

## CHAPTER NINE

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### *The Vicarious Use of Conscience: Love versus Ideology*

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In many ways, the theme of Father Gerald McCool's philosophical and fundamental-theological scholarship has been the central theme of neo-Thomism of the "transcendental" variety: human self-awareness as a fundamental anthropological and theological given. On this subject, the *idée maîtresse* of a Catholic intellectual tradition of close to two centuries' standing, Father McCool has mainly adopted the historian's posture. But like any historian worth his salt, he has been not a chronicler but an interpreter, i.e., a thinker who shows his own hand, albeit mostly indirectly. By virtue of this hermeneutical stance, he has been a reliable guide to a philosophical and theological landscape of which he is an integral part rather than just a commentator, let alone a mere tour guide. And he has done so not only as a Jesuit at a Jesuit university, but also (and here he has acted in ways that are less typical of Jesuits) as a team player, as one member of the small group of talented Jesuit philosophers and fundamental theologians at Fordham University who were as like-minded as they were independent. Who among North American students of Catholic philosophy and fundamental theology over the last forty years has not heard of W. Norris Clarke, Joseph Donceel, Robert Johann, J. Quentin Lauer, Gerald McCool, Robert O'Connell, Vincent Potter, William Richardson, and Walter Stokes, not to mention (admittedly at a

substantial remove from Fordham) Gerald McCool's hero, Karl Rahner?

As an intellectual tribute to this gentle, modest, learned Jesuit priest, I propose, in this essay, to address a theme that never loomed really large in transcendental Thomist thought, yet has an inner affinity with it. By and large, the transcendental Thomists were interested, ever since the days of Joseph Maréchal and Pierre Rousselot, in the transcendental preconditions of reliable human knowledge. By contrast, the theme of this essay is conscience, that transcendental precondition *par excellence* of responsible human action. Specifically, I want to explore, by way of a little late-twentieth-century *exhortatio ad martyrium*, an ethical issue which has given rise, in recent social thought and practice, especially in milieus favorable to liberation-theology and *Ideologiekritik*, to quite some excitement and idealism, much of it genuine, but some of it quite undiscerning, and even (or so it would seem) downright immoral. That theme is thoroughgoing, principled altruism as a moral imperative.<sup>1</sup>

### Cosmic Alienation and the Emergence of Conscience

No true human identity without life in alienation.<sup>2</sup> And alienation is not a simple, black-and-white proposition. Rather, the experience of alienation reflects the entire range of dynamics open to humanity as the one genuinely cosmic agent that enjoys transcendence over cosmic process and at the same time finds itself inalienably oriented to the mystery of God. Accordingly, it involves us in a dynamic process with many shades of grey (or rather, with many colors shading off into each other). That is to say, the human experience of alienation occurs at different levels: cosmological, anthropological, theological.

For present purposes, let us more or less take for granted that human engagement with otherness occurs at the cosmological (i.e., the biophysical, psychophysical, sentient) level. At this (initially pre-moral) level, human beings draw life and growth from cosmic otherness, and they do so not only by depending on it, but also by facing it and by facing it down, and even by attempting to force it to comply with them. While

holding the appalling capacity for a subhuman life governed largely by passion, life in cosmic alienation naturally has a positive prognosis. In and of itself it may not be the fully human life, but it certainly lends itself to it. For at this level, our sensibilities are shaped, and indirectly, our mentalities — that is, the accomplishments that are the prelude to a life not only disciplined and civilized, but also positively and deliberately moral. If things go well in our growth and development, others will sustain us and challenge us and thus fashion us with nurture and discipline; this will awaken in us, in due course, an awareness of our own place in the community of mutual care. It will also help bring to the surface specific character traits and tastes both individual and communal; and these will in turn support reliable habits of self-discipline as well as lay the foundation for properly chosen commitments. Beyond this, the care offered to us by close-by others will inspire in us an emergent sense of self, along with a first consciousness of an individual (or rather, personal) conscience, mainly in the form of a developed moral sense. Thus we come to find ourselves on the threshold of genuine freedom.<sup>3</sup>

As promised, this essay will not go into any detail in the area of the dynamics of life in cosmic alienation. Instead, it will focus on the human engagement with otherness as it occurs at the distinctively anthropological level. In other words, our issue is: how does engagement with otherness occur in the properly human (i.e., deliberate) life — the life of emergent rationality and free choice, of growth and development in *humanitas* proper, and thus, of morality and immorality, and hence of the self-conscious, conscientious self?

The first point to be made here is that human development toward mature virtue will never leave behind the matrix from which it emerges; as long as we live, we remain beholden to the sentient, passionate life and its powerful dynamics. As we mature, we realize that we cannot live without passion and sense. But we will also realize that if we live largely by them, we will find ourselves mindlessly craving, not only to live, but also to secure life at all costs. Worse, we will find ourselves fighting to secure life by hook or by crook, regardless, against all odds and against

all comers. Only on the basis of this sobering piece of self-knowledge can we make the much-needed efforts, not only to discern the difference between the impulse of vital passion and the life of the mind, but also to act on that discernment in such a way as to integrate sense and sensibility into the life of deliberation in a balanced fashion. And conversely, only to the extent that we succeed in creating this balance will we also begin to plumb the depth of humanity's inclination and even preparedness to place its powers of deliberation mindlessly at the service of passion and sensuality. Thus a good sign of growth in the direction of our true (if always to some extent presumed) integrity is this: that we find ourselves consciously noticing as well as acknowledging the extent to which we continue to be beset by a clutter of confusions and imbalances inherent in alienation, confusions and imbalances giving rise to concupiscence at the sentient level. And on the other hand, should we find ourselves habitually judging and taking action rashly and inconsiderately (that is, on the basis of passion, imbalance, sensibility, and the waves of concupiscence), we would do well to take this as a sign of personal and moral misdevelopment, for we would be allowing ourselves to be led by the instinctual, the agreeable, or (at best) the merely convenient, rather than by the reasonable, the normative, the conscientious, the truly humane.

No wonder conscience (and hence, the conscious, conscientious self) is elusive. It has a way of surprising us as we develop. It will surface, sporadically perhaps but unmistakably, in memorable experiences of felt self-identity and responsibility (but also, often no less frequently, of confusion about and disenchantment with ourselves). If and to the extent that we really mature, this deeper self will even manifest itself habitually, frequently by way of a basic, wordless sense of contentment with how we are turning out and who we are, especially if we are fortunate enough to find ourselves surrounded, affirmed, guided, and corrected by the affectionate concern shown us by morally mature others. Thus enabled and cheered, we will find ourselves moving, whether gradually or by leaps and bounds, from mere craving to authentic desire, from mere fantasy to creative imagination, from self-maintenance and self-assertion to self-acceptance

and self-possession, from absorption and immersion in otherness to positive regard for otherness. We will grow in detachment, habitually rise above passion, and attain levels of serenity and *apatheia* at which our moral sense is increasingly animated by a deep, liberating sense of duty.<sup>4</sup> Thus we will reach levels of maturity at which other-regarding, humane love becomes an attractive option, or even a fairly reliable habit.

Accordingly, we will find ourselves enabled to prize other things in their distinctiveness, and other persons even more so; to the extent we do so, we will also discover our truer, more genuine selves. This in turn will greatly enhance our native, distinctively human ability to transcend passion and narrow self-interest; inspired by a curious, hard-to-pin-down love and a deep-seated desire for goodness, we will find ourselves shaping ourselves in a truly deliberate, responsible fashion. In short, we are becoming deliberately “self-actualizing” persons, capable of deep self-acceptance and loving regard for all that is other. In practice, this willing formation of self takes the form of a lifelong pursuit of a whole array of intentionally acquired habits of enjoyably responsible, conscientious living: virtues.

### Conscience

Conscience is elusive. It is not a fixed, solid entity within us that readily offers itself to observation and study. This is not surprising. Conscience, after all, is a function of humanity’s transcendental attunement to all that is and, ultimately, to God. Like the attunement itself, conscience comes into effective, experienced existence only by emergence, a lifelong process. Like the transcendental attunement, too, conscience can become an “object” of understanding only by reflection. But then again, what gives rise to this reflection is none other than the experience of conscience itself, both in others and in oneself. But since the mature experience of conscience is a function of the developing moral life, conscience offers itself for reflection only to those learning to live conscientiously.<sup>5</sup>

We must conclude that conscience comes into its own only in alienation. That is to say, the formed conscience arises within

and through concrete situations: situations involving objective, “material” values “out there,” values appealing to the given, specifically human sense of moral responsibility. Thus, while arising from the depth of the human spirit, conscience never ceases to be beholden to otherness, as to the matrix of its own emergence. Conscience’s highest function, the sense of duty, will not emerge in us apart from a reliable, realistic, fairly articulate, ever-developing moral sense.

This moral sense derives almost entirely from otherness, of course. It results from behavior enjoined on us or suggested to us or demanded of us or drawn forth from us by “outside” factors: early training and conditioning, familial nurture, religious and cultural formation, and countless other forms of discipline, precept, challenge, and invitation. Besides, the moral sense results from the demands made upon our sense of duty by the values we spontaneously feel are objectively resident in otherness — other persons, other things.

It follows that positive, situational data, past, present, and to come, are conscience’s starting capital as well as the stuff of its continuing activity and development. External facts and objective values, in other words, remain pertinent to us even in our deepest moral maturity; at no time can conscience afford to stop appreciating, recounting, evaluating, and reevaluating them.

It also follows (as Max Scheler has so admirably shown in *Der Formalismus in der Ethik*, and as his admirer, Pope John II, has recently recalled in his encyclical *Veritatis Splendor*) that the genuinely mature conscience is not the individual conscience that claims to have successfully emancipated itself from the matrix of its emergence, which is otherness.<sup>6</sup> That is, the mature conscience is not simply autonomous, responsible to nothing and nobody but itself, and hence, purely formal (as the Enlightenment tended to imagine, foolishly). Rather, it is the conscience that has come alive, thanks to the developing sense of duty deeply resident within itself (that is, ultimately, thanks to the sense of God), to the objective conditions of its own ongoing emergence. These “objective conditions” consist in life as it is lived in practice, day after day. The mature conscience, in other words, results (in the words that Plato attributes to Socrates) from the practice of:

raising questions, on a daily basis, regarding the nature of virtue and regarding the other things about which you can hear me talk with others and scrutinizing both myself and others.<sup>7</sup>

### Conscience Used in the Service of Self-Representation

In explaining this, we have, very importantly, uncovered the first and fundamental use of conscience. *Conscience represents in us our own selves as essentially responsible subjects.* By keeping us alive to moral issues that face us, our conscience represents, to each of us, the “better self” that we have become; it also represents to us the “better self” that we are not or have not yet become, yet are natively called to be.

Let us term this use of our conscience self-representative. We avail ourselves of our conscience in a self-representative manner whenever we have recourse to it as the inner faculty that enables us to take responsibility for ourselves as free agents. Let us put this more descriptively. We use our conscience in a self-representative manner whenever we scrutinize, test, and appraise our own lives and the lives of others with whom we are connected by bonds of moral association, with a view to both amending our own lives and enhancing their moral quality. This occurs at two levels.

More obviously and perceptibly, by taking stock of our behavior, we test and examine our actions (and thus indirectly ourselves) by existing norms. These are offered to us by our concrete moral sense — that is, by such prevalent moral norms as we recognize as conscientiously binding on ourselves. In doing so, we at least implicitly regard these norms as equally binding, as a matter of ordinary justice, on other members of the moral (and religious) community or communities of which we are members. Conscience understood as moral sense is what enables us to examine our lives and ourselves, so as to reveal to us our moral standing, both in our own eyes and (presumably) before the tribunal of the particular moral community to which we belong and presumably are content to belong.

Less obtrusively and more basically, however, conscience enables us to test our actions and ourselves by reference to a

decisively higher tribunal, namely our sense of duty, the thirst for goodness residing within us. Conscience understood in this latter capacity represents, at the heart of our day-to-day lives, the “perfect selves” we deeply aspire to being, at least implicitly, before God. This boundless aspiration is superior to any moral norm, no matter how conscientiously accepted and followed; accordingly, it essentially transcends the limited norms by which the moral community is accustomed to test itself and its members. For the true measure of the moral caliber of our “cause” — that is, of our lives as total projects — is not law but never-ending desire. It alone sets the ever-receding standard of excellence that keeps alive what is deepest in us: the ceaseless quest both for moral integrity and for the transcendent Goodness that beckons us beyond all moral integrity.

Socrates, who knows this and who makes this quest a matter of daily practice, explains that it springs from “the familiar oracular impulse of the divine spirit” in him. This spirit not only warns him away from what he should not do; it is also the “manifestation of the god,” the mysterious divine presence deep down within him, about which he finds it impossible to “keep quiet” without “being disobedient to the god.”<sup>8</sup>

No less than Socrates, John Henry Newman is familiar with the experience of transcendence as integral to the experience of conscience; he can even turn it into an argument for the existence of a transcendent God. But he is equally concerned to regard the moral sense, that yardstick of objectivity and adjustment to otherness, as an integral part of the experience of conscience, even though he rightly holds that particular duties enjoined by the moral sense are legitimately subject to change, and hence, we may infer, to responsible debate.

Thus, for Newman as for the Great Tradition of the West, conscience is that mysterious reality within us by virtue of which we mediate, more and more responsibly as we grow, between the living God and the whole range of values resident in the universe. No wonder that, in a splendidly indignant passage, Newman can turn this double conviction into a sharp indictment of the way in which modern liberalism has confused conscience with autonomous, wholly self-regarding, heedless self-will:

Now let us see what is the notion of conscience in this day in the popular mind. When men advocate the right of conscience, they in no sense mean the rights of the Creator, nor the duty to Him, in thought and deed, of the creature; but the right of thinking, speaking, writing, and acting, according to their judgment or their humour, without any thought of God at all. They do not even pretend to go by any moral rule, but they demand, what they think is an Englishman's prerogative, for each to be his own master in all things, and to profess what he pleases, asking no one's leave, and accounting priest or preacher, speaker or writer, unutterably impertinent, who dares to say a word against his going to perdition, if he like it, in his own way. *Conscience has rights because it has duties*; but in this age, with a large portion of the public, it is the very right and freedom of conscience to dispense with conscience, to ignore a Lawgiver and Judge, to be independent of unseen obligations. It becomes a license to take up any or no religion, to take up this or that and let it go again, to go to church, to go to chapel, to boast of being above all religions and to be an impartial critic of each of them. Conscience is a stern monitor, but in this century it has been superseded by a counterfeit, which the eighteen centuries prior to it never heard of, and could not have mistaken for it, if they had. It is the right of self-will.<sup>9</sup>

With this, we have arrived at a point of no return. In the last analysis, conscience is oriented away from self and toward both otherness and Transcendence. This explains that the Great Tradition has recognized a second, more self-transcendent, and hence, more admirable use of conscience: conscience used in the service of representation of the other. Let us put this in different

words. The Christian conscience continues the Jewish tradition of acknowledging that certain obligations are incumbent on us simply because the inherent worth of others — other persons, other things — demands that we do justice to it. This vital issue, largely overlooked by the Enlightenment and its aftermath, but also by most textbooks of traditional Catholic moral theology, must be examined and pondered at some length.

### Conscience Used in the Service of Representing the Other

Developmentally speaking, morally mature persons have a knack for presence to others freely and spontaneously offered, for disinterested identification with others, for generous self-communication to others in such a way as to enhance, not displace, their integrity and identity. In other words, human self-actualization has an innate drift toward a mature, implicitly theonomous form of self-transcendence: positive regard for otherness precisely as other, a disposition better known as selfless love. Here we meet once again the delightful paradoxes of authentic self-transcendence: the more self-transcendent we are, the more creatively immanent in others we are liable to be; the more we live by our immanent integrity, the more liable we are to transcend ourselves by creatively identifying with and enhancing the other precisely as other. *Mature moral integrity is identical with the recognition, the acceptance, and even the cherishing of the basic moral integrity of the other.*

This implies that the conscientious life becomes fully responsible (because fully responsive) only at the outer limit of the deliberate life, where the life of duty turns into the practice of love. This is so because in the self-forgetful regard extended to others, moral responsibility fully becomes a function of responsive identity, of the kind that approximates that coincidence of identity and alienation which is the essence of love.<sup>10</sup>

Let us rephrase this: morality is maturer according as it grows in the ability to recognize and embrace otherness inasmuch as it makes unconditional claims on the conscience. To the morally mature, other persons (and occasionally, things of rare value and nobility as well) embody, in and of themselves, the

kind of concrete (and in that sense, "objective") moral demand that immediately appeals to conscience, and which in that sense surpasses the abstract objectivity characteristic of moral norms. So whenever and wherever responsiveness to otherness becomes the heart of the deliberate life, moral maturity is existentially redefined. It is no longer measured by the ability of human persons to live by the moral law, but experienced as directly proportionate to their ability to accept the integrity of the other as the measure of the moral quality of their own conduct.

The *Letter to Diognetus* implies this. After drawing an engaging picture of Christians as ordinary citizens and giving some telling examples of practices of morality and love freely undertaken by them, it sums up the Christian understanding of moral maturity in a simple claim, which both states the difference between prevalent ethical standards and Christian conduct and softens it: "[Christians] obey the established laws and in their own lives outdo the laws."<sup>11</sup> Dietrich Bonhoeffer's ethical thought provides another instance of this drift in the direction of a higher morality. Always mindful of tendencies toward self-righteousness and immaturity inherent in the cultivation of moral laws, he regards responsibility freely undertaken as more crucial to Christian conduct than either obedience or freedom. In our own day, Emmanuel Levinas has powerfully restated a central conviction of the Jewish and Christian traditions by emphasizing that the concrete other person embodies the unconditional moral imperative that comes to us, ultimately, from God.

Let us now forge ahead in our argument, cautiously. Wherever and whenever morally mature persons respond to others out of inner concern for them, regardless of the prevailing moral laws (even though seldom in deliberate contempt of them), this is apt to become a matter of public witness. For it stands to reason that those habitually disposed to live by selfless love will regard the love of others as the genuine measure of the moral standing of the human community at large. They will convey this conviction not only tacitly, by conduct, but quite often in explicit words as well. Accordingly, morally mature persons (and the religious communities that often are their spiritual homes) have a way of

commending a demanding love ethic to the moral community at large, even though they will at the same time admit that it is seldom feasible to codify such an ethic, let alone make it an obligation or enforce it as a matter of moral law.

In this way, very importantly, we have discovered, in addition to the first use of conscience, the second use of conscience mentioned in the previous section: representation of the other. Conscience is used to represent the other (or, in the terminology adopted here, used “vicariously”) whenever people explicitly and thematically appeal to conscience in order to take responsibility for the moral claims of otherness in all (or at least some of) its forms. Human persons and communities do this whenever they resort to their own conscience to scrutinize, test, and appraise the ways in which justice is being done (or not being done) to persons (and occasionally things) other than themselves, and with a view to changing at least their own conduct in their regard out of loving consideration for them. This use of conscience, in other words, is a function of the moral life understood, not primarily as the pursuit of one’s own personal moral integrity and identity, but as a life lived for others and in the service of the truly common good. Such a life is open only to the secure; it can spring only from a relatively untroubled, “decentered” experience of identity — that is, an experience of identity as responsive. And since “responsive self-experience becomes manifest in the phenomenon of witness,” those motivated to live by responsive identity will represent and uphold the moral claims of those they love; in this way, they will implicitly become the advocates of selfless love embraced as the first (in the sense of highest) principle of mature morality.<sup>12</sup>

Like the first, self-representative use of conscience, this second, vicarious use of conscience occurs at two levels. More obviously and perceptibly, conscientious living means using the norms offered to us by our moral sense: when established human rights of allegedly universal application are being trampled, the truly moral will take the part of the unjustly marginalized. If life is taken to be a life lived for others, the integrity of the other demands that their moral claims be honored. Now, since we derive our moral sense largely from the moral community to

which we belong, odds are that, in the life lived for others, we take our bearings from a community that considers selflessness a central value. Not surprisingly, therefore, we will find ourselves examining our actions (and thus ourselves) by reference to the "positive divine law" cherished (if not always observed) by the Jewish and Christian traditions.<sup>13</sup> This "law" commends and sometimes even enjoins, as a matter of principle and in a great variety of ways, forgetfulness of self and self-abandon in the service of others (even of bothersome others), so much so that Paul can commend "carrying one another's burdens" simply as the fulfillment of "the law of Christ." This law is recounted and celebrated in narratives of, and exhortations to, self-sacrificing love kept alive in the community of faith.<sup>14</sup>

More fundamentally, however, we test our actions and ourselves by recourse to a higher, far more dynamic norm, namely, the sense of duty in us, animated, in the last resort, by our transcendental attunement to God. But when conscience, and the sense of duty inherent in it, are put to the task of representing others, something happens to the sense of duty that carries us forward to the living God: it takes on compelling moral features. The ever-receding standard of excellence set by the sense of duty becomes concrete for us in the face of the other, calling for unconditional love. The conscientious but morally self-regarding scribe looking for a sound but essentially limited moral answer to the question, "Who is my neighbor?" finds his question tacitly reversed by "the Man for Others," and turned into a challenge that knows no bounds. That challenge is: "Who can I be a neighbor to?" (see Lk 10, 29.36).

Here we find ourselves at the outer limit of the deliberate life. Those who embrace a life lived for others find themselves opting for the double love command as the heart of daily living; they venture to take their stand at the juncture where morality reaches its peak and turns into theonomy, in the concrete shape of self-sacrificing, worshipful love. They propose, in the words of Ruusbroec, to "make [their] home between the love of God and of our fellow-Christian," and indeed, of the human family at large.<sup>15</sup> They aim to find themselves (that is, to attain their true identity) by losing themselves (see Mk 8, 35 parr.) in the service

of others, by a commitment to radical mediation. In this more deeply moral universe, the truly common good is the glory of God and the dignity of all human persons without exception, and ultimately, of the whole world.

Naturally, the question arises how conscience used vicariously differs from, and how it is continuous with, conscience used as self-representative. In traditional terminology, how are the obligations resulting from charity different from, and continuous with, the obligations springing from justice?<sup>16</sup>

### Conscience and Theonomy

For the sake of clarity, let us begin by stating our conclusion. The vicarious use of conscience differs from the self-representative in that, in the last analysis, it is truly and inescapably theonomous. Accordingly, much as commitments in justice and commitments in charity have this in common that they both inherently relate human persons and communities to the living God, justice is theonomous only virtually and in the last resort, whereas charity is theonomous directly and in actuality. This can be approximated and argued as follows.

When maturely conscientious persons appeal to their conscience to call for justice for all, without exception, they cannot help putting their own selves on the line. Paradoxically, though, in so doing they do not mean to put forward their own moral selves as a warrant for the justice of their cause; that would be tying the cause of others to a profession of their own moral excellence, an exercise in naiveté at best, in smugness at worst. Rather, in bearing witness, in their own persons, to the inherent moral worth of all human beings, such witnesses have to move beyond conscientious self-representation. The ground on which they take their conscientious stand, therefore, must be not their own moral standing, but their own integral persons as the concrete representatives of the inherent claims of others. These "others" include each and every concrete human being (and at times even deeply humane concerns), regardless of their present standing in the moral community.

At the heart of this witness, therefore, lies the paradoxical conviction (but one well known in the Jewish and Christian

traditions) that, in the last resort, a moral community can enjoy equal justice only if its disadvantaged members are given preferential treatment. What we have here in modern dress is not only the ancient Hebrew Bible's notion that the treatment accorded, beyond the limits of strict justice, to widows and orphans is the true yardstick of a community's moral standing before God, but also, and especially, the community ethic enjoined by Paul on the church at Corinth by recourse to the allegory of the body (1 Cor 12:7-26).

Paul explicitly as well as very forcefully states that, by virtue of the one Holy Spirit, the communal body is one, but (since the Holy Spirit is the source of gifts) this unity occurs only because the different members have different gifts to offer to one another. These differences, he implies, are not unrelated to the fact that there prevails a hierarchy among the members; the organs of the full-grown natural human body (which displays its eminence by its erect posture) are arranged in an ascending order of honor or dignity (*timē*: v. 24), a commonplace idea in the ancient world. Thus the organs of sight are placed higher than those of hearing, which conveys that they are superior to them; thus, too, the ears are superior to the organs of smell, which in turn are higher than the organs of taste and of touch; in the same way, the head is superior to the hands, and the hands to the feet. Paul does not explicitly mention the order customarily thought to obtain among the internal organs: the brain over the heart, the heart over the liver, the liver over the intestines and the sex organs; but he does imply this hierarchy by stating that some parts of the body are "weaker" (*asthenestera*, with connotations of "softer" and "needier") in comparison with higher organs, whose nobility (so it was thought) is underscored by the hardness, respectively, of the skull and the rib cage that encase them.

What is very interesting in Paul's detailed allegory is that the first threat offered to the unity of the body comes, not from the higher organs asserting their superiority, but from the lower reading themselves out of the unity of the body — that is, by the foot and the ear saying that they are not really part of the body because, respectively, they are not a hand or an eye (vv. 15-16). The problem raised for the body's unity by the higher organs is

different. It is that they regard themselves, not so much as superior (for that is what they are), but as the whole; consequently, they jeopardize the body's unity not so much by their greater influence as by their failure to include the other members: "I do not need you" (v. 21). If this posture of self-sufficiency on the part of the higher members were to prevail, that would be the end of the body (v. 19); the higher members must recognize the lower members as necessary. This implicitly raises the question, How are the inferior members to be assured that they are truly members of the body?

Paul has his answer ready: by a policy of studied inequality of treatment. To assure them that they are part of the body and have a share in its dignity, we surround the weaker members, generally considered less dignified (*atimotera*) or even downright improper (*aschēmona*), with honor proportionate to the embarrassment inherent in their lowly estate: we dress them up, a recognition the higher members do not need (vv. 23–24). In Paul's vision, therefore, the unity of the body is a matter of real equality, but this equality is not a natural given (for naturally, the members do not have equal status), but the fruit of a unified, unifying effort at mutual concern (*to auto hyper allēlōn merimnōsin ta mela*: v. 25), regardless of differences. Only if all the community's members take responsibility for each other's needs and claims will the grief or the joy of any member be the grief or the joy of all; only in this way, that is, will the community effectively embody Christ (v. 27).

Recent years have seen interesting Catholic attempts to commend to whole societies, as a high form of morality, the other-regarding love that underlies the use of conscience in representation of others unable to represent themselves. In the first social encyclical, *Rerum Novarum* (1891), Pope Leo XIII had already pointed out that it is incumbent on rulers and governments to protect and promote "in the highest degree" the legitimate interests of the working poor, to assure them, by appropriate legislation consistently enforced, of the benefits from their labor due to them under the rubric of distributive justice.

In recent years, conscientious witness on behalf of the poor and the marginal has taken the shape of two interesting

documents issued by bishops' conferences. First, there is the call, issued at Puebla, Mexico, in January, 1979, by the Conference of Latin American Bishops, for a "preferential option for the poor and for the young."<sup>17</sup> In issuing this call, the bishops implicitly appeal, of course, to the understanding that Latin America is a Christian civilization, even though they recognize the pressure of growing pluralism, and indicate some directions for a positive Catholic response to it. Understandably, no such understanding underlies the United States bishops on the economy, which seeks to offer a Catholic contribution to the development of a "moral vision" that can be recognized as "common ground" by citizens at large, with their "different backgrounds and concerns."<sup>18</sup> Still, while recognizing this context, the bishops do not hesitate to issue a characteristically Christian call for "a fundamental 'option for the poor'" and for that most threatened of moral institutions in the United States, the family. Interestingly, they justify this appeal by pointing out that preferential treatment of the poor is connected with a value publicly recognized in the United States as fundamental, human dignity and the rights predicated on it — a connection that received Vatican endorsement in the same year in which the American bishops' letter saw the light.<sup>19</sup>

In taking this conscientious stand on behalf of the moral claims of others, especially the poor, the witnesses find themselves "convert[ing] to God's valuing of the universe, and therefore to the intelligibilities intrinsic to it."<sup>20</sup> Thus they cannot help appealing, at least implicitly, to God by means of a twofold appeal. Since God is the transcendent Source and Guarantor of the inalienable worth of every single human being and hence, of the moral claims predicated on that worth, so the witnesses will at least implicitly claim, God is also the Guarantor of the integrity of the conscientious stance they themselves choose to adopt as their own. This two-pronged, unmistakably theological appeal conclusively demonstrates that the vicarious use of conscience pushes all the parties concerned beyond current understandings of the common good (that is, of accepted morality). Precisely because of this, it has dramatic consequences, both social and personal. These consequences demand careful description and analysis.

### The Effects of the Vicarious Use of Conscience

First of all, the vicarious use of conscience constitutes a public call for general, and indeed sweeping, moral conversion. What is significant about this call (and this is a crucial observation) is that its appeal is of the non-theoretical kind. Let us put this in descriptive terms. Whenever a few conscientiously motivated witnesses presume to stand up on behalf of all, this invariably reminds the many in the moral community, not of humanity in general (that would be harmless enough), but of very particular human beings, whom they would rather not be reminded of, namely, those in the community (whether they be few or many) who are not in a position to represent themselves, whether materially or morally: the powerless, the marginal, and the lonely and unloved — in short, the victims of every kind.<sup>21</sup>

Thus the established moral community finds its cherished (or at least current) moral sense prophetically (that is, uncomfortably) called into question by an appeal to none other than the living God, seldom to its liking, and sometimes to its downright consternation. This is not surprising, for a direct appeal to God in criticism of the established order is more than most settled, responsible, moral communities will ordinarily bargain for. The reason for this is that such theological appeals take the moral discussion beyond the practical, manageable, responsible life; they shake the foundations, not just of the deliberate life, but of human life *tout court*.

In other words, the impression is created that the conscientious witnesses are unconcerned about the common good, and this impression is intensified by the fact that conscientious witnesses are usually indignant, which makes them look aggressively opposed to the common good. Yet the witnesses' indignation is the inevitable concomitant of their compassion with the victims they champion;<sup>22</sup> the undeserved ill fortune suffered by victims is, in the eyes of the witnesses, an implicit indictment of the good fortune of the fortunate; annunciation involves denunciation, as Gustavo Gutiérrez has explained so well. And, since the fortunate tend to think of themselves as deserving (are they not the upholders of the order of justice, and thus its rightful

beneficiaries as well?), those who champion victims look like enemies of the common good, despite the fact that what motivates them is not aggression or temper, but compassion and grief. Besides, the witnesses' stance reflects a self-commitment, which makes them look like personifications of aggression and temper. No wonder genuine witnesses tend to be as unpopular personally as the causes they espouse. That is, they will meet not so much with objective disagreement as with fierce incomprehension in regard to their persons, in the form of mockery, suspicion, slurs and insinuations, charges of disloyalty and irreligiosity, threats of violence, and actual violence, sometimes even of the judicial kind.

This not only challenges the witnesses; it also profoundly changes their self-experience. For they will find themselves under pressure, not only internally, by reason of the conscientious stance they have adopted, but also externally, by reason of the opposition they encounter at the hands of the moral establishment. And since an unconditional stand on behalf of others implies an appeal to God, the witnesses will find themselves driven, by the inner logic of the vicarious use of conscience they have adopted, into a personally adopted stance of unconditional abandon to God — that is, of absolute, naked faith.<sup>23</sup>

Not surprisingly, this radical posture will stir up in the witnesses that critical feature of humanity: its "unstable ontological constitution."<sup>24</sup> But there's the rub. For when conscientious witnesses to the moral integrity of others will find themselves faced with the anxiety-provoking, fully theological choice that puts the responsible life as a whole in the balance, they must choose in the teeth of adverse human judgment. That is to say, they must opt either for reliance on God's just judgment and acceptance of the misery inherent in the stance they adopt on the basis of their analysis of the situation of injustice, or for the parody of these two: aggressive self-justification and self-righteousness, and towering rage against the *status quo* and the powers that be.

### Appealing to Conscience in the Service of Alleged Love

Here, if anywhere, what becomes crucial is the difference between an ever fuller yet elusive identity established by reference to

others and to a gracious God, and an incomplete, irresolute ego desperately dependent on self-assurance and hence, apt to be obtrusive. To the extent that the witnesses fail to endure the unsettling combination of outside pressure and the inner trepidation that is the common lot of humanity seeking self-definition, the stances they take on behalf of the weak will turn inauthentic. That is, unsure of their own deeper selves and afraid of death, the witnesses will get both in their own way and in the way of the very others whose cause they champion. They will shift their ground, away from deep identity and toward ego — that is, away from responsiveness and toward self-affirmation; away from weakness and self-abandon and toward power, self-maintenance, and self-assertion; away from compassion with victims and toward bitterness toward the establishment; away from justice and love and toward temper and violence. In this way, the witnesses will become painfully defensive and self-serving; what began as an exercise in the vicarious use of conscience deteriorates into an exercise in the self-representative use of conscience, except that the latter is now aimed, not at self-examination, but at self-defense and self-justification. Even worse, this self-serving use of conscience simulates its exact opposite — the vicarious use of conscience. Miserably, “proper partiality” turns “improper,” as inauthentic moral self-representation now postures as authentic representation of the other, and belligerent self-righteousness masquerades as divinely inspired compassion.<sup>25</sup>

In this tragedy of moral pretense, the focus of moral and religious attention irrevocably shifts. The victims and their plight are displaced by the forceful self-righteous and their causes; and the disadvantaged (on whose behalf the stand was taken in the first place) are lost sight of; they become victims once again, with only the living God to take their part.

The consequences of this are not so much moral as theological. God and the cause of justice are now going to be claimed by all the parties in the fray. Pathetically, people of good will (including, at times, well-intentioned bearers of ecclesiastical office) will forge new authoritative (but essentially political, i.e., non-theological) parties and alliances in order to settle things by mediating, not between God and the victims of injustice, but between the righteous at war.

This usually serves only to intensify the central problem, which is that the living God is tacitly treated as the God of some at the expense of others. In this way, intolerant claims to moral and conscientious excellence obscure the divine countenance once again, only worse than before. All (except the powerless, the marginal, and the unloved, who have little choice) forget that peace and justice are to be expected, not from the victory of the righteous, but from the conversion of all to the living God, whose mercy is for those who live in awe of God, and who forever disappoints claimants to righteousness. For the God of peace and justice is the God whose omnipotence encompasses the power to be wholly self-effacing; the God who alone can disarm the righteous, bring them to the realization that they are self-engrossed, caught in the middle, "worn down, pitiable, destitute, blind, and without cover" (Rev 3:17), and thus, the victims of their own self-defeating strategies; the God who alone can teach them that, at bottom, life and goodness lie in endurance (see Lk 21:19).

### Conscience and Martyrdom

These sobering realizations open the door to an understanding of what is really involved in the vicarious use of conscience. Here if anywhere, it is essential to sit down and count the cost (see Lk 14:28). Deciding to live for others, to stand up for victims — the powerless, the marginal, the lonely, and the unloved — is a matter of taking responsibility for their suffering, not from a comfortable distance, but by participation. That is, it is a matter of agreeing to share in it by agreeing to be a victim, freely and willingly. In this way, taking a stand on behalf of the poor, the disenfranchised, and the victimized involves, as a matter of principle (and if it should have to come to that, also in practice), the agreement to suffer for their sake without attempting to force anyone else to pay the price — that is, without attempting to pass their own suffering on to others.<sup>26</sup>

Such meekness is liable to spell death, of course, one way or another. This is martyrdom, and it is available only to those who live without fear, no longer intimidated by enemies and liberated

from the fear of death (see Lk 1:74–75). These are the people who have learned to live morally by dint of doing what is beyond morality: entrusting themselves and the others for whom they live to God by way of a living offering of praise and thanksgiving.

But this is not all. For in entrusting themselves to God, those who stand up for victims find themselves faced with a commitment of even broader significance. If the living God is the God of all at the expense of none, then offering oneself to God drives home what is involved in embracing all human beings, whatever their cause, not only the victims and their cause. This is martyrdom at its most bewildering. For by agreeing to live for others precisely as others — that is, to witness to the inherent worth of all, good and evil, just and unjust (see Mt 5:45) — martyrs find themselves having to agree not to offer resistance to those who are evil (Mt 5:39), but rather to outdo evil by goodness (Rom 12:21). This means putting oneself on the line, not just on behalf of the world's victims, but also on behalf of its oppressors, those violent prisoners of their own fears of losing their lives. The Christian tradition has called this: loving one's enemies. "Loving one's enemies" ends up meaning: being prepared to die at their hands, and on their behalf.<sup>27</sup> That is to say, in the end, love means being prepared to die on behalf of all.

Here we have struck upon the depth of the mature Dietrich Bonhoeffer's Christological intuition, namely, "that Jesus 'is there only for others.'" He wrote it down during the final phase of his imprisonment, eight months before he was to give up his life:

Jesus' "being-there-for-others" is the experience of Transcendence! Only out of his being free from himself, out of his "being-there-for-others" unto death, does omnipotence, omniscience, omnipresence spring. Faith is participation in *this* being of Jesus.<sup>28</sup>

### Justice and Love

This love unto death raises a pressing moral question: Is there any continuity at all between other-regarding, self-

sacrificing love and common virtue, between charity and justice, between conscience used in the service of self-representation and conscience used vicariously? On this subject, two observations are in order.

In the first place, the vicarious use of conscience, being predicated on nothing short of total self-abandonment to God, involves moral risks (as well as theological ones) so enormous that underrating them is morally irresponsible. It is sometimes proposed (often in furious denial of the self-serving moral ideals of the Enlightenment) that the second use of conscience is not just superior to the first, but in practice radically opposed to it. Living by reasonable, reliable moral laws, it is then said (especially by representatives of certain types of passionate moral idealism), breeds only boredom, moral slavery, and self-righteousness; moral freedom, true responsibility, and genuine love are the privilege only of those moved by the obvious injustice done to the powerless, the marginal, and the lonely and unloved.

Those embracing this position are usually quite generous; thus they are living proof that a rational, closed morality fails to satisfy the human thirst for goodness. Yet they overlook several things. First, objective moral laws established by right reason neither cancel nor deny the value of responsibility; in fact, they implicitly appeal to it because sound moral laws convey precisely that conscientious agents owe it to the objects of their actions to do justice to them out of positive regard for the values embodied in them precisely as other. Second, as well as more unfortunately, ardent moral and especially religious idealism are not guaranteed the privilege of immunity from either self-righteousness or prejudice, as the self-justifying, characteristically ideological intolerance of moral visionaries regularly shows. In fact, when compared with the blind, fanatical fury of the morally autonomous, the common, humble self-representative use of conscience of the morally heteronomous, while not the pinnacle of morality, looks preferable, if only because it has at least the potential for growth in the direction of self-forgetful love.

The second observation. Let us clarify the way in which the vicarious use of conscience is continuous with its use by way of self-representation. At the heart of conscience, there resides the

sense of duty, which guides people to the realization that the ultimate measure of the moral life can only be a reality of transcendent justice and holiness that eludes every grasp. Conscience, therefore, even if responsibly used in the service of self-representation, gently but inexorably points the way, beyond the moral integrity we gain in the life of deliberation, to the transcendent region where all human beings both profoundly long to go and profoundly hesitate to go. For, though made for everlasting life, we are unnerved by trepidation, conscious of moral inadequacy, burdened by sin, mortally afraid of dying; even as we desire, we mangle. This is where conscience used in the service of self-representation comes to our aid. The legitimate concentration on our present moral selves that conscience fosters can last only so long. In due course (and in any case in the last resort), morally responsible persons must overcome their concern with their moral selves and yield to boundless love; relying on their inner sense of duty, all human beings must sooner or later entrust themselves to the absolute Otherness, which will carry them beyond both the limits of morality and the straits of death into the self-abandon of worship in hopes of life beyond life.

The tradition of the Christian West, especially since the Reformation, has of course also raised the issue of the continuity between justice and love in terms of the relationship between two distinct types of love, the former explicitly Christian, the latter distinctively human: *agapē* and *erōs*. But that is a story for another day.

#### Notes

1. I have been inspired, at least for the suspicions of inauthenticity behind the advocacy of thoroughgoing altruism, by Stephen J. Pope, "Proper and Improper Partiality and the Preferential Option for the Poor," *Theological Studies* 54 (1993): 242-71, and *The Evolution of Altruism and the Ordering of Love* (Washington, D.C.: Georgetown University Press, 1994); and also by Patrick H. Byrne, "Ressentiment and the Preferential Option for the Poor," *Theological Studies* 54 (1993): 213-41.

2. This is, of course, a modern rephrasing of what Aquinas explains by writing that "intellectual substances completely return to what they

are [*redeunt ad essentiam suam reditione completa*]. For to the extent that they know something outside themselves, they in a way go outside themselves; but inasmuch as they know that what they are doing is knowing, they already begin to return to themselves. . . . But this return is completed inasmuch as they know what they themselves are" (*Q.D. de veritate*, 1, 9, *in c.*). In this essay, the term "alienation" is used with morally neutral connotations. In that sense it is to be distinguished from "estrangement," which has negative connotations. In other words, "alienation" here covers what Hegel calls *Selbstentäußerung* ("self-exteriozation"), i.e., "positive human self-actualization in a world of otherness." See F.J. van Beeck, *God Encountered: A Contemporary Catholic Systematic Theology*, vol. II/3, *Finitude and Fall* (Collegeville, MN: Liturgical Press, 1996), §122, 1, e, [f].

3. Needless to say, one crucial issue in the mature, deliberate life is the following. Whether by leaps and bounds or gradually, we have to become conscious of the extent and the depth to which the deliberate life remains tied in with passion and the senses. It is part of moral maturity not only to learn to accept this, but also, and especially, to take responsibility for it. In Plato's vivid image, only if the charioteer — the soul — knows how to curb the horse that is unruly will he succeed in getting the whole team of the horses of instinct to take him where he wants to go (*Phaedrus* 246<sup>b</sup>, 247<sup>b</sup>, and esp. 253<sup>c</sup>–254<sup>e</sup>).

4. *Apatheia*, it must be remembered, has nothing to do with impassiveness and everything with compassion and love. On this subject, see van Beeck, *God Encountered*, vol. ii/2, §111.

5. This proposition remains, of course, to be complemented by its counterpart: conscience, when worn down and stifled by habits of moral apathy and sin, will move toward effective non-existence; it will then, of course, elude reflection as well.

6. Max Scheler, *Der Formalismus in der Ethik und die materiale Wertethik: Neuer Versuch der Grundlegung eines ethischen Personalismus*, in *Gesammelte Werke*, vol 2 (Bern and München: Francke Verlag, 1954; translated into English as *Formalism in Ethics and Non-Formal Ethics of Values: A New Attempt Toward the Foundation of an Ethical Personalism* (Evanston: Northwestern University Press, 1973).

7. Plato, *Socrates' Defense [The Apology]*, xxviii, 38<sup>a</sup>1–5: *hekastēs hēmeras peri aretēs tous logous poieisthai kai tōn allōn, peri hōn hymeis emou akouete dialegomenou kai emauton kai allous exetazontes*.

8. See Plato, *Socrates' Defense*, 40<sup>a</sup>4–5 (*hē . . . eiōthryia moi mantikē hē tou daimoniou*); 40<sup>b</sup>1 (*to tou theou sēmeion*); 37<sup>e</sup>5–7 (*hēsychian agein, tōi theōi apeithein*).

9. John Henry Newman, *Letter to the Duke of Norfolk*, in *Certain Difficulties Felt by Anglicans*, vol. 2 (London: Longmans, Green, and Co., 1885), 249–50. The passage in italics is quoted in Pope John II, *Veritatis Splendor*, 34.

10. On “responsive identity,” see van Beeck, *God Encountered*, vol. i, *Understanding the Christian Faith*, 2nd ed. (Collegeville, MN: Liturgical Press, 1997), §35, 1; 4; vol. ii/1, *Fundamental Theology* (Collegeville, MN: Liturgical Press, 1993) §87, 3; §95, 4– 5; 7; vol. ii/3, *Finitude and Fall*, §122, 1, f.

11. *Ad Diogn.* v, 10: *Peithontai tois horismenois nomois kai tois idiois biois nikōsi tous nomous.*

12. van Beeck, *God Encountered*, vol. ii/1, §95, 7.

13. See van Beeck, *God Encountered*, vol. i/1, §50, 1, a.

14. See, for example, PHEME PERKINS, *Love Commands in the New Testament* (New York: Paulist Press, 1982).

15. “. . . wi moten woenen tusscen die minne Goods énde ons evenkerstens”: Jan van Ruusbroec, *Werken*, vol. ii, *Van den gheesteliken tabernakel* [“The Spiritual Tabernacle”] (Mechelen: Het Kompas; Amsterdam: De Spieghel, 1934), §liv, 125.

16. Note that the comparison is between charity *along with the obligations resulting from it* and justice *along with the obligations resulting from it*. In other words, whatever the difference between justice and charity may be, it is *not* that justice imposes obligations whereas charity does not. The oft-quoted scholastic tag *caritas non obligat cum tanto incommodo* (“appreciable hardship excuses one from the obligations of charity”) has often been misinterpreted to suggest otherwise (see A. van Kol’s article of the same title, in *Bijdragen* 14 [1953]: 388–408). Justice, it is then implied, involves real obligations; it is a matter of reason, moral sense, and conscience. Charity, by contrast, is then proposed as belonging to the private world of subjective preference and preconception; obligation is alien to it; it is purely voluntary. And since “charity” makes no moral demands, any hardship excuses one from acts of charity; only justice is properly a matter of conscience. This reasoning embodies the spirit of the Enlightenment at its most rationalist and individualist (and, it should be added, morally minimalist). It assumes that charity is no more than human generosity, and thus, that justice and charity belong to two different worlds; life together is assumed to be possible without forms of loyalty, friendship, or love whose inspiration is transcendent. It admits no claims on the individual conscience except the obligations agreed on by public, strictly human consensus; only matters of law are properly moral.

This understanding of love and moral obligation, widespread in the United States and in those parts of the Western world touched by the Enlightenment, ignores the deeper, transcendental, properly religious and theological dimensions of morality; it also implicitly denies that these dimensions can give rise to true obligations, experienced and acknowledged as such not only by inspired individuals but also by communities that regard their moral selves and their moral world (as well as the human community at large) as founded on something deeper than social contract. What is true, therefore, is this: in particular cases, only severe hardship constitutes an exemption from the obligations of justice, whereas felt obligations based on human decency leave a much broader discretionary margin. Thus the maxim must be understood to say: *humanitas non obligat cum tanto incommodo ac iustitia* ("in cases of appreciable hardship, one is more readily excused from obligations resulting from human decency than from those resulting from strict justice").

17. *Final Document*, 1134–1205, in *Puebla and Beyond: Documentation and Commentary*, ed. John Eagleson and Philip Scharper (Maryknoll, NY: Orbis, 1979), 264–72.

18. *Economic Justice for All: Pastoral Letter on Catholic Social Teaching and the U.S. Economy*, 22 (Washington, D.C.: National Conference of Catholic Bishops, 1986), 11.

19. See Denzinger-Hünermann 4760–61.

20. Patrick H. Byrne, "Ressentiment and the Preferential Option for the Poor," 241.

21. On this subject, James Alison has given us a touching book, *Knowing Jesus* (London: SPCK, 1993).

22. Indignation is well defined as "grief over someone else's *undeserved* good fortune." See Thomas H. Tobin, "Controversy and Continuity in Romans 1:18–3:20," *Catholic Biblical Quarterly* 55 (1993): 298–318. Tobin gives references to classical treatises on rhetoric for this definition.

23. On "naked faith," see van Beeck, *God Encountered*, vol. i, §9.

24. See van Beeck, *God Encountered*, vol. ii/3, §112, 5.

25. See Stephen J. Pope, "Proper and Improper Partiality and the Preferential Option for the Poor."

26. This phrase is borrowed from Iris Murdoch's novel *The Unicorn* (London: Chatto & Windus, 1963): "Até [Gk. *Atē*: 'fate'] is the name of the almost automatic transfer of suffering from one being to another. Power is a form of Até. The victims of power, and any power has its victims, are themselves infected. They have then to pass it on, to use power on others. This is evil, and the crude image of the all-powerful God is a sacrilege. Good is not exactly powerless. For to be powerless,

to be a complete victim, may be another source of power. But Good is non-powerful. And it is in the good that Até is finally quenched, when it encounters a pure being who only suffers and does not attempt to pass the suffering on" (116). It is not farfetched so suppose that the allusions to Christological themes are intentional on the part of the author. See van Beeck, *God Encountered*, vol. ii/2, §110, 4, b, [bh].

27. See F.J. van Beeck, *Christ Proclaimed: Christology as Rhetoric* (New York: Paulist Press, 1979), 483.

28. ". . . daß Jesus nur 'für andere da ist.' Das 'Für-andere-da-Sein' Jesu ist die Transzendenzerfahrung! Aus der Freiheit von sich selbst, aus dem 'Für-andere-da-Sein' bis zum Tod entspringt erst die Allmacht, Allwissenheit, Allgegenwart. Glaube ist das Teilnehmen an diesem Sein Jesu." Dietrich Bonhoeffer, *Widerstand und Ergebung: Briefe und Aufzeichnungen aus der Haft* (Hamburg and München: Siebenstern Taschenbuch, 1966), 191, italics added; translated into English as *Letters and Papers from Prison*, revised edition (New York: Macmillan, 1967), 202.