

Article



Redeeming Conscience

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Abstract

Since the final report of the extraordinary synod of 2014 made no mention of conscience, this note proposes a notion of a socially oriented and accountable conscience as opposed to the contemporary understanding of the term "conscience" among US Catholics, that is, as dissenting from the law. Turning to the European use of "conscience" that arises from the social remorse of their own conduct in World War II, the note proposes that when the United States finally repents over its racist history, we citizens might begin to see that conscience requires us to enter into solidarity with others and to be vigilant of the threats to our own humanity.

Keywords

conscience, racism, sensus fidelium, slavery, solidarity, vigilance

What do I expect from the forthcoming Synod? That it will restore conscience to its rightful place in the teaching of the Church in line with *Gaudium et Spes*. Will this solve every problem? Of course not. How one's conscience arrives at a responsible decision is far from simple. What is a well-formed conscience?

Johan Bonny, Bishop of Antwerp¹

 Johan Bonny, "Synod on the Family: Expectations of a Diocesan Bishop" 1–22, at 6, http://kerknet.be/admin/files/assets/subsites/4/documenten/SYNOD_ON_FAMILY_ENG. pdf. See also Tom Heneghan, "Belgian Bishop Urges Real Dialogue at Synod," *Tablet*, September 10, 2014, http://www.thetablet.co.uk/news/1131/0/belgian-bishop-urges-real-dialogue-at-synod. All URLs cited herein were accessed October 31, 2014. In preparation for the recent bishops' synod, Antwerp's Bishop Johan Bonny authored a 22-page set of expectations. Among the expectations, his comment quoted above on the restoration of conscience was first. It followed previously published comments he made regarding how the episcopal collegial experience of the Second Vatican Council became compromised when bishops were forced to choose between that collegiality and papal expectations for episcopal compliance with the teaching on *Humanae vitae*.² For Bonny, conscience and collegiality go hand in hand.³

Bonny's remarks brought to mind Pope Francis's famous comment, "Who am I to judge?," when he considered a young gay man's search for the Lord.⁴ Despite the way the issue was covered in the news media, Francis's words symbolized more than a change in thinking about gay people. I heard his words as suggesting that he would be a respecter of consciences. Since he uttered those words, I began to think, are we entering into a new phase of the Catholic Church where we are going to respect the laity and, what is more, their consciences?

Sadly, when the synod ended, no mention of conscience appeared. None. In the 62 paragraphs of the Synod's *Relatio*, the word never appears, nor any hint of reference to it.⁵ Still, though the pope himself made no direct reference during the synod to conscience, two observations are worthy of comment. First, Stephen Okey noted that the closing remarks of Pope Francis were entirely in the key of the Ignatian examen of conscience. The examen is, as always, in five parts; the "temptations" are at the heart of it, and hope for tomorrow, the future synod, marks the conclusion.⁶

Second, in those closing remarks, Francis referred to the sensus fidei:

It is the beauty and the strength of the *sensus fidei*, of that supernatural sense of the faith which is bestowed by the Holy Spirit so that, together, we can all enter into the heart of the Gospel and learn to follow Jesus in our life. And this should never be seen as a source of confusion and discord.⁷

- Bonny tells the story of Bishop Charue being confronted by Pope Paul VI over the Belgian bishops' reply to the encyclical; see Leo Declerck, "La réaction du cardinal Suenens et de l'épiscopat belge à l'encyclique *Humanae Vitae*," *Ephemerides theologicae Lovanienses* 84 (2008) 1–68.
- 3. The two go hand in hand for Archbishop Emeritus John R. Quinn as well. See his insightful essay on collegiality, "Vatican II: Collegiality and Structures of Communion," Paul Crowley, ed., From Vatican II to Pope Francis: Charting a Catholic Future (Maryknoll: Orbis, 2014) 57–66; and his important work on synods, Ever Ancient, Ever New: Structures of Communion in the Church (New York: Paulist, 2013).
- See http://w2.vatican.va/content/francesco/en/speeches/2013/july/documents/papa-francesco 20130728 gmg-conferenza-stampa.html.
- "Relatio Synodi" della III Assemblea generale straordinaria del Sinodo dei Vescovi: "Le sfide pastorali sulla famiglia nel contesto dell'evangelizzazione," October 18, 2014, http:// press.vatican.va/content/salastampa/it/bollettino/pubblico/2014/10/18/0770/03044.htm.
- 6. Stephen Okey, "The Temptations of Pope Francis," *Daily Theology* (October 21, 2014), http://dailytheology.org/2014/10/21/the-temptations-of-pope-francis.
- Pope Francis, "Speech at the End of the Synod," Vatican Radio, October 18, 2014, http://en.radiovaticana.va/news/2014/10/18/pope_francis_speech_at_the_conclusion_of_the_synod/1108944.

These two gestures suggest to me that conscience was not far from the mind of Pope Francis.

Conscience and Sensus Fidelium

Conscience is what makes for the credibility of *sensus fidelium*. *Sensus fidelium* is not some poll-taking of what Catholics believe, but rather is what they hold in conscience. *Sensus fidelium* is about the laity's beliefs as a faith lived in conscience.⁸

Four reasons help explain why we so rarely hear theologians referring to *sensus fidelium* as the laity's beliefs about matters of faith and morals that stem from their consciences.

First, until very recently, neither conscience nor *sensus fidelium* has been given much hearing in Catholic circles. We know of the recent report of the International Theological Commission on that topic.⁹ But there has been so little attention given to either topic—*sensus fidelium* or conscience—that French theological ethicist Paul Valadier has lamented their decline in our contemporary church. In one work Valadier offers a eulogy for conscience, and in another he asks whether *sensus fidelium* has fallen into desuetude.¹⁰

Second, many theologians who write about *sensus fidelium* are systematic theologians, who tend to think that the *sensus* is solely about matters of faith and therefore do not think of these as matters of conscience. But in preparing for this synod, most of the issues were about morals, and when moral theologians turn to matters of *sensus*, they see it as judgments arrived at only by deep, prayerful, conscientious struggle. Like the young gay man searching for God's will, the laity's struggle to arrive at their positions on homosexuality, divorce and remarriage, cohabitation, and a host of other matters did not come overnight. Families struggled to see what their stance should be on gay children or siblings, on marriages that broke up, on others trying to enter into long-standing loving commitment to one another.

So Indian Catholic ethicist Shaji George Kochuthara, in the editorial of the June 2014 issue of *Asian Horizons* (dedicated in anticipation to the synod), writes concerning the relevance of the instinct of faith that "all the faithful share" and that

gives them the responsibility and right to get actively involved in the discernment of the will of God. Besides, it reminds each [of the] faithful of the responsibility and right to make conscientious discernment and decision. The process undertaken by the Synod is in that way

^{8.} I refer to laity throughout as the whole people of God.

International Theological Commission, "Sensus Fidei in the Life of the Church," 2014, http://www.vatican.va/roman_curia/congregations/cfaith/cti_documents/rc_cti_ 20140610 sensus-fidei en.html.

Paul Valadier, "Has the Concept of Sensus Fidelium Fallen into Desuetude?," in Catholic Theological Ethics in the World Church: The Plenary Papers from the First Cross-Cultural Conference on Catholic Theological Ethics, ed. James F. Keenan (New York: Continuum, 2007) 187–92; see also Valadier, Eloge de la conscience (Paris: Seuil, 1994).

an affirmation of the dignity and role of the conscience, in the day-to-day life of the faithful, in the life of the Church and its teaching.¹¹

Third, many members of the hierarchy have not shown explicit interest in the laity's consciences. This lack of interest prompted Valadier's laments. Witness, for instance, the American hierarchy's decision not to send to the American laity the synod's preparatory consultation of the laity questionnaire that other episcopal conferences sent out.¹²

Finally, we rarely exhort one another to conscience, so it is no small wonder that we know little about the *sensus fidelium*.

At the July 2010 international conference of Catholic ethicists at Trento, Giuseppe Angelini made the connection between conscience and *sensus fidelium* most clearly. He wanted to distinguish between the laity's simple assumption of a common cultural position and the more deeply held experiences of faith that the laity hold in a conscience striving to be formed. Angelini was concerned with whether it is possible to locate the true *sensus fidelium* in a highly manipulated culture. He writes about the faithful: "Do the conditions exist in which it is possible to ascertain the *sensus fidelium*? Or do their attitudes display an insidious (and unquestioned) dependence of the Christian conscience on the commonplaces of secular culture?" He adds, "Every minister of the church, who is called in virtue of his ministry to encounter the conscience of individuals, has innumerable opportunities to observe the gap between the language which the individual speaks and his true attitudes, or his *conscience*." 14

Angelini assiduously locates the true *sensus fidelium* precisely in the conscience:

The idea of the *sensus fidelium* refers to the conscience of the faithful, and more precisely to the testimony which this conscience bears to the Christian truth. We certainly cannot assume that this attestation immediately takes on a verbal form, articulated in a series of propositions; rather, it is realized by means of ways of *sentire*. ¹⁵

In this Note I wish to take up what Angelini himself later develops, that is, what we mean by conscience and how we access it. ¹⁶ I proceed in four additional sections. First, I consider the different ways conscience functions on the two sides of the north Atlantic. Then I suggest how the use of conscience in the United States might be

^{11.} Shaji George Kochuthara, "Synod on the Family: Pastoral Challenges to the Family in the Context of Evangelization," *Asian Horizons* 8 (2014) 195–99, at 197.

^{12.} A fine article dealing with the findings and *sensus fidelium* is Julie Clague's "Pastors and People: The Synod on the Family and the Non-Reception of Church Teaching," ibid. 201–26.

^{13.} Giuseppe Angelini, "The Sensus Fidelium and Moral Discernment," Catholic Theological Ethics in the World Church 202–9, at 204.

^{14.} Ibid. 204-5.

^{15.} Ibid. 206. "Sentire" means to feel in the depths of one's being.

Besides Angelini and Valadier, see Nathanaël Yaovi Soédé, "The Sensus Fidelium and Moral Discernment: The Principle of Inculturation," Catholic Theological Ethics in the World Church 193–201.

redeemed through remorse and solidarity. Third, I turn to the literature of contemporary theologians on a more vigorous notion of a socially informed and collectively engaged conscience. I conclude with notes on recent publications that suggest ways to form more socially robust consciences.

The Use of Conscience in Contemporary Life

Two years ago, I reflected in these Moral Notes on the fact that after World War II, European theologians, appalled by the widespread participation of Catholics in unimaginably heinous conduct during the war, developed a robust promotion of the call of conscience for all Catholics. This summons, sent to all the seminaries and churches of Europe by theologians like Dom Odon Lottin and Bernard Häring, would bear fruit in the celebrated paragraph 16 of *Gaudium et spes*. Lottin and Häring developed a theology of conscience because they believed that Catholicism had created an obediential, minimalist passivity in the laity that left them unprepared for the Nazis and allied Fascists.¹⁷

From the end of the war to Vatican II, most American moral theologians scoffed at the Europeans' promotion of Catholic conscience. True, John Courtney Murray raised up conscience in his defense of religious freedom, but most of his fellow moral theologians liked the law-and-order regime that triumphed in the war. In fact, American clergy and notably moral theologians developed an even stronger "look to Rome for the answers" mentality that left an even more docile and complacent laity and clergy after the war than before it. John Ford and Gerald Kelly were among them; they routinely dismissed the claims of Odon Lottin, Bernard Häring, Louis Janssens, and Josef Fuchs and their appeals to conscience.

The council, however, endorsed the views of Lottin and Häring. John O'Malley reflects on the "kind of words present at the Vatican II Council. Words untypical of the vocabulary of councils." After discussing words about collegiality, humility, and change, O'Malley turns to the "interiority words." "Most impressive among interiority words is conscience. 'Deep within their consciences individuals discover a law that they do not make for themselves but that they are bound to obey, whose voice, ever summoning them to love and to do what is evil, rings in their hearts." "18

An example of this affirmation of conscience came in 1966, when the papal commission came to their conclusions about regulating births. The majority affirmed:

In resolving the . . . problem of responsible parenthood and the appropriate determination of the size of the family, Vatican Council II has shown the way. The objective criteria are the various values and needs duly and harmoniously evaluated. These objective criteria are to be

^{17.} James F. Keenan, S.J., "Vatican II and Theological Ethics," *Theological Studies* 74 (2013) 162–90

^{18.} John O'Malley, *What Happened at Vatican II* (Cambridge, MA: Harvard University, 2008) 50.

applied by the couples, acting from a rightly formed conscience and according to their concrete situation.¹⁹

John Ford, also on the commission, could not agree and became one of the primary forces in convincing Pope Paul VI that he could not change the teaching of *Casti connubii* (1930) and therefore had to reject the "Majority Report."²⁰

When the encyclical *Humanae vitae* appeared in 1968, the episcopal conferences received it differently: the French, German, Belgian, Canadian, Scandinavian, and Dutch bishops authored a variety of responses that encouraged the laity to follow their consciences as they received the encyclical; the United States' conference stood univocally in strong solidarity with the encyclical itself, with hardly a word on conscience.²¹

Many Americans think that because they exercise free choice in their decision making, they are great promoters of conscience.²² I find this claim a bit naïve. Appeals to conscience emerged in the United States both during the Vietnam War and in the shadows of *Humanae vitae*. These were two moments when conscience as an act materialized: in the personal appeals by young men drafted into an undeclared war and in the claims of married couples exasperated by a church leadership unable to meet their needs for change.

These moments of conscience were not begun as they were in Europe with the collective social acknowledgement of profound human wretchedness. Europeans searched conscience as a way of struggling with their vicious history in the war: they went to judge not others, but themselves. When the Americans turned to conscience, they were pleading against the very law-and-order mentality that Catholic culture so supported. The European experience of culture was collective guilt and shame; the American turn to conscience was precisely a legitimate appeal for individuals to opt out of what the law was requiring of them.

Over the past 50 years, the phenomenology of conscience has played out differently on the two sides of the Atlantic. Unfortunately the American use of conscience never really settled into, or emerged from, the place it did in Europe, that is, as the source of responsible moral agency. European moralists turned to the notion of

^{19. &}quot;The Majority Report on 'Responsible Parenthood," in Robert McClory, Turning Point: The Inside Story of the Papal Birth Control Commission, and How Humanae Vitae Changed the Life of Patty Crowley and the Future of the Church (New York: Crossroad, 1995) 171–87.

Eric Genilo, John Cuthbert Ford: Moral Theologian at the End of the Manualist Era (Washington: Georgetown University, 2007) 63–65.

^{21.} John Horgan, *Humanae Vitae and the Bishops: The Encyclical and the Statements of the National Hierarchies* (Dublin: Irish University, 1972).

^{22. &}quot;American individualism leads us to a 'conscience first' notion that the beliefs that really count are those freely held, not coerced in any way" (Thomas Landy, "The Reception of the Council in the West," in *Revisiting Vatican II: 50 Years of Renewal*, ed. Shaji George Kochuthara [Bangalore Vidya Kshetram: Dharmaram, 2014] 180–87, at 184).

Christian conscience to awaken in postwar Europe a sense that moral agency needed to be collectively accountable, and the locus of that competency was the Christian conscience. This turning to conscience was not a matter of giving Christians freedom to exercise prerogatives, even compelling ones against law; rather, it was to place before Christians the mindfulness that ultimately they would be a people judged and hopefully redeemed by God.²³

When we consider our own bishops' protest against the Affordable Care Act (2010), we find them doing what Americans normally do when they turn to conscience: they invoked a conscience clause, the American option for opting out.²⁴ This is a classic American stance.²⁵

The US Catholic Church has not promoted a collective conscience that finally, as happened in Europe, acknowledges the depth of the horrific lack of human moral agency. While Europe judged itself time and again, America never has, despite its own sinful history of enslaving millions of people. While Europe *collectively* faced itself in conscience, Americans *individually* invoked conscience to confront authorities.

The American Conscience and Racism

I am not citing slavery and oppressive racism as but one sin among many. I believe that one reason why conscience is so pathetically ineffective in this country is that it was so utterly damaged by our history of slavery and our national willfulness to accommodate oppressive racism that, until we own up to that history, our collective conscience remains dormant at best. Of course, the complacency of the collective American conscience is rooted in the manifest destiny of the United States that moved Native Americans toward extinction, a move that made the turn to slavery easier. But that turn to slavery so corrupted the collective Christian conscience that it was left without its capacity for courageous vigilance, hospitable solidarity, and honest sense of remorse. With diminished capacity the Christian conscience has accommodated a racism that now engenders a paralysis as we face critical immigration issues.

^{23.} Elizabeth Agnew Cochran too notes the fundamental significance of finding oneself as profoundly limited as the beginning of a conscience infused by faith. "Luther emphasizes the conscience's recognition of our failure to do good apart from Christ as crucial to the exercise of faith. . . . In order to achieve a true recognition of our moral limitations, the conscience must receive from God a proper understanding of humanity's moral limitations and of the grace and forgiveness God offers in Jesus Christ" ("Faith, Love, and Stoic Assent: Reconsidering Virtue in the Reformed Tradition," *Journal of Moral Theology* 3 [2014] 199–227, at 212).

See David DeCossse, "Bishops Conscience Model Makes Light of Practical Reason," *National Catholic Reporter*, January 23, 2012, http://ncronline.org/news/politics/bishops-conscience-model-makes-light-practical-reason.

^{25.} Kristin Heyer and Bryan Massingale give a perceptive read on the role of conscience in the implicit debate between the US bishops and the Catholic Health Association and NETWORK on their differing positions on the Affordable Care Act, in "Gaudium et Spes and the Call to Justice: The U.S. Experience," From Vatican II to Pope Francis 81–100.

In Enfleshing Freedom: Body, Race, and Being, Shawn Copeland reflects on embodiment and race to consider the truly awful stories of black women in the time of slavery and its enduring aftermath. Turning to the lives of the long dead—Copeland suggests meditating on Toni Morrison's Beloved—can liberate us from a house, the United States, "haunted by the ghosts of slavery." Knowing that the "political memory of the nation suppresses our deep entanglement in slavery," and that the attempt to totally erase any reminder of slavery is doomed to failure, Copeland raises "the aching memory of slavery" and "interrogates memory and history for the sake of freedom." In the midst of stories of torture, sexual assault, and lynching, she notes that therein "black women began the healing of their flesh and their subjectivity in the there and then, in the midst of enslavement." Calling us to "compassionate practices of solidarity," Copeland takes us to the Eucharist, to the abiding presence of the risen Jesus through the lives of these women who were/are enfleshed in freedom.²⁶

Without that solidarity, our consciences remain blind, weak, and self-centered. At a recent conference, "Conscience in Catholicism: Rights, Responsibilities, and Institutional Policies," hosted by David DeCosse and Kristin Heyer at Santa Clara University, Bryan Massingale reflected on conscience in the light of the recent incidents in Ferguson, Missouri.²⁷ He turns to Bernard Lonergan's question regarding bias and the difficulty of coming to terms with it. Lonergan: "How is a mind to become conscious of its own bias when that bias springs from a communal flight from understanding and is supported by the whole texture of a civilization?" Massingale asks:

Or, in plainer words, how can we become aware of radical evil when our society conspires to make us unaware? What can free us from culturally induced blindness? If conscience is responsible to the truth, and the culture of racism blinds those who belong to the socially advantaged and privileged groups to a full awareness of moral wrongs/harms, what needs to happen for conscience to overcome such an ethical handicap?

He replies, "I suggest that a way forward lies in the cultivation of authentic inter-racial solidarity (which requires negotiating socially conflictual relationships) and transformative love (a.k.a., compassion)."29

In a powerful meditation on the killing of Michael Brown in the Ferguson incident, Alex Mikulich makes vivid the call to solidarity that Massingale and Copeland

M. Shawn Copeland, Enfleshing Freedom: Body, Race, and Being (Minneapolis: Fortress, 2010) 2–4.

^{27.} Bryan N. Massingale, "Conscience Formation and the Challenge of Unconscious Racism/ Racial Bias," Conscience in Catholicism: Rights, Responsibilities, and Institutional Policies, a conference held at Santa Clara University, September 10–12, 2014, http:// www.scu.edu/r/ethics-center/ethicsblog/atthecenter/20522/Conscience-in-Catholicism-Conference. The papers will be edited by Kristin Heyer and David DeCosse and published by Orbis.

^{28.} Bernard Lonergan, Insight (London: Darton, Longman, & Todd, 1983) xv.

^{29.} Massingale, "Conscience Formation."

invoke.³⁰ Asking, "When Will We Hear the Cries for Justice for People of All Colors?," Mikulich raises up for us to see that "the wound that is racism in America has bled for over 250 years of slavery, 90 years of Jim Crow segregation and lynching, over 65 years of separate but equal and racist housing policy, and over 30 years of disproportionate arrests, sentencing, prosecution and incarceration of people of color." Reminding us that "a clear mark of Christian solidarity is the practice of hearing the cry of the poor and making their cries for dignity, love, justice and freedom our own," Mikulich asks whether we hear the mothers of Michael Brown, of Trayvon Martin, and of Emmett Till?

These calls for solidarity are not simply general summons. At Trento, Massingale asked how could Catholic ethics attend to the moral challenges of our time "if we fail to attend to the voices of the dark bodies that hover over and haunt our histories despite our embarrassed silence and studied neglect"?³¹ Last year he reiterated that challenge in these Moral Notes:

In view of the increasingly diverse racial demography of the Catholic Church, both nationally and globally, and the fact that every major social justice challenge is entangled with and/or exacerbated by the reality of racial subordination, a moral theology that is blind to the reality of racism or deaf to its victims is not only inadequate to human experience, it also risks being an accomplice in social evil.³²

Copeland, lamenting the lack of attention that theologians have given to racism, notes that few Catholics have heard of black theology and that "not surprisingly, 11 a.m. remains the most segregated hour in Christian America." That needed solidarity is visibly missing when we worship.

The summons from Copeland, Massingale, Mikulich, and others³⁴ is a call that needs to be heard in our consciences, the source of our collective moral agency. We need an

^{30.} Alex Mikulich, "When Will We Hear the Cries for Justice for People of All Colors?," *National Catholic Reporter*, September 6, 2014, http://ncronline.org/news/peace-justice/when-will-we-hear-cries-justice-people-all-colors.

^{31.} Bryan N. Massingale, "The Systematic Erasure of the Black/Dark-Skinned Body in Catholic Ethics," in *Catholic Theological Ethics, Past, Present, and Future: The Trento Conference*, ed. James F. Keenan (Maryknoll, NY: Orbis, 2011) 116–23, at 122.

^{32.} Bryan N. Massingale, "Has the Silence Been Broken? Catholic Theological Ethics and Racial Justice," *Theological Studies* 75 (2014) 133–55, at 155; see also his, *Racial Justice and the Catholic Church* (Maryknoll, NY: Orbis, 2010).

^{33.} M. Shawn Copeland, "Revisiting Racism: Black Theology and a Legacy of Oppression," *America* 211.1 (July 7–14, 2014) 21–24, at 24.

^{34.} Alex Mikulich, Laurie Cassidy, and Margaret Pfeil, *The Scandal of White Complicity in U.S. Hyper-Incarceration: A Nonviolent Spirituality of White Resistance* (New York: Palgrave-Macmillan, 2013); Laurie Cassidy and Alex Mikulich, *Interrupting White Privilege: Catholic Theologians Break the Silence* (Maryknoll: Orbis, 2012). See also Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: New, 2012); Jon Nilson, *Hearing Past the Pain: Why White Catholic Theologians Need Black Theology* (New York: Paulist, 2007).

examination of conscience to awaken us from our complacency and to an awareness of a collective accountability. We need to start to do it individually, but we need to share these conversion experiences so as to make the process of conversion more collective.

Maureen O'Connell proffered an examination of conscience after the killing of Trayvon Martin. Noting that the "clear white conscience is the biggest impediment to racial injustice," she sees that an examination of conscience could inevitably lead us to an examination of our culture. There in the examen we can "stand in others' shoes and perceive ourselves as they do. This perspective might be the first step in being able to name the privileges our skin color awards us and denies to others. We can also begin to apply the principle of solidarity—a gem of Catholic social teaching that reminds us we are all responsible for all—to the cultural reality of racism." 35

As if in a follow-up to her examination of conscience, O'Connell turns to virtue ethics for the right conscience formation of the Christian community and asks whether virtue ethics can deal with the issue of white supremacy: "Can virtue ethics, with its orientation to the good, effectively illuminate a culture of white supremacy by also illuminating that individual whites are not good given our deep complicity in the habitus of whiteness?"³⁶

Toward the ongoing formation of the Christian community that wants to fight its own white supremacy, O'Connell offers the "cardinal virtues of anti-racist racists": vigilance ("an epistemological virtue that resists the voluntary ignorance of whiteness about our own racial identities as whites"); counter-framing (the dispositions and practices "to dissent from or disrupt practices of white supremacy in frontstages and backstages of white life, particularly when whiteness is performed by people in kinship, friendship, and professional networks"); and sitting-with-it (which is "akin to wading into the water of one's personal history of white supremacy and the water of the pain that it continues to cause in order to experience the blessings of God's troubling presence there"). ³⁷ O'Connell's contributions here give us a foundation for hope in redeeming the Christian conscience.

Conscience in Contemporary Catholic Theological Ethics

While the public exercise of conscience in America still looks fundamentally like individuals opting out, theologians have been developing a theology of conscience that is

^{35.} Maureen O'Connell, "Catholics and Racism: From Examination of Conscience to Examination of Culture," *National Catholic Reporter*, March 30, 2012, http://ncronline.org/news/peace-justice/catholics-and-racism-examination-conscience-examination-culture. Universities could do their own examination of conscience on matters of race—see Craig Steven Wilder, *Ebony & Ivy: Race, Slavery, and the Troubled History of America's Universities* (New York: Bloomsbury, 2013).

^{36.} Maureen O'Connell, "After White Supremacy? The Viability of Virtue Ethics for Racial Justice," *Journal of Moral Theology* 3 (2014) 83–104, at 96.

O'Connell 100–104. See M. Shawn Copeland, "'Wading through Many Sorrows': Towards
a Theology of Suffering in Womanist Perspective," in *A Troubling in My Soul: Womanist Perspectives on Evil and Suffering*, ed. Emilie M. Townes (Maryknoll, NY: Orbis, 1993)
109–29.

responsive to social needs and that echoes the call for solidarity.³⁸ An early example is Robert Smith's *Conscience and Catholicism*. In his comments on Bernard Häring's "the reciprocity of consciences," he is particularly instructive. Smith first notes that "The derivation of the Latin word for conscience means 'to know together." He adds, that though Häring sees conscience at the very center and core of the person, "it is neither private nor individualistic. Rather it is at the 'place' and the 'means' whereby persons come to know themselves 'in confrontation with God and with fellowmen." Turning to the "reciprocity of consciences," we see that

it guards against relativism and egotism by establishing a mutuality that acts as a self-regulating and relationally self-correcting dynamic as individuals-in-community strive to form their consciences. Such mutuality and relationality lead to healthy communities and societies which, in turn, promote the formation and development of healthy consciences.⁴⁰

Finally, in a turn to Paul in 1 Corinthians on the question of meat sacrificed to idols, Smith illustrates how such mutuality and communality functions.

In his 2000 Moral Note, the late Bill Spohn wrote on the social dimension of conscience: "Conscience relies on the moral quality of the groups to which we belong. We gain our moral bearings from the communities we are born into and deliberately choose, beginning with the family and extending to peers, other adults, religious and professional communities." ⁴¹

Reflecting on how prayer informs conscience, Paul Waddell reminds us that

the Eucharist shapes in us a conscience that is inspired by and conforms to the vision and values of the reign of God. That is why, for example, a Christian conscience is marked by a keen awareness of the solidarity that exists among all persons and consequently the obligations in justice that we have for other human beings and creatures.⁴²

Reflecting on the primacy of conscience at Vatican II David DeCosse quotes from *Dignitatis humanae*: "In all his activity a man is bound to follow his conscience in

^{38.} For a very cultural appreciation of solidarity, see Michael Demetrius Asis's insightful essay on "redemption as emancipatory solidarity," "Suffering, Salvation, and the Filipino: Francis Schüssler Fiorenza's Theology of Divine Emancipatory Solidarity in the Context of Poverty and Marginalization," *Budhi* 17.3 (2013) 20–50.

Robert Smith, Conscience and Catholicism: The Nature and Function of Conscience in Contemporary Roman Catholic Moral Theology (Lanham: University Press of America, 1998) 83.

^{40.} Ibid. 84.

^{41.} William Spohn, "Conscience and Moral Development," in *Conscience: Readings in Moral Theology Number 14*, ed. Charles E. Curran (New York: Paulist, 2004) 130–50, at 133.

^{42.} Paul Waddell, "Christology and the Moral Life," *Journal of Moral Theology* 2 (2013) 1–23, at 19–20.

order that he may come to God, the end and purpose of life."⁴³ DeCosse adds that by upholding the primacy of conscience, the council "was rearticulating a moral tradition" especially associated with Thomas Aquinas⁴⁴ and Cardinal John Henry Newman.⁴⁵ That tradition manifested in *Gaudium et spes* and *Dignitatis humanae* was criticized by theologian Joseph Ratzinger but affirmed by Pope Francis. Furthermore, DeCosse suggests that by appreciating the differences between Bonaventure and Aquinas we might recognize the differences in emphases between the popes. Still, DeCosse sees in Pope Francis a respecter of conscience who turns not to "a program of desirable moral action" but rather to conscience that mediates the teachings from the past with the expectations of our God who calls us to be responsive to the future.

Among others at the Santa Clara conference, hosted by DeCosse and Heyer, contributions other than Massingale's and Archbishop John Quinn's were also memorable. Among them, four explored how conscience functions in contemporary societies: Eugine Rodriques Sahana discussed her opposition to the anticonversion laws in India; Daniel Finn replied with a clear no to the question, "Can an organization have a conscience?"; Emilce Cuda gave a fascinating presentation on the same-sex marriage debate in Argentina between Cardinal Jorge Bergoglio and President Cristina Kirchner; and, Agbonkhianmeghe Orobator discussed the experiences of "ministers of care" who are at the front of HIV/AIDS work in Eastern Africa and who are trying to determine how to proceed in the light of conflicting messages regarding use of condoms. Linda Hogan asks another set of questions about the limits of conscience, about the problems of absolutizing the right of conscience, and about whether, when one invokes conscience, one upholds or erodes the integrity of the polity. 46

^{43.} David DeCosse, "The Primacy of Conscience, Vatican II, and Pope Francis: The Opportunity to Renew Tradition," *From Vatican II to Pope Francis: Creating a Catholic Future*, ed. Paul Crowley, S.J. (Maryknoll, NY: Orbis) 156–69, at 158–59.

^{44.} DeCosse astutely quotes Aquinas: "When erring reason proposes something as being commanded by God, then to scorn the dictate of reason is to scorn the commandment of God" (Thomas Aquinas, *Summa theologiae* 1–2, q. 15, a. 5, ad 2, http://www.ccel.org/ccel/aquinas/summa/FS/FS019.html#FSQ19OUTP1).

^{45.} Archbishop John Quinn also delivered an insightful paper at the Santa Clara Conference, "Conscience, Church Teaching, and the Personal Struggles of Cardinal Newman" (see above, n. 27). See also Thomas Albert Howard's account about a contemporary of Newman in "A Question of Conscience: The Excommunication of Ignaz von Döllinger," *Commonweal* 141.16 (October 10, 2014) 14–20.

^{46.} Eugine Rodriques Sahana, "Conscience, the Locus of Our Being, and Anti-Conversion Laws in India"; Daniel K. Finn, "Can an Organization Have a Conscience? Contributions from Social Sciences to Catholic Social Thought"; Emilce Cuda, "Catholicism, Conscience Building, and Democratic Contexts"; Agbonkhianmeghe E. Orobator, "To Pardon What Conscience Dreads: Navigating the Contours of Precepts and the Contexts of Life"; Linda Hogan, "Marriage Equality, Conscience, and the Catholic Tradition," Conscience in Catholicism (see n. 27 above).

From Spain, Julio Martínez and José Manuel Caamaño identify conscience with our humanity: "without conscience we would not be human." Conscience, they argue, is the universal vocation for all human beings. ⁴⁷ From Italy, Cataldo Zuccaro develops a more ambitious project for conscience, in particular on the formation of conscience. He insists that the first lesson is to realize that our conscience is indigent. In our conscience we experience our poverty and discover that God has placed in the depths of our being our radical need for God. From that need we discover in turn our dependency on others, for human persons are by nature relational. Echoing Häring's "mutuality of consciences," Zuccaro writes that the Christian conscience, in order to be objective and to avoid any arbitrariness, must be necessarily "intersubjective," that is, the conscience must always encounter the other and cannot rest in its own solitude. For this reason conscience formation is necessarily dialogical, enters into solidarity, and cannot accept intolerance or indifference. ⁴⁸

From the Democratic Republic of Congo, Bienvenu Mayemba adopts Roger Haight's fivefold dimension of contemporary consciousness that can inform conscience formation: a radical historical consciousness, a critical social and political awareness, a pluralist consciousness, a cosmic consciousness, and an epistemologically self-reflective consciousness that humbly considers oneself as not the center of everything.⁴⁹ Though Mayemba does not develop this, I believe that his suggestion could prompt a fairly robust, postcolonial understanding of conscience formation.

Finally, in her new book, *Conscience and Calling*, Anne Patrick shares with us a trajectory of her writings on conscience.⁵⁰ She describes her earlier work, *Liberating Conscience*, as "a social theory of conscience that takes account of the paradox that although conscience is an individual religious experience, one's personal sense of obligation is reached and held in the presence of a community of accountability."⁵¹ Like Hogan, she argues against absolutizing the autonomy of conscience and any attempts to essentialize conscience and provides a virtuous formation of conscience through an egalitarian-feminist paradigm. She writes, "I define conscience as personal moral awareness, experienced in the course of anticipating future situations and making moral decisions, as well as the process of reflecting on one's past decisions and the

^{47.} Julio Martínez and José Manuel Caamaño, Moral fundamental: Bases teológicas del discernimento ético (Maliaño: Sal Terrae, 2014) 422.

^{48.} Cataldo Zuccaro, Teologia morale fondamentale (Brescia: Queriniana, 2013).

^{49.} Bienvenu Mayemba, "The Promise of a New Generation of African Theologians: Reimagining African Theology with Fidelity and Creativity," ed. Agbonkhianmeghe E. Orobator, S.J., *Theological Reimagination: Conversations on Church, Religion, and Society in Africa* (Nairobi: Paulines, 2014) 153–68. The dimensions of consciousness are found throughout Roger Haight, S.J., *Jesus Symbol of God* (Maryknoll: Orbis Books, 2000).

^{50.} Anne E. Patrick, Conscience and Calling: Ethical Reflections on Catholic Women's Church Vocations (New York: Bloomsbury, 2014).

^{51.} Ibid. 17. Her earlier work is *Liberating Conscience: Feminist Explorations in Catholic Moral Theology* (New York: Continuum, 1996).

quality of one's character."⁵² Anne Patrick, in *Women, Conscience, and the Creative Process*, suggests that we think of it as the "creative responsible self" in order to avoid reifying and depersonalizing conscience.⁵³

In Conscience and Calling, Patrick weaves together a variety of writings on the witness of women who struggle to give voice to a more just social order in the world and the church. Rather than presenting women opting out, she highlights women championing the faith lived out in just action, mindful of their solidarity with one another. She concludes with a lovely reflection on the vocation of women in the church, seeking true equality in the church and the world.

Patrick's tributes are not unlike two other works. In Catherine Wolff's *Not Less Than Everything: Catholic Writers on Heroes of Conscience from Joan of Arc to Oscar Romero*, we find a compelling collection of stories by journalists, scholars, poets, and novelists portraying their heroes. Alice McDermott's "What About the Poor?" is a tribute to Horace McKenna and would resonate deeply with anyone who knew him. She writes:

Of his own death, Father McKenna said, "When God lets me into heaven, I think I'll ask to go off in a corner somewhere for half an hour and sit down and cry because the strain is off, the work is done, and I haven't been unfaithful or disloyal, all these needs that I have known are in the hands of Providence and I don't have to worry any longer who's at the door, whose breadbox is empty, whose baby is sick, whose house is shaken and discouraged, and whose children can't read."⁵⁴

One can viscerally feel the weight of McKenna's socially responsive, redeeming conscience.

In *Living True: Lesbian Women Share Stories of Faith*, one encounters what stories by gay and lesbian Catholic writers often underline: that their struggles in coming to terms with their sexual orientation and with their decision to leave the so-called "closet" is a struggle of conscience.⁵⁵ More so is their struggle to maintain affiliation with the church in which they were baptized, an issue repeatedly raised at the last synod. In this collection several stories convey the fundamental convictions that drive the conscientious decisions to not opt out, but to stand firm. Sheila Nelson's "Catholic to the Core: On Refusing to Leave Home" is one gripping, loving testimony; Jo Soske's "Lesbian Catholic" is another.⁵⁶

^{52.} Patrick, Conscience and Calling 18.

Anne E. Patrick, Women, Conscience, and the Creative Process: 2009 Madaleva Lecture in Spirituality (New York: Paulist, 2011) 53.

Alice McDermott, "What About the Poor?," in Not Less than Everything: Catholic Writers on Heroes of Conscience from Joan of Arc to Oscar Romero, ed. Catherine Wolff (New York: HarperOne, 2013) 239–48, at 247–48.

^{55.} Sheila Nelson, "Catholic to the Core: On Refusing to Leave Home," in *Living True: Lesbian Women Share Stories of Faith*, ed. Margaret O'Gorman and Anne Peper Perkins (St. Louis: PenUltimate, 2014) 141–50.

^{56.} Jo Soske, "Lesbian Catholic," in ibid. 45-58.

Toward the Formation of a Socially Responsive, Vigilant Conscience

As we saw with O'Connell, virtues are the resources ethicists turn to when they talk about conscience formation, and in the past few years, works in virtue ethics have been remarkable. Let me mention a few of those that address the question of conscience formation.

First, Cathleen Kaveny, Catholic theological ethicist and law professor, has penned her first book, *Law's Virtues: Fostering Autonomy and Solidarity in American Society.* ⁵⁷ Kaveny recognizes the pedagogical function of law in shaping human agency and focuses on two supportive virtues, autonomy and solidarity. She understands autonomy as a positive freedom, a freedom *for*, and though she aligns herself with legal philosopher Joseph Raz, she would find considerable affinity with Bernard Häring and Antonio Autiero and their notions of human freedom. This allows her to pair autonomy well with solidarity, which "takes seriously the fact that enabling people on the margins of society to become 'part-authors' of their lives requires a firm and steady social commitment." ⁵⁸

Throughout my essay, the virtue of solidarity arises as the guarantor of a socially formed, vigilant, and responsive conscience. Two younger authors highlight its relevance in very different ways. Nichole Flores asks, "What kind of family practices empower marginalized persons and foster solidarity within and beyond the family?" and she proposes the Latina/o practice of extended families that strengthen their relatedness within larger communities.⁵⁹

Meghan Clark provides a compelling synthesis of the virtue of solidarity with the praxis of human rights so as to further the compelling argument of Catholic social thought. By studying the anthropological foundations and the philosophical development of both, she argues that just action and Catholic social thought are integral to any healthy model for human development in a globalized world. Clark concludes her work by developing solidaristic platforms for human rights projects.⁶⁰

From Italy, Maria Cruciani provides a well-developed treatment of fidelity in the formative context of marital love. She sees the virtue of marital fidelity as the perfection of the passion of marital love and provides a synthesis of a variety of contemporary authors.⁶¹

Two contributions look less at conscience formation and more at what constitutes a moral assessment. Christina Astorga's new book weds the traditions of moral theology

^{57.} Cathleen Kaveny, *Law's Virtues: Fostering Autonomy and Solidarity in American Society* (Washington: Georgetown University, 2012).

^{58.} Ibid. 7.

^{59.} Nichole M. Flores, "Latina/o Families: Solidarity and the Common Good," *Journal of the Society of Christian* Ethics 33 (2013) 57–72, at 69.

^{60.} Meghan J. Clark, *The Vision of Catholic Social Thought: The Virtue of Solidarity and the Praxis of Human Rights* (Minneapolis: Fortress, 2014).

^{61.} Maria Cruciani, Teologia dell'affettività coniugale (Assisi: Cittadella, 2013).

and social ethics; it closes with a wonderful chapter on Ignatian discernment and ethics, providing a broader and deeper grasp of conscience that is akin to the original work by Anne Patrick.⁶² Analogously, John Makransky compares the epistemologies of Buddhism and Liberation Theology in order to highlight what each offers the other: the result is an awareness of a more inclusive and engaged solidarity.⁶³

Two new journals have deeply enriched the quality of dialogue among Catholic theological ethicists. First, David Matzko McCarthy's shepherding of the *Journal of Moral Theology* is marked by insight, generosity, and balance. In January 2014, the issue was dedicated to virtue, and along with O'Connell and Cochran's essays, I want to acknowledge three other essays: Lisa Fullam's on liberative humility in Theresa of Avila,⁶⁴ Patrick M. Clark's argument for an exemplarist approach to virtue ethics,⁶⁵ and David Cloutier and William Mattison III's tribute to Martin Rhonheimer and Jean Porter's significant works in the field.⁶⁶ Second, Shaji George Kochuthara has made *Asian Horizons* the journal from Catholic Asia that reflects global contributions to theological inquiry. Therein, for instance, James O'Sullivan has written about how the formative role of virtue is being engaged progressively by those teaching on Catholic social justice and the common good.⁶⁷

Kochuthara is one of the most remarkable theologians of our time. This year he hosted two significant conferences; first, one on the 50th anniversary of the Second Vatican Council;⁶⁸ then he hosted a national seminar on "Gender Justice in the Church and Society." This riveting study presents proposals by Indian Catholic ethicists that provide concrete formative programs in various sectors of India today. For instance, Matthew Illathuparampil and John Karuvelil each examine whether Indian seminaries today promote gender justice;⁶⁹ George Kodithottam, Julie George, and Donna Fernandes each study the influence of law on matters of dowry, domestic violence, and

Christina Astorga, Catholic Moral Theology and Social Ethics: A New Method (Maryknoll, NY: Orbis, 2014).

John Makransky, "A Buddhist Critique of, and Learning from, Christian Liberation Theology," *Theological Studies* 75 (2014) 635–57.

Lisa Fullam, "Teresa of Avila's Liberative Humility," Journal of Moral Theology 3.1 (January 2014) 175–98.

^{65.} Patrick M. Clark, "The Case for an Exemplarist Approach to Virtue in Catholic Moral Theology," ibid. 54–82.

David Cloutier and William C. Mattison III, "The Resurgence of Virtue in Recent Moral Theology," ibid. 228–59.

James P. O'Sullivan, "Virtue and Catholic Social Teaching: A New Generation in an Ongoing Dialogue toward Greater Realization of Social Justice and the Common Good," *Asian Horizons* 6 (2012) 824–45.

^{68.} The papers are published in Revisiting Vatican II.

Matthew Illathuparampil, "Gender Sensitive Seminary Formation," in *Gender Justice in the Church and in Society*, ed. Shaji George Kochuthara (Bangalore: Dharmaram, 2014) 100–103; John Karuvelil, "Does Moral Theological Formation in the Indian Seminaries Promote Gender Justice?," in ibid. 111–14.

rape;⁷⁰ Prem Xalxo critiques the media's influence;⁷¹ and, while Kochuthresia Puliappillil looks at formative influences on women in general, Vimala Chenginimattam looks at the status of women religious in shaping those rolls.⁷²

Finally, Shaji George Kochuthara makes a remarkable contribution on the dowry as a social-structural sin—in *Feminist Catholic Theological Ethics*, edited by Linda Hogan and Agbonkhianmeghe E. Orobator.⁷³ This truly cross-cultural volume is astonishing.

Several essays give us local models of feminist leadership, models that are quite effective: Anna Perkins from Jamaica recounts the work of two Caribbean religious women, Diane Jagdeo, O.P., and Theresa Lowe Ching, R.S.M., whose images of dragons, caves, and escaping the underworld are critical to a local woman's spirituality of healing, hope, and solidarity; Teresa Forcades I Vila authors a powerful piece on Saint Gertrude of Helfta as confessor; Gerard Mannion looks at the work of Margaret Farley as a leader in shaping moral teaching; and Stefanie Knauss studies the cinematic screen to consider projected figures of women like Sister Aloysius in *Doubt*. These are all redeemed women of conscience.⁷⁴

Other writers wrestle with women's relations with power. Shawnee Daniels Sykes presents a great study of girls and women who bully, looking at the cycle of oppressor—internalized oppression; Agnes M. Brazal looks at the play between power and beauty in postcolonial leadership; Mee-Yin Mary Yuen describes the experiences of women under globalization and argues for greater leadership in their daily struggles; and I look at the relentless campaign of Margaret Gallant who wrote and called incessantly to stop the abuse of her seven nephews by a priest in Boston. In her honor I propose the Gallant Rule that all men should embrace: "No meeting of social responsibility should ever be held that does not have the participation of women in it. If women are not present, men should ensure that women participate, even if the one making the complaint has to abdicate his space to accommodate women." Along with another 14

^{70.} George Kodithottam, "The New Rape Law," in ibid. 81–85; Julie George, "Domestic Violence and Patriarchal Bargains," in ibid. 92–94; and Donna Fernandes, "Investigating Kitchen Accidents," in ibid. 95–99.

^{71.} Prem Xalxo, "Pursuit of Gender Justice and Equality in Mass Media Today," in ibid., 115–19.

^{72.} Kochuthresia Puliappillil, "Feminine Virtues and the Ethical Necessity of Attitudinal Changes," in ibid. 137–40; Vimala Chenginimattam, "Status and Role of Women Religious towards a Gender Just Church," in ibid. 60–63.

^{73.} Shaji George Kochuthara, "Dowry as a Social-Structural Sin," in *Feminist Catholic Theological Ethics*, ed. Linda Hogan and A. E. Orobator (Maryknoll, NY: Orbis, 2014) 108–22.

^{74.} Anna Perkins, "Of (Befriending) Dragons and Escaping the Underworld: Two Voices in Caribbean Catholic Feminist Ethics," in ibid. 165–77; Teresa Forcades I Vila, "Saint Gertrude of Helfta and the Forgiving of Sins," in ibid. 93–204; Gerard Mannion, "Magisterium, Margaret Farley, and the Ecclesial Role of Feminist Moral Theology: Discerning the *Ecclesia Discens* Today," in ibid. 77–192; and Stefanie Knauss, "Cinematic Visions of Female Leadership: Between Authority and Doubt," in ibid. 205–18.

Shawnee M. Daniels Sykes, "A Feminist Ethical Perspective on Women/Girls as Oppressors: The Cycle of Oppressor–Internalized Oppression," in ibid. 269–79; Agnes M.

essays of the same depth and quality, this is a collection of uncommon solidarity of feminist ethics today.

Conclusion

I had originally intended to develop this Note based on the groundbreaking works by two of my closest friends and colleagues. But the synod and its lack of attention to conscience prompted me to develop this essay instead. Nonetheless, reference to them seems to be a fitting way to conclude this essay, for they show what communities of faith in a globalized world can learn about their faith and the conscientious call to solidarity. These works, Kenneth Himes's *Christianity and the Political Order: Conflict, Cooptation, and Cooperation*⁷⁶ and Lisa Sowle Cahill's *Global Justice, Christology, and Christian Ethics*⁷⁷ both look at global justice and how matters of gospel faith and Christian theology are already embedded in ethical-politico practices. They develop these claims and demonstrate how theology can sustain and in turn be developed by such just living.

There is one other lesson with which to close. It is one I heard more than once from one of my mentors, Klaus Demmer, who died this spring. Demmer would occasionally talk about where to start with episcopal teaching. When asked whether bishops should take public stances on moral issues, he argued that bishops should attend to their primary charge: to remind all Christians that they each have a conscience to be followed. If bishops spent their moral energy on this, then maybe the people of God would get somewhere. But he felt that bishops neglected this charge. Still the question would arise: If bishops did preach, teach, and admonish all their communities to follow their consciences, could they still take moral stances and urge Christians to follow this or that course of action? Demmer would remind bishops that their second task was to instruct Christians that, realizing they had to follow their consciences, they now needed to form their consciences. Because conscience formation was not only about knowledge but also about living, Christians had to form their consciences by becoming better people, more competent to living and doing the truth. Demmer would remind them, however, that this second task was a life-long one, and getting started on the right road was a long process. "It takes time to gain a foothold in truthfulness," he once wrote. 78 But then Demmer would be asked, If bishops did teach us to follow and form

Brazal, "Power-Beauty Feminism and Post-Colonial Leadership," in ibid. 72–84; Mee-Yin Mary Yuen, "Promoting Women's Dignity in the Church and Society in Hong Kong," in ibid. 123–36.

^{76.} Kenneth R. Himes, *Christianity and the Political Order: Conflict, Cooptation, and Cooperation* (Maryknoll, NY: Orbis, 2013).

^{77.} Lisa Sowle Cahill, *Global Justice, Christology, and Christian Ethics* (New York: Cambridge University, 2013).

^{78.} Klaus Demmer, M.S.C., *Living the Truth: A Theory of Action*, trans. Brian McNeil, foreword James F. Keenan (Washington: Georgetown University, 2010) 143.

our consciences, could bishops then take moral stances? Exasperated, he would say (in my words), "I think if bishops did their two primary tasks, they would not have much time for that, but that would be fine."

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