

Revelation, Law, and Individual Conscience

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Introduction

The first phase of our Shi'ah Muslim-Mennonite Christian Dialogue took place in October 2002 in Toronto. The focus was on "The Challenge of Modernity" for our two respective religious minority groups. (See the Fall 2003 issue of *CGR* for a selection of papers.) We discovered some remarkable affinities between us even though we come from historically divided religious traditions. These affinities are sharpened perhaps by the fact that Shi'ah Muslims might be portrayed as the radical wing of the Islamic tradition and Mennonites as the radical wing of the Christian tradition. What the two have in common are strong moral-ethical convictions. For Mennonites, to be Christian means a radical form of discipleship, following quite literally the life, teachings, and example of Jesus, including the way of nonviolent love, justice, peace, and reconciliation. There appears, on the surface at least, to be another common element between us: a strong, uncompromising critique of the western liberal tradition. The Old Order Amish, Old Order Mennonite, and Hutterites are but three examples. Old Order Amish and Old Order Mennonites are the most obvious instances of religious orders that distinguish themselves visibly from larger western society in dress, in the rejection of electricity in some cases, and in the renunciation of other forms of modern western technology. Historically, the Anabaptist-Mennonite heritage has been characterized, perhaps most of all, by its conservative communalism.

In this second dialogue, held in Qom, Iran in February 2004, we looked at the concepts of revelation and authority in our two traditions. In the essay below, I examine Christian (Catholic, Protestant, Anabaptist) views of revelation, law, and individual conscience, and compare them with Shi'ite Muslim notions. In the course of this study I find surprising commonalities between Anabaptist and Thomistic thought that might serve as a point of departure for Mennonite and Shi'ite Muslim dialogue.¹

Mennonites have their origin in the Protestant Reformation of sixteenth-century Europe, closely connected with the peasant revolts occurring

particularly in southern Germany, Bavaria, and northern Italy. Sociologically speaking, whereas Roman Catholics tended to side with the old aristocratic and imperial forces, Lutherans with the more progressive princes, and Calvinists with the rising middle classes, Radicals such as the Anabaptists identified with the peasants and small artisans. With the defeat of the peasant cause for territorial social, economic, and religious reform, including greater participation in local politics, a new understanding of church and religious community gradually evolved. This new community, sometimes referred to as the “free church” (non-territorial), was defined no longer by automatic inclusion through infant baptism but by voluntary membership based on individual conscience and free choice, signified outwardly by adult baptism. Although entrance into the community was based on such free, non-coerced adult decision, once the choice had been made, a strong communal ethic set in. Hutterites, or the Moravian Anabaptists, were the most consistent Anabaptists in this regard, practising a form of “Christian Communism” biblically based on Acts 2, where the earliest Christians are described as having “everything in common.”²

What may be most interesting in this regard is the role of individual conscience in the early Anabaptist communities and in subsequent Mennonite history. Insiders and outsiders of the Mennonite community frequently argue that modern western notions of freedom of conscience and religion, pluralism, and toleration have their origins in the so-called “left wing of the Reformation.” If these concepts did not originate with the sixteenth-century radicals, at least the radicals gave them a strong historical impetus. To the extent that they did so, it might be argued—despite the anti-modern appearance of the Old Orders—that the Anabaptists and other Reformation radicals not only anticipated but helped to bring about modern western understandings of freedom of conscience, freedom of religion, pluralism, tolerance and, consequently, western views of individual rights, equality, and justice. However, this is an oversimplification of Anabaptist-Mennonite history, even though I have made similar observations in some of my own writings (as a matter of self-criticism, not applause).

A positive view of the modernizing role of our tradition is held by David W. Shenk, a participant in our dialogue. He has made a case for the Anabaptist contribution to personal freedom, the development of later western European

religious freedom and pluralistic culture, and finally modern democracy and its so-called commitment to human rights and freedoms.³ The influential Mennonite scholar and churchman, Harold S. Bender, made the same claim: “There can be no question but that the great principles of freedom of conscience, separation of church and state, and voluntarism in religion . . . ultimately are derived from the Anabaptists of the Reformation period, who for the first time clearly enunciated them and challenged the Christian world to follow them in practice.”⁴

Muhammad Legenhausen, another of our dialogue partners, makes a similar historical connection: “Most liberals agree that liberalism is to be traced to the aftermath of the Reformation. Freedom of conscience in religious matters came first, and was then extended to other areas of opinion. So, tolerance of different opinions about religion lies at the very foundations of political liberalism, and religious pluralism may be viewed as a very late arrival which seeks to provide a theological basis for this tolerance.”⁵ Social philosophers Max Weber and Ernst Troeltsch made similar links between the Medieval and Reformation “sects” and the emergence of the modern world.

However, as I have argued elsewhere, “The more disillusioned one becomes with modernity . . . the more one is driven to re-examine critically this strange and alleged alliance between the Anabaptist-Mennonite tradition and the modern world. Ironically, the very principles which pushed sixteenth-century Anabaptism to the periphery of late medieval heteronomous society today have become common stock and put us at the centre.” To what extent, then, should the Radical Reformation and the Free Church tradition be seen not as a fundamental critique of the Enlightenment but as both a product and an ally of the modern western spirit?⁶

My purpose here is to begin engaging Muslim friends in a critical dialogue about the role of reason, law, revelation, and the individual conscience. Despite the shortcomings of my communal past in this regard, some elements in the Anabaptist-Mennonite heritage combine both the strengths and weaknesses of the so-called western “liberal” tradition.⁷ My thesis is that conscience, when severed from a concept of law, becomes incomprehensible and not credible.

An Islamic Perspective

For both the Shi'ite Muslim and Mennonite Christian traditions, conscience, law, and revelation have an indispensable role in religious belief and action. There are some striking similarities but also differences. Muhammad Legenhausen, in his *Contemporary Topics of Islamic Thought*, has helpfully summarized the Islamic view of law and ethics.⁸ With the emergence of modern Muslim nation states, he says, law (*shari'ah*) was increasingly restricted. Contemporary Muslims have reacted in several ways. Some argue for a revival of Muslim law, but reinterpreted to meet the challenges of modern life (modernists); others desire the application of traditional Islamic law to all aspects of the modern nation state (conservatives); and still others, opponents of the revival of Islamic law, believe “that beyond the realm of the rituals of worship, Islamic law is outmoded, an anachronism which has outlived its usefulness, an obstacle to ‘progress and development’” (Legenhausen, 106). Those in the latter group “emphasize the personal, inward dimensions of Islam, and hold that the only proper function of the *shari'ah* in modern society is the delineation of ritual law [not international law, commercial law, penal codes, or family law]” (106—107). The understanding of Islamic law and its role within the modern nation state (both the scope and content of *shari'ah*) is the most contested issue in today's Muslim societies, says the author:

Emerging from this controversy there is a new function being performed by the *shari'ah*, for perhaps more than ever before, one's concept of oneself as a Muslim and what one takes it to mean to be a Muslim are intertwined with one's understanding and attitude toward Islamic law. In Islam, the position of man and his responsibilities to God and other men are determined by the law rather than by theology per se. (107)

Legenhausen argues against both those advocating a Western style of political liberalism for Muslim societies and those wanting to restrict traditional practice to personal devotion, but argues in favor of a comprehensive system of law based on Islamic texts. However, conflicts and differences can neither be ignored nor resolved by coercion, but rather require research, analysis, and argumentation: “The law of God can no more be legislated than the laws of physics” (110). A salient feature of traditional Islamic interpretation of texts is the various levels of meaning ascribed to those texts.

What Legenhausen regards as absurd is a phenomenon that might be termed “Islamic Protestantism.” Christian Protestants of the sixteenth-century Reformation, he says, protested against a medieval Catholic sacramental system wherein priests had to administer the sacraments through which divine grace was acquired. Protestants like Luther emphasized that man was saved by faith alone and that grace was received directly from God through the Holy Spirit. In Islam, however, there are no priests; the authority of the ulama is derived from knowledge of the law, not from ordination to perform the sacraments. Grace is received by “submitting entirely to Allah in faith and works, which are repeatedly mentioned together in the Qur’an” (112). Thus, the grounds for the Protestant protest against the medieval church do not exist in Islam. “Islam has a nomic [law-based] rather than a sacramental orientation.”

In fact, Legenhausen contends, there is a direct link between Protestantism and the rise of modern secularism. Theoretically, the emphasis on faith as opposed to works (law), meant that religion became increasingly personal and private, leaving the public realm non-religious. Practically, the proliferation of Protestant sects, resulting in religious wars, led to a break-up of the unified power of religion, as represented by the traditional Church, and to a humanist, liberal, and secular reaction to such religiously-motivated warfare. Neither of these developments applies to Islam. In Islam faith does not contrast with works, but goes “beyond the requirements of the law with attendant supererogatory deeds, which are also defined by the law”; and wars among Muslims have been typically fought because of differences over who has responsibility for administering the law (113).

However, the differences between the Islamic and Protestant views of the relation of faith to works, grace to law, may have been over-estimated by Legenhausen. Radical Protestants like the Anabaptists and Mennonites wanted to hold faith and works together in a way Luther did not. Nevertheless, there is truth in what Legenhausen says, and it has to do with how grace (and freedom) function in relation to the law within Christianity, as we shall see below when considering Balthasar Hubmaier.

What is most relevant here is how Legenhausen sees the relation of reason, revelation, law, and conscience. In Islam “reason” does not stand in

tension with “revealed law.” The law as revealed through God’s prophets provides guidance to reason: “The acceptance and submission to divine guidance in the form of a sacred law in no way diminishes the need for the exercise of reason. Islam should not be seen as a simple solution to all life’s problems, but as an orientation toward those problems, an orientation which requires the attempt to live in accordance with the will of Allah, and which itself raises its own practical and intellectual problems” (115). How to understand and implement divine law still requires reason—not the instrumental reason of the Enlightenment “but a divinely enlightened faculty which by its very nature conforms to the commands of Allah” (116). Like reason, individual conscience and personal freedom have their legitimate place. However, “where the divine allows for freedom of thought and action, the freedom allowed is not the freedom of autonomy, an independence where the self dominates, but rather it is an oriented freedom, a freedom to find one’s own way toward the divine light. This freedom operates within the liberating constraints of the shari’ah” (116).

In Islamic thought a moral conscience is like an “inner prophet” that seems to be formally present in all human beings though it may be neglected or misinterpreted due to the influence of deviant social mores. Legenhausen claims that “we cannot find a single instance of a community throughout human history that did not distinguish in some way between what its members considered to be virtue and vice, good and bad, right and wrong” (125). These socially-determined morals and values that shape an individual’s conscience do not, however, necessarily coincide with the demands of revealed law. What ancient civilizations had going for them, in contrast to modern secular societies, was mainly the belief that “the right thing to do in a given set of circumstances was determined by the natural end of man and the law determined by reason” (126). This made them open to the absolute demands of religion and ideal ethics. What religion does is to take natural social mores (i.e., constituents of the natural moral conscience) and, through successive stages of moral instruction and enlightenment, confirm and reform them. On the surface at least, it appears that the Islamic view of reason, law, revelation, and conscience has a lot in common with Thomistic thought, to which we will now turn.

Law as the Basis of Conscience

In his *Summa Theologica*, Thomas Aquinas (1225-1274) defines law (*lex*, derived from *ligare*, to bind) as “a rule and measure of acts, whereby man is induced to act or is restrained from acting” (Q. 90, A.1, 993).⁹ The rule, measure, and first principle of all human action is reason. Speculative reason considers first principles in themselves, and practical reason directs them to action. The first principle and object of practical reason is happiness, the last end of human life; and happiness of the individual is possible only in relation to universal happiness or the common good (Q. 90, A.2, 994). The making of law, as ordered to the common good, “belongs either to the whole people or to a public personage who has care of the whole people” (Q. 90, A. 3, 995). Most important for our discussion is Aquinas’s exposition of the four different kinds of law, their sequence, and hierarchy of priority. Although Aquinas makes reason the rule and measure of law, it is not metaphysical reason in the modern Enlightenment sense but rationality grounded in the eternal *Logos*, namely divine intellect. Law (*lex*, or *nomos*) and *logos* are inextricably related.

Eternal Law

It is by divine reason that the whole universe is governed, and this government has the nature of law (Q. 91, A.1, 996). Unlike other forms of government that are directed toward some external end, “the end of the Divine government is God Himself, and His law is not distinct from Himself. Wherefore the eternal law is not ordained to another end”(Q. 91, A.1, 996). The eternal law is “nothing else than the type of Divine Wisdom, as directing all actions and movements”(Q. 93, A. 1, 1003). Each finite thing is directed toward a particular end according to an appropriate ideal type, thus reflecting plurality and distinction. But law directs things and acts to a common good, which ultimately is the eternal law of God. This eternal law is imprinted on us and can be known by us, not in its essence but in its effects: “Now all men know the truth to a certain extent, at least as to the common principles of the natural law; and as to the others, they partake of the knowledge of truth, some more, some less; and in this respect are more or less cognizant of the eternal law” (Q. 93, A.2, 1004).

However, just as no one can know the eternal law in its essence, so no one can know the “whole order of things.” Nothing in human affairs evades subjection to eternal law. Things are subject to it either through knowledge or

by an “inward motive principle.” All rational creatures have some knowledge of eternal law and have a natural inclination toward it, because “*we are naturally adapted to be the recipients of virtue*” (Q. 93, A. 6, 1007). There is no person in whom “the prudence of the flesh dominates so far as to destroy the whole good of his nature; and consequently there remains in man the inclination to act in accordance with the eternal law” (Q. 93, A. 6, 1007—08). This view is remarkably similar to that of Hubmaier, as we shall see. Eternal law, we might say, is grounded in the Being of God.

Natural Law

Law exists as a rule and a measure in two ways: in the one who rules and measures, and in the one ruled and measured by participation. What does it mean to say the rational creature “participates” in eternal law? It is by virtue of the creature’s capacity for determining what is good and what is evil: “the light of natural reason, whereby we discern what is good and what is evil, which is the function of the natural law, is nothing else than an imprint on us of the Divine light. . . . [T]he natural law is nothing else than the rational creature’s participation of the eternal law” (Q. 92, A. 2, 997). Irrational creatures also partake in the eternal reason, not rationally but by way of natural appetite directed toward their particular end. Only in rational creatures is there an intellectual and rational participation in eternal reason as law. This imprint of eternal reason/law is understood as *synderesis* and conscience. Natural law is not a habit but consists of the principles upon which habit is based, or the principles that can be habitually possessed or appropriated (Q. 94, A.1, 1008).

The first principle of practical reason, within which the virtues and habits are located, is that “*good is that which all things seek after.*” Consequently, the first precept of law is that “*good is to be done and pursued, and evil is to be avoided*” (Q. 94, A.2, 1009). *Synderesis* and conscience cannot be understood apart from eternal law and divine law, and cannot be collapsed simply into the development of virtue as habit.

Human Law

The strong chain of dependence between various levels of law becomes clearest in Aquinas’s discussion of human law and eternal law. As practical reason depends on speculative reason, so particular determinations of human

action depend on “general and indemonstrable principles.” These determinations constitute human law. The first principle of law in practical matters is the last end, happiness, and it is found only within the common good or the perfect community (universal happiness). Within the earthly sphere, this common good is identified with the state (Q. 90, A.3, 995). Human law, in order to have the force of law, needs not only to be promulgated but enforced, and this coercive enforcement can be exercised either by a whole people or by a viceregent of the people. Aquinas opts for the latter. Enforcement is incumbent upon the person who has care of the community. Anabaptists, we find, brought a good deal more critical scepticism to the realm of human law and its enforcement than did Aquinas. But even Aquinas allows for conscience-based civil disobedience.

Is human law binding on a person’s conscience? Although it might appear that it is not, because the conscience stands under a higher law and sometimes human laws contradict divine commandments, nevertheless, if properly understood, conscience is so bound (Q. 96, A. 4, 1019). Laws are just when ordered to the common good and lay burdens on subjects “according to an equality of proportion and with a view to the common good.” They are unjust when contrary to that end and when burdens are imposed unequally and disproportionately. Finally, laws that are unjust because they oppose Divine good (e.g., laws of tyrants) ought not to be observed, in accordance with Acts 5: 29: “*we ought to obey God rather than men*” (Q. 96, A. 4, 1020). Aquinas achieves a remarkable balance between (a) the subordination of the individual end to the common good, universal happiness within a perfect community, which temporally is identified with the state, and represented by a viceregent of the whole citizenry; and (b) the freedom and responsibility of the individual to follow his own conscience in determining when civil disobedience is called for due to unjust laws. Aquinas can do so because he sees human law subordinate to eternal law imprinted within the rational creature as an individual.

Divine Law

The relation of divine law to eternal law is complex and difficult to comprehend fully. One way to view the difference is to distinguish them in terms of general revelation and special revelation. Traditionally, Christianity has divided

revelation into four types: *general revelation* (God's universal self-revelation in the natural order, most specifically in the individual conscience, accessible to all); *special revelation* (Divine self-revelation in the historical events of a specific peoples (the Hebrews) and definitively in Jesus the Christ, as recorded in the Old and New Testaments); *ongoing revelation* (God's continuing self-revelation in the history and tradition of the church, through the Holy Spirit (e.g., the ecumenical councils and development of dogma in the Roman Catholic Church)); *final revelation* (the completion of divine-self manifestation at the end of time and history, when God's truth will be fully disclosed; this relativizes all previous claims to knowledge of God and truth, to the extent that it is always imperfect).

Aquinas's view of natural law as based on eternal law falls into the category of general revelation, and divine law into special revelation. Divine law, we could say, is grounded in God's will, while eternal law is grounded in God's Being. Unlike Augustine and Luther, Aquinas thinks the rational principles of eternal and natural law are accessible to human reason by participation, even in humankind's postlapsarian state: "in no man does the prudence of the flesh dominate so far as to destroy the whole good of his nature; and consequently there remains in man the inclination to act in accordance with the eternal law" (Q. 93, A. 6, 1007). Despite this optimistic view of human nature, Aquinas recognizes the need for another type of law, divine law, which does not contradict eternal law but goes beyond it.

Why is divine law needed? First, human and natural law direct a human being on how he is to "perform his proper acts in view of his last end," an end "proportionate to his natural faculty [reason]." But since humans are directed to an ultimate, supernatural end, a law given by God more directly is required. Second, because of the "uncertainty of human judgment" in contingent matters, resulting in a diversity of judgments on human actions, an unerring divinely-given law that can be known with certainty is needed. Third, because human beings are competent to judge only on exterior actions, not interior movements, and because the "perfection of virtue" applies to both, a divine law is needed to direct interior acts. Finally, since human law is not comprehensive in its punishment of all evils (if it were, it would also punish good things and hinder the common good), a divine law is needed for the forbidding of all evils. Aquinas clearly does not de-link eternal law from divine law: "By the natural

law the eternal law is participated [in] proportionately to the capacity of human nature. But to his supernatural end man needs to be directed in a yet higher way. Hence the additional law given by God, whereby man shares more perfectly in the eternal law” (Q. 91, A.4, 998 — 99).

The certainty of the unerring divine law rests on its being given to us in the Old and New Testaments, which Aquinas equates respectively with the Old Law (the levitical priesthood) and the New Law (Christ’s priesthood). A supersessionist view of the relation of the NT to the OT is evident throughout his discussion. The two are related like boy to man, fear to love. The Old Law directs us to a sensible, earthly good (the earthly kingdom); the New Law to “an intelligible, heavenly good [the eternal Kingdom].” Further, the New Law directs internal human acts and controls the mind, while the Old Law restrains external actions only. The Old Law induces us to obey the commandments by fear of punishment, while the New Law does so “by love, which is poured into our hearts by the grace of Christ, bestowed in the New Law, but foreshadowed in the Old” (Q. 91, A.5, 999). Ultimately, it is in Christ that the divine law receives its clearest expression, for salvation could only be achieved by way of Christ.

The Holy Spirit also plays a role but not a pivotal one for Aquinas in the context of his exposition of law. There is sense in which the spiritual person is not under the law, because he obeys it willingly through love in his heart given by the Holy Spirit. Such a person’s works could be considered not his own but those of the Holy Spirit, and “since the Holy Ghost is not under the law, as neither is the Son, . . . it follows that such works, in so far as they are of the Holy Ghost, are not under the law” (Q. 93, A. 6, 1007).

Aquinas’s brilliant linking of the four levels may give too much priority to the intellectual over the affective, and to the universal over the particular and experiential. His synthesis may also not do justice to the dynamic personal “Word of God” that encounters us as grace and demand (or command). Nevertheless, we would do well to reconsider seriously what his view of law has to offer an age that has strong antinomian tendencies. Another perspective useful for our present purpose is offered by two twentieth-century Protestant thinkers, to whose work we shall now briefly turn.

Protestant Command Ethics and the Freedom of Conscience

Karl Barth (1886-1968)

Twentieth-century Protestantism mounted a robust challenge both to the classical and Thomistic natural law tradition, and to the liberal pluralism and relativism that avoids about universal truth altogether. This anti-natural law and anti-liberal challenge thinking finds its most persuasive articulation in the theology of Karl Barth. His approach can be described as “Word of God” theology and “divine command” ethics.

For Barth, Divine self-revelation as Word of God occurs most definitively in the event of Christ and secondarily in the Scripture and proclamation as witness to that event. This self-revelation is rooted in the triunity of God: God the Father as the “Revealer,” God the Son as the “Revealed,” and God the Spirit as the “Revealedness” (or “Revealing”).¹⁰ There are no general laws and no system of rules by which divine will can be casuistically known and followed. Obedience to God’s will is obedience to a specific concrete command of God in every moment (hence, “act” or “command” ethics), and conscience can only be viewed in this concrete sense:

[God’s command] is as such both the most general law and also a most specific law in its application to [the human being] here and now. And it is true that in this most concrete encounter judgment is given whether his conduct is good or evil. If it is meaningful to understand by ‘conscience’ this encounter of God’s command and human action, then it is true that in each moment and act of his conduct every man finds himself in a *casus conscientiae*. And the decision in each of these ‘cases of conscience’ is taken in such a way that God’s general command for all men in every situation is as such also the highly particular, concrete, and special command for this or that man in the ‘case of conscience’ of his particular situation, and therefore the measure by which the goodness or evil of his action is to be assessed. (*Church Dogmatics III/1*, 9)

The only way we can understand Barth’s view of “divine command” ethics and conscience as a response of obedience or disobedience to a particular command in a particular circumstance is to take Barth’s view of revelation not as a revelation of a set of propositional truths or laws given in

a text, but as a personal divine—human encounter. Even though Barth espouses a critical realism of sorts (the objective nature of God, Christ, and Spirit), he nevertheless follows in the nominalistic/voluntaristic tradition of the late medieval period—Duns Scotus, for example—in separating the being of God from the will of God, and emphasizing the primacy of personal Divine agency and willing. In so doing, I believe any consistent ethic that can be sustained over time is seriously weakened.

Dietrich Bonhoeffer (1906-1945)

Dietrich Bonhoeffer recognized this weakness in Barth's theological ethics. In his 1927 doctoral thesis, *Sanctorum Communio*, and his post-doctoral thesis, *Act and Being*,¹¹ Bonhoeffer suggests that it is within the Christian community (the Church) that the being of God and the historical continuity of divine command finds expression. Though their views differ significantly, both Barth and Bonhoeffer have a deep suspicion of an autonomously formed conscience, and make the individual conscience, when expressing the inner voice of God's command (Barth), and when formed according to Christ (Bonhoeffer), the highest court of appeal in the earthly sphere. For Barth, conscience as the "inner voice of God" is not a divine imprint on our nature, as it is in Aquinas and possibly Hubmaier, but an alien voice speaking to us from the outside: "To have a conscience is no more and no less than to have the Holy Spirit. For 'no one knows what is in God except the Spirit of God' (1 Cor. 2:11)."¹² Conscience is God speaking to us through ourselves . . . in the voice of conscience we can receive the truth about ourselves (if only we can *hear*) and that we *have to* obey it. If we obey conscience we grant to it *authority* over us, a *last* and decisive authority (Barth, *Ethics*, 481).

Precisely because conscience is a direct, personal response to the personal command of God in a given situation,

conscience is in fact the final court and ultimate criterion in the question of obedience . . . there can be no command of God which is not also our own command, no authority which we do not exercise over ourselves. . . . Over against all the authority of church and state . . . the question and criterion is freedom of conscience, i.e., the authority of God from which that relative authority has its commission. . . . This is why there can be no

compulsion by conscience. . . . because it would eliminate the last and decisive court in the question of obedience. . . . [C]onscience will not let itself be coerced, because by nature it is one's own. To talk of appealing to someone's conscience or laying a matter on one's conscience for someone else is to use totally impossible expressions. Nor can one seriously speak about educating the conscience or about a public conscience, for where, then, is the unconditionality of its judgement that depends on our being the children of God, a being into which we cannot be educated but which we must have directly from God, and which we can have, not in relation to other people, but truly only in our own relation to God? (Barth, *Ethics*, 483—85).

Bonhoeffer, executed by the Nazis for his role in an unsuccessful conspiracy against Hitler, modified Barth's "command ethics" by combining it with an ontology of the Church as the presence of Christ in history. In his *Ethics*, published posthumously, he discusses conscience in the context of what it means to take on the guilt that comes whenever one acts responsibly in a sinful situation: "real innocence shows itself precisely in a man's entering into the fellowship of guilt for the sake of other men. Through Jesus Christ it becomes an essential part of responsible action that the man who is without sin loves selflessly and for that reason incurs guilt [i.e., the guilt of others]."¹³

Bonhoeffer considers conscience in two ways. First, there is the *natural conscience* that refuses to take on guilt for another in order to remain true to the inviolability of conscience. Obedience to one's own conscience takes precedence over responsible action and its accompanying incurring of the guilt of and for another. Ideally one should never act against one's conscience, which "comes from a depth which lies beyond a man's own will and his own reason and it makes itself heard as the call of human existence to unity with itself" (Bonhoeffer, *Ethics*, 211). To act against the authority of one's own conscience leads to the destruction and disintegration of the self and is parallel to suicide. In fact, the two often go together. The call of conscience arises when the unity of human existence is threatened. In its natural capacity, the conscience represents the ego's attempt to justify itself by conforming to a universal law of good; the natural conscience "has its origin and goal in the autonomy of man's own ego" (*Ethics*, 212).

Second, the conscience can be viewed as a *transformed* conscience, when the existence and the unity of the human self no longer rests with the ego and its inner law, but “through the miracle of faith, beyond the man’s own ego and its law, in Jesus Christ” (*Ethics*, 212). The Christian surrenders his ego’s autonomy “for the sake of an unconditional heteronomy.” “Natural conscience . . . is now seen to be the most ungodly self-justification, and it is overcome by the conscience which is set free in Jesus Christ and which summons me to unity with myself in Jesus Christ [who] has become my conscience. This means that I can now find unity with myself only in the surrender of my ego to God and to men. The origin and the goal of my conscience is not a law but it is the living God and the living man as he confronts me in Jesus Christ” (*Ethics*, 212—13). Christ now sets us free from the law to serve God and the neighbor even to the point of entering “into the guilt of another man for the other man’s sake.” The conscience that has been set free “is not timid like the conscience which is bound by the law, but it stands wide open for our neighbour and for his concrete distress” (*Ethics*, 213).

A surrendered ego does not disregard the unity of the self but it finds it elsewhere (in Christ). The surrender of the ego should never be confused with its annihilation: “The extent of the guilt which may be accepted in the pursuit of responsible action is on each occasion concretely limited by the requirement of the man’s unity with himself. . . .” (*Ethics*, 215). Such a surrendered ego also does not deny the law: “This is the law for God and for our neighbour as it is explained in the decalogue, in the sermon on the mount and in the apostolic parables. . . . [I]n the contents of its law natural conscience is in strikingly close agreement with that of the conscience which has been set free in Christ” (*Ethics*, 216). Conscience, both natural and freed, “contains fundamental features of the law of life, even though these features may be distorted in detail and perverted in principle,” and guards against the violation of the law of life. However, conscience no longer has the last word. It is Christ who has the last word, as the “Lord of conscience” (*Ethics*, 216).

Barth and Bonhoeffer make a Protestant distinction between *natural conscience*, based on law and playing largely a negative, judgmental role, and the *transformed conscience*, freed in Christ. Divine will revealed as Word through a personal encounter with God through the Holy Spirit takes precedence over human, natural, and eternal law. Grace supersedes nature and law.

Protestant views of conscience as rooted in a “voluntaristic” divine-human encounter, represented here by both Barth and Bonhoeffer, are fundamentally suspicious of a Thomistic “realistic” understanding of conscience as human participation in eternal law. As we shall see below, Hubmaier in his identification of conscience with the human soul, and the human spirit as the image of God in us, is closer to Aquinas than Barth. One might also add that the Muslim view is has strong affinities with the Thomistic view of revelation, law, and reason.

An Anabaptist-Mennonite Perspective

Anabaptism has been characterized as neither Catholic nor Protestant but as a third way of understanding the Christian gospel.¹⁴ An ongoing debate among Anabaptist scholars concerns whether sixteenth-century Anabaptism is to be seen as radical Protestantism, a modern form of medieval Catholic spirituality, or an altogether distinct species of Christianity. One issue is how Anabaptists, and their descendants the Mennonites, see the relation of faith to works, and of grace to nature. It is generally accepted that although the Anabaptists were Protestant in espousing that one can not earn one’s own salvation through works, nevertheless a transformed, “regenerated” life manifested in good works and made possible by divine grace through the power of Holy Spirit was intrinsic to salvation. This also entailed a transformation of conscience and the role of law.

Balthasar Hubmaier (1480–1528) was the most systematically trained Anabaptist theologian, a student of the great Catholic Nominalist theologian John Eck at the University of Ingolstadt, where he also briefly was a professor of theology prior to his conversion to Anabaptism. Hubmaier’s anthropology, including his view of conscience, illustrates how Anabaptism was both (rather than neither) Catholic and Protestant in its theology and ethics. Drawing on medieval sources, Hubmaier develops a tripartite anthropology in which body, soul, and spirit are dynamically related. The flesh is the material, physical body that derives from the earth and that we have in common with the rest of creation. The soul is the life principle within us, that which made the dust of the ground alive when God breathed into it. The spirit is the image of God in us. Hubmaier distinguishes between the divine Spirit and the spirit as a component of the human being. This spirit is the “part” of human nature that

is the point of contact for the divine Spirit. The soul finds itself hovering, as it were, between flesh and spirit. These three elements or “essences” are found in every human being and reflect the Holy Trinity.¹⁵

Originally, human beings were created free in body, soul, and spirit, but then lost their freedom in sinning (the Fall). They regained their freedom, at least partially, with the death and resurrection of Christ. However, each element in the make-up of human nature was affected differently by sin. In the prelapsarian state all three were good, and wholly free in the recognition, capability, and performance of good or evil, a power derived from God. After the Fall, the flesh has been completely ruined and the soul has been seriously wounded, not even knowing good or evil. Only the spirit retains its original righteousness, but it is imprisoned within the fallen human being and can only “bear internal witness to righteousness against evil” (Hubmaier, 438). With the restoration brought about by Christ, the soul regains both the capacity to know good and evil and the freedom to choose. The flesh remains ruined until the resurrection of the body. The soul remains between ruined flesh and spirit, and can choose to follow either. If it chooses the way of the flesh, it sins willingly and is held accountable. So human destiny now lies with human choice: “If I now will, then I will be saved by the grace of God; if I do not will, then I will be damned, and that on the basis of my own obstinacy and willfulness” (442).

Like Menno Simons and other Anabaptists, Hubmaier distinguished between a “bad” conscience and a “good” conscience. A bad conscience or accusing conscience is like a “gnawing worm” that “gnaws at a man constantly and allows him no rest,” or like the rooster that reminded Peter of his sin. When this rooster crows in us and “scratches in our conscience, we can be sure that we have overstepped the plumb line of the divine Word and have sinned.” Then we must weep bitterly like Peter did, show remorse for our sin, repent, and thereby be reconciled to God and achieve a good conscience (531—32). Hubmaier’s view of the role of natural law is similar to Luther’s. Law creates an awareness in our conscience of our sin that leads to despair. It convinces us that we would be eternally damned were it not for an alien righteousness that comes to our aid. The law points us to Christ, who frees us from our sin. Where Hubmaier and other Anabaptists differed from Luther was in their view of how the conscience was transformed after being freed

by Christ, and in their notion of the role of law in the new, freed state. As the freedom of the soul has been restored with the death and resurrection of Christ so that it can choose to obey the law of Christ, so now the conscience has been freed to guide obedience to that new law. For Luther, the nature of the human being remained unchanged—as both sinner and saint—even after justification by Christ through faith. For the Anabaptists, however, the “image of God” in human beings was never as radically distorted as it is for Luther, Calvin, Barth, and Bonhoeffer either before or after Christ, and was viewed more along the lines of Aquinas.

Here [Romans 8:13] you see clearly that the image or inbreathing of God is still in us all, although captive and as a live spark covered with cold ashes is still alive and will steam if heavenly water is poured on it. It also lights up and burns if one blows on it. . . . If one says there is nothing good in man, that is saying too much . . . for God’s image has never yet been completely obliterated in us. How can it be evil, for (like the law) it shows and teaches us the good? Far be it from us then to call it evil. For we know that it is holy, makes us righteous and is wholly good. . . . Yes, to the present day through the Word God sent, our souls are just as free in themselves to will good and evil as was Adam’s soul in Paradise. (Hubmaier, 360—61)

Conclusion

For our dialogue, it is important to identify important commonalities but also differences between our two traditions. Within the Anabaptist-Mennonite tradition there is a much greater appreciation for human freedom and responsibility to choose good over evil than within some forms of mainline Protestantism. If the image of God in human beings was never totally eradicated by sin, this notion links us to some aspects of the Catholic, Thomistic natural law tradition—and perhaps also to Islam. What distinguishes us from traditional Catholicism, however, is our tenacious belief in personal decision-making as the basis for joining the believing community (reflected in adult baptism as a core belief). This focus on personal freedom, personal decision, a free and uncoerced conscience, has consequences not only for religious life but also for social life within community. It led our Anabaptist ancestors to

call for civil freedom to follow one's conscience, and for toleration from magistrates in the area of religion.

At the same time we must not confuse this Anabaptist-Mennonite view with the autonomous, post-Enlightenment rationality and freedom that underlies modern democratic liberal and pluralistic societies. It is rather a freedom and moral accountability before God as revealed in Christ. It is a freedom that binds one even more radically to the law as revealed by Christ, and historically it has frequently led to unfortunate forms of legalism. This new law in Christ is perhaps no more clearly stated than in the Sermon on the Mount, which is interpreted quite literally by Mennonites to mean a call to peace-making and nonviolence within the political sphere. The challenge for the Mennonite tradition is to explore more carefully how this "new law" of Christ is related to divine, eternal, natural, and human law, especially if we take seriously Jesus' prolegomena to that Sermon: "I came not to abolish the law but to fulfill it" (Matt. 5: 17).¹⁶

Like the Shi'ite Muslims, the Anabaptist-Mennonite tradition has a high view of human nature, reason and law—human nature is not perceived as totally depraved, as in some forms of Protestantism, but partially retains the image of God in soul and spirit. This similarity between our religious traditions can serve as a fruitful opportunity for future Shi'ite Muslim and Mennonite Christian dialogue.

Notes

¹ Editor's note: The essay printed here is a much condensed version of the original paper presented at the conference. That paper included a detailed critical review of Douglas Langston's *Conscience and Other Virtues: From Bonaventure to MacIntyre* (Pennsylvania State University Press, 2001). This review will be the subject of a future article in CGR.

² For a survey of recent interpretations of the variety of sixteenth-century Anabaptists, see my "From Denominational Apologetics to Social History and Systematic Theology: Recent Developments in Early Anabaptist Studies," in *Religious Studies Review* 29.3 (July 2003): 235-40.

³ See David W. Shenk, "Pluralist Culture and Truth," in *The Conrad Grebel Review* 21.3 (Fall 2003): 75.

⁴ Harold S. Bender, *The Anabaptist Vision* (Scottsdale: Herald Press, 1944), 4.

⁵ Muhammad Legenhausen, *Islam and Religious Pluralism* (London: Al-Hoda, 1999), 7.

⁶A. James Reimer, “The Nature and Possibility of a Mennonite Theology” in *Mennonites and Classical Theology: Dogmatic Foundations for Christian Ethics* (Kitchener: Pandora Press, 2001), 164.

⁷ In his survey of conscience and the virtues in the western tradition, Douglas C. Langston totally side-steps any reference to God, let alone divine and eternal law. In fact he gives no consideration to law at all. “The morally good agent,” he says, “is a criterion for moral action not because of some mysterious infallible moral power, but because this agent has cultivated the virtues and the mature conscience essential to their possession. Conscience provides the checks on morally good agents so that their behavior is not at odds with the demands of their societies and prevents the morally good agent from slipping into moral self-delusion.” Douglas C. Langston, *Conscience and Other Virtues: From Bonaventure to MacIntyre* (Pennsylvania State University Press, 2001), 177.

⁸ Muhammad Legenhausen, *Contemporary Topics of Islamic Thought* (Tehran: Alhoda Publishers, 2000), 105—45.

⁹ St. Thomas Aquinas: *Summa Theologica*. Complete American edition in two vols. Trans. Fathers of the English Dominican Province. Vol. 1 (New York: Benziger Brothers, [1948]).

¹⁰ Karl Barth, *Church Dogmatics II/1: The Doctrine of the Word of God and III/4: The Doctrine of Creation* (Edinburgh: T. & T. Clark, 1961).

¹¹ Dietrich Bonhoeffer, *Act and Being: Transcendental Philosophy and Ontology in Systematic Theology* (Minneapolis: Fortress Press, 1996). First published in 1931 as *Akt und Sein*.

¹² Karl Barth, *Ethics* (New York: The Seabury Press, 1981), 476.

¹³ Dietrich Bonhoeffer, *Ethics*. Ed. Eberhard Bethge (London: SCM Press, 1955, 1960), 210.

¹⁴ Walter Klaassen, *Anabaptism: Neither Catholic nor Protestant*. 3rd ed. (Kitchener: Pandora Press, 2001).

¹⁵ Balthasar Hubmaier, “Freedom of the Will,” in *Balthasar Hubmaier: Theologian of Anabaptism*, tr. and ed. H. Wayne Pipkin and John H. Yoder (Scottsdale: Herald Press, 1989), 426-48, 429. See also my discussion of Hubmaier’s anthropology, “Christian Anthropology: The Perils of the Believers Church View of the *Humanum*,” in my *Mennonites and Classical Theology: Dogmatic Foundations for Christian Ethics* (Kitchener: Pandora Press, 2001), 524-36.

¹⁶ In “I came not to abolish the law but to fulfill it’: A Positive Theology of Law and Civil Institutions,” I explore how this statement might be taken in a way that takes civil law more seriously than Mennonites have frequently done. See *A Mind Patient and Untamed: Assessing John Howard Yoder’s Contributions to Theology, Ethics, and Peacemaking*, ed. Ben C. Ollenburger and Gayle Gerber Koontz (Telford, PA: Cascade Publishing House, 2003), 245-73.