



Cambridge
Papers
Towards a biblical mind

'Here I stand':

Conscience and the common good

by Jon Thompson

And I will place within them as a guide

My Umpire Conscience, whom if they will bear;

Light after light well us'd they shall attain. Milton¹

Conscience has rights because it has duties. John Henry Newman²

Summary

The Christian's conscience is increasingly set in opposition to some of the values and political aims of wider Western culture. This fact is evidenced by an increase in 'conscience cases', where Christians are sued or dismissed for acting in accordance with their conscience. This paper outlines a liberal conception of conscience. It then explores a distinctly Christian conception of conscience – as a faculty which involves both emotion and discernment of the requirements of God's law. It then argues that Christian conscientious objection is similarly distinct from the liberal version of conscientious objection. Finally, it gestures towards justifications for conscience protections in the political sphere.

A crisis of conscience

Questions of conscience increasingly characterise the moral, civic and legal life of modern, Western nations. Examples of public conscience cases from just the past five years include Catholic midwives who conscientiously objected to abortion provision and supervision,³ Christian bakers who conscientiously objected to providing products that explicitly supported same-sex marriage campaigns,⁴ and florists who have been sued for refusing to provide flowers for same-sex weddings.⁵

It is in many ways unsurprising that Christians should face issues of conscience in the contemporary West. The Christian faith, which has played a critical role in founding several major institutions of Western society – such as modern democracy,⁶ experimental science,⁷ modern medicine, and the university⁸ – no longer occupies the position of influence it once did. So, to the extent that each institution moves away from a Christian philosophy, its members who remain Christian will sometimes experience a disparity between their faith and their professional lives. But how can Christians respond to a situation in which their religious and moral convictions are seen as outdated, problematic and even dangerous to contemporary political and social life?

One area of key Christian engagement is the area of conscience and conscientious objection. In this area, it is vital that both secular analysts

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and Christians avoid a reduction of Christian conscience and conscientious objection to mere subjective, non-rational beliefs. This is liberalism's conception of conscience. If Christian conscience is viewed in that light, it will be dismissed out of hand, rather than charitably

1 *Paradise Lost*, Book III, Lines 194–196.

2 John Henry Newman, 'Letter to the Duke of Norfolk' from *Certain Difficulties felt by Anglicans in Catholic Teaching*, London: Longmans, Green and Co., 1900, p.250.

3 'Catholic midwives lose abortion case at UK Supreme Court,' 17 Dec., 2014, *BBC News Online*, www.bbc.co.uk/news/uk-scotland-glasgow-west-30514054.

4 John Bingham, 'Christian bakery ordered to recant over Bert and Ernie gay marriage cake or face court,' *The Telegraph Online*, 5 Nov., 2014, www.telegraph.co.uk/news/religion/11211789/Christianbakery-ordered-to-recant-over-Bert-and-Ernie-gay-marriage-cake-or-face-court.html.

5 Peter Foster, 'U.S. florist who declined to service gay wedding broke the law,' *The Telegraph Online*, 19 February, 2015, www.telegraph.co.uk/news/worldnews/northamerica/usa/11423407/US-florist-who-declined-to-service-gay-wedding-broke-the-law.html.

6 Nick Spencer, 'The Bible and Politics: Christian sources of British political thought,' *Cambridge Papers*, June 2012, www.jubilee-centre.org/the-bible-and-politics-by-nick-spencer/.

7 See, for instance, Peter Harrison's *The Fall of Man and the Foundations of Science*, Cambridge University Press, 2007.

8 See Julian Rivers, 'The Exile of the Mind,' *Cambridge Papers*, March 2015, www.jubilee-centre.org/the-exile-of-the-mind-by-julian-rivers/.

considered. Indeed, some secular philosophers have even charged that Christians who fight for conscience protections are committed to moral subjectivism.⁹ However, those considering Christian conscientious objectors from outside the faith must understand that Christian conscience seeks both to bear witness about objective moral truths and to promote the common good. Similarly, the Christian church must draw its idea of conscience and conscientious objection from the Scriptures and the history of Christian thought, rather than primarily from the surrounding culture. That culture too often tends towards egoism and subjectivism – thereby turning conscience into a free-floating trump card in political discussions. The Christian understanding, however, will illuminate, not only what we should conscientiously object to, but also our responsibilities as Christian citizens to use our consciences to bear witness to certain moral realities.

Conscience in liberalism

For many thinkers, the project of the liberal political system is the protection of an individual's freedom to form his or her own conception of the good against coercion from others. This way of thinking about politics places much emphasis upon the individual's conscience.¹⁰ But this conception of conscience is a response to the perceived moral authoritarianism and paternalism of the governmental and religious institutions of our collective past. According to many proponents of liberalism, these forms of institutional power were wont to coerce individuals, not only to live peaceably with one another, but also to conceive of the good life for human beings in a particular way. These aims are seen as beyond the scope of political authority. One of the state's vital roles, therefore, is to prevent one conception of the good from being compelled upon any individual without their own consent.¹¹ Furthermore, 'conscience' is the name often given to the set of cherished beliefs which constitute a person's conception of the good – their ultimate or core values. Liberal political theorists therefore highly elevate the individual's conscience, but they do so as it relates to the individual's autonomy to conceive of moral and spiritual value in their own unique way.

This conception of conscience perhaps owes its origin to Immanuel Kant. He asserts that 'Consciousness of an *internal court* in man ("before which his thoughts accuse or excuse one another") is conscience. Every man has a conscience and finds himself observed, threatened, and, in general, kept in awe by an *internal judge*.'¹² It is significant



here that Kant quotes Paul's description of conscience. However, Kant changes the Christian concept of conscience into an exclusively internal faculty. There is no suggestion that the conscience also corresponds to external and objective moral law of God. This conception is, as we shall see, foreign to the Christian conception.

Contemporary liberal philosopher Max Charlesworth follows Kant, arguing that it is the supreme value of autonomy which lends value to the individual's conscience. The individual's acting in accordance with sincerely held convictions – their conscience – is an expression of their autonomy. Indeed, Charlesworth claims that, 'If we contrast two acts: (a)

Christian conscience seeks both to bear witness about objective moral truths and to promote the common good.

one that is freely chosen but objectively wrong, and (b) one that is coerced and not freely chosen, but which is also objectively good, the liberal will say that the first act is more morally valuable than the second.'¹³ In other words, there is little moral value to acts carried out in contradiction to one's deeply-held moral convictions – one's 'conscience'. For Charlesworth and others, any attempt by the state to coerce people to act out

of line with their own moral convictions is oppressive – unless you directly violate another person's autonomy. But how do the Christian Scriptures answer the question of conscience?

Conscience in the Bible

Although the concept of conscience has forerunners and contemporaries in Hellenistic and Roman thought, the Christian concept was truly an innovation.¹⁴ Beginning with the Jewish Scriptures, there is a significant Scriptural emphasis on the internal moral sense – something like the conscience – which is part of what the Jewish Scriptures call 'the heart'. The writer of Psalm 95 encourages his readers 'Today, if you hear his voice, do not harden your hearts.'¹⁵ God is repeatedly pictured as one who probes the human heart.¹⁶ Additionally, one of the key promises of the Old Testament relates to conscience. In Jeremiah 31:33, God promises of his New Covenant people, 'I will put my law within them, and I will write it on their hearts. And I will be their God, and they will be my people.' In other words, the people of God would be transformed, so

9 See Alberto Giubilini, 'The Paradox of Conscientious Objection and the Anemic Concept of "Conscience": Downplaying the Role of Moral Integrity in Health Care,' *Kennedy Institute of Ethics Journal*, Vol. 24, No. 2, 2014, pp.159–85.

10 See Max Charlesworth, *Bioethics in a Liberal Society*, Cambridge University Press, 1993, pp.10–27; see also John Stuart Mill, *On Liberty*, ed. by R.B. McCallum, Oxford, UK: Blackwell, 1946.

11 See John Wyatt, *Matters of Life and Death*, Leicester, UK: Inter-Varsity Press, 1998, p.137; see also R. Dworkin, *Life's Dominion*, London: Harper-Collins, 1995, pp.158–168.

12 *The Metaphysics of Morals*. Cambridge University Press, 1999, pp.233–4; quoted in Douglas C. Langston, *Conscience and Other Virtues*, University Park, PA: Pennsylvania State University Press, 2001, pp.82–3.

13 Charlesworth, *Bioethics*, p.13.

14 For an extended discussion of conscience in the Bible, see Christopher Ash, *Pure Joy*, Nottingham: Inter-Varsity Press, 2012.

15 Ps. 95:7–8.

16 Jer. 11:20, 17:10; Prov. 21:2.

that the external law of God will also be written internally on their hearts. God was to transform their consciences so that they could each, increasingly, obey his law.



Saint Paul, Rembrandt, c1657

Furthermore, Paul makes conscience an essential aspect of his theology and moral teaching, mentioning conscience some thirty times in his epistles and speeches.¹⁷ In Romans 3, Paul unites the Jewish understanding of conscience ('the heart') with the Roman concept his readers would have recognised (Greek *syneidesis*). He writes, '[Gentiles] show that the work of the law is written on their *hearts*, while their *conscience* also bears witness, and their conflicting thoughts accuse or even excuse them.'¹⁸ Indeed, the New Testament describes the transition from a guilty conscience to a clear conscience under Christ's Lordship as one of the key shifts in character from an unregenerate person to a morally mature Christian.

Paul describes the unregenerate person's conscience as untutored and confused, yet grasping something of the moral law of God.¹⁹ The unregenerate person – because of the effects of sin – is unable to live according to even those moral precepts which they do perceive.²⁰ The regenerate person brings their own conscience under the Lordship of Jesus, allowing it to be shaped according to the command of Christ. This is so that they can maintain a 'pure conscience' before God.²¹ Conscience is so important for Paul that he commands his readers to take other Christians' consciences into account in their decision-making.²² To trample on another Christian's conscience is to 'sin against Christ'.²³

But why does Paul have such a high view of the Christian's conscience? It is because conscience is one of the primary means through which the Christian's holiness and maturity in Christ is attained. He argues in Romans 13:5 that we ought to be obedient to temporal authorities 'not only for wrath, but also for conscience sake'. In other words, the conscience should be developed and cared for. This is because sensitivity to God's law is

achieved through the formation of the conscience. This understanding of conscience is confirmed by Paul's description of his former co-labourers Hymenaeus and Alexander.²⁴ Their consciences were 'seared' or made numb, resulting in profoundly anti-Christian teaching.²⁵ In their case, their consciences were malformed, rather than formed appropriately – resulting in disaster.

The conscience is therefore, according to the New Testament, a faculty by which all people become aware of God's moral law in some general way. It is a God-given faculty, ordained to speak to us, convicting us of wrong action and pushing us towards right action. And, despite its fallibility, the conscience remains a means by which one judges right or wrong in a certain scenario, *as well as* one's psychological sensitivity to God's moral requirements. To state this in a different way: the conscience has a moral-epistemological function, as well as a moral-psychological one. It is both a source of moral judgement *and* a source of feelings of guilt or approval, and these two aspects are intimately connected.

Like a telescope, the conscience is an instrument that is valued for what it helps us to see, and not for its own sake only. A telescope can be out of calibration, and it can be rendered unhelpful by misuse or abuse. But it remains a potentially illuminating guide to the stars. Similarly, the conscience is designed to be looked

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through, to discern a moral situation as it actually is. It is a faculty bound up with our emotions, but the emotions it produces are not themselves the final end of its God-ordained function. We must guard our conscience, not for the sake only of protecting our emotions, but that through them we might see moral reality and act appropriately. Indeed, the

concept of conscience formation entails the idea that the conscience should point towards some objective moral law. Otherwise, the idea of forming one's conscience would be analogous to trying to tune an astronomical telescope in a world without starry nights.

This is an area where the Christian faith can give



The Awakened Conscience, Richard Redgrave, 1849

17 Timothy E. O'Connell, 'Conscience' in *Principles for a Catholic Morality*, New York: Seabury Press, 1978, p.107.

18 Rom. 2:15; see also O'Connell, pp.107–8.

19 Rom. 2:12–16.

20 Rom. 2:12–16; 3:9–20.

21 1 Tim. 1:5, 19; 3:9.

22 1 Cor. 10:25–29.

23 1 Cor. 8:12.

24 1 Tim. 1:18–20.

25 1 Tim. 4:1–5.

tremendous moral resources to the surrounding culture. Whereas many ideas about conscience begin and end with the individual, this is unfruitful for political and moral debate. For once the conscience is disconnected from the requirements of either the divine or natural moral law, it becomes viciously self-referential. Such a self-referential concept of conscience destroys the possibility of continued deliberation about the common good. This is because, if there is no objective moral law to which the conscience is to be conformed, then disagreement is merely one individual's will set against a contrary individual's will.

Should Christians conscientiously object?

I have argued that the Bible regards the Christian's conscience highly. But does this mean that there are instances in which the Christian can, or perhaps even *ought to*, conscientiously object to certain laws or policies? The Christian tradition has consistently held that the normal moral posture regarding those in authority ought to be one of obedience. This is because the governmental authorities have been ordained by God. Paul argues this in Romans 12, 'there is no authority except from God, and those that exist have been instituted by God.'²⁶ It flows from this that Christians ought, in the first instance, to obey governmental authorities. Paul commands, 'Let every person be subject to the governing authorities.'²⁷

Although Paul's teaching seems perspicuous, it does not necessarily produce an absolute prohibition of conscientious objection. There are examples in Scripture of proper objection to authorities. These include Daniel, who refused to obey King Darius's order to worship only him. It also includes the Christian apostles who, when ordered to stop preaching the good news, replied 'We must obey God rather than men.'²⁸ So we see examples of biblical figures refusing to submit even to Caesar as an ultimate authority. Their loyalty was to God, if ever the ruling authorities contradicted God's call. So, within this wider range of biblical teaching, we should not view Romans 13 as an exceptionless command to obey governing authorities. This brings us to consider the key differences between Christian and liberal conscientious objection.

Conscientious objection: Christian and liberal versions

Mark Wicclair's 2011 philosophical analysis of conscientious objection is representative of a secular, liberal approach to the concept. He defines conscientious objection as refusal 'to perform an action, provide a service, and so forth, on the grounds that doing so is against [one's] conscience.'²⁹ Wicclair holds that a person's 'attempt to justify her refusal can be described as an appeal to *conscience* if and only if it is based on



Daniel's Answer to the King, Briton Rivière, 1890

her *core moral beliefs*.' Those core moral beliefs give one's life a sense of integrity and wholeness. So, Wicclair implies, the conscience is that which gives one's life a sense of moral wholeness and integrity.³⁰

However, though such a concern could be relevant to Christian conscientious objection, the Christian conception is distinct. Since – as discussed above – Christian conscience is a function of one's own judgement of an action *in the light of the eternal moral law*, conscientious objection makes reference to this relation more than one's own moral integrity. Conscientious objection, for the Christian, is her refusal

Conscience for the Christian rests ultimately on a reference point outside, not inside, the individual.

to obey an imperative which violates God's moral law and its implications for her concrete moral situation – implications which are discerned through her conscience. Conscience for the Christian rests ultimately on a reference point outside, not inside, the individual. This definition is based upon the teachings of the Christian Scriptures and is meant to highlight what a

Christian is doing (or perhaps ought to be doing) when conscientiously objecting to a certain action.

How does this conception of conscientious objection actually affect the practice of Christian conscientious objection? One of the most important differences between a Christian and liberal conscientious objector is that the Christian ought to be motivated primarily by a concern to do what they perceive to be according to God's moral law in the situation. They may have as a *secondary* motivation the desire to protect their own 'moral sense' of themselves. But this moral sense of integrity is not ultimate, as described above; the conscience is focused on judging the implication of God's law on a concrete situation. This differs from the liberal conception of conscience, which is ultimately about the individual's psychological state – feelings of guilt or approval.

Under this definition, there are certain actions to which one could perhaps conscientiously object, even if they do not meet Wicclair's definition by producing an overwhelming psychological burden. Indeed, in several

26 Rom. 13:1–2.

27 Rom. 13:1.

28 Acts 5:29.

29 Mark R. Wicclair, *Conscientious Objection in Health Care: An Ethical Analysis*, Cambridge University Press, 2011, p.1.

30 Wicclair, pp.4–5, pp.25–7.



Protests in New York in 2012 over a proposal to force religious medical institutions to provide reproductive health services against their beliefs.

recent cases, it was Christians' convictions about God's law which required them to conscientiously object. These Christians' concern for their own psychological well-being does not seem to have been the primary issue. Such cases include the Christian bakers in Northern Ireland, as well as the Catholic midwives who conscientiously objected to supervising abortions. In these cases, the Christians were seeking to obey what they perceived as the implications of God's laws – things they perceived through their conscience. Their decisions should not be assumed to be egoistic and self-referential, as both some Christians and some secular analysts have implied. My aim here is not to argue whether or not these particular people ought to have acted as they did. Indeed, it seems that Christians often come to different conscientiously-held conclusions on these matters. I merely wish to argue that what they did should not be conceived primarily as an intended avoidance of psychological guilt feelings or loss of their sense of moral integrity. They are conscientious objectors, in the Christian sense, because their conscientious decision was that helping to promote same-sex marriage or contributing to an abortion would be wrong in light of God's law.

The political protection of conscience

I have argued above that there are biblical reasons for Christians to conscientiously object to certain practices, but this raises the question: how should political authorities relate to conscientious objection? One Scriptural reason to respect the conscience of others is that, if the conscience is overturned by an external requirement to engage in acts an individual believes to be immoral, that individual is led into sin. As Paul articulates to the church in Rome, to act against one's conscience is wrong, even if the thing in question is not objectively immoral.³¹ However, another person's

conscience claim does not extend to the restriction of my personal freedom in Christ.³² So, the biblical picture is that we should seek to avoid requiring others to do things which they cannot countenance, and we may even decide against doing something ourselves which is not in itself morally wrong – if that will protect another's conscience.

The above biblical principle runs parallel to the (remarkably similar) political principle of reasonable accommodation, and it arises because of the genuine love for one another which the Christian community is meant to embody. The tragedy of the current conscience cases is that litigation is seemingly being brought against individuals in order to further certain political agendas; however, these agendas are arguably pursued without genuine concern for the consciences of Christian citizens. It is almost as if Christians are viewed as outside the circle of political concern in the political communities in which they live. However, it must be stressed that the consciences of Christians can easily be accommodated in virtually every case which has been brought to court recently, *without* consumers or patients being denied access to services of any kind. The

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question therefore arises: what precisely *is* being pursued in these cases, where Christians are taken to court in order to remove their capacity to conscientiously object to certain actions?

Secondly, there seems to be an absurdity involved in applying an absolute priority of access to services over conscience in the public sphere. As the Christian Institute has pointed out, the same basic rationale must underlie conscience protections for Christians, Muslims, secularists, and other groups.³³ But if the law allows Christian bakers to be sued for refusing to bake a cake with a pro-gay marriage message, it is unclear how the law can consistently prevent litigation against Muslim printers who refuse to print banners for an anti-religious group bearing a cartoon of the Prophet Muhammad. In light of these two considerations, one would expect both the religious and the non-religious to pursue true compromises between the individual's conscience and legal requirements relating to demands for services.

Some principles for conscientious objection

Christians in the midst of a case of conscience must resist the temptation to quickly resort to our culture's egoistic attitude towards conscientious objection. So long as a Christian thinks of conscientious objection primarily as a matter of their own victimization, he or she cannot fully bear witness to the biblical concept of conscience. Rather, Christians should marry a concern for conscience with a passion for the common good. Christians should view even a public appeal to conscience as part of a

³¹ Rom. 14:23.

³² Rom. 14:1–23.

³³ Sam Webster, 'Advice Regarding: The General Implications for Freedom of Conscience and Freedom of Expression Arising from the Litigation Gareth Lee

v. Ashers Baking Company Limited', *The Christian Institute*, Newcastle-upon-Tyne, March, 2015, 3.1.1, p.12, www.christian.org.uk/wp-content/downloads/opinion-re-ashers-bakery-case_12March2015.pdf.

wider attempt to honour the name of Christ (and the moral precepts which he has entrusted to us), as well as to persuade others of the truth of certain moral realities. This should be done with the kind of independence with which the Apostles declared ‘We must obey God rather than men’, as well as earnest prayer and hope that God will bring human beings to repentance.³⁴ Only then will we be able to avoid using conscientious objection as a political opt-out clause. Finally, the Christian church has an opportunity in the present cultural context to stand with those who are maligned because they act according to conscience. There are many Christians who will perhaps require financial and professional support after losing legal conscience cases, and – if these Christians are seeking to obey God’s law in their situation – the church should honour their efforts to live in accord with God’s law.

Conclusion

The church’s current historical situation gives Christians an opportunity to consider afresh the Bible’s teaching on conscience. Upon consideration, there is not an absolute command to obey human authorities. This opens up the possibility of genuinely Christian conscientious objection. This conscientious objection is based on the Christian’s knowledge of God’s moral law through his or her conscience, rather than merely feelings of personal moral integrity. It must also be carefully held together with a concern for moral and political deliberation;

concern for the formation of the consciences of citizens with whom we deeply disagree; and a pursuit of the common good. Finally, our political system would do well to seek to protect conscience, especially since it can usually be easily accommodated with equitable access to goods and services.



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³⁴ 1 Tim. 2:3–4.

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