

# ***SYNDERESIS*** **AND THE MAGISTERIUM:** **A THEOLOGICAL PROPOSAL**

***Sindéresis y el Magisterio: una propuesta teológica***

***Sindérese e o magistério: uma proposta teológica***

JOSHUA ALEXANDER SEQUEIRA\*

## **Abstract**

In a world prone to relativism, any person or institution claiming a consistent and unalterable doctrine is misconstrued by those who profess the 'supreme principle' of the relativity of all principles, the absolute absence of all absolutes. Hence, the Magisterium of the Church is often considered outdated and is criticized, with possible dangerous consequences. Humans have innate habits

\* Doctorate in Sacred Theology (2012) from *the Pontificia Università S. Tommaso d'Aquino* (PUST) - Angelicum (Rome). In addition to his Canonical Licence in Theology from the *Universidad Pontificia Bolivariana* (UPB), he also holds a Licence in Humanities from the *Universidad Pontificia Madre y Maestra* (PUCMM) in the Dominican Republic. A member of the Clerical Society Apostolic Life of Pontifical Right *Virgo Flos Carmeli*, and of the Heralds of the Gospel, he is currently a professor of Dogmatic Theology at the *Instituto Teológico São Tomas de Aquino* (ITTA) in São Paulo, Brazil, and director of the *Lumen Veritatis* magazine.

This article is a part of the dissertation, with the same name, competently directed by Dr. Gonzalo Soto Posada, for the Canonical Licence in Theology at the UPB. Correo electrónico: j.sequeira.ep@gmail.com

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without which they could never be rational, one of these being *Synderesis*, which regulates human activity and is a solid base on which a society of peace can be built. Besides, this habit is essentially linked to the order of human rational nature and of the Universe, both of which are creatures of God, Who reflects His own divine Being in Creation. Thus, when the Church urges all to live according to the order of rational nature, far from proposing what is outdated; She only offers what can bring peace to human beings.

**Key words:** Synderesis, Conscience, Natural law, Freedom, Teaching.

## Resumen

En un mundo cada vez más propenso al relativismo, una persona o institución que propone una doctrina consistente e inmutable es mal comprendida por aquellos que profesan el ‘principio supremo’ del relativismo de todos los principios, de la ausencia absoluta de los absolutos. Así, el Magisterio de la Iglesia es frecuentemente visto como anticuado y sufre críticas, con consecuencias posibles de gran alcance. El ser humano posee hábitos innatos sin los cuales no podría ser racional, entre éstos está la *sindéresis* que regula sus actividades y es la base sólida sobre la cual una sociedad de paz puede ser construida. Además, este hábito está relacionado esencialmente con el orden racional del hombre y del universo, ambas son creaturas del único Dios, que refleja su propio Ser Divino en su creación. Por eso, cuando la Iglesia instiga a los hombres a vivir según su naturaleza racional, ella no sugiere lo que es anticuado, pero apenas aquello que puede traer paz a los hombres.

**Palabras clave:** Sindéresis, Conciencia, Ley natural, Libertad, Magisterio.

## Resumo

Em um mundo cada vez mais propenso ao relativismo, uma pessoa ou instituição que propõe uma doutrina consistente e imutável é mal compreendida por aqueles que professam o ‘princípio supremo’ do relativismo de todos os princípios, da ausência absoluta dos absolutos. Assim, o Magistério da Igreja é frequentemente visto como antiquado e sofre críticas, com possíveis consequências de grande

alcance. O ser humano possui hábitos inatos, sem os quais não poderia ser racional; entre estes está a *sindérese*, que regula suas atividades e é a base sólida sobre a qual uma sociedade de paz pode ser construída. Ademais, este hábito está relacionado essencialmente com a ordem racional do homem e do universo, já que ambas são criaturas do único Deus, que reflete seu próprio Ser Divino em sua criação. Por isso, quando a Igreja estimula os homens a viverem segundo sua natureza racional, ela não sugere o que é antiquado, mas apenas aquilo que pode trazer paz aos homens.

**Palavras-chave:**

Sindérese, Consciência, Lei natural, Liberdade, Magistério.

## RELATIVISM

### A dictatorship of relativism

Opening any newspaper, we come to face with a problem that has plagued the last century: a generalized relativism. The then Card. Ratzinger (2005), during the *Pro Eligendo Pontifice* Mass, said that one of the most preoccupying problems of our times is this “dictatorship of relativism that does not recognize anything as definitive and whose ultimate goal consists solely of one’s own ego and desires”. During his pontificate, Benedict XVI returned often to the same subject. Likewise Card. Tarcisio Bertone (2008) underlined the necessity “to invert the axiom of ethical relativism and strongly postulate the existence of an order of truth that transcends personal, cultural and historical conditioning and which is perennially valid”, so as to reverse the process whereby reason is reduced to only what is subject to scientific experimentation. He stresses the need to underline the fundamental difference between good and evil, without which “there is no other alternative to the reign of the arbitrary” in which “the only criterion that remains to determine what is right from what is wrong, is the use of force, be it by vote, propaganda or arms and coercion”.

## That leads to hostility to the Magisterium

Now, this dictatorship causes much incomprehension, whereby declarations of the Magisterium on questions like abortion, human rights etc. that require Catholics to adopt a lifestyle of genuine Disciples and Missionaries of Jesus Christ (cf. Document of CELAM - Aparecida) are branded as ‘obsolete’ and ‘lacking rational foundation’. Ensuing controversies, fuelled by media publicity, are detrimental to the Church; such that the living Magisterium—at the service of the Word of God, to teach only what has been handed on, listening to It devoutly, guarding It scrupulously and explaining It faithfully in accord with a divine commission and with the help of the Holy Spirit, drawing from the one deposit of faith everything [that] is presented for belief as divinely revealed (cf. *Dei Verbum*, 10)—is treated as ‘retrograde’ and without a voice in a world that ‘moves ahead’. Thus, important issues are put in check, like the Church’s freedom of expression, the existence of an immutable doctrine in a climate of relativism, and even the actuality of Petrine definitions in world issues.

### *Fides quaerens intellectum*

Therefore, this article will try to implement what Bl. John Paul II (1998) defined as the chief purpose of theology: “to provide an understanding of Revelation and the content of faith” (n.93). Attempting to investigate the ‘rationality’ of the Church’s doctrine and translate, for men of our times, the Christian mystery and the requirements of being Christian “according to the exigencies and possibilities of our times” (John XXIII, 1962, n.2), we shall attempt to reveal the judiciousness of the interpolations of the Chair of Peter—which presides over the whole assembly of charity (*Lumen Gentium*, n.13)—on world issues. Following St. Anselm’s principle, “*Fides quaerens intellectum*”, we shall ponder the ‘rationability’ of the Church’s demands, so as to better comprehend the content of faith, following the wise proposal of *Fides et Ratio* (n.4).

## MOMENTS IN THEOLOGICAL REFLECTION

The starting point must be a Scriptural foundation. In the Letter to the Romans, ch. II, (Rom 2:14-15), the Apostle of the Gentiles states: “For when<sup>1</sup> the Gentiles who do not have the law, by nature<sup>2</sup> observe the prescriptions of the law, they are a law for themselves even though they do not have the law. They show that the demands of the law are written in their hearts, while their conscience also bears witness and their conflicting thoughts accuse or even defend them”<sup>3</sup>.

### Early Christian commentators

For Origen (*Super Epistolam ad Romanos*, lib. II, c. 9-10), though the Gentiles lack the Mosaic Law, they “can to perceive by nature, for instance, that they should not murder or commit adultery,” and so the “Natural Law agrees with the Mosaic Law according to the spirit but not the letter”. He adds (*Contra Celsum*, lib. I, c.4) that God gave the Written Law to Moses after having already written it on the soul, and so this will be the cause of censure for sinners who transgress the known notions of morality. Similarly, St. Ambrose (*De Paradiso*, c.VIII, n.39) asserts that God’s commands are not read on stone tablets, but rather as impressed upon the human heart by the Spirit, thus humans constitute a law to themselves.

St. John Chrysostom (*Homiliae in epistolam ad Romanos*, hom. V, 5) praises the Gentiles: “they must be admired, since they did not require a law, and yet showed all the Law’s deeds, having works and not letters.” Elsewhere (Homilies on the Statues to the People of Antioch, XII, 5), he shows how

- 1 The Greek text uses ὅταν which has the sense of ‘every time that’, ‘whenever’, and does not imply any conditionality, that the word ‘when’ in English may suggest.
- 2 The phrase *by nature*, on which the Pelagians base themselves, must be read within the general context of the sentence: it refers the *light of conscience* being opposed to the *written Sinaitic Law*, and does not mean the *natural strength* which excludes *grace*, according to different commentators (Professores portugueses, 1990, p.526-527; Profesores de Salamanca, 1975, p.311-312). For the relationship between grace, faith, law, culpability and reason in the Letter to the Romans, see: Geslin (1935, p.55-61).
- 3 The Catechism of the Catholic Church (CCC) resumes the Apostle’s words in CCC, n.1777.

Adam—on committing the first sin—hid himself, thereby evidencing his knowledge of his wrongdoing; as also Cain who concealed his crafty plan while leading Abel to be murdered, and finally denied his crime like his father Adam. Chrysostom concludes that at the origins of society, when men lacked letters, prophets and even the Law, they already possessed the knowledge of good and evil. And leaving all without the excuse of ignoring Scripture, he asks from where the first legislators of the gentiles wrote the laws concerning marriages, murders, wills, etc., if not from conscience; for they could not have learnt it from their elders nor from the prophets.

For St. Augustine (*Enarrationes in Psalmum LVII*), the written Law was given not because it was not written in the human heart, but since humans deserted their own hearts. He proves this stating that just as no one would like to suffer at the hands of others—be robbed, killed etc.—all must agree that others also think the same way; and therefore that each must treat others in accordance to the law on one's heart. The same happens with good deeds too: if one does not like to be refused food when one is hungry, one cannot refuse the same to others!

### **St. Thomas Aquinas**

The Aquinate (*Expositio et lectura super epistolam Pauli Apostoli ad Romanos*, n.217) relates the fact that the Law is written on the heart—even of those who do not possess the written Law—with the Scriptural phrase “the Law is not made for the just” (1Tim 1:9). This is because humans, instead of obeying their consciences, had to be constrained by an external imposition of the Law. He also relates Rom 2:14-16 with the promises “I will put my Law in their souls, I will write it in their hearts” (Jer 31:33) and “I will write it on the tablets of your heart” (Prov 3:3).

### **Recent commentaries**

More recent scripture-commentators opine similarly (cf. Profesores de Salamanca, 1975, p.310- 312; Profesores Portugueses, 1990, pp. 526-529). The passage of Rom 2:12-16 is explained showing the absence of contradiction between the Mosaic and the Law on the human heart. Though it be true that the Natural Law can be learned by natural reason, men—lead by

the disorders of human sensibility and imagination accompanied by the evil concupiscence caused by original sin—frequently like to persuade themselves that what they do not want to be real is, in fact, false or uncertain (cf. *Humani Generis*, no.2). Therefore, due to the moral—not absolute—necessity of divine revelation of the Natural Law (cf. *Dei Filius*, no.2), God gave it to the Chosen People. But, grace is necessary for both Jews (to abide by the revealed Law) and Gentiles (to follow their consciences).

## SEARCHING FOR A ‘LAW ON THE HEART’

It is thus clear that there is a law engraved on the heart. But, what is it? What is its relationship with conscience? To understand this, let us go to the moment when a human awakens to the light of reason...

### **A Child... and the First Principles**

Let us take a child (of any race, culture or gender) to whom its mother’s points out a chair, saying: “chair.”<sup>4</sup> The child immediately relates the object with the name, since it possesses a certain primordial reason that enables it to discover the world. If this were not so, no one could ever distinguish between dissimilar objects: the child would never know a chair from a table and would be inept to learn anything in spite of all the mother’s teaching. Hence, the child’s first master is not any human being, but an innate predisposition to unequivocally apply the so-called ‘first principles of natural reason’, which it starts to use in contact with the environs.

Starting from a commonplace experience to arrive at the existence of first principles as the basis of human rational action, Sanguineti (2005, pp.178-193) identifies some characteristics of these principles: they are universal, immediate, final (they are not in turn justified by other principles) and founding (they justify all knowledge acquired having them as a base).

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4 The example is adapted from a long demonstration by Garrigou-Lagrange (1980, pp. 99-109).

Since this article does not explicitly verse on the first principles, we only point out where ample and well demonstrated arguments are found,<sup>5</sup> before passing on specifically to one first principle.

### The Principle of Contradiction

This principle can be voiced as: “That which is, is; that which is not, is not”. In our example, this principle implies that looking at the chair, our hypothetical infant is able to distinguish it from the wall against which it is placed. The chair is one thing, the wall is another....and neither of the two is the child! This notion is innate: without it, all rational activity would be impossible.

This principle is so evident, that even the ancient Greeks did not ignore it,<sup>6</sup> whereby Llano (2004, p.292) lucidly states that “to him who denies this principle, it can be proved that his very negation destroys itself”<sup>7</sup>. Likewise, Garrigou-Lagrange—with typical French charm—comments that without this first principle, a shepherd would not be able to distinguish a sheep from a wolf, and no one would know the difference between a table, an elephant

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- 5 For example, see the works of Alejandro Llano (2004, pp.6 8-71), who refutes principally the objections based on the Cartesian universal negation; and also Santiago Ramírez (1958, p.76-80).
  - 6 For example, Aristotle affirms (cf. *Metafisica*, IV 4 1006a, pp.5-15) that although some demand that the principle of contradiction be demonstrated, this follows from want of education, “for to ignore of what one should demand demonstration, and of what one should not, argues want of education.” He continues that it is impossible that a demonstration of everything exists; for in this case, one would arrive to the infinite and so, there be no demonstration at all! Therefore, he adds, “we can demonstrate negatively that this view is insufferable, if our opponent would only say something.” After all, if the opponent says nothing, he merits no answer, “for such a man is [...] no better than a vegetable”. And if the opponent states anything, he must recognize that it is not the same as denying it, whereby he has to differentiate between being and not-being.
  - 7 Interestingly, using Aristotle, Llano (pp. 94-95) refutes the Hegelian dialectic, which denies the Principle of Contradiction, affirming that all contradictions and contraries take place simultaneously. He shows that perpetual change cannot exist; and, if it were to exist, there would still have to exist contraries between which any change could possibly take place (for without these contraries, change would not exist at all and there would be only absolute quietude!).

or an ant! Therefore, St. Thomas declares (cf. S.T., I-II, q.94, a.2) that what first comes under human apprehension is ‘being’, the notion of which is included in all things that are learnt. And so, the first indemonstrable principle—on which all others are based—is that ‘the same thing cannot be affirmed and denied at the same time’ since it is based on the notion of ‘being’ and ‘not-being’.

### **Other First Principles and their Habit – Intellectus Principiorum**

Having seen one first principle, we must note the existence of other similar principles like the Principles of Identity, of Efficient Causality, of Metaphysical Causality, of Finality, of Logical Inference, etc. Humans possess these first principles in the form of an innate habit (by which they have an intuition and a facility to know them) called the Understanding of the First Principles (or *Intellectus Principiorum*)<sup>8</sup>.

## **SYNDERESIS**

Forming a parallel with the habit of *Intellectus Principiorum*, in the sphere of practical action humans also possess another habit that provides an intuition of the first principles of moral action, called *Synderesis*<sup>9</sup>.

### **Existence of Synderesis**

In *De Veritate* (q.16, a.1, sol.), St. Thomas explains that since there exists order in the Universe, between the different grades of beings, there is a type of ‘continuity’ (like that of a ramp) and no abrupt fall (like in the case of

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8 Aristotle (*Nicomachean Ethics*, lib. VI) conducts a detailed investigation on this habit, showing that the first principles must be known intuitively, and calls their habit ‘intuitive reason’. On his part, St. Thomas Aquinas (S.T. I-II, q.50, a.4; I-II q.51, a.1, s.c.) refers often to these passages of Aristotle, especially in his treatise on habits.

9 Some recent studies on *Synderesis* are Bourque (1980); Molina (1996); and Sellés (2003). These, however, remain within the philosophical ambit.

a step). Thus the natures of inferior beings—in their highest part—‘touch’ the lowest part of immediately superior natures. For example, between two orders of beings, plants and animals: animals are more perfect, having appetitive, locomotive and sensitive potencies, as well as the so-called vegetative potencies of nutrition, growth and reproduction, possessed by plants. Yet, certain intermediary creatures that form a sort of ‘transition’ between plants and animals: primitive animals whose sensory and locomotive potencies are limited,<sup>10</sup> or plants with qualities ‘similar’ to animals (like carnivorous ones).

Likewise, between the two great orders of intelligent beings—men and angels—there is a ‘continuity’. Human intelligence is discursive and requires investigation by the senses and process to arrive at truth: *nihil est in intellectu quod prius non fuerit in sensu*. Thus, it is incapable of natural knowledge except by means of material objects coming in contact with the external senses. But, the angelic mode of knowing is by an instantaneous intuition of truth without investigation or discourse. Now—continues St. Thomas (cf. *De Veritate*, q.16, a.1, co.)—due to the above principle, the human soul, according to that which is highest in it, ‘touches’ angelic nature. And so, certain things are known by human nature immediately and without investigation; though even in these, humans are inferior to angels, for they must arrive at truth from what is received by the senses. St. Thomas adds, “there is a double knowledge in the angelic nature: one, speculative, by which angels see the truth of things simply and independently; and the other, practical.” Thus,

Human nature, in so far as it comes in contact with the angelic nature, must both in speculative and practical matters know truth without investigation. And this knowledge must be the principle of all the knowledge which follows, whether speculative or practical, since principles must be more stable and certain. Therefore, this knowledge must be in man naturally, since it is a kind of seed plot containing in germ all the knowledge which follows, and since there pre-exist in all natures certain natural seeds of the

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<sup>10</sup> For example, certain moles that do not see, or marine animals (jellyfish, sponges) etc.

activities and effects which follow. Furthermore, this knowledge must be habitual so that it will be ready for use when needed. Thus, just as there is a natural habit of the human soul through which it knows principles of the speculative sciences, which we call understanding of principles, so, too, there is in the soul a natural habit of first principles of action, which are the universal principles of the Natural Law. This habit pertains to *Synderesis* (*De Veritate*, q. 16, a. 1. co.).

Hence, we arrive at what can be called a ‘definition’ of *Synderesis*: an innate habit of the practical reason that gives man an intuition of the first moral principles. We must now analyze each part of this definition.

### **Synderesis is an Operative, Innate Habit of the Practical Reason**

It is vital to not confuse ‘practical/speculative reason’ with ‘superior/inferior reason’; terms which appear frequently in literature on *Synderesis*. ‘Superior reason’/‘inferior reason’ were terms used by St. Augustine in *De Trinitate*. These terms—explains the Aquinate (S.T. I, q.79, a.9)—also refer to the same intellectual potency: reason. When it is applied to eternal and extra-temporal things, superior to the soul and immaterial in themselves, it is called the superior reason; while being applied to temporal things, inferior to the soul and linked to matter (such that the soul ‘divests’ the material aspects by its own operation, in order to consider them), it is called inferior reason. Thus ‘practical /speculative reason’ and ‘superior/inferior reason’ are unconfoundable differentiations, referring to the same human reason, treated with diverse nomenclature for didactic purposes<sup>11</sup>.

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11 *Synderesis* (a habit of the practical reason) deals with universal moral principles, including both eternal norms—object of superior reason—like ‘God must be obeyed’; as also inferior and temporal norms—object of inferior reason—such as ‘Man must live according to his reason’ (cf. *De Veritate* q.16 a.1 ad 9). Similarly, one can speculate—using speculative reason—about something eternal (‘God is pure act’) or something temporal (‘Creatures are composed of act and potency’).

Besides, *Synderesis* is an operative habit. A habit<sup>12</sup> can be either entitative<sup>13</sup> (its subject is a substance, which is disposed by the habit in its being, *quoad esse*) or operative (the subject is a faculty/potency and is disposed *quoad operari* modifying its interior dynamism). Operative habits are only found in the spiritual potencies, intelligence and will. *Synderesis*—the operative habit under study—has the practical reason as its subject. Also, habits can be either acquired (such as those acquired by repetition of acts and vices like intoxication); supernatural (the virtues and gifts of the Holy Spirit, infused in the soul with sanctifying grace); or innate. *Synderesis* is an innate habit: humans are born with it because of an imperative of nature itself.

However, ‘innate’ does not mean that humans possess innate ideas (as Plato imagined). Neither *Intellectus principiorum* nor *Synderesis* provide complete ideas, but furnish an intuition of the first (speculative or practical) principles. One must confront the principle with experimental reality; that is, one must know the terms in which the principle is expressed, so as to perceive what it signifies. By knowing the terms, one intuitively discerns the principle. This follows from human nature: a combination of matter and spirit, humans require that intellect and senses work together in all natural knowledge. And so, even in intuitive knowledge humans need to refer to physical matter: the first time a child learns experimentally the meaning of ‘to kill’, it perceives that one should not kill. The principle ‘Killing is wrong’ is not innate, but once what ‘to kill’ is known, the principle is perceived intuitively. Therefore, human innate habits require the senses, unlike angelic ones.

Therefore, the use of *Synderesis* requires the development of the intelligence such that abstract thought is possible: the act of *Synderesis*, like all intellectual acts, requires the coming of age. Likewise, on entirely losing the use of reason (grave dementia), one does not have use of *Synderesis*.

12 Amongst Aristotle’s categories (cf. *Categorias*, c. VIII, n.3-4), a habit is an *accident*, a *quality* (among nine types of accidents), a *disposition* (among four types of qualities), a relatively stable quality (*difficile mobilis* - amongst diverse dispositions).

13 For example, *sanctifying grace* or *habitual grace* is an entitative habit, infused in the soul as Royo Marín, (1968, p.115-119) explains.

## SYNDERESIS AND INERRANCY

We now come to a point of capital importance: being an innate habit, *Synderesis* does not err. Commenting Aristotle's phrase "*Principia enim manere oportet*", the Aquinate (*De veritate*, q.16, a.2, co.) states that all changeable things can be reduced to (or deduced from) unchangeable things, for it would be impossible to have stability or certainty in things derived from principles, if these principles themselves were not firmly established. Thus,

For this reason, all speculative knowledge is derived from some most certain knowledge, concerning which there can be no error. This is the knowledge of the first general principles, in the light of which all else that is known, is examined; and by reason of which, every truth is approved and every falsehood rejected. In such a manner, that if any error could take place in these first principles, there could be no certainty in derived knowledge<sup>14</sup>. In the same way, in order that honesty is possible in human action, there must be some permanent principle which has unwavering integrity, in reference to which all human works are examined, so that that permanent principle will resist all evil and assent to all good. This is *Synderesis*, whose task it is to warn against evil and incline to good. Therefore, we agree that there can be no error in it (*De Veritate*. q. 16, a. 2, co.)<sup>15</sup>.

The inerrancy of *Synderesis* shows that human intellect participates in the perfection in which humans are created. All their potencies are perfect and inerrant when directed to their 'special objects': the *five external senses* with respect to their special objects (cf. Aristotle, *De Anima*, lib. II, c.6); *human will*, which wants felicity and good necessarily (cf. S.T. I, q.82, a.2, sol); *speculative reason*, which cannot err about its proper object (the first speculative principles, cf. *De Veritate*, q.1). The same happens with the

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14 An example is useful here: No student could ever study mathematics securely, if he did not have absolute certainty that  $2+2=4$  always, or that he could confide in his ability to add and count!

15 A few years later, commenting on the phrase '*Omnis intellectus est rectus*' of Aristotle (*De Anima*, Lib. III c.10 433 a26), St. Thomas draws a parallel between the inerrancy of the first principles—practical and speculative—because, together, they form the base of the intellectual edifice (Cf. *In De Anima*, Lib III, lect. 15, n. 9).

practical reason. Before analyzing the splendid significance of this inerrancy, let us understand how *Synderesis* is applied to act.

## SYNDERESIS AND CONSCIENCE

The habit of *Synderesis* is applied by conscience. The latter—St. Thomas clarifies—is neither a potency nor a habit, but an act. Commonly, the word conscience has three meanings: 1. the act by which a person judges (e.g. Job 27:6 and 2Cor 1:12), whether he has (or not) done something (here the conscience *testifies* whether one has executed a past action, which act pertains to the memory); 2. the act (for ex. Heb 10:2) by which one judges whether a certain deed must (or must not) be practiced (here the conscience *instigates, induces or obliges* to action, by the application of knowledge to a future act); 3. the act (e.g. Ps. 17:3; Jo 8:9) by which one makes a moral judgment about a past action (here conscience *accuses* one of the justice or wickedness of an action). In the acts of *instigating/inducing/obliging* (examining what must be done in the future); or *accusing* (probing past acts), three habits of the practical (operative) reason are applied: wisdom (by which superior reason reaches its perfection), knowledge (by which inferior reason reaches its plenitude) and *Synderesis*<sup>16</sup>. These three habits are either applied individually or simultaneously (cf. *De Veritate* q.17, a.1. sol). It is in applying *Synderesis* (inerrant in itself) by conscience that one can err.

### Errors of the Act of Conscience

The act of the conscience is similar to a syllogism, since it applies the universal principle of *Synderesis* to a particular situation. The premise presented by

16 Speculative reason has the natural habits of understanding (*Intellectus principiorum*), wisdom and science (S.T. I-II, q.57, a.2); while practical reason has (amongst others) *Synderesis*, wisdom, science, art and prudence (S.T. I-II, q.57, a.3-4). For more on this, see: Sellés, (2008). Others also include habits like mathematical and logical habits in the practical reason. We limit ourselves to habits that influence conscience together with *Synderesis*. The latter is applied either alone, or generally with the habits of science and wisdom.

*Synderesis*—universal and always correct—is used by conscience together with a particular proposition offered by superior or inferior reason to formulate a judgment<sup>17</sup>. Now, in a syllogism, an error can occur for two reasons: if the starting point—the premise—is wrong or if it is wrongly reasoned<sup>18</sup>. Since the universal premise of *Synderesis* is always correct, conscience can err in mounting its syllogism if the particular premise—from the superior or inferior reason—is wrong or if there is a flaw in the form of the syllogism. The particular premise offered by the reason can be erroneous due to ignorance or the profession of erroneous principles. Let us examine these causes.

Ignorance in moral matter is the absence of necessary knowledge in a capable subject (person); and can be either invincible or vincible. Invincible ignorance excuses responsibility before God, for it is entirely involuntary (cf. CCC, n.1793)<sup>19</sup> and the act is realized with absolute tranquility of conscience. On the contrary, vincible ignorance is always voluntary and culpable according to the degree of negligence in verifying the truth: the subject realizes his ignorance, but does nothing (or very little) to know

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17 St. Thomas explains in *De Veritate* (q.17 a.2 sol.): If *Synderesis* declares ‘nothing contrary to the law of God can be done’ and the superior reason says ‘Doing such a thing is contrary to the law of God’, then the conscience judges ‘Doing such a thing cannot be done’.

18 Ex.1. One may know—by *Synderesis*—that nothing contrary to God can be done, but if one is a Manichaeian, one might believe erroneously that swearing is intrinsically contrary to the divine law, and so conclude that one should never swear (cf. *De Veritate* q.17, a.2. Sol). Here, superior reason offered a wrong premise to conscience. Ex.2: The assassins of the Apostles erred not because *Synderesis* did not declare that one needs to serve God, but because superior reason offered the false premise that the apostles’ death pleases God (cf. Jn 16:2). Based on one correct universal proposition and a false particular one, conscience arrived at a wrong conclusion (cf. *De Veritate* q.16, a.2. ad 2). Ex. 3: With respect to civil laws, one can—by ignorance—mistake something prohibited for what is permitted by the law. With this false premise, offered by inferior reason, one can err (while still judging that one is being honest since one follows the correct judgment of *Synderesis* that civil authority be obeyed). In all three examples, the wrong particular proposition offered by the reason (the first two, superior reason; the third, inferior reason) does not exonerate the person from guilt entirely, for these erroneous principles may be fruit of earlier errors or ignorance.

19 However, this ignorance is not excusable before men, for it is often impossible to prove and all criminals could allege ignorance of the law that they had violated...

his duties well<sup>20</sup>. Even so, vincible ignorance diminishes, to some extent, the voluntary nature of an act, and as a result makes it less culpable (Royo Marín, 1996, p. 62)<sup>21</sup>.

We now pass on to the other cause of error: a false particular principle, which might be fruit of earlier faults that produced false principles. For example: Augustine's dissolute life led him to diverse sects, like the Manichaeans, and to accept their erroneous principles. Years later, on seeing his questions unanswered by the Manichaeans and their leader Faustus, if Augustine had lacked the integrity to procure an answer for his problems of conscience (and preferred to continue where he was out of commodity or vice), he would have continued, culpably, to profess erroneous principles (Augustine, *Confessions*, lib. V, c.6-7)<sup>22</sup>.

Finally, just as in the case of syllogisms in speculative matters where, if one neglect correct structure, one can arrive at a wrong conclusion; so also, in the syllogism necessary for the judgment of conscience, one can err. However, the Aquinate explains that conscience cannot err in certain syllogisms: when the particular proposition to which conscience applies itself is included in *Synderesis*' universal declaration<sup>23</sup>.

These three—ignorance, false principles, and incorrect syllogism—are the only ways in which the universal principle of *Synderesis* can be incorrectly applied by conscience. But, there also exists another type of 'error', which is

20 The Catechism states (CCC, n.1791): "This ignorance can often be imputed to personal responsibility. This is the case when a man 'takes little trouble to find out what is true and good, or when conscience is by degrees almost blinded through the habit of committing sin' (*Gaudium et Spes*, 16). In such cases, the person is culpable for the evil he commits".

21 If, however, ignorance is deliberately fostered, guilt is not diminished since the subject *did not want* to know his duty so as not to be obliged to fulfill it.

22 Obviously, God's mercy would not deny Augustine many other opportunities for conversion.

23 St. Thomas exemplifies this (*De Veritate*, q. 17, a.2. sol.): One cannot err in this syllogism: 'The whole is greater than its parts'; 'the cake is a whole'; therefore 'it is greater than any part'. Similarly conscience cannot err in this: 'I must not love God' or 'Something evil must be done'. This is because the particulars 'I' and 'something evil' are included in the universal 'God must be loved' and 'no evil must be done'.

not really an inaccuracy of conscience, but a tragic consequence of degraded human nature.

### **‘Error of Conscience’ – Dragged by the Will**

Another way in which conscience can ‘err’ pertains to the will and not to the intellect (cf. the case of Hymenaeus and Alexander, narrated in 1Tim 1:19). After conscience judges correctly, based on well applied principles, one can still be dragged by the force of concupiscence or other passions which absorb reason to such an extent, that one chooses the contrary to what *Synderesis* proposes (cf. *De Veritate* q. 16, a.3. sol.). This is worsened by vices, habits acquired by the repetition of an error, which drag the will to go against *Synderesis*<sup>24</sup>. This state of corruption is complex<sup>25</sup> and the extent of guilt varies according to each situation and depends on factors like earlier good deliberations, gravity of vice, the reason for falling into it etc. (cf. Royo Marín, 1996, p.70)<sup>26</sup> Other factors like fear and violence also diminish the voluntary nature of an act, and can influence the wrong application of *Synderesis*, whereas still other factors like age, gender and social setting influence human action so remotely, that their effect is not considerable (cf. *De Veritate*, q. 16, a.3. sol.).

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24 St. Thomas explains in *De Veritate* (q. 16, a.3. ad 3.): One who has contracted the habit of a vice loses the principles of activity, not as universal principles, but in their application to some particular case, insofar as through a vicious habit, reason is muffled in order to keep it from applying the universal judgment to its particular activity when making its choice.

25 St. Paul refers to such cases in Tit 1:15-16: “To the pure all things are pure, but to the corrupt and unbelieving nothing is pure; their very minds and consciences are corrupted. They profess to know God, but they deny him by their deeds; they are detestable, disobedient, unfit for any good deed”.

26 It is worth noting that an acquired habit can, when causing a fault, diminish the liberty of the act without extinguishing its voluntary nature entirely. If the habit was not retracted earlier, it diminishes liberty with relation to the actual deed, but not in relation to its cause which was voluntarily and freely set.

## ***Synderesis* is common to all men and cannot be extinguished**

It is obvious that *Synderesis* is common to humans of all races and conditions, in all times, since it is an innate habit of the intellect, and rationality is part of the essence of ‘man’. Thus, in spite of social, economic or cultural conditions, or even doctrinal, moral and cultural formation, all possess *Synderesis*.

Besides, *Synderesis* cannot be smothered (cf. *De Veritate*. q. 16, a. 3), for being part of human nature, cannot be extinguished. Considering, though, only the act of *Synderesis*, St. Thomas concedes it said to be extinguished “inasmuch as it is completely interfered with. This happens in those who do not have the use of free choice or of reason due to an impediment caused by an injury to the bodily organs which reason needs to function” (*De Veritate*. q. 16, a. 3, sol.). These lesions aside, *Synderesis* necessarily functions well, indicating truth in universal operative things. However, it can be deviated by degraded human nature: “In a particular act, [the act of *Synderesis*] is destroyed whenever one sins in choice. For the force of concupiscence, or of another passion, so absorbs reason that the universal judgment of *Synderesis* is not applied to the particular act.” The Aquinate concludes brilliantly: “But this does not destroy *Synderesis* altogether, but only in some manner. Hence, absolutely speaking, we conclude that *Synderesis* is never destroyed.” This destruction ‘in some manner’ is rather a non-application of the inerrancy of *Synderesis* to a particular act, in order to satisfy one’s erroneous passion: *Synderesis* did not err, but rather the one who chose not to apply its universal principle. Therefore Teófilo Urdanoz (1954, p.119-120) comments:

St. Thomas places at two extremes, two totally incorruptible habits: the habit of the first speculative principles and that of the moral principles or *Synderesis*. These do not suffer direct destruction, for they do not have any contrary dispositions. There are neither errors nor ‘forgetments’ that prevail in face of the immediate intellectual evidences produced by the unchangeable judgments of the first principles, even of the moral order; the Natural Law cannot be abolished from the heart of man (I-II q.94, a.4; a.6). Nor can they disappear because of the destruction of the subject, since the spiritual faculties are incorruptible.

From what has been stated, if *Synderesis*—being inerrant and common to all—is applied uprightly by conscience, anyone can perceive the moral principles that should direct one’s actions without error. And so, with respect to the moral principles, there is a ‘common factor’ universally applicable to all, a moral system that constitutes a true law of human action. This law is part of the internal order of the human being, and is the Natural Law. St. Thomas defines it as “the rational creature’s participation of the eternal law” (S.T. I-II, q.91, a.2).

## NATURAL LAW AND LIBERTY

### Natural Law and its Relation with the Eternal Law

Firstly, one must comprehend the significance of the Eternal Law, which St. Augustine defines as “the divine order or will of God, which requires the preservation of natural order, and forbids the breach of it” (*Contra Faustum*, lib. XXII, c. 27). St. Thomas says the same (cf. S.T. I-II, q.93, a.1), defining it as the plan of Divine Wisdom by which all the acts and movements of creatures are directed towards the common good of the universe<sup>27</sup>. He explains that rational creatures are subject to the Creator’s Providence in a more excellent way than others, for they are not led blindly by instincts, but, participating in the Eternal Reason (because of intelligence), they are able to choose their own means towards the Supreme Good and thus provide for themselves and others. He concludes (S.T. I- II, q.91, a.2): “this participation of the Eternal Law in the rational creature is called the Natural Law”. Thus, a rational creature acts in perfect harmony with the order of the Universe (and the internal order of its own being) on following the Natural Law. This shows the beauty and cohesive order in Creation, and sings the glory of the Divine Wisdom, which “reaches mightily from one end of the earth to the other, and orders all things well” (Wis. 8:1). The word ‘Natural’ is used since the precepts of the Natural Law are obligatory for all humans

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27 The common good of the Universe is also the glory of God, for artisan’s work glorifies him, and God—the perfect Artisan—cannot work for any finality lower than Himself.

without exception as they are deduced from the human rational nature (thereby being obligatory even if the supernatural order was not open to men); and also since the Natural Law can be known naturally, using the light of reason, without the need of supernatural faith or human magisterium.

### Precepts of the Natural Law

The Natural Law includes all necessary to conserve the natural order established by the Creator, and known by human reason independent of any positive law. Its precepts can be divided as<sup>28</sup>: a) Primary and most universal precepts, ignorance of which is impossible to anyone who has use of his reason, though one can be mistaken about what is objectively evil. St. Thomas reduces these to a simple rule: ‘Good is to be done and pursued, and evil is to be avoided’. b) Secondary principles or proximate conclusions, which are derived plainly from the first precepts and are known almost without great force of reasoning. The precepts of the Decalogue belong to this category<sup>29</sup>, and thus inculpable ignorance regarding them is possible only for some time, and not for an entire normal life. This happens since, though these principles are easily deduced by simple reasoning, it can occur that—due to ignorance, ambient conditions in which one is brought up, *a priori* prejudices etc.—the simple and unlearned may not arrive at the immediate conclusions of the first principles (like the malice of internal acts, theft in case of necessity, etc.) However, this state cannot be prolonged indefinitely without suspecting the malice of these acts or learning about it from social contact. c) Remote conclusions, which are derived from the primary and secondary precepts by logical deductions that are complex. Examples of these are the indissolubility of marriage, the proscription on private vengeance etc. Inculpable ignorance in this matter for a prolonged

28 St. Thomas (in S. T. I-II q.94, a.2) describes the classes of precepts derived from the primary precept: “Good has the nature of an end, and evil, the nature of a contrary. Hence all things to which man has a natural inclination are naturally learnt by reason as being good, and consequently, as objects of pursuit; and their contraries as evil, as objects to be avoided. Thus, from this, according to the order of natural inclinations, is the order of the precepts of the Natural Law”.

29 The third precept of the Decalogue is part of the Natural Law inasmuch as it stipulates that external cult must be rendered to God, but not inasmuch as the day (Sabbath).

period is possible, especially for the uncivilized, and even amongst eminent moralists, there can be a discrepancy of opinions in some very intricate matters (Royo Marín, 1996, p.135). In Catholic doctrine, a transgression by inculpable ignorance of a precept of the Natural Law constitutes a sin materially, but not formally.<sup>30</sup> On the other hand, a formal violation of conscience—even in matter that is not objectively sinful—constitutes a sin.

Since the Natural Law is intrinsically linked to *Synderesis*, within man, we now must pass on to the question of liberty.

### **Man is Free but not to do Evil**

That humans possess liberty follows from the unmistakable testimony of conscience itself, the universal consent of all peoples and the very intellectual nature of man: man is free because he has intelligence. Liberty is not a potency distinct from the will. The object of the will is the good proposed by the intellect: if an absolute good—without any defect of fault—is shown to the will, it throws itself towards this good in a necessary way. However, shown a partial or incomplete good, the will can desire the object (considering its salutary aspects), or can reject it (fixing itself on the defects and imperfections). Thus, man's will is entirely free with respect to all particular and imperfect goods, though it is not free with relation to the sum of all goods (happiness in itself) or the Absolute and Universal Good (God Himself)<sup>31</sup>. However, human liberty does not imply the freedom to choose between good and evil (cf. DzH 4317)<sup>32</sup>: the choice of evil enslaves and is not

30 In this, the wisdom, equilibrium and benevolence of Catholic morality can be seen over other 'systems' like those of Luther, Calvin, and the Jansenists who affirm the contrary. Their doctrine was formally condemned by the Church - D. 1292. The Catechism expounds on the Natural Law and its relation with conscience and divine Law in CCC – no. 1950-1960. Also see CCC – no. 2036.

31 On liberty, its existence and nature, St. Thomas has an extensive and interesting treatise in: *De Veritate*, q.22 and q.24. In a more concise manner, the same is found in: S.T. I, q. 82 and q. 83.

32 The physical capacity to do evil does not signify an increase of liberty but an imperfection and a defect of liberty. Therefore Leo XIII (1888, n.7) repeats St. Thomas' explanation (*In lo*, 8,34. 1.4 n.1204) that each being acts according to its nature. When a being is moved by an impulse contrary to its nature, it does not act freely but as a slave. Now,

true liberty, but rather libertinism. How many errors are caused nowadays because of a lamentable confusion between liberty and libertinism!<sup>33</sup>

## SYNDERESIS, LIBERTY AND THE NATURAL LAW

Now, conscience points out correctly that one must choose what is good and avoid evil, and can also—if based on sound principles—attain to the last details of what should be done. However, in spite of this, one can still choose to do evil. Here one acts against one’s own reason: one abuses liberty and enslaves oneself (exacerbating one’s sensibility, weakening reason and deteriorating will power) as Christ declares in Jn 8:34. This slavery is a consequence of an act committed against the right reason (contrary to the inerrant habit of *Synderesis*)<sup>34</sup>.

Therefore, only in following the dictates of *Synderesis* and the Natural Law, humans are truly free. In violating the Natural Law, and his own nature, man enslaves himself. John Paul II (1993, n.40): “The rightful autonomy of the practical reason means that man possesses in himself his own law, received from the Creator. Nevertheless, the autonomy of reason cannot mean that reason itself creates values and moral norms”.

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man, being rational by nature, when moved by reason towards a good act, is perfectly free. On sinning, he acts against reason and is enslaved. For this purpose the Lord says “Everyone who sins is a slave of sin” (Jn 8:34). Thus, the sad capacity to do evil, not only does not increase liberty, but diminishes it considerably. A supreme example of this is God—the absolutely Free Being (Freedom itself substantially!)—who is absolutely incapable of sin. For more on this, see Vernaux (1969, pp.184-186).

- 33 For this reason, Benedict XVI (2009) brilliantly says that: “Libertinism is not liberty, but on the contrary, the death of liberty”.
- 34 Anyone who chooses to sin has to admit—or invent—a false particular principle to ‘deceive’ his conscience. On admitting a sophism, one gets enslaved by consenting to the tyranny of the passions over one’s own intelligence. This slavery continues till one realizes one’s error, abhors it, and admits that one’s principles were wrong. For this reasons, the famous Spiritual Exercises of St. Ignatius of Loyola always start with the ‘Principle and Foundation’, thus providing a clear and irrefutable base of sound principles to destroy the edifice of erroneous principles built up over time

## Liberty and Positive Laws

Accordingly, no law that opposes the Natural Law can be invented, even if sustained by a general consensus, for it would infringe on true freedom (cf. John Paul II, 1993, n. 43-44). Positive laws must harmonize with the Natural Law which *Synderesis* indicates. The order and well-being of human society, the harmony between men and the rest of the universe, and even world peace, depend largely on this, as John Paul II states (1993, n. 41): “Man’s genuine moral autonomy in no way means the rejection but rather the acceptance of the moral law, of God’s command”. Thus—he continues—human freedom and God’s law meet and are called to intersect, for “obedience to God is not, as some would believe, a heteronomy, as if the moral life were subject to the will of something all-powerful, absolute, extraneous to man and intolerant of his freedom.”

Is it not true that many modern problems—like corruption, lack of ethics etc.—would be resolved if man’s debt that owes to himself, to others and to the order of the universe is considered? If world nations took care to formulate positive laws that mirror the Natural Law<sup>35</sup> and stimulate its observance, society would perhaps attain the so ardently desired peace, the tranquility of order, according to the famed definition of St. Augustine (*De Civitate Dei*, lib.XIX, c.13): *Pax omnium rerum tranquillitas ordinis*.

## The words of Benedict XVI

Addressing the Congress on Natural Moral Law, the Holy Father Benedict XVI (2007) pronounced on the urgent necessity to reflect upon the theme of Natural Law and to rediscover its truth common to all men

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35 Some authors point out that since a person needs to apply the Natural Law to specific individual cases, the Natural Law alone is insufficient. Agreeing with this opinion or not, one must admit that in any case, positive laws cannot be frontally opposed to the Natural Law. Obviously, positive human laws are necessary to complement and facilitate the observance of the Natural Law, but from this necessity, one cannot conclude that these positive laws can be opposed to the Natural Law, for it is impossible to complement the Natural Law by opposing it! Also, no one can soundly defend the necessity to create laws that frontally oppose man’s very nature and his rational being!

The method that permits us to know ever more deeply the rational structures of matter makes us ever less capable of perceiving the source of this rationality: creative Reason. The capacity to see the laws of material being makes us incapable of seeing the ethical message contained in being, a message that tradition calls *lex naturalis*, natural moral law. This word for many today is almost incomprehensible [...] The fact that nature, being itself, is no longer a transparent moral message creates a sense of disorientation that renders the choices of daily life precarious and uncertain.

Pointing out that the Natural Law is accessible to all even today since it is written on the human heart, Benedict XVI (2007) showed how all rights and duties flow from the primary principle of the Natural Law, and concluded that “the Natural Law, together with fundamental rights, is the source from which ethical imperatives also flow, which it is only right to honor.” For this reason, he recalled that “every juridical methodology, be it on the local or international level, ultimately draws its legitimacy from its rooting in the Natural Law”, which is “the only valid bulwark against the arbitrary power or the deception of ideological manipulation”. And so,

The knowledge of this law inscribed on the heart of man increases with the progress of the moral conscience. The first duty for all, and particularly for those with public responsibility, must therefore be to promote the maturation of the moral conscience. This is the fundamental progress without which all other progress proves non-authentic.

In short, only in attending to the law written on the human heart due to the possession of *Synderesis*, can authentic progress that is based on a sound public juridical system and on peace be attained.

## CONCLUSION

At the end of this article, which has tried to establish bridges, between systematic and moral theology, philosophy and law in order to establish a solid ontological base for the teachings of the Church and for the moral

edifice it proposes, we can conclude that the exigencies of the Magisterium are in harmony with the very internal order of the rational creature and with the order of the Universe created by God. For this reason, no Supreme Pontiff or other ecclesiastical authority can, even if this would lead to greater approval by influential persons, organizations or governments establish norms contrary to the perennial teaching of the Church. Consequently, when the Church and Her pastors insist on directives regarding the Christian way of life, this amounts to defending true human freedom.

It is hoped that that this study may help theologians, as an attempt—amongst others—for a new hermeneutics starting out from human nature, while also helping those entrusted with the People of God to carry out a more authentic and fruitful evangelization by encouraging a better comprehension of the recent ‘controversial’ stances of the Church. Finally, it is hoped that this article may offer a concrete path for a new order in which laws and world relations may not be based on arbitrary and egoistic dictums, but rather on a denominator common to all men, so that they may enjoy the peace for which all strive.

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