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“WHO AM I TO JUDGE?” A REVIVAL OF THE PRIMACY OF CONSCIENCE AND THE IMPACT OF CULTURE IN THE FORMATION OF CONSCIENCE

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Abstract

One of Pope Francis' sayings that have resonated with many people is his response to the journalists on his flight back to Rome from Brazil on 29 July 2013. The Pope was asked about gay priests, homosexuals, and lesbians. His reply was "If someone is gay and he searches for the Lord and has good will, who am I to judge?" The pope has been advocating that the Catholic Church and her leaders adopt a less judgmental attitude in ministry, and particularly in moral teaching and practices. The Pope's call is not only evident but is intensified in his recent Apostolic Exhortation *Amoris Laetitia (The Joy of Love)*. I argue in this paper that the pope's response is not only an amplification of the primacy of conscience doctrine but more importantly a clarion call to return to the doctrine of the primacy of conscience. It further denotes the need and the importance of culture in the formation of conscience.

Keywords: Primacy of Conscience, Culture, Pope Francis, Decision-making, Value and Freedom

1. Introduction

Not very long after his election in 2013, Pope Francis undertook a papal visit to Brazil. During his flight back to Rome on 29 July 2013,

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he entertained questions from 21 journalists over 80 minutes. One of the questions put to him was about gay priests. His reply was “If someone is gay and he searches for the Lord and has good will, who am I to judge?”¹ This response has become one of Pope Francis’ sayings that have resonated with many people beyond the Catholic Church circle. In spite of whatever interpretations that Vatican experts might have given to the pope’s response since then, he has been advocating that the Catholic Church and her leaders adopt a less judgmental attitude in their ministries towards the people of God. He urges the pastors “to smell like their sheep.” The insistence is evident in his recent Apostolic Exhortation *Amoris Laetitia - The Joy of Love*.

But why did the Pope’s response go viral and arouse people’s interest? What are the implications of the pope’s comments? Certainly, the pope’s response and teaching have great import for the concept of conscience for the Church and beyond. In this paper, I argue that the pope’s response is not only a recovery of and a clarion call to return to the almost forgotten age-long doctrine of the primacy of conscience, but it also points to the need for and the importance of culture in the formation of conscience. To facilitate this discussion, the paper is divided into four sections as follows: 1) Introduction. 2) A brief overview of the concept of conscience. 3) Implications of the pope’s response and comments showing how it is a clarion call to return to the nearly forgotten age-long teaching and practice of the primacy of conscience, how it implies the need for culture in the formation of conscience; I assert that this all fits with the pope’s call to the pastors to smell like their sheep; or as Saint Paul would say, to commend themselves to the consciences of their flock in Christ. 4) Finally, the conclusion.

2. Brief Overview of the Concept of Conscience

The key concepts in this paper are conscience, the primacy of conscience, and culture. They merit some definitions. I will define each of them at the beginning of the appropriate section. There, they will serve as an introduction to the sections.

2.1. Definition of Conscience

The idea of conscience is found in all cultures even though most often it has religious undertones or is linked to the divine. For example, Socrates spoke of conscience as the indwelling divine

¹Rachel Donadio, “On Gay Priests, Pope Francis Asks, ‘Who Am I to Judge?’” *New York Times*, July 29, 2013, online in http://www.nytimes.com/2013/07/30/world/europe/pope-francis-gay-priests.html?_r=0. Accessed 19 November 2015.

monitor δαίμονιον (*daimonion*). The Greek word συνειδησις (*suneidesis*) is employed to depict both a person's awareness of the moral order and "the subjective response to having acted either in accord with or contrary to this order."² Some Greek scholars, in linking the concept of conscience to the divine, described it as something implanted in us by God, so that we would know when we "had acted against the divine order."³ Following this concept, the Scholastics referred to conscience as συνειδησις (*suneidesis*). The term refers to "self-consciousness in its role of making moral judgments."⁴ It is most commonly used to describe the judgment of a person who has acted wrongly. Hence, the experience of *suneidesis* is most often negative rather than positive. This understanding of *suneidesis* is not far from the concept of conscience found in the Judeo-Christian Scriptures and the Christian Catholic tradition. For instance, the Fathers of the Council of Vatican II described conscience concerning the Biblical understanding as follows,

Deep within his conscience man discovers a law which he has not laid upon himself but which he must obey. Its voice, ever calling him to love and to do what is good and to avoid evil, sounds in his heart at the right moment. For man has in his heart a law inscribed by God. His dignity lies in observing this law, and by it he will be judged (Rom. 2:15-16). His conscience is man's most secret core, and his sanctuary. There he is alone with God whose voice echoes in his depths (GS, 16).

Furthermore, the Fathers of the Council insist that through loyalty to conscience Christians are joined to other people. Also, through it, all people are joined in the search and the struggle "for truth and for the right solution to so many moral problems which arise both in the life of individuals and from social relationships" (GS, 16). The Fathers believe that the more a correct conscience prevails, the more will "persons and groups turn aside from blind choice and try to be guided by the objective standards of moral conduct" (GS, 16).

Commenting on this definition, *The Catechism of the Catholic Church* argues that "Conscience is a judgment of reason whereby the human person recognizes the moral quality of a concrete act... In all that he

²Rev. Cornelius William, and Aaron Converse, "Conscience," *New Catholic Encyclopedia* (Supplement), ed. Robert L. Fastiggi, *et al.*, Detroit, MI: Gale, 2009, 181-190.

³William and Converse, "Conscience," 181.

⁴W. Dupré, E.R. Callahan, and C. Williams, "Conscience," *New Catholic Encyclopedia* (2nd ed.) Vol. 4, ed. Robert L. Fastiggi, *et al.*, Detroit: Gale, 2003. 139-147. [Gale Virtual Reference Library.] <http://go.galegroup.com.authenticate.library.duq.edu/ps/i.do?id=GALE%7CCX3407702713&v=2.1&u=pl3834&it=r&p=GVRL&sw=w>. Accessed 19 November 2015, 139.

says and does, man is obliged to follow faithfully what he knows to be just and right" (GS, 16; CCC, 1778). We note that these documents — *Gaudium et Spes* and the *Catechism of the Catholic Church* — emphasize the importance, and the primacy of conscience as well as the obligation to follow the judgment of one's conscience in moral life and decision-making.

2.2. On the Primacy of Conscience

The importance of conscience in a person's life is evident in the statement requiring that each person be allowed to act in freedom and not to be coerced into acting against one's conscience even if one possesses an erroneous conscience. In other words, one's conscience is the final arbiter and guide in the moral decision or judgment. The *Catechism of the Catholic Church* insists that, "Man has the right to act in conscience and freedom so as personally to make moral decisions. 'He must not be forced to act contrary to his conscience. Nor must he be prevented from acting according to his conscience, especially in religious matters'" (CCC, 1782).

Therefore, the concept of the primacy of conscience is certainly an old teaching dating as far back as Thomas Aquinas and confirmed by the Fathers of the Council of Vatican II, the *Catechism of the Catholic Church*, and the *Veritatis Splendor* of Pope John Paul II. It is this need for and revival of the primacy of one's conscience in moral judgment that Pope Francis is bringing to fore in his pontificate.

3. Implications of Pope Francis' Response and Teaching

Pope Francis' response and comments have serious implications for the church and beyond. First of all, the response is a revival of the teaching and practice of the primacy of conscience and points to the need for and importance of culture in the formation of conscience.

3.1. Revival of Primacy of Conscience

One can say that the concept of conscience became problematic for the Magisterium after the release of the *Humanae Vitae: On Human Life*, the encyclical of Pope Paul VI in 1968. *Humanae Vitae* faced a lot of dissent from the faithful and pastors. It is one of the encyclicals that was poorly received. These dissents led to what has been called the "conscience clause." Here the argument goes like this; if you in good conscience cannot accept the arguments against contraception as stated in the *Humanae Vitae*, you are free to practice

contraception.⁵ It is worth noting that some of the people rejecting *Humanae Vitae* never read it or even considered the requirement with prayerful reflection. The dissent problem seems to have exacerbated in the recent past with every strong affirmation of *Humanae Vitae* and other magisterial activities. The silencing of theologians, the emphasis on and insistence that the faithful strictly adheres to the teachings and rules concerning sex, contraceptives, abortion, etc., are examples of the subtle ways people feel that the primacy of conscience has been relegated to the background. One got the impression that the magisterium and some church authorities tended to overlook or ignore the fact that couples and the faithful with educated and formed conscience can make decisions and navigate the complexities of sex, marriage, and family life, rather than relying exclusively on ecclesiastical rules. In light of this situation, Pope Francis' response and comments were strikingly different. They grabbed people's attention. Here is a pontiff who refuses to judge or one who at least is slow to pass judgment on people, slow to impose church rules from above. He believes that the magisterium, the church authorities, and the pastors "have been called to form consciences, not to replace them."⁶ Therein lies the main reason the pope's response sounded novel and caught people's attention.

So, Pope Francis, more than his recent predecessors, emphasizes this primacy of conscience and insists that it be respected. Recall his famous response to the question about the gay and lesbian cited above. The response implies that we should leave it to the conscience of those people concerned rather than to the Church authorities to impose a decision, or even pass judgment on them. The magisterium can outline the moral principles and standards, assist the faithful in forming their conscience and then leave it up to the individuals to follow their conscience. Pope Francis makes this line of thought explicit in his Apostolic Exhortation *Amoris Laetitia*. There, he even goes beyond the primacy of conscience to assert that the magisterium does not have to decide and legislate on every moral, pastoral and doctrinal issue. Rather, some should be left to the faithful to sort out by themselves and make their decisions accordingly.

⁵Cf. Janet Smith, "*Humanae Vitae* and Conscience," *Catholic Marriage Prep.com*, Online in <https://cmp.memberclicks.net/assets/documents/CMP/WS2/2-consciencscript.pdf>. Accessed 4 November 2016, 2.

⁶Francis, *Amoris Laetitia: On Love in the Family* (AL), Our Sunday Visitor, 2016, #37.

Since “time is greater than space,” I would make it clear that not all doctrinal, moral or pastoral issues need to be settled by interventions of the Magisterium. Unity of teaching and practice is certainly necessary for the Church, but this does not preclude various ways of interpreting some aspects of that teaching or drawing certain consequences from it. This will always be the case as the Spirit guides us towards the entire truth (cf. Jn 16:13), until he leads us fully into the mystery of Christ and enables us to see all things as he does (AL, 3).

Therefore, the pope firmly and consistently affirms and fosters the concept of the primacy of conscience. He urges us to practice and respect it too. We should be slow to judge, as we do not always know the real concrete situations, cultures, and struggles of those individuals.

As would be expected, the Pope also highlights the need for proper formation of conscience. The Church has always asserted the necessity for the formation of conscience. Pope Francis affirms it as essential, as expressed in *Amoris Laetitia*: “Decisions involving responsible parenthood presupposes the formation of conscience, which is ‘the most secret core and sanctuary of a person’ (AL, 222; GS, 16).

Finally, as if to drive his message home, the Pope asserts that atheists do not have to believe in God to go to heaven provided they follow their conscience. Their conscience guides them.

You ask me if the God of the Christians forgives those who don’t believe and who don’t seek the faith. I start by saying — and this is the fundamental thing — that God’s mercy has no limits if you go to him with a sincere and contrite heart. The issue for those who do not believe in God is to obey their conscience. Sin, even for those who have no faith, exists when people disobey their conscience.⁷

According to the Church’s teaching, to form our conscience, we need the following: the word of God (i.e. Scripture), the gift and guidance of the Holy Spirit, the guidance of the authoritative teaching of the Church, and prayerful reflection. The quandary is, how do the atheists form their conscience seeing that they do not subscribe to this procedure? Furthermore, if by following their conscience which was not formed in the way the Church requires, they can still make it

⁷Francis’ response at an Interview, See Cory Doctorow, “Pope Francis: Atheists Who Follow Their Consciences Will Be Welcome in Heaven,” *Boingboing.net* 7:22 am, Sat Dec 26, 2015. Online in <http://boingboing.net/2015/12/26/pope-francis-atheists-who-fo.html>. Accessed 2 November 2016; and Michael Day, “Pope Francis Assures Atheists...”

to heaven, why the tendency to deny the same primacy of conscience and salvific power of conscience to Catholic Christians? Of course, the Church holds that both believers and atheists must form their conscience, and seek the truth and the good.⁸ Following Saint Paul's letter to the Romans, the Church asserts that atheists gain salvation by following the dictates of their conscience.

When Gentiles who have not the law do by nature what the law requires, they are a law unto themselves, even though they do not have the law. They show that what the law requires is written on their hearts, while their conscience also bears witness and their conflicting thoughts accuse or perhaps excuse them (Rom 2:14-15; VS, 57).

However, what seems to be overlooked is that the concept of conscience is the recognition of the fact that every human person "is endowed with the capacity to reflect on life and their behavior" so as to do what is good and to avoid that which is evil.⁹ One is always obligated to follow one's conscience even when one's conscience is erroneous. Failure to follow one's conscience is to be untrue to oneself.

As theists and Christian, we assert that conscience as a natural faculty is given by God, and the Spirit of God works through it. But, does that mean then that wherever conscience is at work, one sees evidence of supernatural work and promptings of the Holy Spirit? Robert J. Priest, a professor of theology, thinks that is not the case. For him, it will be going too far to suggest that "wherever conscience is operative one sees evidence of the supernatural work and moving of the Holy Spirit..."¹⁰ Moreover, Priest rightly observed that the faculty of conscience is "given through God's natural created order, not supernaturally and miraculously created and called into existence each time it is operative."¹¹ Also, conscience can be erroneous, and wrong, we are fallible (Rom 4, 1 Cor 10:27-32, 1 Cor 8). The content of conscience is dependent on learned or appropriated cultural meanings, ideals, norms, and values, as we shall see later. Moreover, when secular anthropologists observe the cultural variability of conscience, they see the relativity of culture and the lack of a transcendent

⁸GS, 16; Pope John Paul II, *Veritatis splendor* (VS), *Catholic News Service*, 1993. Online in http://w2.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_06081993_veritatis-splendor.html. Accessed 4. November 2016, #62.

⁹GS, 16; Pdraig Corkery, *Bioethics and the Catholic Moral Tradition*, Dublin, IRL: Veritas Publ., 2010, 115.

¹⁰Robert J. Priest, "Missionary Elenctics: Conscience and Culture," *Missiology: An International Review* 22, 3 (1994) 294.

¹¹Priest, "Missionary Elenctics: Conscience and Culture," 294.

reference point.¹² Although seen from the perspective of deists or Christian anthropologists there is a transcendental reference point.¹³ Therefore, it has been suggested that for those whose consciences are formed without the scriptures/written Law, God convicts them according to “the actual operative standards of their conscience insofar as those standards coincide with God’s own.”¹⁴ Pope Francis urges openness and understanding because of these complexities. However, one can imagine that a properly formed Catholic conscience will hardly be in conflict with the Church and her teaching. And Catholics have an obligation to form their conscience properly. And when it does come into conflict with the church’s teaching, we should respect the person’s freedom to follow his or her conscience.

It is worth noting here that the definition of conscience with reference to God resonates with the concept of conscience in African cultures. The connection has a base in the concept of a human person wherein a person is believed to be created by God who is the author and owner of life. This belief that human beings are created by God is expressed through a sacred myth which narrates the account of the pre-existence of each human being in the spirit world. Each human person is believed to be “a ‘re-incarnation’ into the human world through the creative act of a personal spirit that embodies” an individual’s destiny.¹⁵ Human beings are born into human society or cultural community. A person is defined, therefore, in relation to the community, the self, and God through the personal creative spirit.¹⁶ In this case, conscience is believed to be “the realization of the self in relation to God and fellow human beings.”¹⁷ It is a part of the expression of the person. Likewise, culture is very closely associated with religion and religion is seen as a form of culture.¹⁸ For instance, the African cultures, are closely tied to religion, the African Traditional Religion (ATR) and morality. The problem with this assertion is that while it makes sense to those who believe in God, it doesn’t make sense to atheists. But whichever way, whether among

¹²Priest, “Missionary Elements: Conscience and Culture,” 297.

¹³Priest, “Missionary Elements: Conscience and Culture,” 298.

¹⁴Priest, “Missionary Elements: Conscience and Culture,” 299.

¹⁵Elochukwu Eugene Uzukwu, *God, Spirit, and Human Wholeness: Appropriating Faith and Culture in West African Style*, Eugene, OR: Wipf and Stock Publishers, 2012, 152.

¹⁶Peter Ikechukwu Osuji, *African Traditional Medicine: Autonomy and Informed Consent*, Vol. 3, New York: Springer, 2014, 128.

¹⁷Anozie Onyema, *The Igbo Culture and the Formation of Conscience*, Owerri, NIG.: Assumpta Press, 1999, 459.

¹⁸Clifford Geertz, *The Interpretation of Culture*, London: Basic Books, 1975.

the theists or atheists, Pope Francis' plea to recognize the primacy of conscience and the cultural import remain ever relevant.

3.2. "To Smell like the Sheep": Conscience vis-à-vis Culture

In this section we explore our belief that Pope Francis' response and his admonition to the pastors "to smell like their sheep"¹⁹ strongly indicate a connection between conscience and culture, that is, the impact and role of culture in the formation and exercise of conscience. The exhortation "to smell like their sheep" implies entering the world of their faithful, to know and experience the life (culture) of the people they minister to. Saint Paul admonishes us to commend "ourselves to every man's conscience in the sight of God" (2 Cor 4:2). So, for me a Christian Igbo man, if the 'everyman' is a Muslim Arabian, then it means I must take his standard and his cultural values seriously. According to Priest, to commend myself to her conscience will mean my cultivating the Arabian virtue and skills of interpersonal sensitivity. And so he insists that "Only by careful attention to, and observation of Muslim codes of sexual modesty" (their culture) "will non-Muslim missionaries be able to commend themselves to the conscience of Muslims."²⁰ The missionaries are required to get beneath the surface and discover the value systems and the meanings.²¹ However, I believe that the missionaries must keep checking these moral codes against the Biblical moral requirement. As Wayne T. Dye rightly exhorts "Compare your findings with your own culture and with the Bible. Become sensitive to the strengths and weaknesses of yours and theirs. Such sensitivity helps overcome blind spots and ethnocentrism."²² I believe that is part of what Pope Francis means when he urges pastors to smell like their sheep. A brief historical exploration of the definitions of culture will help to elucidate the discussion in this section.

3.2.1. Definition of Culture

Various scholars down the ages have proffered definitions of culture. These definitions tended to embody the understanding of culture in their age. The word "culture" has been said to come from the field of agriculture, from a Latin word "*colere*" which stands for

¹⁹Edward Pentin, "Pope Urges Priests to Be Shepherds Who 'Smell Like Their Sheep,'" Newsmax Independent America, Thursday, 28 Mar 2013 03:19 PM <http://www.newsmax.com/Newsfront/pope-francis-chrism-mass/2013/03/28/id/496806/>

²⁰Priest, "Missionary Elencics: Conscience and Culture," 302.

²¹Wayne T. Dye, "Toward a Cross-Cultural Definition of Sin," *Missiology: An International Review* 4, 1 (1976) 38.

²²Dye, "Toward a Cross-Cultural Definition of Sin," 38.

'to cultivate, to till, to take care of, or to tend a field, or a garden.'²³ In the Seventeenth Century Samuel Von Pufendorf used the word "*cultura*" in contradistinction to nature to define culture. For him, nature is what is innate, or everything that exists of its own, while culture stood for "everything that man of his free will and competence had created."²⁴

T.S. Elliot unlike the humanists of the Seventeenth Century sees culture as "the conscious self-cultivation of the individual, his attempts to raise himself out of the average mass to the level of the elite."²⁵ The humanists of Elliot's time used the word "culture" with reference to the ideals of refinement and enlightenment but in the realms of moral, learning, and art.²⁶ All these definitions maintain the meaning of culture as cultivating, whether it is cultivating oneself or one's environment.

However, from the Nineteenth Century German anthropologists, the meaning of culture was applied to a whole society at a stage of its history while maintaining the "emphasis on the intellectual, aesthetics, and moral dimensions of culture. At a point, culture was associated with civilization, although it was quickly dropped. Now, culture is understood to include peoples' ways of behaving as garnered from the whole range of human activities."²⁷

Rather than the narrow meaning of culture which restricted the concept of culture to specific fields of knowledge, the Twentieth Century anthropological studies broadened it. Therefore, the concept of culture has come to embrace the people's social heritage taken as a whole, a total accumulation of the ways of life of people. This way of life includes the people's knowledge, belief, customs, values, religion, arts, and symbols. It is shared ways of thinking, behaving, perceiving, and evaluating, thus, distinguishing it from

²³Sylvanus N. Onuigbo, "Cultural Heritage: Any Future for Africa... If," in *Africa: Philosophy and Public Affairs* (Proceedings of an International Conference held at Bigard Memorial Seminary, Enugu, from April 29-March 3, 1997), ed. J.O. Oguejiofor, Enugu, NIG: Delta Publ. 1998, 337 (336-347); E.E. Amaku, "Philosophy and African Cultures," *Academia: A CIP Journal of Philosophy* 1, 1 (June 2003) 71.

²⁴Elizabeth J. Wilkins, *An Introduction to Sociology*, London: Macdonald and Evans, 1976, 134; F. Eiler, *Communicating Between Cultures*, Rome: Pontificia Universita Gregoriana, 1990, 13; Anozie Onyema, *The Igbo Culture and the Formation of Conscience*, 338.

²⁵Theophilus Okere, *African Philosophy: A Historico Hermeneutical Investigation of the Conditions of its Possibility*, Lanham, MD: University Press of America, 1983, 16; Amaku, "Philosophy and African Cultures," 71-2.

²⁶Amaku, "Philosophy and African Cultures," 71.

²⁷Amaku, "Philosophy and African Cultures," 72.

the social organization.²⁸ Culture is pervasive, touching every aspect of people's lives. It creates a world that is taken for granted. It forms the unconscious assumptions of thought and action. Thus, it provides an unquestioned context within which the actions and responses of individuals occur. Culture tends towards tradition as it strains towards consistency and thus passed on from one generation to the next.²⁹ It does not change completely in its transformation. It is flexible and stable. We can say that it develops and progresses, in the sense that even though it changes certain things remain. One speaks, therefore, of cultured growth or development. It remains "the integrated sum-total of behaviour traits that have been learned and have not only been manifested and shared by the members of society but also have been passed from one generation to another in an uninterrupted succession."³⁰ Likewise, culture is static even though it grows or develops. It is dynamic and absorbs things from other cultures it comes in contact with.³¹ Culture understood as made by human, leads us to see that no culture is superior to others; no culture has a monopoly on the truth of life, and that culture is work of human limitations.

3.2.2. Role and Impact of Culture on Conscience Formation

To commend oneself to other's conscience requires, therefore, an in-depth knowledge of the culture of those people to be able to appreciate their morality and judgment of conscience.

The concept of culture partakes in the meaning of the word "cultivate." And because culture shares in this meaning of the word "cultivate" it possesses formative qualities. The project of a culture is the formation of a human person. That is why often people are defined in terms of culture. In its formative qualities, culture is understood as forming people's conscience.³² Likewise, the role and goal of culture in the formation of conscience is the formation of a human person who is capable of not only discovering deep within her a law which she has not laid upon herself, but which she must obey. Culture aims at properly formed conscience which is a key to noble living.

²⁸L. Broom, and P. Selznich, *Sociology*, New York: Harper International Edition, 1977, 55-57.

²⁹Amaku, "Philosophy and African Cultures," 72-73.

³⁰Clifford Geertz, *The Interpretation of Culture*, 9-23.

³¹Theodore Gapke-ntsri, "African Theology in Search of Identity," *West African Journal of Ecclesial Studies* 4 (1992) 9-23.

³²Onyema, *The Igbo Culture and the Formation of Conscience*, 93.

Human beings are born incomplete and in an unfinished condition.³³ It is for the family, society, culture, to form and educate us on what we ought to do or ought not to do. In this way, we are assisted in the development and formation of our conscience. Albeit in some subtle manner, culture forms conscience through its values, norms, principles, laws, codes, and traditions.³⁴ Also, conscience is formed through formal and informal education, because through these forms of education important and cherished values are transmitted. In the traditional African culture, for example, education was carried out through observation, explanation, imitation, and storytelling. An explanation was rarely given, except in response to questions. African elders desisted from giving unsolicited explanations because if one can hear, feel, see, smell, and taste, one cannot help but learn.³⁵ "Through religious etiology, norms, codes, regulations, and principles are absolutized and made into commands which should be obeyed."³⁶ The assimilation and the acceptance of those absolutes and commands form conscience unevenly. The inner personal quality or exposure accounts for the variations within the same cultural group. A healthy balance in the borrowed aspect of other cultures, "the integration, assimilation, and modification suggest a continual process in the formation of conscience."³⁷

Because cultural values, norms, and ideals which form conscience are variable, conscience is variable, and judgment of conscience is variable. For example, certain actions are considered sinful by some African cultures which are not so considered in some Euro-American cultures. Shared culture is predictive of shared conscience and not shared societal membership.³⁸ So, members of a given cultural group are likely to share a content of conscience. An Igbo will very likely feel ashamed of what other Igbo feel ashamed of. People of other cultures are likely to condemn others morally for behaviour about which the other has no conscience. Therefore, the pope cautions, "who am I to judge?" However, we should guard against moral relativism.

³³Priest, "Missionary Elenctics: Conscience and Culture," 295.

³⁴Onyema, *The Igbo Culture and the Formation of Conscience*, 368.

³⁵Willem Saayman, "'Who Owns the Schools Will Own Africa': Christian Mission, Education and Culture in Africa," *Journal for the Study of Religion* 4, 2 (1991) 32.

³⁶Onyema, *The Igbo Culture and the Formation of Conscience*, 368.

³⁷Onyema, *The Igbo Culture and the Formation of Conscience*, 368-369.

³⁸Priest, "Missionary Elenctics: Conscience and Culture," 296.

3.2.3. Primacy of Conscience and Communal Cultures

It is worth observing here that the African communal cultures understand the concept of conscience as the ultimate authority in moral decision-making a bit different from the Western cultures and in some respect, the Catholic Church. It is a distinction that has led Bujo to assert that individual conscience "as ultimate authority (in the Western sense) does not exist" in Africa communal cultures.³⁹ Central to this distinction is their concept of freedom. The Western thought "sees the essence of freedom in each individual's highly personal self-determination. This idea is central to the understanding of conscience in Western cultures and in Roman Catholic morality that is based on natural law.⁴⁰ But in African communal cultures, freedom is seen in the context of community. Here it can be understood as being "free from" or "free for" or "free with." However, it is less seen as being free from but more as "being free for" and "being free with." The last two, freedom for and freedom with, give an additional dimension to freedom because "it implies sharing life with all."⁴¹ The underlying belief is that freedom is both for me and for everybody in the community. I am free as long as everyone is free. The "community as a whole can only have true freedom only if it frees me as an individual."⁴² This concept hinges on the African axiom, "I am because we are and because we are I am."⁴³ The individual should not exercise self-determination without considering the community members. The community, in turn, is obligated to grant the individuals the space necessary for the unfolding of their personal existence. Therefore, the individual is not being stifled by the community.

This understanding of freedom is central to the concept of conscience. For the Western cultures, individual conscience is very much regarded as the ultimate decision-making authority that one must respect unconditionally. It is very much the final authority. The African cultures, however, consider the individual conscience very much in the context of community or more appropriately, in relation to Palaver. Palaver is originally a Portuguese word meaning speech,

³⁹Bénézet Bujo, *Foundations of an African Ethic: Beyond the Universal Claims of Western Morality*, Transl. Brian McNeil, Nairobi: Pauline Publ. 2003, 161; Bénézet Bujo, "Differentiations in African Ethics," in *The Blackwell Companion to Religious Ethics*, ed. William Schweiker, Malden, MA: Blackwell Pub., 2005, 433.

⁴⁰Bujo, "Differentiations in African Ethics," 331-32.

⁴¹Bujo, "Differentiations in African Ethics," 433.

⁴²Bujo, "Differentiations in African Ethics," 433.

⁴³John S. Mbiti, *African Religions and Philosophy*, 2nd Sub edition, London: Heinemann, 1992, 106.

word, or discussion. It has been domesticated in African where it has assumed a cultural institution. It is a way or process of healing the malaise, restoring broken and strained relations, reinstating and maintaining healthy and harmonious relationships, as well as settling cases in the family, community, clan, etc. We can identify three types or levels of Palaver: 1. The therapeutic Palaver— mediated by the traditional medicine doctor or healer, 2. The family Palaver — mediated by the elders or sages, and 3. Supra-family or administrative palaver facilitated by chiefs and or members of the council of elders. Bénézet Bujo describes Palaver as the place and authority where the community re-examines the words hidden in each person's heart. These are tried and sifted ancestors' words and deeds or the norms they set. They constitute the individual conscience.⁴⁴ Continuing, Bujo argues that the community's regular evaluation becomes the norm, "normalizing individual conscience." Thus, making the communal conscience rather than the individual conscience "the highest court of appeal for moral decision," and "measures and determines the individual conscience."⁴⁵ Given this, Bujo concludes that individual conscience "as ultimate authority (in the Western sense) does not exist" in African cultures.⁴⁶

Bujo's claim is true in the sense that conscience is understood in the context of a community. And where conscience makes individual decisions, it always has communitarian aspects, and should "never lose sight of the good of the community."⁴⁷ However, it is not a puppet of the community. For instance, some individuals are critical of values and practices inherited by the community and re-evaluate them. Through such self-assertion by which individuals can examine the community, its values, and practices critically, positive changes in communal goals, values, etc. result. Thus, it makes the development of communal culture and human culture a product of the human community or its members. The culture of the community is shaped through the agency of the person in the community, the visionary individuals.⁴⁸

⁴⁴Bujo, "Differentiations in African Ethics," 433.

⁴⁵Bujo, "Differentiations in African Ethics," 433.

⁴⁶Bujo, *Foundations of an African Ethic*, 161.

⁴⁷Bujo, *Foundations of an African Ethic*, 161.

⁴⁸Kwame Gyekye, "Person and Community in African Thought," in *The African Philosophy Reader* (2nd Edition), ed. Pieter Hendrik Coetzee, and Abraham Pieter Jacob Roux, 297-312. New York/London: Routledge, 2003, 306; Kwame Gyekye, *Tradition and Modernity: Philosophical Reflections on the African experience*, Oxford University Press, 1997, 56.

4. Conclusion

We have argued that Pope Francis' response "who am I to judge?" and his exhortation to the pastors to "smell like their sheep," are not only a recovery of and a clarion call to return to the almost forgotten age-long doctrine of the primacy of conscience but also point to the need for and the importance of culture in the formation of conscience. He affirms the primacy of conscience and asserts that the Magisterium does not have to decide and legislate on every moral, pastoral, and doctrinal issue. Rather, it should concern itself with educating and helping the faithful form their conscience. And when the faithful have formed their conscience as is required of them, their freedom to follow the judgment of their conscience even when it is at odd with a particular teaching of the Church should be respected. The same respect is accorded to atheists. The teachings of Saint Paul and Pope Francis confirm that.

We also argued that the invitation to pastors "to smell like their sheep" strongly indicates the impact and role of culture in the formation and exercise of conscience. It implies, in the words of Saint Paul, commending themselves to every person's conscience in the sight of God — getting beneath the surface and discovering their value systems and the meanings. Finally, we saw the nuance in the concept of the primacy of conscience in a communal culture exemplified by the African cultures. Here conscience is understood in the context of the community and not in an individual self-determination that does not consider others or the community. However, in spite of the differences and nuances in the understanding of conscience, and whether it concerns Catholics, or non-Catholics, or even non-Christians and atheists, Popes Francis' call and exhortations remain valid and relevant.