

# Modern Moral Conscience

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**Abstract:** This article challenges the individualism and neutrality of modern moral conscience. It looks to the history of the concept to excavate an older tradition that takes conscience to be social and morally responsive, while arguing that dominant contemporary justifications of conscience in terms of integrity are inadequate without reintroducing these social and moral traits. This prompts a rethinking of the nature and value of conscience: first, by demonstrating that a morally-responsive conscience is neither a contradiction in terms nor a political absurdity; second, by suggesting how a morally-responsive conscience can be informed by the social world without being a mere proxy for social power or moribund tradition.

## 1.

The idea of conscience underwent a gradual hollowing out during modernity. Our now-dominant conceptions of conscience have sundered it from both social relationships and ethical truths which outrun each individual's convictions. We have yet to properly reckon with the implications of this shift towards an egocentric and normatively neutral understanding of conscience. My aim is to excavate an older tradition without these two traits and to ask what we may have lost by leaving it behind. While this will reveal a challenge to modern moral conscience, there remain formidable obstacles to returning to earlier understandings of it. I

shall outline a social and normative conception of conscience which learns the lessons of this earlier tradition while showing how it must nevertheless adapt to modern conditions.

What then is conscience? Among our oldest moral concepts – recognisable as early as the Greek playwrights of the 5th century BCE – it has long been understood as the self's awareness of the moral dimension of its conduct (Sorabji 2014, 15).<sup>1</sup> Conscience consists in a consciousness of moral demands upon the particular individual in their own specific circumstances rather than a merely abstract knowledge of right and wrong. This consciousness has also typically been taken to underpin judgements of conscience that can motivate action and foster changes in character. In short, then, conscience is an evaluative self-awareness which aims to produce particularistic and motivating moral knowledge. That much is fairly constant in the history of conscience. However, against this backdrop, there are two very striking features of late modern depictions of conscience – what we might call their neutrality and individualism.

Neutrality is in evidence in the new entry on conscience in the *Stanford Encyclopaedia of Philosophy*, which tells us that conscience is 'like an empty box that can be filled with any type of moral content' (Giubilini 2016, §1).<sup>2</sup> So understood, convictions of conscience do not have to be morally justified, grounded in correct beliefs and values, or otherwise function as a broadly reliable guide to ethical truths. This echoes those writers on conscience who claim that it would be 'clearly unacceptable' for the moral weight of a person's conscientious convictions to depend on them being 'thought to be valid and/or derive from a valid source' (Wicclair 2007,

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<sup>1</sup> Commentators also find conscience prefigured in earlier writing, such as the remorseful and inward awareness of guilt of King David in Psalm 51 (Cottingham 2013: 731).

<sup>2</sup> For an earlier influential account that likewise imposes no major restrictions on the content of conscience, see Broad 1940.

30). The rationale for this is that the whole point of liberty of conscience is to protect moral and religious commitments that others reject. Thus, it would be self-defeating to build in some test of reasonableness for what counts as a conscientious conviction.

This neutrality is almost always accompanied by an individualistic approach to conscience, which takes its proper content to be solely determined by each person for themselves. The individual's conscience can still be influenced by the social and historical context within which it was formed, but they themselves are the ultimate authority on what its binding verdicts are. Conscience is thereby taken to be several, not collective. Its claims are not largely socially determined but precisely act as a shield for the individual against social and political pressures (Childress 1979, 327).

Neither neutrality nor individualism has always been a feature of how we have understood conscience. This should give us pause when we are told that it is 'clearly unacceptable' not to adopt them. I shall retrieve earlier conceptions of conscience which do not share these features, and then argue that their decline creates important problems for late modern appeals to conscience. In particular, the idea which I want to subject to scrutiny is the now ubiquitous claim that the main reason why conscience is valuable is because it secures our integrity.

In preparation, some brief methodological remarks are called for on this combination of historical and substantive philosophical enquiry. The argument I will be advancing is in the spirit of Elizabeth Anscombe and Alasdair MacIntyre, who diagnose important historical dislocations in the way we think about moral obligation and moral reasoning respectively, which reveal problems that can occur when moral concepts outrun the intellectual frameworks

in which they were developed.<sup>3</sup> It is not the cogency of Anscombe and MacIntyre's accounts with which I am concerned but their strategy of identifying fundamental tensions between moral ideas we have inherited and the context in which they are now understood. I am going to suggest that similar tensions afflict modern moral conscience.

Naturally, the contrast between modern moral conscience and an earlier counterpart is a highly stylised simplification of a rich conceptual history. There is no single conception of moral conscience in contemporary thought or culture — let alone within modernity as a whole; nor is there only a solitary pre-modern predecessor. Our initial focus will be on one important understanding of conscience, which reached its apotheosis in the natural law tradition of Western medieval Christianity, and whose influence began to decline from the sixteenth century onwards. The shift away from this kind of thinking about conscience started in earnest in early modern philosophy and political thought, and has culminated in the individualistic and neutralist tendencies of the form of modern moral conscience that will be the target of our critique.

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<sup>3</sup> Anscombe claims we should attempt to jettison concepts such as moral obligation, moral duty, and the moral sense of 'ought', 'because they are survivals, or derivatives of survivals, from an earlier conception of ethics which no longer generally survives, and are only harmful without it.' (1958, 1). She confronts us with a disjointedness that arises when ideas developed within a law-based conception of ethics are detached from their original home. We find a similar approach in Alasdair MacIntyre's *After Virtue*, which argues that the Enlightenment project of grounding moral injunctions in human nature was bound to fail once transformations in how reason was understood made a teleological conception of such human nature seem inaccessible. Thus, Enlightenment philosophers are said to have 'inherited incoherent fragments of a once coherent scheme of thought and action and, since they did not recognize their own peculiar historical and cultural situation, they could not recognize the impossible and quixotic character of their self-appointed task' (1981, 55).

## 2.

Let us begin with the relationship of conscience to individuality and sociality. On most contemporary understandings of conscience, it is thought to be separable from social attitudes. The person of conscience is often depicted as singular and willing to resist a prevailing consensus in order to follow their own sense of moral rectitude. Consider the characterisation of Sir Thomas More in Robert Bolt's play and later film *A Man For All Seasons*. More is here found to warn of the chaos that follows when 'statesmen forsake their own private conscience for the sake of their public duties', where this conscience is itself depicted in conspicuously individualistic terms: 'what matters to me is not whether it's true or not, but that I believe it to be true, or rather not that I *believe* it, but that *I* believe it' (Bolt 1962, 52-3).

This individualism is not consistently borne out in the history of conscience. The etymology initially seems to suggest as much. The Latin word *conscientia* is a compound of *con* (with) and *scientia* (knowledge), which sometimes denoted joint knowledge with others (Sevenster 1961, 85). It is a direct translation of the Greek term *syneidēsis*, which is similarly a compound literally meaning 'knowledge with'. However, this is likely derived from the expression *synoida emautō* (I know with myself), indicating a relationship to oneself rather than others, and so appears consonant with an individualistic picture (Lewis 1967, ch. 8 and Ojakangas 2013, 70).

Nevertheless, there are clues that conscience has social roots. For example, some scholars have identified a function for sociality in the deployment of conscience in Roman oratory and legal proceedings, whereby public opinion acted as the foundation of *conscientia*,

such that acting contrary to social consensus could prompt its gnawing (Strohm 2011, 6).<sup>4</sup> The sociality of conscience later gains greater visibility in the institutional context of the Catholic Church. Paul Strohm has noted how in the medieval Church, ‘conscience “arrives” already bearing information about right conduct and belief’, and ‘rather than shifting with the tides of situation and public opinion’, it is stocked with ‘views generally held and widely known: collective witness of saints and confessors, councils and synods, authorized commentary upon Latin scripture’ (Strohm 2011, 11-2). In other words, an appeal to a person’s conscience was simultaneously an appeal to the ethical resources of a wider institution within which this person was embedded, with its own rich history and developed moral attitudes that underpinned their conscientious judgement. Conscience, so understood, is a matter of shared ethical horizons rather than individually divergent ones.

If we return to Thomas More, we find that such a social account of conscience provides a much more suitable framework for understanding his thought and action than the individualism of Bolt.<sup>5</sup> In his *Dialogue on Conscience*, More accepts that conscience ought to be socially oriented, such that it must conform to the lawful verdicts of a General Council of the Catholic Church. He condemns excessive individualism elsewhere too, warning that ‘if every man may boldly frame himself a conscience with a glose of his own making’, rather than drawing upon the wisdom of earlier figures in the tradition, then this is a recipe for disobedience to God (1980, 114). The sociality of such conscience consists not only in its actual shaping by

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<sup>4</sup> Furthermore, Christine Korsgaard (1996, 110) claims it was the connotation of shared knowledge that would lead *conscientia* to acquire a judicial usage in describing those who knew the secrets of others and so could bear witness against them.

<sup>5</sup> On the historical milieu in which More’s understanding of conscience was formed, see Cummings 2009.

social and historical influences, but in its being *rightly* sensitive to the voices of others, and even in limit cases subordinate to their authority (Ojakangas 2013, 49).

Highlighting a social dimension in the history of conscience in this way does not imply a denial of the more fundamental importance accorded to sustained inward self-examination. Indeed, the two often went hand in hand, such as among early Christians who adopted and transformed Hellenistic practices of self-examination and social guidance of conscience. The aim of this self-examination has been said to be ‘not to close self-awareness in upon itself, but to enable it to open up entirely to its director’, in keeping with the oft-quoted maxim that ‘he who suffers not guidance withers away like a dead leaf’ (Foucault 1981, 238). Thus, inward judgements of conscience have been compatible, in practice, with their social expression and correction by others.

### 3.

We have seen that conscience has often been conceived as a moral self-awareness which nonetheless is and should be permeable to certain social influences. Older traditions thereby depart from the implicit individualism that marks many contemporary understandings of conscience – accommodating a greater degree of receptivity to moral sources outside the self. An even more important dimension of this receptivity becomes visible when we ask why the prick of conscience has been thought to be significant in the first place. The most common answer has not been the contemporary claim that conscience secures personal integrity or individual identity. Instead, the import of conscience was long thought to arise from it being the origin of our consciousness of moral truths – particularly morally salient law.

Laws undergirding conscience have often been understood as natural laws. The early Church father John Chrysostom provides a representative account when he tells us:

All men have always had the natural law that dictated from within what is good and what is evil, for when God created man, he placed in him this incorruptible judge: the judgement of conscience (Chrysostom 1857-66, 482C in Ojakangas 2013, 35).<sup>6</sup>

The claim that conscience is an ‘incorruptible judge’ would appear to justify its fundamental ethical significance. But this might nevertheless seem excessive, insofar as it appears to imply that conscience is never mistaken. Yet, surely conscience errs?<sup>7</sup> And if it does not, what need is there for it ever to be examined and guided by others? For many in the Christian tradition, the answer has been that conscience is unerring and fallible in different respects. To this end, the Scholastics resolved conscience into two main components: *synderesis* and *conscientia*. Our *synderesis* is a disposition towards or awareness of the precepts of natural law, which is inalienable and unpollutable, even in a post-lapsarian condition. Whereas *conscientia* is the application of such principles, which can introduce error – for example, in wrongly judging that a particular act conforms with or departs from a principle.<sup>8</sup> Thus, in one respect, conscience was taken to be morally unfailing, whereas in another, it could lead us into error, and so may still need to be guided by wider socio-historical institutions. Despite conscience’s fallibility in some respects, its high moral standing is secured by its function as a disposition towards and awareness of the lawful precepts which we carry within us.

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<sup>6</sup> For a recent defence of moral conscience founded upon natural law, see Cottingham 2004.

<sup>7</sup> I pass over later denials of the fallibility of conscience, which can be found in Rousseau (1911, 254) and Fichte (2005, 165).

<sup>8</sup> See Aquinas, question 17, article 2, reply.

This is a tradition oriented by St Paul's claim that there is a law written on our hearts to which the conscience bears witness, and whose thought is further refracted through the lens of natural law (Romans 2:15). Of course, this tradition attracts its share of critics, and exhibits internal heterogeneity. Disputes existed as to whether conscience is an aspect of reason, will, or instinct; whether its consciousness of natural law is inborn or acquired; whether it can operate without the supplement of divine grace; whether acting on erroneous conscience is permissible or even obligatory; and whether natural conscience can be corrupted. Martin Luther is among those who breaks with this tradition — his growing scepticism about the unaided capacities of human beings leading him to dissociate conscience from a natural *synderesis* which delivers the self-evident precepts underpinning moral knowledge.<sup>9</sup> This relationship between conscience and natural law has understandably faded even further from prominence due to the relative decline of the natural law tradition as a whole.

The grounding of conscience in natural law which Luther begins to unpick comes under more explicit attack by writers like Montaigne, who tells us: 'The laws of conscience, which we say are born of nature, are born of custom' (1958, 83). This distinction between nature and custom is hardened into a dichotomy which sets the normative and social dimensions of conscience in opposition to one another. The debunking tendency of accounts of conscience which take its content to be determined by social mores or interpersonal power seems to be reinforced by later thinkers such as Freud (2018, 29). For instance, the Freudian conscience internalises the injunctions and prohibitions of those holding social authority (as a successor to the role originally played by the father).<sup>10</sup> While this sceptical challenge cannot be definitively

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<sup>9</sup> The classic study of Luther on conscience remains Baylor 1977. See also Kärkkäinen 2012.

<sup>10</sup> John Stuart Mill had earlier associated conscience and paternal authority when he claims as a child to have abdicated moral responsibility to his father, with "my conscience never speaking to me except by his voice" (1981, 613).

met here, we shall see that it would be a mistake to conclude that some social formation and receptivity for conscience implies that it is no more than a socially imposed ego-ideal without a significant normative orientation. Sociality has instead been among the main ways older accounts take conscience to be calibrated to normative standards independent of the individual themselves.

#### 4.

Conscience was once thought to have social and normative foundations that are absent from many recent conceptions of it. But this does not show that these contemporary accounts of conscience are incoherent or otherwise mistaken. Ideas get repurposed, concepts develop, expressions take on new meanings: none of this is surprising. What, then, does it matter that we no longer tend to think about conscience as informed by a social tradition and rooted in an independent normative guide such as natural law? I shall argue that standard attempts to understand the importance of conscience outside of this framework face serious difficulties.

The most common explanations of the value of conscience now consist in an appeal to its function in securing integrity. To take one of many examples, the bioethicist Mark Wicclair asks:

Why should any moral weight be given to claims of conscience? The primary reason is to protect the agent's moral integrity (2007, 30).<sup>11</sup>

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<sup>11</sup> For other typical examples, consider Blustein (1993, 297): 'It is in terms of this moral interest in personal integrity that I will understand the significance of appeals to conscience'; Sulmasy (2008, 144): 'Conscience is a fundamental moral commitment on the part of a moral agent to moral integrity'; Maclure and Taylor (2011, 13 and 76): 'Core beliefs and commitments, which we will also call "convictions of conscience," include both deeply held religious and secular beliefs and are distinguished from the legitimate but less fundamental "preferences" we display as individuals. [...] A person whose acts do not satisfactorily correspond to what he judges to be his

However, proponents of this view do not typically unpack the conception of integrity underlying it, which is essential if we are to properly evaluate it. We can start with three different ways of characterising integrity that are formal in the sense that they do not presuppose any particular content to what the person of integrity does, thinks, or feels.

The first approach takes integrity to consist in psychological self-integration. On this account, the constituent parts of the person of integrity – their beliefs, desires, values, and actions – hang together in a consistent or coherent fashion (Calhoun 1995, 235). For example, the hypocrite who complains about people gossiping, while never being able to resist it themselves, would thereby lack integrity, since what they say and do contradict one another.

If conscience is meant to secure this kind of integrity, then presumably its function is to bring to awareness and help us resolve psychological conflicts that would prevent each of us being an *integer* (in the sense of being unified or whole). However, if all that is required for this integrity is mere consistency or coherence – irrespective of the justification or propriety of the beliefs, desires, values, and actions integrated – then it is difficult to see what is so valuable about it. My commitments can be rendered coherent in all sorts of ways that do not seem beneficial. For example, this might happen through erroneous belief, self-delusion, or adaptive preference formation. It can also be the result of relinquishing or never undertaking demanding commitments in the first place. The peaceful soul lacking inner conflict may be an excessively timid one. For example, the person who dauntlessly manages to reconcile personal generosity with impartial justice need not be any more formally coherent than someone who never troubles themselves with such challenging ideals in the first place. Indeed, receptivity to the call of conscience should sometimes actively *disrupt* an otherwise well-ordered set of beliefs, desires,

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obligations and core values is in peril of finding his sense of moral integrity violated.’ See also Childress (1979, 327) and Arendt (1969, 61).

and values, rather than simply revealing an existing inconsistency among them. Conscience has often been depicted as a gnawing worm or a painful pricking because it confronts us with moral truths that we are keen to ignore. This intrusive and vexatious function for conscience can quite rightly thwart psychological self-integration as much as foster it.

Other conceptions of integrity require more than mere psychological coherence. When integrity is understood as wholeheartedness, it also requires some subset of beliefs, desires, and values to be embraced without ambivalence (Frankfurt 1987, 33-4 and Cox, La Caze, Levine 2013, §1). This integrity is not mere consistency but rather a unity around a kernel of commitments. This means that not simply any inconvenient commitments can be thrown into the furnace when forging an integrated self. On this approach, then the task of conscience would be to bring to awareness and help us keep fidelity to these most fundamental commitments. Nevertheless, if both conscience and wholeheartedness are understood neutrally, such that it does not matter where our hearts are directed, then again it is hard to see what is so valuable about integrity. We can be wholehearted about being a fan of a TV show, or about our own petty grievances, no less than social justice or living authentically.<sup>12</sup> If the integrity that conscience is meant to help us achieve is a rudderless wholeheartedness, then it fails to justify the esteem in which that conscience is held.

We might firm up the foundations of integrity by taking the appropriate focal commitments of wholeheartedness to be those grounding projects in which we find our identity. Bernard Williams calls such projects ‘the condition of my existence’, without which ‘it is unclear why I should go on at all’ (1981, 12). Perhaps, then, proponents of the claim that

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<sup>12</sup> Indeed, Frankfurt tells us: ‘Being wholehearted is quite compatible not only with being morally somewhat imperfect, but even with being dreadfully and irredeemably wicked’ (2004, 98). For criticism on this score regarding conscience, see Koppelman (2009).

conscience safeguards integrity have these commitments in mind. But, once more, if conscience and the relevant identity-conferring commitments are construed neutrally, then their value remains in doubt. Some identities are so contemptible and rotten that they need to be resisted even if this leaves someone a lost soul without a sense of where to turn next. If someone cannot continue to be who they are without a commitment to fascist street politics (no more than Gauguin could renounce painting), then a crisis of identity is actively warranted. A neutral conscience that both brought to consciousness their identity-conferring commitments and prompted a reaffirmation of them would be an actively malign influence in this situation. Thus, we find that appeals to merely formal integrity, with few restrictions on which actions, beliefs, desires, and values are integrated, will struggle to allow us to explain why conscience is valuable.

This conclusion may appear too hasty. We might think formal integrities are still themselves valuable despite the actions, beliefs, desires, and values around which this integrity coalesces not being valuable (Lenta 2016. 254). The lack of such integrity would amount to a deficit, even if there are circumstances in which its achievement comes at too high a cost, or the person of integrity remains reprehensible in other respects. By analogy, simply because short-term pleasure can be purchased at the expense of long-term happiness, or enjoyed by distasteful people, does not mean that it is not genuinely good so far as it goes. The problem with such a response is that the integrity of the coherent, wholehearted, or identity-maintaining wrongdoer does not straightforwardly ameliorate or partially compensate for their bad actions or character. Indeed, it often compounds them. Consider someone who is conflicted in their actions: a man feeling ambivalent about his friends catcalling women in the street, but who gets caught up in his desire for social acceptance and joins in with them. The man displays a culpable and shameful moral weakness. But his actions would be even worse were they to stem from formal integrity, such that they are either the expression of a coherent psychology that in

no way speaks against such misogyny, or get undertaken wholeheartedly without unease and reservation, or buttress an identity dependent on sexual aggression or abusive power over women. It does not seem like even a minimally redeeming feature that his woeful behaviour is accompanied by formal integrity, so that at least he is not in two minds about what he wants, or faces no internal or external pressure to do something he does not feel is right. Therefore, there are strong grounds for resisting a defence of a purely formal integrity, and so for doubting that the protection of such integrity is what explains why conscience is valuable.

## 5.

Moral integrity looks to be better-placed than formal integrity to explain the value of conscience. The function of conscience, so understood, would be to both bring to greater self-awareness and sustain the moral convictions around which the life of the person of integrity is lived. This proposal makes greater sense of the longstanding association between conscience and the moral life, as well as explaining why integrity itself is valuable. Yet, the appeal to an integrity oriented by moral convictions also invites problems of its own. If these moral convictions are themselves determined by the verdict of our consciences, then it appears circular to say that conscience is important *because* it secures moral integrity. The explanatory relationship would run in the opposite direction: moral integrity is valuable because it provides the psychological infrastructure through which to realise the convictions issuing from conscience. In short, integrity would serve conscience instead of conscience serving integrity. Consequently, we still need to explain why those convictions of conscience are important.

If, on the other hand, the relevant moral convictions are not determined by conscience but only identified and bolstered by it, then what standards determine what they ought to be? On the assumption that moral integrity is founded upon whatever we happen to treat as morally

compelling commitments, then the problems of formal integrity intrude again. The egregious wrongdoer who earnestly but mistakenly takes themselves to have an impeccable moral justification becomes a paragon of moral integrity – e.g. the self-righteous misogynist whose whole worldview is structured around his belief that he has been unjustly spurned by women. So does someone who is only able to pride themselves on standing up for their moral values because these values are extremely lax or self-serving. We should, therefore, reject the claim that this form of moral integrity is valuable – or, at least, sufficiently valuable to justify prizing conscience to the heights that its defenders typically do.

Alternatively, if the relevant moral convictions are neither those that conscience itself determines nor those each individual simply treats as such, then some further norms are required to determine what counts as moral integrity. Yet, what seems to be doing the work of justifying the value of conscience here is these further norms themselves, such that it is not clear why we cannot directly appeal to a conscience justified by its being subject to externally accountable standards, without taking a detour via an appeal to integrity.<sup>13</sup> Such a move brings back into view something akin to a natural law conception of conscience as the terrain on which we are receptive to independent moral norms. This conscience need not presuppose natural law *per se*. Other kinds of conscientious sensitivity to moral norms can be substituted for natural law if they also allow us to conclude that egregiously lax or immoral convictions cannot be exemplary instances of valuable conscience. In contrast, neither formal nor moral integrity provide a sufficient grounds for valuing a neutral form of conscience. These considerations return us to older conceptions of conscience which reject neutrality insofar as they are oriented by substantial moral sources that we do not determine for ourselves.

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<sup>13</sup> This does not imply that integrity itself always lacks value. For a persuasive objectivist account of integrity, see Cottingham 2010.

## 6.

Why not abandon the normative neutrality of moral conscience? The rationale we encountered earlier was that this would defeat the purpose of liberty of conscience. Someone promised such liberty on the condition that the only convictions to qualify are those deemed to be true or justified might well recall Henry Ford's famous offer: 'Any customer can have a car painted any colour that he wants so long as it is black' (Ford and Crowther 1923, 72). This liberty of conscience would grant a paltry freedom since your reasons for thinking another person's commitments are mistaken would equally allow you to conclude that they are not held conscientiously, and are therefore unprotected by liberty of conscience. When agreement already prevails, this liberty is redundant; its lifeblood is dissent. For similar reasons, Rosa Luxemburg tells us: 'Freedom is always and exclusively freedom for the one who thinks differently' (1961, 69).

We do not have to align moral conscience and liberty of conscience this way. Of course, it would be intellectually and linguistically tidy to be able to define this liberty in terms of the freedom to act on the verdicts of moral conscience. But we can understand them independently and so escape the objection that a normatively oriented moral conscience makes a nonsense of liberty of conscience. For instance, Kimberley Brownlee has recently argued that what we call 'liberty of conscience' is better understood as a liberty of conviction owed to commitments which are held with 'consistency, universal-judgement, non-evasion, and dialogic effort' (2012, 52). This provides a plausible and less restrictive successor account of which deeply held convictions deserve social protection, while also creating space for a distinct objectivist

conception of conscience, which requires a ‘genuine moral responsiveness’ that makes us ‘broadly aware of the actual moral quality of our own and others’ conduct’ (10 and 16).<sup>14</sup>

Brownlee shows us that liberty of conviction need not rest on a theory of moral conscience. However, if the function of an account of moral conscience is not to identify convictions which deserve special protection from social interference, then it might seem mysterious what purpose it does serve. Yet, there are plenty of reasons to want to understand moral conscience independently of any role we might want to give it in shaping the social rights to non-interference we recognise. For instance, conscience has a place within moral psychology, where it can figure in explanations of phenomena such as guilt, moral motivation, and responsibility. Similarly, an understanding of moral conscience has an important contribution to make to ethical education – whether by informing our personal ideals of character or guiding attempts to foster the ability for sincere moral self-scrutiny in others. These are all sufficient reasons to need to know how social and normative conscience is.

Let us assume that moral conscience and liberty of conviction can be separated without unduly dispossessing people of the social authority to act on unpopular or wrongheaded beliefs. Likewise, we can suppose that moral conscience remains significant irrespective of its relationship to social and political liberties. Nevertheless, it can still be counterintuitive to say that a conviction of moral conscience must be true or justified (even if it is an otherwise heartfelt, sustained, and self-directed ethical judgement). Does a rejection of a normatively neutral conscience entail this uncomfortable conclusion? Brownlee’s account of conscience

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<sup>14</sup> I do not mean to endorse Brownlee’s account here – indeed, there are several significant problems with the details of her demand that conscience be rooted in conscientious convictions that are non-evasive and dialogic. Nevertheless, her strategy of distinguishing conviction from conscience is useful here in disentangling moral conscience from the problem of liberal neutrality in the protection of political liberties.

requires moral responsiveness with only a broad awareness of the moral quality of conduct, thereby rejecting normative neutrality without demanding truth or justification in every case. The constraints it places upon the content of conscience are only imposed indirectly through a moral competency condition. This ‘indirect substantive’ conception of conscience therefore avoids an implausibly strong ‘direct substantive’ approach that would rule out there being any mistaken or unjustified convictions of conscience.<sup>15</sup> Brownlee gives little indication of how broad a moral awareness is necessary but we can look to an analogy for initial guidance here.

Consider the epistemic requirements that distinguish consent from mere assent. If someone lacks awareness of the nature and likely consequences of a proposed medical procedure, then even their enthusiastic agreement does not count as consent. Yet, they need not know every small detail or have the same expert understanding as their doctor – an accurate grasp of the main outlines suffices. Likewise, if someone is largely blind to the moral character of what they and others do, then even ardent convictions will not count as conscientious. Similarly, conscience will not require exhaustive moral knowledge, but rather a competent working comprehension of ethically salient features of the situations about which someone is forming judgements. Thus, judgements of conscience can be neither true nor justified, but widespread error in this respect which suggests a systematic insensitivity or indifference to relevant moral qualities should give us pause for thought as to whether we classify a person’s convictions as held in conscience.

We might be leery of another feature of non-neutral accounts of conscience: the presupposition that there could be genuine moral responsiveness – especially when this encompasses receptivity to moral sources beyond the individual. The first problem is explaining how there could be something to which this responsiveness is sensitive. Natural law

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<sup>15</sup> This terminology is drawn from discussions of normative conceptions of autonomy. See Freyenhagen 2017.

articulated in theological terms has little appeal for secular philosophers (and divine command theories hold even less). Ethically naturalistic forms of natural law come under pressure from scientific naturalism, in addition to facing concerns about committing a naturalistic fallacy in deriving normativity from natural properties, and being unable to accommodate pluralistic societies.<sup>16</sup> Other realist approaches in contemporary metaethics – which could offer a similar independent orientation for conscience – are also often regarded with suspicion on the grounds that they impose heavy metaphysical and epistemological burdens or struggle to explain moral motivation. Yet, there are powerful defences of both naturalistic and non-naturalistic realisms against these charges, and they remain among the leading contenders within metaethics (Enoch 2011 and Larmore 2008). So, while objections to realism and related accounts of normativity do put pressure on accounts of conscience which take it to be responsive to external and independent sources of moral value, these are not currently decisive reasons to retain a neutral conception of conscience.

The second problem is explaining how such responsiveness itself can arise. We have seen that theologically-informed approaches can suppose – whether convincingly or otherwise – that God ensures conscience makes us aware of fundamental moral principles. For example, Bishop Butler tells us that conscience is ‘our natural guide; the guide assigned to us by the Author of our nature’ (1991, 356-7). Secular accounts are unable to appeal to a divine origin of the relationship between conscience and moral norms. How, then, can there be a faculty of conscience that is receptive to them? An innate awareness of moral principles would be difficult to establish, especially in the absence of some analogue of natural law (which, for example, we might know either immediately or through rational self-reflection, insofar as it constituted our own nature). So, some consideration needs to be given to how a conscience

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<sup>16</sup> For sympathetic discussion of challenges to natural law, see Boyle 1992 and Irwin 2013.

sensitive to moral sources is acquired. One crucial influence on the formation and canalization of conscience will be socialisation.<sup>17</sup>

## 7.

Conscience is better able to be morally responsive when it is buttressed by appropriate social architecture. Voltaire reminds us that in the absence of innate moral knowledge to guide conscience, it becomes ‘necessary to instil just ideas and good principles into the mind’ (1901, 234). Even many proponents of natural law conceptions of conscience acknowledge a role for social relationships, whereby the innate disposition of conscience to recognise and kindle motivation by fundamental moral principles only becomes operative once we have been raised to adulthood or introduced to the relevant moral concepts (Sorabji 2014, 62).

Much of the social infrastructure of conscience consists in familiar ethical practices. We are better placed to develop a morally sensitive conscience when we have undergone an ethical education (even if we do not follow John McDowell’s optimistic Aristotelian stipulation, whereby ‘someone who has been properly brought up tends to consider matters aright’ (1998, 101)). The moral responsiveness of people’s consciences is further strengthened when they can continue to draw upon the ethical resources of a community that sustains a tradition of ethical enquiry.<sup>18</sup> For instance, these traditions can provide common reference points and vocabularies to focus moral self-reflection and to communicate its results. Similarly, a communal setting aids the sharing of moral ideas and experiences which inform how we think

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<sup>17</sup> For an alternative account of the relationship between conscience and moral education, see Howard (2014, ch. 6).

<sup>18</sup> Another account of the relationship between conscience and tradition can be found in Langston 2001.

and feel about the ethical character of our own conduct. Art, religion, and philosophy can all act as means for socialising these ethical resources. Hearing and telling stories which revolve around crises of conscience also helps us to hone our self-directed moral affect, perception, and judgement by dwelling on specific cases and not simply general principles. Furthermore, communities can impart practices that put us into an appropriate mindset, with patterns of thought, feeling, and imagination more conducive to conscientious awareness (a subset of what Iris Murdoch called ‘devices for the purification of states of mind’ (1999, 368)).

In light of these social contributions to conscience, we should be wary of the individualism which underpins claims such as ‘conscience is what makes me this particular individual in a social and cultural context that I want to keep separate from me’ (Giubilini 2016, §5). Of course, few would deny that there is an actual social influence on the empirical operations of the abilities we associate with conscience, or that this influence is often innocuous. But drawing too strong a contrast between an individualistic conscience and a social and cultural world that threatens to overwhelm it comes with the risk of neglecting the positive contribution that social formation and guidance makes to conscience. Sociality is integral to a well-functioning conscience rather than being an incidental influence or trivial background condition.

Conscience *can* set individuals at odds with currents in their social and cultural context, but this context can also quite rightly shape both their individuality and their conscience. It would be perverse if the social orientation of conscience transformed it into a mere conduit for alien social power, blind conformity, or moribund tradition. There would be little point in discussing conscience, rather than practical reasoning, moral emotion, or ethical action more generally, without foregrounding sincere inward self-examination. The distinctive phenomenology of conscience as an inner voice or light must not be ignored when considering the ways in which sociality shapes conscience. But social orientation of conscience need not

imply social saturation, whereby its authoritative verdicts are solely determined by the social context. Our individual moral affect and self-assessment is no less important to conscience than its social infrastructure. The problem arises from inflating the contrast between these two dimensions into a dichotomy.

While some social influences on conscience are benign, this does not mean that all of them are. Communities can be corrupted no less than individuals — reproducing error, spreading vice, and instilling deference. Furthermore, the brute positivity of a community, the mere existence of its beliefs and practices, lends it little normative authority. Tradition is often deadweight. Other people can blind us with sophistry as well as kindle the inner light of conscience within us. Where then can our consciences look for social orientation which is any advance on individualism?

Alasdair MacIntyre has addressed the wider problem of assessing socio-ethical traditions without lapsing into a vicious circularity that already presupposes their validity. He distinguishes between traditions of ethical enquiry (e.g. Thomism, utilitarianism) and ‘those larger social and cultural traditions in which traditions of enquiry are embedded’ (e.g. Christianity, liberalism) (1994, 292). The rationality of a tradition of ethical enquiry is to be judged in terms of its ability to solve, explain the emergence of, and maintain continuity in the face of epistemological crises it faces when its ‘trusted methods of inquiry have become sterile’ (1988, 362). While the standards by which traditions of ethical inquiry are judged are in large part their own, these are standards which they often fail to meet; even when they succeed, this does not guarantee the truth of the beliefs they embody. MacIntyre thereby attempts to hold onto historicised standards by which to evaluate ethical traditions without thereby eschewing rationality or a weighty understanding of moral truth.<sup>19</sup> I raise this MacIntyrean account of the

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<sup>19</sup> For a cogent defence of MacIntyre on this issue, see Stern 1994.

rationality of tradition not to endorse its details but to indicate some of the resources able to be brought to bear in judging which tradition-bearing communities might legitimately shape conscience.

The normative and social understanding of conscience being considered here may still seem to run into the problem of pluralism. We no longer – if we ever did – inhabit a society with homogeneity of moral and religious belief; nor does any single institution, such as the Catholic Church, have such tremendous power to determine orthodoxy. In light of this, normative and social conceptions of conscience are not such an obvious fit for more diverse societies. When we lack shared standards for our particularistic self-directed moral judgements, as well as a widely-recognised arbiter which can make authoritative ethical pronouncements, then it will be harder to reach agreement on whether and how morally responsive conscience is achieved.

Nevertheless, disagreement alone is not sufficient to show that there is no truth of the matter about which we are disagreeing – no more than consensus guarantees we cannot be wrong. Both judgements about the moral responsiveness of any particular conscience and the appropriate social infrastructure to promote such responsiveness are bound to be contested, but to jettison normative and social conceptions of conscience as a result is unwarranted. We have already seen that the functions of a political liberty of conscience can be discharged while retaining an indirectly substantive understanding of moral conscience. Thus, there is nothing necessarily illiberal about a social and normative conception of moral conscience that would undermine pluralism. The poor prospects of converging on a comprehensive and consensual understanding of the relevant moral responsiveness simply means that not everyone will agree when it is achieved or how to achieve it. But vigorous disagreements on this score should be a welcome development for normative and social conceptions of conscience, since they help to forestall complacency, insofar as claims to better and worse ethical grounds for conscience

cannot simply be asserted but stand in need of ongoing assessment against the challenges of their rivals.

## 8.

Modern celebrations of conscience are rarely mindful that they are departing from a longer tradition that eschews individualism and neutrality for social embeddedness and moral responsiveness. A lack of sensitivity to this historical shift has led to complacency in the theorisation and justification of conscientious conviction. In particular, the now orthodox view that the value of conscience arises from its role in securing personal integrity is much more doubtful when this individualism and neutrality are stressed – as cases like the coherent, wholehearted, and identity-affirming misogynist suggest. If integrity is to explain the value of conscience, then this must be a robustly moralised integrity of a kind that stands in tension with neutral conscience.

The positive understanding of conscience that emerges from this study is social and normative. It can avoid the counterintuitive implications of excessively moralised conditions for conscientious conviction by both adopting an indirect substantivism and disentangling moral conscience from the functions of political liberty of conscience. Nor does social infrastructure have to outshine the inner light of conscience or necessitate a departure from a pluralism that respects the autonomy of others. The result remains an untimely and provocative sketch rather than a comprehensive theory of conscience. Nevertheless, I hope it has challenged the reader to think again about the wisdom of forsaking its normative and social orientation in the fashion of modern moral conscience.

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