disclaimers. My thesis, about the centrality, power and limitations of personal conscience in no way implies that the directives or teachings of individual bishops must always be obeyed or accepted automatically. As you know these are sometimes, perhaps often contradictory. Wider considerations must be invoked.

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24. John Henry Newman, *Two Essays on Biblical and Ecclesiastical Miracles*. 2nd ed. 1907. 183-84.



Neither am I concerned here about any prudential non-moral directive e.g. to avoid discussion on the ordination of women. The rights and limitations of conscience are different here.

My concerns are to maintain the purity of Christian conscience as it is used to identify moral truths. In other words to work so that a secular understanding of conscience does not replace the role of conscience as “the aboriginal Vicar of Christ”.

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