

## LEX IN CORDIBUS SCRIPTA AND CONSCIENCIA (ROMANS 2:15) ACCORDING TO AUGUSTINE

In this article I would like to shed some light on Augustine's interpretation of Romans 2:15. I will do this on the basis of his writings up to 412 (*De spiritu et littera* included). Some commentators have considered the start of the Pelagian controversy to be a turning point in Augustine's interpretation of Romans 2:14-15. In his early writings, some commentators have said, Augustine interpreted these verses as dealing with gentiles. But writing *De spiritu et littera* (412) Augustine would have come to the conclusion that this text must be about gentile-christians, i.e. non-Jewish people holding the Christian faith. In other words: Augustine would have changed his interpretation from gentiles to gentile-christians because of his discussion with pelagianism.<sup>1</sup> Philip Platz, however, pointed out that Augustine was simply not involved in a discussion with Pelagius on Romans 2:14.<sup>2</sup> Indeed, Pelagius was not particularly 'Pelagian' in his

<sup>1</sup> E.g. Otto Kuss who refers to Gutjahr: 'Während Augustinus in seinen Schriften *De sermone Domini in monte* (393/4 n. Chr.) 2,9,32 (Migne L 34, 1283 f.) und *Contra Faustum* (397/400 n. Chr.) 19,2 (CSEL 25,1 S. 497 f.) für Röm 2,14,15 an Heiden denkt, wird er in seinem Kampf gegen den Pelagianismus zu einer Änderung seiner ursprünglichen Auffassung gezwungen, wie aus seinen antipelagianischen Schriften *De Spiritu et littera* (412 n. Chr.) 26-28 (CSEL 60, S. 196-205) und *Contra Julianum* (422 n. Chr.) 4, 23-25 (Migne L 44, 749-751) hervorgeht. Aufschlußreich ist die Bemerkung von Gutjahr Röm 1923, p. 79: "Pelagius faßte φύσει = solis uiribus naturae, sine fide et gratia, und indem er unsere Stelle von den heilsverdienstlichen Werken erklärte, kam er auf die irrtümliche Lehre daß rein natürliche Werke heilsverdienstlich und Glaube und Gnade zur Seligkeit nicht notwendig seien. Aber auch sein Gegner Augustinus irrte. Mit Pelagius einerseits festhaltend an der Voraussetzung, die in diesem Verse in Frage stehenden Werke seien heilsverdienstlich, und andererseits im Hinblick auf jene Stellen der Heiligen Schrift, die die absolute Notwendigkeit des Glaubens und der Gnade für die Seligkeit aufs schärfste betonen, kam er ... zur Deutung, die εὐνη an unserer Stelle seien Heidenchristen (im Gegensatz zu den Judenchristen), φύσει sei = natura per gratiam reparata und der νόμος sei die von den Propheten für die messianische Zeit vorherverkündete Gnadenerleuchtung und Gnadenbewegung zur Erkenntnis und Erfüllung des Gesetzes". O. Kuss, 'Die Heiden und die Werke des Gesetzes (nach Röm 2,14-16)', in: *Münchener Theologische Zeitschrift* 5 (1954, 2), 77-98, p. 78 n. 4; Id., *Auslegung und Verkündigung*, vol. 1: Aufsätze zur Exegese des neuen Testaments (Regensburg: Pustet, 1963), p. 215 n. 5.

<sup>2</sup> 'Augustin erklärt Rom 2:14 in *De Spiritu et Littera* recht ausführlich, wohl einfach aus der Freude, den Text des hl. Paulus mit dem Propheten Jeremias in Einklang zu bringen; 'naturaliter' spielt hier keine besondere Rolle. Man kann also den Pelagianismus kaum als Ursache der eigenartigen Erklärung Augustinus ansehen, höchstens als entfernten Anlaß, zumal die Worte Augustins noch erkennen lassen, welcher Erklärung er den Vorzug gibt', Ph. Platz, *Der Römerbrief in der Gnadenlehre Augustinus*, Cassiciacum 5, (Würzburg, 1937), p. 128.

interpretation of this verse: Pelagius did *not* explain it in the sense that people *solis uiribus naturae, sine fide et gratia* can obtain salvation.<sup>3</sup> In his commentary on Romans, Pelagius mentions that the passage 'they do by nature what pertains to the law' (Romans 2:14a) can refer to the ability to perform 'some good (*boni aliquid*)' without knowledge of Christ.<sup>4</sup> Gathercole correctly pointed the attention to the fact that Augustine could well have agreed with this interpretation, because Augustine, trying to explain Romans 2:14 in *De spiritu et littera* 27.48 mentions people who do not worship the true God, but who nevertheless perform actions, 'which we not only cannot blame, but which we must justly and rightly praise'.<sup>5</sup> Confronted with these facts, I first intended to find out whether Augustine did change his position at all, and if yes, when he did so and why. Soon I discovered that this was not the right line of approach, because Augustine's so-called 'early' interpretation of Romans 2:14a as dealing *exclusively* with gentiles (and not with Christians) might not be as clear cut as one thinks. Moreover, from the above quotation in *De spiritu et littera* it becomes clear that in 412 Augustine had still not given up the interpretation that Romans 2:14 might correctly be interpreted as referring to gentiles, though Augustine sets out other lines of interpretations as well in *De spiritu et littera* (see *infra*). By means of the database *Library of Latin Texts* (CLCLT)<sup>6</sup> I searched in Augustine's works for *loci* of the concepts *lex in corde scripta*, *conscientia* and *cogitationes accusantes* and *excusantes* or *defendentes*, concepts which Augustine

<sup>3</sup> By 'Pelagian' I mean what is traditionally understood as being Pelagian. However, it should be noted that also Pelagius had a concept of grace and also a concept being bound by the habit of sin.

<sup>4</sup> In fact Pelagius offers two alternative explanations: '*Naturaliter quae legis sunt faciunt*. Siue: De his dicit qui naturaliter iusti fuerunt ante legem. Siue: Qui etiam nunc boni aliquid operantur' A. Souter, *Pelagius's expositions of thirteen epistles of St. Paul II: text and apparatus criticus*, Texts and Studies: contributions to biblical and patristic literature 9/2 (Cambridge: Cambridge University press, 1926), p. 23.

<sup>5</sup> S. J. Gathercole, 'A conversion of Augustine: From Natural Law to Restored Nature in Romans 2:13-16', in: D. Patte and E. TeSelle, *Engaging Augustine on Romans: Self, Context, and Theology in Interpretation* (Harrisburg/Pennsylvania: Trinity Press International, 2002), p. 168. – The relevant passage in Augustine is: 'si autem hi, qui naturaliter quae legis sunt faciunt, nondum sunt habendi in numero eorum, quos christi iustificat gratia, sed in eorum potius, quorum etiam impiorum nec deum uerum ueraciter iusteque colentium quaedam tamen facta uel legimus uel nouimus uel audiuius, quae secundum iustitiae regulam non solum uituperare uel possumus, uerum etiam merito recteque laudamus – quamquam si discutiatur, quo fine fiant, uix inueniuntur quae iustitiae debitam laudem defensionemue mereantur', *De spiritu et littera* 27, 48 CSEL 60, p. 202.

<sup>6</sup> The Library of Latin Texts (CLCLT) is the online databank published by Brepolis ([www.brepolis.net](http://www.brepolis.net)).

quotes from Paul's letter to the Romans 2:15. According to Richard Sorabji, Paul might well have been the first to combine the 'law written in the heart' with *conscientia*.<sup>7</sup> The purpose of this article is to make clear that, according to Augustine, the law written in the heart and *conscientia* are closely related. Moreover, I would like to show that Romans 2:14-15 occupies a different place in Augustine's theology as to whether Augustine interprets the 'law written in the heart' as the *lex uniuersalis*, which, as will become clear, is an equivalent of the Mosaic Law, or whether he interprets it as the Law of the New Covenant.

### 1. *Lex in cordibus scripta*

The *lex in cordibus scripta* must be considered against the background of the *lex aeterna* and the *lex naturalis*. Anton-Herman Chroust has drawn attention to the fact that Augustine elaborated the idea of an eternal and unchangeable rational law from a Christian point of view and that he fills it out with a personal concept of God.<sup>8</sup>

In *De diversis quaestionibus* 83 Augustine offers his view on Plato's concept of the Ideas. The Platonic Ideas are 'enduring and immutable' (*stabiles atque incommutabiles*), 'not created' (*formatae non sunt*), 'neither generated nor subject to corruption' (*[cum] neque oriantur neque intereant*). Moreover, they exist as thoughts 'in the Divine Intellect' (*diuina intelligentia*).<sup>9</sup> Augustine was convinced that Plato did not err in holding the existence of a purely intellectual world, although Plato did not use the terminology usually employed in the tradition of the church.<sup>10</sup> Augustine's theology 'transfers' the platonic eternal and unchangeable ideas to the divine intellect.<sup>11</sup> Following Chroust, I use the word 'transfer' because Plato had located the Ideas in an impersonal and transcendent intelligible world (*mundus intelligibilis*), whereas, according to Augustine, these Ideas exist in the mind

<sup>7</sup> R. Sorabji, Lecture 'Conscience: the Graeco-Roman Contribution' held at the Fifteenth International Conference on Patristic Studies, Oxford, 6th-11th August 2007.

<sup>8</sup> A.-H. Chroust, 'The fundamental ideas of St. Augustine's Philosophy of Law', in: *American Journal of Jurisprudence* (1973), 57-79, p. 58; A.-H. Chroust, 'The philosophy of law of St. Augustine', in: *The Philosophical Review* 53 (1944), p. 195-202, p. 195-196.

<sup>9</sup> *De diuersis quaestionibus octaginta tribus* 46,2 CCSL 44A, p. 153.

<sup>10</sup> *Retractationes* 1,3,2 CCSL 57, p. 12-13.

<sup>11</sup> A.-H. Chroust, *The fundamental ideas*, p. 58.

of the Creator.<sup>12</sup> Apart from Neoplatonism, Augustine was familiar with the teachings of the stoics. One of the key stoic principles is that of a universal law of rational causation. That means that all things are ordered by a rational and divine *logos* and all events are bound by the rules of cause and effect.<sup>13</sup> To the stoics, the eternal cosmic law is identical to a 'natural rationality' which permeates the universe.<sup>14</sup> Change and accident do not have a place in the stoic system, but the stoics also hold the theory of the *logoi spermatikoi*, which can account for apparently inexplicable events. The *logoi spermatikoi* contain the germs of everything they are to become. They are comparable to a human embryo, which contains all the features of the future baby. But they also account for unexpected and seemingly exceptional events. In this case they function as 'time bomb effect, triggered to go off at some later date according to a divinely ordained schedule'.<sup>15</sup> This notion of rational orderliness is known to Augustine, but according to the church father the *lex aeterna* is a 'deliberate act' of God and it is not identical with nature nor with God himself.<sup>16</sup> Marcia L. Colish shows that Augustine made use of stoic materials in three different ways. In most cases, Augustine's attitude (positive, negative or adaptive) towards stoic ideas is consistent throughout his career although he may emphasize one aspect or another depending on the context. Towards other stoic teachings Augustine has changed his mind over time. In yet other cases – and this is certainly the case with the teaching of the natural law – Augustine is being inconsistent in his use of the stoic ideas.<sup>17</sup> In short:

'Augustine sometimes equates natural law with reason as a cosmic, an ethical, or a political principle, in a manner evocative of Cicero. At other points he treats natural law as reasonable but as transcendent, not immanent in the world, attaching it to a hierarchical Neoplatonic conception of being and goodness. At other times he identifies natural law with the new covenant of grace revealed by Christ, assimilating it

<sup>12</sup> A.-H. Chroust, *The fundamental ideas*, p. 58.

<sup>13</sup> M. L. Colish, *The Stoic tradition from antiquity to the early middle ages, Vol. I: Stoicism in Classical Latin Literature*, Studies in the history of Christian Thought (Leiden: Brill, 1985), p. 31.

<sup>14</sup> A.-H. Chroust, *The philosophy of law*, p. 196; A.J. Holloway, *The transformation of Stoic Themes in St. Augustine*, microfilmed Ph.D. dissertation, Fordham University, 1966, p. 200.

<sup>15</sup> M.-L. Colish, *The stoic tradition. Vol. I*, p. 31.

<sup>16</sup> A.-H. Chroust, *The fundamental ideas*, p. 60.

<sup>17</sup> M. L. Colish, *The Stoic tradition. Vol. II: Stoicism in Christian Latin Thought through the Sixth Century*, Studies in the history of Christian Thought (Leiden: Brill, 1985), p. 152-153.

firmly to a divine law that embraces both natural and supernatural phenomena. At still other times he contrasts the law of nature with the law of God'.<sup>18</sup>

Therefore the modern scholar trying to explain Augustine's theory of the *lex naturalis* and the *lex aeternis* in connection with the *lex in cordibus scripta* is warned to carefully look to the context of the text under consideration. In *Contra Faustum* Augustine defines the *lex aeterna* as 'the divine reason or the will of God, which commands that the natural order be preserved and forbids that it be disturbed'<sup>19</sup>. Immutable is the *lex aeterna*, and it is all-encompassing: even non-rational creatures are subjected to the *lex aeterna*, though they are not aware of it. To Augustine law (*lex*) and order (*ordo*) are two closely related or even synonymous terms. *Ordo* implies the natural order as well as the moral order. Order signifies harmony and peace: a person who lives, thinks and acts in conformity with the divinely ordained order enjoys true peace of mind. Augustine derives the meaning of *lex* from *legere* (to read) or *eligere* (to select). Hence, *lex* signifies the 'selection of what is just'.<sup>20</sup> The moral order has relations with the natural order: 'the rational soul acts well in these if it preserves order and, by distinguishing, choosing, and weighing them, subordinates lesser goods to greater ones, bodily ones to spiritual ones, inferior ones to superior ones, temporal ones to everlasting ones'.<sup>21</sup> Observing the universal and divinely ordained order is following the road to God.<sup>22</sup>

What is the interrelationship of the *lex aeterna* and the *lex naturalis*? For Augustine the *lex naturalis* is the 'imprint' of the *lex aeterna* in the human soul. It is 'the conscious participation of rational

<sup>18</sup> M.L. Colish, *The Stoic tradition. Vol. II*, p. 159-160.

<sup>19</sup> Translation: WSA I,20, p. 317 *Contra Faustum* 22,27 CSEL 25, 1, p. 621: 'Lex aeterna est ratio diuina uel uoluntas Dei, ordinem naturalem conseruari iubens, perturbari uetans'.

<sup>20</sup> A.-H. Chroust, *The fundamental ideas*, p. 61. The passage Chroust refers to is *Quaestionum in Heptateuchum* 3.20 CSEL 28/2, p. 249 and CCSL 33, p. 186: '... legem a legendo, id est ab eligendo latini auctores appellatam esse dixerunt'; Chroust remarks that this statement might be under the influence of Cicero, *De legibus* 3.

<sup>21</sup> Translation: WSA II, 2, p. 246 *Epistula* 140,2,4 CSEL 44, p. 157: '... ita bene in his agit anima rationalis, si ordinem seruet et distinguendo, eligendo, pendendo subdat minora maioribus, corporalia spiritalibus, inferiora superioribus, temporalia sempiternis ...'; Noted by A.-H. Chroust, *The fundamental ideas*, p. 60.

<sup>22</sup> Cf. Chroust, *o.c.*, p. 60; *De ordine* 1,9,27 CCSL 29, p. 102: 'Ordo est, quem si tenuerimus in uita, perducet ad Deum, et quem nisi tenuerimus in uita, non peruenimus ad Deum'.

man in the *lex aeterna*'.<sup>23</sup> God establishes his law in the hearts of people. In *De Trinitate* (399-422/426) the relationship of the universal law or Truth on the one hand, and the *lex naturalis* on the other hand, is illustrated with the beautiful image of the signet ring and its seal:

Where [...] are they [=these standards] written but in the book of that light which is called truth, from which every just law is copied, and transferred into the heart of the man who does justice, not by locomotion but by a kind of impression (*tamquam imprimendo*), rather like the seal which both passes into wax and does not leave the signet ring?'<sup>24</sup>

Regarding the *lex naturalis* Augustine makes ample use of biblical language. The expression *opus legis in cordibus scriptum* of Romans 2:15 becomes *lex in cordibus scripta* in Augustine. Similar expressions are found in 2 Corinthians 3:3, Jeremiah 31:33 (in LXX: Jeremiah 38:33) where a quotation of Hebrews 8:10 is found; Psalm 40:4 and 9. Because of his Christian point of view, Augustine had to clarify the relationship between the inner law and the Tora. The inner law already existed before Tora, but people did not keep its prescripts:

'Even before the law was given no one was allowed to be ignorant of it, for even those to whom the law had not been revealed were held liable to judgment by this standard. But to take away from human beings any ground for complaining that they had not been provided for, a law written on tablets was given. It stated what was already written in their hearts, for they had not hitherto lacked a written law; they had simply been unwilling to read it'.<sup>25</sup>

The Tora is the law shown to people before their eyes, that is from outside, so that they are forced to look inside, in their *conscientia*:

'What appeal does the written law make to those who have abandoned the law engraved in their hearts? *Return to your hearts, you transgressors* (Is 46:8)'<sup>26</sup>

<sup>23</sup> A.-H. Chroust, *The philosophy of law*, p. 198.

<sup>24</sup> Translation: WSA I/5, p. 387 *De Trinitate* 14,15,21 CCSL 50A, p. 451: 'ubi ergo scriptae sunt, nisi in libro lucis illius quae ueritas dicitur unde omnis lex iusta describitur et in cor hominis qui operatur iustitiam non migrando sed tamquam imprimendo transfertur, sicut imago ex anulo et in ceram transit et anulum non relinquit?'

<sup>25</sup> Translation: WSA III/17, p. 120 *Enarratio in Psalmum* 57,1 CSEL 39, p. 708: 'hoc et antequam lex daretur nemo ignorare permissus est, ut esset unde iudicaretur et quibus lex non esset data. Sed ne sibi homines aliquid defuisse quaererentur, scriptum est et in tabulis quod non cordibus non legebant. Non enim scriptum non habebant, sed legere nolebant'.

<sup>26</sup> Translation: WSA III/17, p. 120 *Enarratio in Psalmum* 57,1 CSEL 39, p. 708: 'propterea scripta lex quid clamat eis qui deseruerunt legem scriptam in cordibus suis?' *Redite, praeuaricatores, ad cor*'.

The natural law written in the hearts of people does not make the Tora superfluous. Rather on the contrary, the Law can be seen as a help because people do not know the *lex naturalis* any more. Moreover, neither temporal nor human laws are superfluous in regard to the eternal law. They serve to maintain society and to combat evil of the worst kind. It is clear that Augustine's interpretation of the *lex in cordibus scripta* in the above quoted *Enarratio in psalmum* 57 is not an adequate reading of Romans 2:15. Paul is speaking of gentiles doing by nature what the law requires, whereas Augustine is dealing with transgressors of the law, in other words: those who have abandoned the Mosaic law and are asked to 'return within' in order to read the law written in the heart. One can easily see that Augustine operates in a creative way by interpreting the concept of the *lex in cordibus scripta* (cf. Romans 2:15) against a cluster of biblical references (e.g. 2 Corinthians 3:3; Isaiah 46:8). He fits the concept in his preaching as he judges it to be suitable in the new context of his own sermon.

In *De sermone Domini in monte* 2.9.32 (392/395) Augustine interprets Romans 2:14-16 as an explanation of the natural law which God laid in the hearts of people (*in cordibus hominum*). Every rational being (*animal rationale*) is able to use his *ratio* and has a conscience (*conscientia*) in which God speaks.<sup>27</sup> In the process of rational thinking, each single rational soul, regardless of the degree to which it is blinded by desire, may not attribute to itself whatever is true in its reasoning, but what is true must be attributed to the light of Truth itself, by which the rational soul is enlightened.<sup>28</sup> Apparently, Augustine's Manichean opponents who did not accept the authority of the Old Testament had some difficulties understanding how the devil could possibly enter into consultation with God (cf. Job 1: 6-12). Because even evil people do possess a *conscientia* in which God speaks, it is not surprising that the devil has learned from God, the Truth himself, everything he veraciously knows about Job. Here, the *lex naturalis* refers to the ever-existing link between God and his creation. To the Manicheans the *princeps tenebrarum* is an independent substance. They held a radical dualism. North African Manicheism presented itself as a form of Christianity. This form of Christianity had previously attracted Augustine because of its explanation of the origin of evil.<sup>29</sup> In his antimanichean writings, however, Augustine is careful to

<sup>27</sup> Cf. Simon J. Gathercole, *A conversion of Augustine*, p. 149-150.

<sup>28</sup> *De sermone Domini in monte* 2,9,32 CCSL 35, p. 122.

<sup>29</sup> J. Kevin Coyle, 'The manichaeism of Augustine', in: T.J. van Bavel (ed.), *Saint Augustine* (Brussel: Mercatorfonds, 2007), p. 184.

distinguish his doctrine from the Manichean teaching of a substantial principle of evil. According to Augustine, the devil is a fallen angel, subordinated to God. 'He and his angels are ontologically good (*uera rel.* 13), but fell by their own will, by the sin of pride (*lib. ar.* 3, 25)'.<sup>30</sup> Should a creature in some way try to escape from God, it nevertheless always remains connected with its Creator. Compare it with an umbilical chord, but one that cannot be snipped in two. The Manichean *electi* thought that they alone could gain access to *gnosis* because they collected light-particles within them, whereas Augustine reasons that even bad people can know the truth.<sup>31</sup> He makes *gnosis* universally accessible. One might say that Augustine, in *De sermone Domini in monte*, interprets Romans 2:15 as a text about gentiles,<sup>32</sup> however, it is much more correct to say that it is – as Augustine states – about *omnis anima rationalis* even if it is *cupiditate caecata*. Moreover, it should be noted that this is a polemical text and that Augustine had (so to say) no other option as to speak of an *anima cupiditate caecata*, precisely because his task consisted in explaining how the devil could possibly get in touch with God.

The quotation of Romans 2:15 in *Contra Faustum* (397/399) has equally served as a proof that Augustine interprets this verse as a text about gentiles. Simon J. Gathercole has rightly drawn the attention to the fact that this quotation does not appear in a text of Augustine himself, but in one of Faustus's speeches, quoted by Augustine in order to criticise Faustus's reasoning.<sup>33</sup> The discussion between Augustine and his Manichean opponent is about Jesus's statement: 'Do not think that I have come to abolish the law or the prophets; I have come not to abolish, but to fulfil' (Matthew 5:17). According to the Manichean Faustus there are three kinds of laws:

'One is (...) that of the Hebrews, which the apostle calls the law of sin and death (See Rom 8:2). Another is the law of the gentiles, which he calls the natural law. He says, *For the gentiles by nature do what pertains to the law, and, not having the law, they are a law for themselves, for they show that the work of law is written in their hearts*

<sup>30</sup> F. van Fleteren, 'devil', in: A.D. Fitzgerald (ed.), *Augustine through the Ages* (Grand Rapids MI: William B. Eerdmans, 1999), p. 268.

<sup>31</sup> *De sermone Domini in monte* 2, 9,32 CCSL 35, p. 122: 'Nam quando illi [= the Manicheans] ualent intellegere nullam esse animam quamuis peruersam, quae tamen ullo modo ratiocinari potest, in cuius conscientia non loquatur deus?'

<sup>32</sup> Cf. e.g. Gutjahr 1923 (see note 1).

<sup>33</sup> S.J. Gathercole, *A conversion of Augustine*, p. 149.

(Rom 2:14-15). But the third kind of law is the truth. In order to indicate this, the apostle said: *For the law of the Spirit in Christ Jesus has set me free from the law of sin and death* (Romans 8:2).<sup>34</sup>

Faustus is of the opinion that Jesus is not talking about the law of the Hebrews in Matthew 5:17, but about the law in general. Looking closer, Faustus argues, Jesus would have meant that he came to fulfil the law of the gentiles, for the precepts of the righteous men of antiquity are confirmed by Jesus and their defects are supplied (e.g. 'they shall not kill' becomes: 'be not even angry'), whereas the precepts of the Jews are destroyed (e.g.: 'an eye for an eye and a tooth for a tooth' becomes: 'whosoever shall smite thee on they right cheek, turn to him the other also'). Clearly, in Faustus's view, Romans 2:15 functions as a proof text that the gentiles have a law of nature. What Augustine criticises is the way in which Faustus goes on straining, trying to seek (but not finding!) a way out 'through the three kinds of law and three kinds of prophets'<sup>35</sup>. Gathercole is completely right, when he says that Augustine is not criticising Faustus's taxonomy of laws.<sup>36</sup> Therefore, one should be careful not to see *Contra Faustum* as a proof text of the early Augustine interpreting Romans 2:15 as a text about Gentiles. On the other hand, nothing here proves that in Augustine's view an interpretation of Romans 2:15 as dealing with gentiles would be wrong.

Time and time again, the natural law turns up in the lives of individuals. This becomes clear from the *Confessiones* (397/401), Augustine's description of his personal quest for God. Discussing the famous pear theft in the second book of the *Confessiones*, Augustine mentions 'the law written in human hearts':

'Beyond question, theft is punished by your law (*lex tua*), O Lord, and by the law written in human hearts (*et lex scripta in cordibus hominum*), which not even sin itself can erase'.<sup>37</sup>

<sup>34</sup> Translation: WSA I/20, p. 237 *Contra Faustum* 19,2 CSEL 25, 1, p. 497: 'sunt autem legum genera tria: unum quidem hebraeorum, quod peccati et mortis Paulus appellat; aliud uero gentium, quod naturale uocat. Gentes enim, inquit, naturaliter, quae legis sunt, faciunt; et eiusmodi legem non habentes ipsi sibi sunt lex, qui ostendunt opus legis scriptum in cordibus suis. Tertium uero genus legis est ueritas, quod perinde significans apostolus dicit: lex enim spiritus uitae in Christo Iesu liberauit me a lege peccati et mortis'.

<sup>35</sup> Translation: WSA I/20, p. 241 *Contra Faustum* 19,7 CSEL 25, 1, p. 501: 'nec perges extendi per tria genera legis et tria genera prophetarum quaerens, qua ex eas, et non inueniens'.

<sup>36</sup> S.J. Gathercole, *A conversion of Augustine*, p. 149.

<sup>37</sup> Translation: WSA I/1, p. 67 *Confessiones* 2,4,9 CCL 27, p. 21: 'Furtum certe punit lex tua, domine, et lex scripta in cordibus hominum, quam ne ipsa quidem delet iniquitas'.

In fact Augustine speaks of two laws: God's law and the law written in human hearts. The first is the *lex aeterna*, the second the *lex naturalis*.<sup>38</sup> The law written in human hearts cannot be erased, not even by sin. Augustine reports the pear theft as an incomprehensible act and as something contrary to reason. The young Augustine was in no way in need of pears. On the contrary, he had an amount of pears at his disposal; even of a better taste than the ones he stole. The irrationality of the sin is at odds with the rationality of the *lex naturalis*. Irrationality exists precisely in not conforming oneself to *ratio*. When Augustine tries to find out what could have moved him to steal and waste the fruit, he distinguishes sin from crime (*facinus*) and allies his theft with the former (2.5.11). Crimes are intelligible in reference to an object of desire – material gain, fame, revenge; sin is not. In this passage, God's law and the inner law function as a call to conversion. This is not a text about a gentile pur sang, but about a potential Christian, Augustine himself, who, even before his conversion, religiously lives within a Christian, but sectarian environment. In fact, Augustine discovers that the true God of both Old and New Testament had always been present in his life.

*Enarratio in psalmum* 57 (possibly preached in 403) sheds some light on the content of the law to which everyone has knowledge:

'by the hand of our Fashioner truth has written in our very hearts the precept, *Do not do to another what you would not want anyone to do to you* (Tb. 4:16)'.<sup>39</sup>

The content of the inner law is the Golden Rule, which in this passage is formulated by means of Tobias 4:16. Augustine offers plenty of examples of situations in which people judge an action to be bad from the fact that they do not want to have it done to themselves, for example adultery and theft. The formulation of the Golden Rule is also mentioned in Augustine's account of the pear theft: 'for when does any thief tolerate being robbed by another thief, even if he is rich and the other is driven by want?'<sup>40</sup> It should be noted that the Golden rule is also formulated as doing something positive, that is: kind actions such as generosity in giving, sheltering a foreigner etc.

The mutual relation between the existence of the natural law and the interpretation of scripture works in two ways. On the one hand,

<sup>38</sup> Cf. S.J. Gathercole, *A conversion of Augustine*, p. 150.

<sup>39</sup> Translation: WSA III/17, p. 120; *Enarratio in psalmum* 57,1 CCL 39, p. 708: 'quandoquidem manu formatoris nostri in ipsis cordibus nostris veritas scripsit: *quod tibi non vis fieri, ne facias alteri*'.

<sup>40</sup> Translation: WSA I/1, p. 67 *Confessiones* 2,4,9 CCSL 27, p. 21-22: 'quis enim fur aequo animo furem patitur? Nec copiosus adactum inopia'.

Augustine derives the universality of the natural law from scriptural passages on the basis of logical thinking. Wisdom 1:9 reads: 'An enquiry will be instituted in the thoughts of a godless person'. An 'enquiry', Augustine reasons, presupposes a law according to which the inquiry takes place: this is the inner law, which already existed before the Tora. On the other hand, the concept of the natural law provides Augustine with a key to understand difficult and apparently contradictory biblical passages. For instance, how could it be that, according to the psalmist 'all sinners have been judged to be transgressors' (Psalm 118:118); whereas, at the same time, according to the apostle Paul, 'where there is no law, there is no transgression' (Romans 4:15)? Augustine offers two different possibilities to resolve the apparent contradiction. In Letter 157 (written around 414) Augustine's use of the law of the heart is triggered by a reference to Romans 4:15: 'For where there is no law, there is no transgression'. Augustine goes on to argue that the law which is the precondition of transgression in the verse is not confined to Israel 'since there is also a law in the reason of a person (*in ratione hominis*) who already uses free choice, a law naturally written in the heart (*naturaliter in corde conscripta*), by which he is warned that he should not do anything to anyone else that he himself does not want to suffer'.<sup>41</sup> In other words: by interpreting the law mentioned in Romans 4:15 as the law written in the heart, the apparent contradiction between Psalm 118:118 and Romans 4:15 is resolved. In *Enarratio in Psalmum* 118 Augustine offers a different interpretation of Romans 4:15. This time Augustine states that the apostle is referring to the Mosaic law, but, Augustine goes on, according to the apostle, it is possible to sin outside the scope of the Mosaic law, otherwise he would not have written: 'Those who have sinned without the law, will perish without the law' (Romans 2:12). But what law had the psalmist in mind when he wrote: 'all sinners have been judged to be transgressors'? According to Augustine the answer lies in Romans 2:14b: 'they are a law to themselves'. Subsequently, there is good reason to reckon all sinners on earth as violators of the law (cf. Psalm 118:118). Therefore, the psalmist must have had the natural law in mind, containing the Golden Rule.<sup>42</sup>

The law of Romans 2:14 is not merely the natural law known to people before the revelation of the Mosaic Law. Augustine also

<sup>41</sup> Translation: WSA II/3, p. 25 *Epistula* 157,3,15 CSEL 44, p. 463: 'proinde quoniam lex est etiam in ratione hominis, qui iam utitur arbitrio libertatis, naturaliter in corde conscripta, qua suggeritur, ne mali aliquid faciat quisque alteri, quod pati ipse non uult...'

<sup>42</sup> *Enarratio in Psalmum* 118, 25, 1-4 CCSL 40, p. 1747-1750.

interprets Romans 2:14 as the prophecy of the New Covenant. In *Enarratio in Psalmum* 45,6 Augustine refers to Jeremiah 31:22 (= Hebrews 8:10): 'these laws, these commandments, that were stamped upon the faith and believing hearts of all nations by the apostle'.<sup>43</sup> The new law is the grace of the Holy Spirit, which is given to believers through faith in Christ. This law is operative through *caritas*; it provides grace for people in order that they might be able to fulfil the prescripts of the law. In fact, what Augustine is doing here, is harmonizing different passages from scripture: Romans 2:14, Jeremiah 31:3 and Romans 5:5: '*caritas tua diffusa est in cordibus nostris per spiritum sanctum*'. In *Enarratio in Psalmum* 118 sermo 22 we find a similar connection between the Spirit, the new covenant and the law written in the heart:

'You, who are more intimate to me than my inmost self (*tu interior intimis meis*), have set a law within my heart by the action of your Spirit (*tu intus in corde legem posuisti mihi spiritu tuo*), as though writing it with your finger (*tamquam digito tuo*). You have written it within me so that I may not dread it like a loveless slave but love it with chaste fear like a son or daughter and fear it with chaste love'.<sup>44</sup>

The old law prescribes *caritas*, but, according to Augustine, people fulfilled that law with fear. As to the new law, Augustine speaks of people who fulfil the law with chaste love.

It seems evident that the law written in the heart cannot be erased. This is confirmed by the *Confessiones*: 'the law written in human hearts, which not even sin itself can erase'<sup>45</sup>. Sin might cause that the imprint of the law is fading away, whilst the keeping of God's prescripts (*praecepti dei*), on the other hand, makes the imprint clearer. In *De spiritu et littera* (412) it is mentioned that God's law has been removed from the hearts of sinners (*lex dei est deleta de cordibus*)<sup>46</sup>, which seems to contradict the *Confessiones*. Nevertheless, a bit further on in *De spiritu et littera* it becomes clear that the image of God (*imago Dei*) has not been removed to such a point that no vague lines can be perceived and that the imprint cannot be repaired by grace.<sup>47</sup>

<sup>43</sup> Translation: WSA/16, p. 315 *Enarratio in Psalmum* 45,6 CCSL, 38, p. 522.

<sup>44</sup> Translation WSA III/19, p. 448 *Enarratio in psalmum* 118,22,6 CCSL 40, p. 1740: 'tu interior intimis meis, tu intus in corde legem posuisti mihi spiritu tuo, tamquam digito tuo; ut eam non tamquam seruus sine amore metuerem, sed casto timore ut filius diligere, et dilectione casta timerem'.

<sup>45</sup> Translation: WSA 1/1, p. 67; *Confessiones* 2.4 CCL 27, p. 21: 'lex scripta in cordibus hominum, quam ne ipsa quidem delet iniquitas'.

<sup>46</sup> *De spiritu et littera* 27,47 CSEL 60, p. 201.

<sup>47</sup> *De spiritu et littera* 28,48 CSEL 60, p. 202.

Before I proceed, let me recapitulate the theory of the *lex in corde scripta*. This law can be interpreted as the natural law because it belongs to human nature. The *lex naturalis* is the imprint of God's eternal law. It brings knowledge of good and evil. This law was given in Paradise, before the Mosaic law, but the content is not different from the Tora: *caritas* and the Golden Rule. The Mosaic Law was intended to remember people of the law written in their hearts. The 'law written in the heart' refers to the New Covenant as well (cf. *En. in Ps.* 45; *En. in Ps.* 118, 20): the Holy Spirit pouring out *caritas* in the hearts of people. The Holy Spirit pours out grace in order that one might be able to actually fulfil the prescripts of the law. The law written in the heart contains not merely the prescripts, it also refers to the 'works of the law', that is: the fulfilment of the law.

## 2. Conscientia and the conflicting thoughts

The concept of *conscientia* will be investigated in relationship with Romans 2:15. What is the function of *conscientia* and what is the relationship of *conscientia* and the *lex naturalis* regarding the relationship with God, moral prescripts and salvation?

Etymologically *conscientia* means 'the holding of knowledge in common'. Consciousness is the act of being aware of something one has done or for which one is responsible. In particular it can refer to consciousness of right and wrong. This is the moral sense or conscience. One can have a good conscience or a guilty conscience.<sup>48</sup> To Augustine, *conscientia* has essentially to do with God.<sup>49</sup> It is no self-awareness without God. '*Deum et animam scire cupio*', Augustine writes in *Soliloquia*.<sup>50</sup> The religious character of *conscientia* is stressed by the formula '*coram Deo*': *conscientia tua coram Deo (est)*.<sup>51</sup> Augustine's concept of *conscientia* is based on a biblical-christian conception of God. In the bible, the idea of people being aware of an all-knowing God who sees everything is present e.g. in 2 Corinthians 4:2 and Galatians 1:20.<sup>52</sup> When Paul says in 2 Corinthians 1:12a: 'this is our boast, the testimony of our conscience (*testimonium conscientiae, testis conscientiae*)', this is not to be understood autonomously, but,

<sup>48</sup> P.G.W. Glare (ed.), *Oxford Latin Dictionary* (Oxford: Clarendon, 1968-1982), p. 411; Lewis and Short, *A Latin Dictionary* (Oxford: Clarendon, s.d.), p. 426.

<sup>49</sup> J. Stelzenberger, *Conscientia bei Augustinus*, p. 27.

<sup>50</sup> *Soliloquia* 1.2.7. CSEL 89, p. 11.

<sup>51</sup> E.g.: *Enarratio in Psalmum* 7,4 CCSL 38, p. 38; *sermo* 47, 11 CCSL 41, p. 581.

<sup>52</sup> J. Stelzenberger, *Conscientia bei Augustinus*, p. 37.

to use a neologism, theonomously. The testimony of his conscience is not a merely human matter, it is established in God. Of course, there is a difference between the testimony of the *conscientia* and the testimony of God, in that the latter is absolute.<sup>53</sup>

*Conscientia* is an 'organ of the soul', whose specific function is aimed at people's character and conduct of life.<sup>54</sup> *Conscientia* operates *intus*, in the inner part: nothing is more interior to a person than his conscience. Augustine compares the *conscientia* as one's inner self with the depths of the sea: 'You may plumb the depths of the see, but what is deeper than the human conscience (*quid profundius humana conscientia*)?'<sup>55</sup> In order to illustrate *conscientia* with visual aids, he depicts it in a metaphorical way as 'the belly of the inner man' (*uenter interioris hominis*)<sup>56</sup>. *Conscientia* operates assisted by *mens*. Therefore both are mentioned together: '*in mente atque conscientia*'<sup>57</sup> and '*in conscientia et intellectu*'.<sup>58</sup> In fact, they are already mentioned together in the bible, for example in the letter of Paul to Titus 1:15, where minds and consciences of the unbelievers are linked together. Because the *conscientia* operates in the inner part, Augustine exhorts to return within: 'Return to your conscience, question it (...) Return within, brothers, and in all the things whichever you do, look upon God as your witness'.<sup>59</sup>

*Conscientia* is *intus hominis*, the place of the encounter with God: 'There is only yourself and God'.<sup>60</sup> *Confugere ad conscientiam* and *confugere ad dei conspectum* are in fact one and the same activity: 'we must take flight within, to our conscience, to the place where God sees'.<sup>61</sup> The *conspectus conscientiae* and the *conspectus Dei* are closely related to each other. According to Augustine, 'what human sight cannot penetrate, like the secrets of *conscientia*, that is properly and specially called the sight of God'.<sup>62</sup>

<sup>53</sup> J. Stelzenberger, *Conscientia bei Augustinus*, p. 37-38.

<sup>54</sup> C. Mayer, 'conscientia', in: C.P. Mayer, K.H. Chelius and E. Feldmann (eds.), *Augustinus-Lexikon* (Basel: Schwabe, 1986-), col. 1222.

<sup>55</sup> *Enarratio in Psalmum* 76, 18 CCL 39, p. 1063.

<sup>56</sup> *In Iohannis euangelium tractatus* 32, 4 CCL 36, p. 301-302.

<sup>57</sup> *De musica* 6,40 PL 32, col. 1185.

<sup>58</sup> *Quaestiones euangeliorum* 2,40,3 CCL 44B, p. 99.

<sup>59</sup> *In Iohannis epistolam ad Parthos tractatus* 2 PL 35, col. 1992.

<sup>60</sup> *Enarratio in Psalmum* 54,9 CCL 39, p. 663: 'Si forte in conscientia, quo nullus hominum intrat, ubi nemo tecum est, ubi tu et Deus es'.

<sup>61</sup> Translation: WSA III/15, p. 99 *Enarratio in Psalmum* 5,11: 'et ideo intro ad conscientiam et ad dei conspectum confugiendum est'.

<sup>62</sup> Translation: WSA III/1, p. 300-301 *sermo* 12,6 CCL 41, p. 169: 'sed ille proprie conspectus dei dicitur, quod humanus non potest penetrare conspectus, sicut sunt secreta conscientiae'.

In *Contra litteras Petiliani* (400/403) and *Ad Cresconium* (405/406), two of Augustine's works against the Donatists, the concept of *conscientia* appears many times.<sup>63</sup> Because the discussion on *conscientia* is not related to Romans 2:14-15 I will just briefly mention it. During the Donatist controversy the concept of *conscientia* receives a special interpretation. Among other things the discussion is about the legitimacy of baptism. According to the Donatists the sacrament of baptism could not be valid, unless the minister had an integer faith and morality, and belonged to the true church. The Donatists hold a broad concept of *conscientia*. Regarding baptism they spoke of: '*conscientia sancte dantis attenditur quae abluit accipientis*' or 'what we look for is the conscience of the one who gives in holiness, to clean that of the recipient'.<sup>64</sup> This inner state which the Donatists required of the minister was not the one catholic priests, who during the persecution of Diocletianus had brought offers for the gods, could possibly possess. These priests possessed a *damnata conscientia*. Augustine's arguments against the Donatists are not directed against their dogmatic interpretation of *conscientia*. Here, Augustine himself is holding a dogmatic concept of *conscientia* in that his concept of *conscientia* is essentially aimed at the unity of the church: '*conscientia* is das Innere als Basis des Religiösen und Kirchlichen'<sup>65</sup>. Augustine is aware that it is impossible to find out whether the *conscientia dantis latenter immunda* or *munda* is. Though the Donatists and the Catholics did not share the unifying *caritas*, they shared the same *fides*. Therefore, according to Augustine, sacraments were valid regardless of the inner state of the minister who performed the action. Moreover, according to Augustine, the actual minister of the sacrament is Christ as *origo et radix et caput*.<sup>66</sup> The *conscientia Christi* provides security.<sup>67</sup>

The concept of *conscientia* plays an essential role within moral conduct. In the *conscientia* God speaks in an excellent way about the

<sup>63</sup> 'Nach der EDV-Frequenzliste dominiert c. in den beiden 401-406 entstandenen (cf. retr. 2,25sq.) antidonatistischen Schriften *Contra litteras Petiliani* (110 mal A.; 45 mal Petil.) und *Ad Cresconium grammaticum partis Donati* (95mal A.; 9 mal Cresc.) in denen A. den Terminus apologetisch wie kirchenpolitisch bedingt verwendet.' 'Conscientia', in: *Augustinus-Lexikon*, col. 1222.

<sup>64</sup> *Contra litteras Petiliani* 1,1,2 CSEL 52, p. 4; See: 'Note complémentaire 19: Conscientia [sancte] dantis', in: *Saint Augustin. Traités anti-donatistes V*, trad. de G. de Finaert; intr. et notes par A.C. De Veer, Bibliothèque augustinienne. Œuvres de saint Augustin 32 (Paris: Desclée de Brouwer, 1968), p. 773-777.

<sup>65</sup> J. Stelzenberger, *Conscientia bei Augustinus*, p. 96.

<sup>66</sup> J. Stelzenberger, *Conscientia bei Augustinus*, p. 105.

<sup>67</sup> J. Stelzenberger, *Conscientia bei Augustinus*, p. 103-105.

natural law, which is in line with the *ordo rerum*.<sup>68</sup> The natural law dictated the law written in the heart (Romans 2:14). God is present in the one who carries *caritas* in the heart. Moral prescripts, such as the Golden Rule, are situated in the *conscientia*. As *tribunal mentis* the *conscientia* not only reacts on actual transgression of the law, it also judges moral conduct in advance.<sup>69</sup>

God is not merely the author of the law written in the heart. He also plays an essential role in the working of *conscientia*. God is the *scrutans corda et renes*.<sup>70</sup> He examines a person's heart and inward parts, that is: God sees the thoughts of everyone, because that is what the word 'heart' means. God supervises a person's conscience and is the arbiter (*Confessiones* 5,11). A person owes an account of his *conscientia* to God. In line with scripture, Augustine sees the functioning of the conscience as a lawsuit. God is present both as Witness and as Judge. Or as Augustine formulates it:

'they do not deceive God who is their witness, nor do they escape him as their judge, for the human conscience lies open to him'.<sup>71</sup>

Or elsewhere:

'The judge's tribunal is within your mind. There God takes its seat; there your conscience serves as counsel for the prosecution, and there stands the torturer waiting, the torturer whose name is Fear'.<sup>72</sup>

Hence, God is the author of the inner law, He is a witness of the deeds of people and He is Judge in the *conscientia*.

Since the Fall *conscientia* is referred to either as *bona* or as *mala*. In metaphorical language the disadvantage of an evil conscience are depicted and the advantages of a good *conscientia* are praised. A *conscientia mala* might become a *conscientia bona* through *confessio peccatorum in corde paenitentis* and through forgiveness a person has longed for. This happens through God's grace in Christ.<sup>73</sup>

<sup>68</sup> C. Mayer, 'conscientia', in: *Augustinus-Lexicon*, col. 1224.

<sup>69</sup> J. Stelzenberger, *Conscientia bei Augustinus*, p. 124-128; C. Mayer, *conscientia*, col. 1225.

<sup>70</sup> *Enarratio in Psalmum* 7.9 and 11 CCSL 38, p. 42-44.

<sup>71</sup> Translation: WSA II/2, p. 309 *Epistula* 144,3 CSEL 44, p. 265: '...(qui tales sunt, quoniam) deum, cui nuda est humana conscientia, nec testem fallunt nec iudicem fugiunt'.

<sup>72</sup> Translation: WSA III/17, p. 122 *Enarratio in Psalmum* 57,2 CCSL39, p. 709: 'iudicis tribunal est in mente tua; sedet ibi deus adest accusatrix conscientia, tortor timor'.

<sup>73</sup> C. Mayer, 'conscientia', in: C.P. Mayer, K.H. Chelius and E. Feldmann (eds.), *Augustinus-Lexicon* (Basel: Schwabe, 1986- ), col. 1225.

Although *conscientia* is involved in the judgement, it does not guarantee salvation. It rather testifies the correctness of God's judgement. I will illustrate this with two examples. Firstly, in *Enarratio in Psalmum* 5:13 (written around 392) Augustine explains what Psalm 5:10b means: 'Judge them, Lord; Let them fall by their own thoughts'. Because the psalm text deals with people who obstinately persevere in sinfulness, the meaning must be negative. Augustine writes: 'their own conscience bears witness against them, as the apostle says, whether their thoughts accuse or defend them, when God's just judgment is revealed' (Romans 2:15-16). A second example is provided by *Expositio quarundam propositionum ex epistula ad Romanos* 10. Explaining the concept of *conscientia* of Romans 2:15, Augustine uses 1 John 3:20: '*Quod autem dicit "contestante conscientia illorum", secundum illum locum loquitur Iohannis apostoli, quod ait: "Dilectissimi, si cor nostrum nos reprehenderit, maior est Deus conscientiae nostrae et cetera"*'. With his use of 1 John 3:20 Augustine says that Paul is referring in Romans 2:15 to God's acquittal of 'us' despite the testimony of the conscience.<sup>74</sup>

In *De Spiritu et littera* (412), Augustine discusses Romans 2:14-15 at length. He offers a theological and exegetical comment on Romans 2:14-15a. The explanation of these verses fits in a broader explanation of the Old and the New Covenant. Augustine interprets Romans as referring to the New Covenant. The law of the New Covenant is not written on tablets of stone, but it is written on the hearts of people (cf. 2 Corinthians 3:3). Whereas the Law of the Old Testament fills someone with dread from outside, the Law of the New Testament brings inner joy. Against this background Augustine clarifies the meaning of Romans 2:15a ('they show that what the law requires is written in their hearts'). Doing so, Augustine uses two bible verses as key passages. Firstly, the promise of the New Testament is mentioned in Jeremiah 31(38):33: 'I will put my laws within them (*in mente eorum*) and I will write it on their hearts (*in cordibus eorum*)'. Augustine interprets the law written in the heart as the fulfilment of the promise and the presence of the Holy Spirit as 'God's finger' (Luke 11:20). A second key passage is Romans 5:5: the love for God has been poured out into our hearts through the Holy Spirit, which has been given to us. Hence, the law of Romans 2:15a is the descent of the Holy Spirit announced for the messianic time, a pouring out of grace in order that one might be able to fulfil the law.<sup>75</sup>

<sup>74</sup> S.J. Gathercole, *A conversion of Augustine*, p. 160.

<sup>75</sup> *De spiritu et littera* 25,42-28,49 CSEL 60, p. 194-204.

According to Augustine, when Paul is speaking of the gentiles who have the work of the law written in their hearts, he must have meant those gentiles who belong to the new covenant (26,44), in other words: 'those who believe in Christ' (26,44). Would it be possible that gentiles who have not yet come to Christian faith possess the law by nature? Since the beginning of creation, the image of God (*imago Dei*) is imprinted in the human soul. Meanwhile this image had faded away, but it is not erased totally by sin. It is repaired *gratia Christi*. The one who does not allow grace to come upon him – that is the godless person – gains nothing regarding eternal life from the good he might occasionally have done. Augustine interprets the 'gentiles' of Romans 2:14 as gentile-christians who are receptive for God's grace. Augustine does in no way exclude that an impious person might occasionally do some good works. Even a random scoundrel does not escape from doing some good in his lifetime, he says. But the one who is not receptive for God's grace does not gain anything in respect of eternal salvation'. Of what use will be their 'excusing thoughts' on the day when God will judge the secrets of men (Romans 2:16)? Might it perhaps procure a milder punishment? It is clear that Augustine does not see a possibility for salvation without grace.

What does it mean when Paul says that the gentiles (to be understood: the gentile-christians) do *naturaliter* what the law requires? It is nature that has been renewed and restored by grace: *natura per gratiam reparata*. Grace and nature are therefore not contradictory concepts: grace restores nature towards its original form as *imago Dei*.

Does this mean that gentiles are excluded from being saved? And what about people who lived their lives before the coming of Christ? It should be noted that Augustine is not a systematic theologian. He states that 'God always existed and always willed to save righteous and pious persons who did his will. Christ (...) remains the same from the creation of the world up to the end of it, despite the various stages of salvation history. (...) Augustine claims that Christ has chosen to reveal himself to human beings whom he knew would believe in him. So too, Augustine claims that from the time of Adam the salvation brought by the true religion was never lacking to anyone who was worthy of it'<sup>76</sup>.

<sup>76</sup> Summary of *Epistula* 102, §10-15 (CSEL 34.2, p. 552-558) quoted from the introduction to Letter 102 in WSA II/2, p. 21.

### 3. Conclusions and final considerations

Augustine is a rhetorician. He could interpret Romans 2:14-16 à la bonheur, but it is always fitting within his theology. The verses can refer to *omnis anima rationalis* even if it is *cupiditate caecata* (as in *De sermone Domini in monte*) when Augustine had to explain how God and the devil could possibly talk to each other. The verses can refer to everybody especially when Augustine must explain that nobody can possibly say that he or she did not know the law.

The law written in the heart is the natural law, which existed before the Tora. It is also the law one can discover in one's heart. The Law written in the heart can also be the law of the New Covenant, It is the law which the Holy Spirit writes in the heart with his finger. This interpretation is the one Augustine favours when he interprets Romans 2:15a in a cluster, together with Romans 5:5; Jeremiah 31:33 and 2 Corinthians 3:3. Because of these divergent interpretations of Romans 2:15, one should take care not to speak too easily of Augustine first interpreting Romans 2:15 as referring to the gentiles and only later as referring to gentile-Christians. Augustine rather gave different interpretations regarding the context of the text.

As to *conscientia* I can say that *conscientia* (in a moral sense) and the law written in the heart (as a parallel to the Mosaic Law) are closely related, sometimes nearly identical. Both the Law written in the heart and *conscientia* refer to God. The law written in the heart is the imprint of the *lex aeterna* on our soul. The *conscientia* is the place where God is witness and judge. The law is written in the heart. The *conscientia* operates within, in the inner part. Both the law written in the heart and the *conscientia* prescribe the Golden Rule. Neither the Law, nor *conscientia* is a guarantee for salvation.

Augustine's two interpretations of the law written in the heart (Romans 2:15) represent two different degrees of one and the same scale of participation. In the case of the inner law, Augustine speaks of the fallen nature that has fled from God. Regarding Romans 2:15 as the law written in the heart by the Holy Spirit (that is: the New Covenant), humans ascertain the higher degree of participation in the person who by *fides* and *caritas* both owns and participates in Christ's revelation in history and Church.

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