

## **“Privatization of Conscience” Vis-À-Vis Objective Moral Norms**

**Emmanuel Kelechi Iwuagwu (PhD)**

*Department of Philosophy University of Calabar, Calabar, Nigeria*  
*Corresponding Author: Emmanuel Kelechi Iwuagwu*

---

**Abstract:** Objective moral norms which consist of moral precepts, rules or commands are inconsequential without a moral sense or faculty which perceives and applies them in concrete situations. This moral sense is a person’s conscience which tells him subjectively what is right or wrong and which manifests his moral obligations to him. Privatization of conscience arises when this faculty is abused, when in the name of conscience the state and its laws are opposed, when one dissociates oneself from the value standards of the society and when one makes moral judgments an individual affair and is only accountable to his conscience. This paper takes a critical look at conscience as a moral faculty and its relationship with objective norms of morality with a view to determining which is superior. Employing analytic as well as critical expository methods, the paper examines the concepts of conscience and moral norms. It also considers the nature and divisions of conscience as well as the problem of “privatization of conscience”. In addressing the problem of privatization of conscience the work discussed the binding force of conscience, the extent to which conscience should inform moral judgment before an action and whether such moral judgments should be based on reason or sentiments. In conclusion the work affirms the independence and superiority of objective norms of morality and warns against the “privatization of conscience.”

**Keywords:** Morality, Conscience, Objective moral norms, Privatization of conscience.

---

Date of Submission: 30-06-2018

Date of acceptance: 17-07-2018

---

### **INTRODUCTION**

The phrase “privatization of conscience” appears contradictory when one considers the subjective nature of conscience. It must be stated that the fact that the faculty of conscience is subjective in nature should not shield it from scrutiny to determine the rightness or wrongness of its judgments. The subjective moral faculty conscience must operate within objective standard called moral norms before it could be adjudged to be in the right or in the wrong. Thus the frequent appeal to conscience both in justifying and condemning human acts raises the question of its infallibility. Referring moral judgments to conscience presents conscience as a supreme court of justice whose decisions and pronouncements are absolute and inviolable. Appeals to conscience tend to replace the provision of reasons for one’s actions and thus precludes further inquiry on the matter. One witnesses that in the name of conscience people oppose the state and its laws, in the name of conscience people dissociate themselves from the value standards of their society, in the name of conscience people reject customs and traditions refusing to take directives from lawful institutions or constituted authorities. This constant taking of refuge in conscience can be seen as a cheap alibi for the rejection of self-examination and self-correction as well as a ploy to prevent objective scrutiny of one’s actions.

This abuse of the notion of conscience is what this paper regards as “privatization of conscience”. This privatization of conscience arises when one sees his conscience as a supreme judge and the subjective rulings of his conscience as absolute. In this regard his conscience is only accountable to himself and not to others, his consciences is also not open to the scrutiny of others. This privatization of conscience makes moral judgments an individual affair leading to both ethical subjectivism and ethical relativism which disregards objective moral norms.

This paper, employing analytic as well as critical expository methods, seeks to demystify the notion of conscience so as to achieve clarity whenever conscience is appealed to in different fields of study as well as in practical moral questions. Conscious of the fact that conscience is one of those concepts which tends to elicit reverence rather than questions or which seems to preclude any interest in further inquiry, the work examines the meaning of the notion of conscience, its nature, divisions and its binding force or when it should be obeyed.

The work also examines conscience in relation to the norms of morality with a view to determining to what extent conscience should inform moral judgments before an action and to determine between the norms of morality and conscience which one is superior. The work further examines what it regards as “privatization of

conscience” and its inherent dangers in moral issues. In conclusion the paper upholds the independence and supremacy of objective moral norms while warning against the danger of “privatization of conscience.”

### **Morality and Objective Moral Norms**

The words moral and morality are etymologically derived from the Latin words *mos* (plural *mores*) and *moralis*. *Mos* literally mean custom or habit while *moralis* literally mean manner, character or proper behavior. Judging from the etymology of these words, it shows that morality deals with human customs which includes mere conventions like table etiquettes, modes of greeting, modes of dress, expressions of courtesy, forms of speech etc. which vary from one society to another.

These etiquettes applying norms that are considered less serious are called “small morals” by Thomas Hobbes to distinguish them from the kinds of norms for behavior that are more central to morality. Hence according to Hobbes such small morals like “decency of behavior, as how one man should salute another, or how a man should wash his mouth or pick his teeth before company” should be distinguished from “those qualities of mankind that concern their living together in peace and unity” (*Leviathan* 160, chapt. xi, para. I).

Further elucidating the concept of morality from its etymology Fagothey observes that “*mos* or *moralis*” when it deals with customs as mere conventions like mere etiquettes they “are manners, not morals” in the strict sense. According to him there are other customs that seem more fundamental such as telling the truth, paying our debts, honoring our parents and respecting the lives and properties of others. These conducts are not only customary but right and to deviate from them would be wrong, these, says Fagothey, are morals and it is these alone that ethics or morality deals with. Hence morality or ethics is the study of right and wrong, of good and evil in human conduct. (Fagothey1-2). Drawing from the root word *Moralis* Long sees morality as the differentiation of intentions, decisions and actions between those that are distinguished as proper and those that are improper (366-67).

From the Foregoing one can say that a proper understanding of morality requires that it be considered from two distinct broad senses, namely the descriptive and normative senses. Morality from the descriptive sense refers to certain personal or cultural values, codes of conduct or social mores put forward by a society or group (be it cultural, religious, philosophical or political group) or accepted by an individual to regulate human behavior in their society. In this descriptive sense morality does not connote objective claims of right and wrong but only refers to that which is considered right or wrong. On the other hand, morality in the normative sense refers to whatever is actually right or wrong universally independent of the values or customs held by any particular people or cultures. It refers to a code of conduct that would be acceptable everywhere by anyone who is rationally and volitionally stable.

Morality can be seen as a system of principles and values in regards to standards of right or wrong behavior which has as its constituents, moral standard with regard to proper behavior, moral responsibility referring to our consciences and a moral identity with regard to every right thinking moral agent.

According to Fagothey, “morality is the quality in human acts by which we call them right or wrong, good or evil. It is a common term covering the goodness or badness of a human act without specifying which of the two is meant. The opposite of moral is properly unmoral or non-moral, terms which indicate that the act has no moral significance at all, that it is simply unrelated to morals” (39).

Norms of morality or moral norms consist of the standards that indicate the goodness or badness, the rightfulness or wrongfulness, the approval or disapproval of a human act. These norms are criteria of judgment that appeal to reason with regards to the sort of person we ought to be and the kind of action we ought to perform. They consist of principles deduced from reason which should guide our actions. The morality of an action is therefore considered in relation to its conformity or non-conformity with these moral norms. An action which is in conformity with the norms of morality is morally praiseworthy and good or moral whereas any action that is not in conformity with the moral norms is blameworthy and evil or immoral. Objective norms of morality consist of an ordinance of reason promulgated for the common good by a competent authority. These objective norms or laws are rational deliberations intended to guide people towards what is good for them, for the society and their ultimate end or good. These objective moral norms which are just, honest, possible of fulfillment, useful and permanent are supposed to be obeyed by every member of the society.

A discussion on what morality is will be incomplete without considering it from its subjective and objective dimensions. When a judgment of the morality of a person’s action considers the subjective peculiarities of the moral agent such as his knowledge, consent, background, education, emotional stability, prejudices, and other personal traits, we are considering morality subjectively. We are doing so when we ask whether this particular individual in this particular situation did right or wrong, whether this particular act was good or bad for him. This subjective morality is determined by whether the act disagrees with the conscience of the moral agent.

On the other hand when we disregard these personal traits or qualities as well as other modifiers of moral responsibility such as ignorance, passion etc. and rather ask whether any stable moral agent in full

command of his reason and will is allowed to deliberately will that kind of act, we are judging the morality of the act objectively and this morality so considered is objective morality.

According to Fagothey, “if we ask ‘is murder wrong?’ ‘Is truthfulness right’ we are asking about objective morality. If we ask, ‘did this man fully realize what he was doing when he killed this man?’ ‘Did this man intended to tell the truth when he blurted out that remark?’ we are asking about subjective morality” (40). It is true that Ethics as a field of study concentrates on objective morality, morality in its completeness consists of both objective and subjective dimensions. The question with regard to which is more important is inconsequential because if human acts do not have objective rightness or wrongness of their own to which the judgment of conscience should conform, morality will succumb to relativism where moral judgment will be a matter of anyone’s opinion.

### **What is Conscience?**

There is no agreement among scholars as to what exactly conscience is. Different meanings of it abound among philosophers, historians, psychologist and religious scholars. It is true that every culture recognizes consciences as a fact using various words to express it, many of these words in different languages are not terms equivalent to the English word conscience.

The English word conscience is etymologically derived from the Latin word *conscientia* which literally means sharing “Knowledge” (*scientia*) “with” (*con*). Traditionally the concept designates sharing moral knowledge with oneself or an impartial spectator or model (Sorabji 12). Moral knowledge could originate from God, one’s culture or upbringing. *Conscientia* therefore involves introspection, awareness of one’s behavior and self-assessment in relation to certain moral standard or principles.

The Latin word *conscientia* just like French word *conscience* and the Spanish *consciencia*, according to Howard, have dual meaning “awareness” or “moral sense” with moral connotation unlike the English usage where “awareness” or “consciousness” has no moral connotation. This agrees with Jean-Paul Sartre’s view that consciousness is always object-related, that it is always “consciousness of something”. Conscience therefore, according to Howard, is not just an inner experience or feeling but is essentially in relation to some object which in this case is a specific act, an application of some law or rule.

The above position is a corroboration of Aquinas’ clarification when he avers that “conscience according to the very nature of the word implies the relation of knowledge to something: for conscience may be resolved into “*cum alio scientia*” i.e knowledge applied to an individual case. But the application of knowledge to something is done by some act. Wherefore from this explanation of the name it is clear that conscience is an act (*Summa* I, Q.79, Art.13).

Peschke sees conscience as “a moral sense or faculty which assists one to perceive moral precepts and tells people subjectively what is good and evil and which manifests their moral obligations to them” (158). It will be wrong to conceive of conscience as a moral faculty distinct from the intellect for this will make moral judgment non rational and non intellectual. Conscience is only the intellect performing a special function that of judging the rightness or wrongness of one’s individual acts.

Whether conscience is considered from the pluralistic, morally neutral or from the subjective dimension of morality or whether it is examined from the dimension of self knowledge or self-assessment in relation to moral percepts, it is basic that the notion of conscience needs conceptual clarification. The scope of this work will not be able to address the entire dimension involved in addressing the notion of conscience. We will only briefly examine the concept of conscience strictly from the moral perspective expanding its main features as employed in philosophical discussions and Christian religious teachings.

The Roman Stoic Seneca in his *Epistola* see conscience as an indwelling spirit in man, “an observer and watcher of good and evil in us” (*Epist.* 41,1). For St. Augustine, conscience is the place of the innermost encounter between God and man and therefore the voice of God.

Conscience is the divine centre of the person, where he is addressed by God. In it he is aware of God and the soul (Peschke 167). Following this view St. Bonaventure and other medieval mystics locate the innermost ground of conscience in the *scintilla animae*, the spark of the soul and also the peak of the soul. They view it as the center of the soul where man encounters God and is least accessible to the contamination of sin (Peschke 167). They made a distinction between conscience as rational faculty of the mind (practical reason) and synderesis an inner awareness, an intuitive “spark” to do good (Langston, 34).

St. Thomas Aquinas conceives conscience as the application of moral knowledge to a particular case, as an act or judgment of practical reason which begin with synderesis (*Summa* I, Q.79, Art.13). The concept synderesis is a technical term employed by the Scholastics to designate the natural capacity or disposition (*habitus*) of the practical reason to apprehend intuitively the universal first principles of human action” (Slater. *Catholic Encyclopedia*). The term signifies the innate principle in moral consciousness of every person which directs the agent to do good and restrains him from evil (*Internet Encyclopedia of Philosophy*).

The British moral philosopher Shaftesbury as well as David Hume identified conscience with moral “sentiment” or “moral sense” similar to the sense of taste. Hence just as the sense of taste enables one to distinguish spontaneously between sweet and bitter things so does one’s conscience enable him to distinguish naturally between good and evil actions. It is also similar to one’s aesthetics sense which enables one to judge between beautiful and ugly works of art. According to Hume’s psychological theory “reason is wholly inactive and can never be the source of so active a principle as conscience, or a sense of morals” (Bk 3:1:1). For Adam Smith conscience is “the man within the breast” the impartial spectator and the great judge who judges without partiality. According to him, it was only by developing a critical conscience that we can ever see what relates to ourselves in its proper shape and dimensions; or that we can ever make any proper comparison between our own interest and those of other people (151).

Jean Jacques Rousseau sees conscience as what remains of our innate moral sense once we purge it of “childish errors and prejudices of our upbringing. According to him.: “There is therefore at the bottom of our hearts an innate principle of justice and virtue, by which in spite of our maxims, we judge our own actions or those of others to be good or evil; and it is this principle that I call conscience” (*Emile* 253). For Immanuel Kant in his *Metaphysics of Moral* “conscience is practical reason holding the human being’s duty before him for his acquittals or condemnation in every case that comes under the law” (160). He sees conscience as “consciousness of an internal court in man” (189). According to him “Every human being, as a moral being has a conscience within him originally” This conscience, says Kant, is not only an inner court of justice, but also the source of our sense of duty in that it takes the judgment of the inner court as motivation to act morally (160-161).

Many contemporary scholars affirm the existence and reality of the faculty of a moral conscience. According to Thagard and Finn “conscience is a kind of moral intuition which is both cognitive and emotional”(168,156). For Joseph Ratzinger, who later become Pope Benedict XVI, conscience is an inner sense, a capacity to recall, so that the one whom it addresses, if he is not turned in on himself hears its echo from within (535).

The moral theology of the Catholic Church sees conscience as the last practical “judgment of reason which at the appropriate moment enjoins (one) to do good and to avoid evil” (*Catechism* 1778). The Second Vatican Council of the Catholic Church in its document *Gaudium et Spes* authoritatively affirms that “deep within his conscience man discovers a law which he has not laid upon himself but which he must obey. Its voice, ever calling him to love and to do what is good and to avoid evil, tells him inwardly at the right moment; do this, shun that... his conscience is man’s most secret core, and his sanctuary. There he is alone with God whose voice echoes in his depths” (*Gaudium et Spes* 16).

### **Privatization of Conscience**

All human beings irrespective of their affiliation to any system of moral make judgments of conscience. They only differ with regard to providing an objective basis for conscience and its judgments. Yet beyond and common to all ethical systems is the requirement that every man should be true to himself and fellow the good as he perceives it, that is to say, every man must follow his conscience. In this regard, just as was outlined previously, conscience consists of the practical judgment of reason which commands one to perform a good act and avoid an evil one.

Against the above understanding of conscience is the notion of conscience as infallible when it comes to moral judgments or decisions. This understanding of conscience leads to an abuse of conscience which in turn degenerates into privatization of conscience and moral relativism and subjectivism. Frequent appeals to conscience either that of oneself or that of others raises a question of its infallibility or inviolability. Privatization of conscience is a form of an abuse of conscience whereby in the name of conscience a person disregards objective moral norm in preference to his own personal or subjective maxim. A person succumbs to a privatization of conscience when in the name of conscience one dissociate oneself from the values standards of the society, opposes the laws of the state, when one abandon traditions and refuses guidance from constituted authority, when one appeals to conscience in place of giving reasons for his actions thus precluding further inquiry and when moral judgments are seen as an individual affair. In this case as Schlund observes, a tendency emerges towards a “privatization of conscience, which withdraw into its “own responsibility” with the claim that conscience is not accountable to others, or even could be subjected to scrutiny by them (15).

When conscience is privatized it becomes an alternative to objective moral norms and laws thereby creating the impression that norms are only for children and the inexperienced who really need moral guidance. In a privatized conscience, according to Schlund, “retreat to conscience becomes a cheap alibi for the rejection of self-examination and self-correction and a means to cover up one’s refusal to take advice, as is characteristic above all of ideological justification” (16-17).

Conscience is privatized when one acts on whims or impulses in the name of conscience, when one acts without the moral facts necessary to activate conscience, when it is trained so that the maxims and rules it applies are those that are beneficial to the individual. It is privatized when it becomes arbitrary in its judgments,

encouraging the ego to disregard the objective moral norms or laws. According to John Paul II in his *Veritatis Splendore*, “conscience can never be authorized to legitimate exception to absolute moral norms that prohibit intrinsically evil acts by virtue of their objects.” When in conscience one subjectively legitimizes actions that contradict objective moral norm, he has privatized his conscience. Conscience must be properly formed and informed and its final decisions reached in conjunction with objective moral norms and the decisions of a constituted authority that is abreast with the laws. Acting according to one’s conscience should be a process that takes place not outside the law but within and beyond it. In objecting to the privatization of conscience Ivereigh observes that conscience is not a way of evading responsibility, but assuming it. It is not “whatever I decide is right” but rather “the buck stops here” (*Crux*).

Pope John Paul II warned against privatization of conscience when in the *Veritatis Splendore* he vehemently argued against moral relativism and the misuse of conscience to justify a subjective morality. According to him “the individual conscience is accorded the status of a supreme tribunal of moral judgment which hands down categorical and infallible decisions about good and evil. To the affirmation that one has a duty to follow one’s conscience is unduly added the affirmation that one’s moral judgment is true merely by the fact that it has its origin in the conscience... there is a tendency to grant to the individual conscience the prerogative of independently determining the criteria of good and evil and then acting accordingly. Such an outlook is quite congenial to an individualistic ethic, wherein each individual is faced with his own truth different from the truth of others (n.32).

It may be difficult to apprehend the borderline between a proper appeal to conscience and an abuse of it through its privatization unless one clearly understand the nature and various kinds of conscience as well as which kind of conscience has a binding force and when it should be obeyed.

### **The Nature and Divisions of Conscience**

St. Thomas Aquinas emphatically argued that conscience is not a power but an act since by its nature it implies the relation of knowledge to something, i.e. an application of knowledge to an individual case. It involves the practical judgment of reason on an individual act either as a good to be performed or an evil to be avoided. In its nature conscience is applied to the following; the intellect in its capacity to form judgments of right and wrong in individual acts; the process of reasoning involved in arriving at this judgment and finally the judgment itself, the endpoint of this reasoning process. These steps or reasoning process involved in arriving at the judgment of conscience may not be clearly spelt out, but the fact that it follows a syllogistically logical deductive process is undeniable.

In this act of conscience practical reason employs a general moral principle of synderesis or general rule of conduct as the major premise. Such moral principle includes “Do good and avoid evil”, “Be faithful to your promise, “Do to others what you will like done to you” etc. The minor premise applies the particular act to be done in the concrete to the general moral principle in the first or major premise. The conclusion that follows deductively is the judgment of conscience. The reasoning process of the act of conscience can go thus: stealing is evil and prohibited. This very act of secretly taking my neighbor’s wallet is stealing. Conclusion, this act of secretly taking my neighbor’s wallet is evil and prohibited. The judgment of conscience, though syllogistically deductive, takes place swiftly usually taking the shortened form of an enthymeme: “Should I take this? No, that will be stealing and it is prohibited.”

In examining the nature of conscience a distinction is made between conscience as moral faculty and conscience as practical moral judgment. The former manifests one’s moral obligations to him and commands him to fulfill them, whereas the latter informs one in the concrete situation what his moral obligations are. Most of our discussions above have dwelt on conscience as moral faculty or a moral sense, our discussion will now turn to conscience as practical moral judgment or dictate of conscience where conscience may suffer an abuse by privatization.

According to Peschke, “The faculty of conscience goes into action when the morality of a concrete line of conduct, which a person wants to follow or has followed, and the moral obligation in the concrete situation are to be judged. The moral faculty then formulates a judgment which is called the dictate of conscience or also simply conscience” (172-173). Dictate of conscience in the above understanding is defined as an ultimate, practical judgment which considers the morality of a concrete individual act impelling one to do good and avoid evil. It is “ultimate,” practical judgment to distinguish it from practical judgment of the speculative nature. Ultimate practical judgment deals with individual concrete action in a concrete situation whereas practical judgment of the speculative nature considers general moral principle in the abstract without relating them to any concrete moral situation.

In considering the nature of conscience, it is pertinent to briefly point out the double element contained in the dictate of conscience. The first element consists of the judgment of conscience on the morality of a concrete action that someone intends to perform or has already performed or which he intends omit or has already omitted. The judgment of conscience in this situation can be faculty. The second element has to do with

the imperative (command) and obligation to do unfailingly what has been recognized as good and avoid what has been recognized as evil. This obligation is categorical because it is not only always right to follow the dictate of conscience here, it is also obligatory to do so. (Peschke 173).

Attesting to the nature of conscience as articulated above, St. Thomas Aquinas says, “For conscience is said to witness, to bind, or incite, and also to accuse, torment, or rebuke. And all these follow the application of knowledge or science to what we do: which application is made in three ways. One way in so far as we recognize that we have done or not done something... and according to this, conscience is said to witness. In another way in so far as through the conscience we judge that something should be done or not done; and in this sense, conscience is said to incite or to bind. In the third way, in so far as by conscience we judge that something is well done or ill done, and in this sense conscience is said to excuse, accuse, or torment. Now, it is clear that all these things follow the actual application of knowledge to what we do” (*Summa* I, Q.79, Art.13). Before we judge the fallibility or infallibility of conscience and its relation to objective moral norms, it is pertinent to examine the various kinds of conscience.

### **Kinds of Conscience**

A division of conscience recognizes four sets of conscience when considered as ultimate practical judgment of a concrete moral action. In the first place in the order of temporal arrangement a distinction is made between *antecedent* and *consequent* conscience.

An antecedent conscience passes judgment on the morality of an action as well as the obligation to perform or omit it before the action is performed. A consequent conscience passes judgment on the morality of an already performed or omitted action. An antecedent conscience which is considered more important in ethics commands or forbids that the act must either be done or avoided. It also persuades or permits. On the other hand a consequent conscience approves when a good action is committed and also excuses, reproves or accuses when the action is improper.

Another distinction is made between *correct* and *erroneous* conscience with regard to whether practical moral judgment agrees or disagrees with the objective moral norms. This is also possible because the intellect which makes moral judgments can make mistakes either by adopting false premises or by making illogical conclusions. A correct or right conscience agrees with objective norms of morality and judges as good what is really good and as evil what is really evil. In a correct conscience subjective and objective morality corresponds. An erroneous conscience disagrees with objective moral norms and judges as good what is really evil or as evil what is really good.

An erroneous conscience is either *invincibly* or *vincibly erroneous*. It is invincibly erroneous if the error cannot be overcome and the judgment cannot be corrected easily. An invincibly erroneous conscience is not culpable because of invincible ignorance of the person. A vincibly erroneous conscience is one in which the error can be easily overcome and the judgment corrected. This conscience is culpable.

A third distinction of conscience is that, made between *certain* or *doubtful conscience*. A conscience is certain if it passes judgment without fear of error. A doubtful conscience either hesitates or passes judgment with reasonable fear of error. Hence a man who is convinced he has completely paid his house rent has a certain conscience while the man who doubts whether it is right for him to drive past a non-functional traffic light without stopping has a doubtful conscience.

With regard to a person’s sensitivity to moral values conscience can be classified into *strict* or *lax conscience*, *tender* or *tough*, *fine* or *blunt*, *delicate* or *gross*. Whereas a strict conscience considers seriously moral values, a lax or dulled conscience, which is a kind of a vincibly erroneous conscience, is inclined to overlook moral values not facing up to the gravity of the moral obligation. It judges an act to be lawful when it is wrong or judges an act to be a light offence when it is a grave offence.

Another form of erroneous conscience is a *scrupulous conscience* which persistently torments a person with the unreasonable fear that he has committed an offence or about to commit one even where there is no offence or that one has committed a grave offence where there is only a very light offence. Consumed with groundless wrong and fears, a scrupulous conscience engages itself in ceaseless self-examination over frivolous issues.

A *perplexed conscience* is another form of an erroneous conscience which leaves a person confused and in a state of indecision because of conflict of duties. In this regard a person fears to take a line of action fearing committing an offence irrespective of the choice made.

Such conflict of duty can come between gratitude and obligation as in this case of a student being housed freely by a classmate and friend who finds himself in a conflict of obligation and gratitude if called upon to testify against this his friend in a case of examination malpractice in which he himself was a prime witness.

From the above, it is certain that various kinds of conscience abound whose judgments may be binding or not binding on the moral agent. We may therefore ask when the judgment of conscience should be obeyed.

### **When the Judgment of Conscience is Binding**

We are always encouraged to follow the dictates of our conscience thereby implying that conscience is a moral guide. Having seen above the various forms of conscience the question now arises as to which type of conscience we are bound to obey.

Traditionally in matters of obeying or disobeying conscience, ethics presents two general rules namely: A certain conscience must always be obeyed. Secondly one must never act with a doubtful conscience. These two principal rules of ethics needs further elaboration and clarification in relation to the different kinds of conscience discussed above.

With regard to the first rule, whenever a certain conscience command or forbids it must be obeyed. What it permits may be followed. We must observe that a certain conscience is different from a right or correct conscience. Whereas a correct conscience corresponds with the objective norms (in a correct conscience, as stated above, subjective and objective morality correspond), a certain conscience in passing judgment without fear of error describes the subjective state of mind of the person judging, his conviction on the matter being judged. From the foregoing it means that a certain conscience can be both correct and erroneous. With regards to the level of certainty required for obeying a certain conscience, it need not be absolute or strict moral certainty but a wide or prudential certainty which is relative can suffice. Prudential or wide moral certainty contains slight but negligible fear of error, it excludes all prudent fears allowing only fears based on mere possibilities. This is because it is somehow impossible to achieve absolute moral certainty. Hence provided all reasonable precautions are taken, the possibility of error is very minimal and only probable.

If obeying a certain and correct conscience offers little problem it may not be so for obeying a certain but erroneous conscience. A certain but invincibly erroneous conscience must be obeyed just as a certain and correct conscience. But a doubtful and vincibly erroneous conscience should not be followed. A vincibly erroneous conscience must be corrected before one act. No certain conscience can be vincibly erroneous. An error becomes vincible when a moral agent is no longer subjectively certain of the morality of the act and has doubts about it, at that point one need to correct it or he will be culpable.

A certain and invincibly erroneous conscience must be followed because the moral agent is not aware of the error and has no means of correcting it and since conscience is a subjective moral guide, the invincible error and ignorance are unavoidable and consequent wrong accruing from the error is involuntarily committed and the moral agent is not culpable. One will better comprehend the above affirmation when one remembers that conscience involves the application of knowledge provided by the intellect on a concrete moral situation. Accordingly Fagothey affirms: “The will depends on the intellect to present the good to it. Whether the intellects judgment is correct or not, the will-act is good if it consents to the good presented by the intellect, and it is bad if it consents to what the intellect judges evil” (44). Hence if the intellect guides the will to choose what is objectively wrong, the moral agent acting according to his conscience must obey and he is not responsible for the error.

One must therefore follow certain but invincibly erroneous conscience and never follow a vincibly erroneous conscience as a legitimate rule of action. What was said about a vincibly erroneous conscience is also true of a lax or dulled conscience, it must never be followed and must be considered as a form of vincibly erroneous conscience.

With regard to perplexed conscience which is also a form of erroneous conscience, the act in question must be postponed to seek information and have further deliberation if that is possible. If judgment cannot be delayed one may choose either of the alternatives since there is no room for avoiding both alternatives.

The absence of freedom in this situation exonerates one from blame. Also to be considered in this situation is the gravity of the conflicting alternatives as well as the superiority of moral precepts involved (divine, natural or civil precepts).

Finally we consider the binding force of a doubtful conscience. The general rule is never to act with a doubtful conscience. With regard to the kind of doubt that may be involved, Peschke makes a distinction between doubt concerning existence of law and moral principle and that concerning the existence of fact. The other distinction is between speculative and practical doubt. In that concerning the existence of law (*dubium iuris*) one may ask whether therapeutic abortion is lawful, while in that concerning existence of fact one may ask whether the growth in the sick woman’s uterus is a tumor or a child. A speculative doubt on the other hand is concerned with the theoretical truth of ethical doctrine such as whether the killing of tyrants may be lawful, while a practical doubt deals with the lawfulness of this concrete action such as whether it is lawful to kill this particular tyrant here and now (186-187).

When in doubt one must not act, he must make reasonable and sufficient effort to resolve the doubt. If this doubt cannot be resolved directly and one must make a choice of either to act or not to act the question arises as to what choice one should make.

When practical certainty cannot be gained directly one may then seek to attain it indirectly through the application of the reflex principle, which only helps in resolving the practical doubt but not the speculative of

theoretical doubt. Though there exist many reflect principles employed in dealing with concrete situations these two principles stand out in addressing practical doubts. The first principle says that one is always allowed to choose the morally safer course while the second says that a doubtful obligation does not bind. The morally safer course to follow in moments of practical doubt is the one which more likely preserves moral goodness, one which more certainly avoids wrongdoing. The principle of lawful obligation on the other hand applies only when I doubt whether, I am bound by an obligation, when one’s doubt of conscience concerns the lawfulness or unlawfulness of a particular act, whether it is allowed or forbidden when such doubt cannot be resolved by the direct method of using every reasonable means, then one is morally justified in performing the act based on the principle that a doubtful obligation does not bind. This principle is based on the fact that “Promulgation is essential to law, and doubtful law is not sufficiently promulgated, for it is not sufficiently made known to the person about to act here and now” (Fagothey 46).

One may conclude with regard to the binding force of conscience that one must always follow a correct or right conscience, certain conscience and certain but invincibly erroneous conscience, while he must never follow a vincibly erroneous conscience, a lax conscience but a perplexed conscience and doubtful conscience may be allowed under certain circumstances.

### **Privatization of Conscience and Objective Norms of Morality**

The notion of conscience as a supreme court of justice seems to presuppose the infallibility of the judgment of conscience and consequently lead not only to a privatization of conscience but also to a purely subjective morality and moral relativism.

But the fact that there can be doubtful and vincibly erroneous conscience as well as a lax and perplexed conscience whose decisions a moral agent is bound to reject means that conscience is fallible. If the judgment of conscience can be right at some times and wrong at other times there must be a basis for determining when it is binding on the moral agent to obey it or disobey it. That basis is its correspondence with objective moral norms which the intellect present to the will to be followed.

Conscience, as was stated above, consists of the act of applying the universal principle (moral norms) to real concrete situation. It is the conclusion of a practical syllogistically deductive argument or an enthymeme whose first premise is an objective principle provided by the intellectual faculty called synderesis. (Aquinas, *Summa* 1,79,3). Aquinas did agree that conscience can be erroneous in deriving moral conclusions from first principle (*On Truth*, Q17, art 2). He observed that in some people conscience can be obscured by education and custom thus leading to the promotion of selfishness rather than fellow-feeling (*Summa*, 1-11,I ). Hence he recommends that conscience should be educated to act toward real goods.

Privatization of conscience precludes any attempt to educate one’s conscience thus presenting conscience as a final court of appeal whose decisions are both unquestionable and infallible. A privatized conscience cannot be seen as a sufficient basis of right conduct. We often hear people saying, “I will only follow my conscience,” “whatever you say my conscience is my judge” etc, such statements are made in order to exonerate oneself from blame or as an excuse for disobeying moral norms or constituted authority or even to dispense oneself from moral obligation. Serious moral decision must not be made on the basis of insufficient knowledge or an erroneous conscience.

According to Fagan “the appeal to conscience as a moral authority for one’s actions presupposes a “good conscience”. It is not enough to invoke “conscience” simply because one feels strongly about something or spontaneously judges that a certain action is the morally correct one. Sincerity alone is not sufficient. The conscience which most fully carries moral authority and to which one can appeal, is the conscience which is continually self-critical, aware of the dangers of ignorance, bias, prejudice, selfishness, arrogance, and self-sufficiency.”(229). Hence the conscience which should command moral authority and which one can continually appeal to as a “good conscience” is a well formed conscience which is certain and correct.

A privatized conscience stands against the objectivity of moral truths or principles and opts rather for a pluralistic (and consequently relativistic), neutral and subjective morality. In its pluralistic aspect, a privatized conscience suggests different maxims to different people.

Such an erroneous conscience fails to recognize the true objective moral laws or Synderesis. Such a conscience points to no particular law or principle which his conscience violates by a particular act. Such a conscience according to Strohm has what might be called an “Identity problem” - that it possesses no fixed or inherited content of its own, and that it can be hailed and mobilized in defense of one position or equally in defense of its rival”(120).

From the aspect of moral neutrality a privatized conscience provide no moral reasons in defense of its moral stance. Something cannot be made morally better or worse, acceptable or forbidden, simply by being a matter of conscience. Without appeal to objective moral norms some moral issues like euthanasia can be conscientiously opposed by some people and conscientiously supported by others.



From the point of view of subjective morality, by rejecting objective ethical values and norms, a privatized conscience only emphasizes what individuals believe disregarding any external objective proof or justification to the contrary. It also acknowledges the rights of others to conscientiously and subjectively believe the contrary. This brand of morality is nothing but moral subjectivism and moral relativism which rejects objective morality. Childress captures it well when he says, “usually the agent has given up the attempt to convince others of the objective rightness of his act and is content to assert its subjective rightness (329). Following a good conscience or an informed conscience based on moral norms does not mean having an uncritical conscience which in a childlike manner blindly follows rules and is dependant on being told what to do, thus making blind choices. It does not mean uncritical acceptance of established rules. The obligation to follow one’s conscience rather means that one’s reason for claiming the moral credibility of his action must be a good reason not mere whim as is the case with a privatized conscience. It means that in search for the right course of action to perform one must adhere to the laws of reason and be aware of his obligation to take responsibility for the consequences of his action. Following conscience means that in making decisions on complex moral issues one must seek expert advice which can come in the form of objective moral norms which guides one aright in a concrete situation.

Belief in the sacredness of conscience should not deceive one to believe that conscience is infallible. Conscience can be misguided. Although conscience and law (whether moral or civil) should be complimentary rather than conflicting, privatization of conscience promotes conflict between conscience and law.

An abuse of freedom of conscience through a privatized conscience sometimes leads to unwarranted civil disobedience. Sometimes freedom of conscience, when it entails not to be restrained from acting according to one’s conscience, collides with the demands of the common welfare where it meets with some restrictions. Hence we may ask: Are Christian gospel preachers in conscience entitled to blare loud-speakers early in the morning with their message of conversion? Are pious Muslim faithfuls entitled to stop their vehicles on a busy road to observe their hour of prayer? Are freedom fighters in conscience entitled to hijack planes and shoot hostages to press their demands? In these and many more instances acting according to one’s conscience collides with objective laws and the demands of common good.

Conflicts and incompatibilities consequent upon privatization of conscience as noted above arise from the judgments of an erroneous conscience. But since error cannot claim the same right as the truth, society has a right to defend itself against such judgment of an erroneous conscience.

Cautioning against the abuse of freedom of conscience the Vatican II document on the Declaration of Religious Freedom *Dignitatis Humanae* states thus: “in availing of any freedom men must respect the moral principle of personal and social responsibility; in exercising their rights individual men and social groups are bound by the moral law to have regard for the rights of others, their own duties to others and for the common good of all (DH 7). We must therefore agree that freedom of conscience has its problems and difficulties. Though its relation with laws should be that of correspondence since conscience perceives civil obedience as both necessary and a moral duty, but a privatized conscience seems to contradict this obligation to civil obedience. Conscience cannot be considered the final arbiter of moral integrity because its decisions are limited.

In this regard Hofmann observes, “Decisions of conscience are necessarily incomplete and partial because of the limiting circumstances of the individual, the time and environment. As a result they can be one-sided and are subject to prejudice and error. Critical examination and continuing formation of conscience are indispensable”(284-285). To be balanced, certain and correct conscience must correspond with objective norms.

## **CONCLUSION**

Though the importance of conscience as a moral guide is undeniable one must recognize that conscience represent only the subjective dimension of morality. A sound moral judgment consists of a combination of the subjective and objective aspects of morality. Since it is clear, as shown above, that conscience can be erroneous, doubtful, lax and perplexed, it will be wrong to regard its judgment as infallible, unquestionable and absolute.

Privatization of conscience which is an abuse of appeal to conscience, in precluding further inquiry into the moral credibility of a person’s action, opens the door to ethical subjectivism, ethical individualism and moral relativism. If this is allowed ethics will be reduced to a matter of opinion based on the whims and caprices of any moral agent. Moral judgments must incorporate the subjective and objective elements of morality. This means that the decisions of conscience must recognize the indispensability of objective moral norms. When conscience takes a decision disregarding the position of the objective norms of morality on such a subject or contradicting its prescriptions, as is the case in a privatized conscience, such moral judgments are faulty, misguided and inadmissible. When subjective morality fails to correspond with objective morality, when conscience claims independence from objective moral norms or claims superiority to these norms, when the judgments of conscience are seen as sacred in the sense of needing no reason to authenticate them, then morality

has degenerated to a private affair where everyone can be right in his own eyes by simply appealing to his own conscience. Such a privatization of conscience is a very big threat to ethics and must be rejected.

#### WORKS CITED

- [1]. Aquinas, Thomas; “On Truth” in Ralph McInerney (ed), *Thomas Aquinas Selected writings*. London: Penguins, 1998.
- [2]. - - . *Summa Theologiae*. Translated by Fathers of the English Dominican Province. (Available online by Coyote Canyon Press)
- [3]. *Catechism of the Catholic Church* (English translation for Ireland) Dublin: Veritas, 1994.
- [4]. Childress, James F. “Appeals to Conscience” *Ethics*, 89(4):315-355
- [5]. Fagothey, Austin. *Right and Reason: Ethics in theory and practice*. St Louis, USA: The C.V Mosby Company, 1976.
- [6]. Fagan, Sean. “Conscience” in *The New Dictionary of Theology* Joseph A. Komonchak, Mary Collins & Dermot A. Lane (eds.), Bangalore, India: Theological Publications in India, 1996 (226-230).
- [7]. Hobbes, Thomas. *Leviathan*, C.B. Macpherson (ed.), New York: Penguin Books, 1985.
- [8]. Howard, Kainz. “Conscience and Objectivity” *The Catholic Thing*. (Wednesday Nov. 25, 2015 ) [www.thecatholicthing.org](http://www.thecatholicthing.org)
- [9]. Hofmann, Rudolf. “Conscience” in *Encyclopedia of Theology: A concise Sacramentum Mundi*. Karl Rahner (ed), Great Britain: Burns & Oates, 1993.
- [10]. *Internet Encyclopedia of Philosophy* “Synderesis” [www.iep.utm.edu](http://www.iep.utm.edu)
- [11]. Ivereigh, Austen. “The Real Argument over Amoris is an old one over Conscience” *Crux: Taking the Catholic Pulse*. Jan. 15, 2017 [www.cruxnow.com](http://www.cruxnow.com)
- [12]. John Paul II. *Veritas Splendore*. Vatican City: Libreria Editrice Vaticana, 1993.
- [13]. Langston, Douglas C. *Conscience and Other Virtues: From Bonaventure to MacIntyre*. Pennsylvania: Pennsylvania State University Press, 2001.
- [14]. Long, A. A.; Sedley, D. N (1987). *The Hellenistic Philosophers: Translation of the Principal Sources with Philosophical Commentary*. Cambridge : Cambridge University Press, 1987. PP. 366-67.
- [15]. Rousseau, Jean-Jacques. *Emile: or On Education*. Barbara Foxley (trans). London: J.M Dent and sons, 1921 (Rousseau 1762(1921) available online).
- [16]. Ratzinger, Joseph. “Conscience and Truth” *Communio*, 37 (2010): 529-538
- [17]. Schlund, Robert. *Schöpferisches Gewissen*. Freiburg: Herder, 1990
- [18]. Seneca, Lucius Annaeus. *Epistulae Morales* (Letters). Trans. Richard M. Gummere London: Harvard University Press, 1917. 3 vols. Loeb.
- [19]. Shaftesbury, 1711. *An Enquiry Concerning Virtue and Merit*, reprinted in L.A. Selby-Bigge (ed), British Moralists. Oxford: Oxford University Press 1897.
- [20]. Slater, T. “Synderesis.” *The Catholic Encyclopedia*, Vol. 14. New York: Robert Appleton Company, 1912. [www.newadvent.org/cathen/14384a.htm](http://www.newadvent.org/cathen/14384a.htm) (Retrieved 9 Apr. 2018).
- [21]. Smith, Adam. *The Theory of Moral Sentiments*. Part III, Section ii, Ch III in Rogers. K (ed) *Self Interest: An Anthology of Philosophical Perspectives*. London: Routledge, 1997. (P.151)
- [22]. Sorabji, Richard. *Moral Conscience Through the Ages*. Oxford: Oxford University Press, 2014.
- [23]. *Stanford Encyclopedia of Philosophy*. “The Definition of morality”. [www.plato.stanford.edu](http://www.plato.stanford.edu) (retrieved 16/03/18)
- [24]. *Stanford Encyclopedia of Philosophy*. “Conscience.” [www.plato.stanford.edu](http://www.plato.stanford.edu)
- [25]. Thagard, Paul and Tracy Finn. “Conscience: what is moral intuition? In Carla Bagnoli (ed). *Morality and Emotions*. Oxford: Oxford University Press, 2011:150-169.
- [26]. *Vatican Council II: Conciliar and Post Conciliar Documents*. Collegeville: The Liturgical press 1992 Gaudium et Spes 16.

Emmanuel Kelechi Iwuagwu.” “Privatization of Conscience” Vis-À-Vis Objective Moral Norms.” *IOSR Journal Of Humanities And Social Science (IOSR-JHSS)*. vol. 23 no. 07, 2018, pp. 22-31.