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On the crisis, does the pope have it right?

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NCR Today

Pope Benedict XVI's blunt language on the sexual abuse crisis in his annual address to the Roman Curia this morning is generating headlines around the world, especially the pontiff's unflinching insistence that the church must examine "what went wrong in our proclamation, in our whole way of living the Christian life, to allow such a thing to happen."

What Benedict said about the importance of better priestly formation, and the valuable role played by those who work to help victims, also will likely garner largely positive notice.

Yet there's also an insider's subtext to Benedict's reflections this morning, one which suggests that while the pope may well "get it" in terms of the magnitude of the crisis, both his diagnosis of what went wrong and his implied cure remain open to debate.

At heart of that subtext is a \$5 word in Catholic moral theology: "Proportionalism."

As he has several times in the past, Benedict XVI once again appeared to place at least some of the blame for the crisis at the feet of "proportionalism," a moral theory which was in vogue in the 1960s and 1970s. In a nutshell, it held that acts are rarely good or evil in the abstract "their morality depends upon the circumstances, and the "proportion" of good versus evil the act is likely to produce.

In effect, Benedict asserted that proportionalism shaped a climate in which it was possible to justify pedophilia and the sexual exploitation of minors, even by priests.

As Benedict noted, "proportionalism" and its variants were explicitly rejected by Pope John Paul II in his 1993 encyclical *Veritatis Splendor* (paragraphs 75-76), in which the late pope insisted that Catholic moral tradition regards some acts as "intrinsically evil," which can never be justified by a "proportionate

reason.?

†The danger of proportionalism has long figured prominently among Benedict's "talking points" on the sex abuse crisis.

†On his way to Australia in the summer of 2008, for example, Benedict targeted the moral theory by name, claiming that "with proportionalism, it was possible to think for some subjects" one could also be pedophilia "that in some proportion they could be a good thing."

This morning, Benedict XVI returned to the same point, though without directly invoking the term. Here's what the pope said, in the English translation of his address provided by the Vatican Press Office:

In the 1970s, paedophilia was theorized as something fully in conformity with man and even with children. This, however, was part of a fundamental perversion of the concept of ethos. It was maintained "even within the realm of Catholic theology" that there is no such thing as evil in itself or good in itself. There is only a "better than" and a "worse than". Nothing is good or bad in itself. Everything depends on the circumstances and on the end in view. Anything can be good or also bad, depending upon purposes and circumstances. Morality is replaced by a calculus of consequences, and in the process it ceases to exist. The effects of such theories are evident today. Against them, Pope John Paul II, in his 1993 Encyclical Letter Veritatis Splendor, indicated with prophetic force in the great rational tradition of Christian ethos the essential and permanent foundations of moral action. Today, attention must be focused anew on this text as a path in the formation of conscience. It is our responsibility to make these criteria audible and intelligible once more for people today as paths of true humanity, in the context of our paramount concern for mankind.

†Since cure follows diagnosis, Benedict's assessment implies that eradicating the influence of proportionalism, along with any moral theory which denies the intrinsic evil of certain acts, should be a core element of the church's "exit strategy."

†That effort could have consequences which reach well beyond the sex abuse crisis. For example, the questions underlying the debate over proportionalism form a core issue in the current stand-off in Phoenix between Bishop Thomas J. Olmsted and Catholic Healthcare West, arising from a case in which an "indirect abortion" was performed in order to save the life of a woman with pulmonary hypertension. In effect, Olmsted is defending the view that terminating a pregnancy is intrinsically evil and can never be justified "a position which could arguably be strengthened if opposing moral theories were perceived to be responsible for the sexual abuse crisis.

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†The focus on proportionalism vis-à-vis the crisis has undeniable plausibility. Many observers find it difficult to believe that an "anything goes" sexual ethic in the 1960s and 1970s didn't play some role in producing a statistical spike in abuse cases during that period, which coincides with proportionalism's appeal in Catholic moral theology.

†Among specialists, however, there are serious reservations as to whether proportionalism really is to blame.

†First, moral theologians say that proportionalism reached its high-water mark in the 1970s and has been

in retreat ever since. Focusing on it now, they say, risks fighting yesterday's battles.

Second, Redemptorist moral theologian Fr. Brian Johnstone of the Catholic University of America said in the wake of the pope's 2008 remarks that he's not aware of any serious Catholic moralist who ever invoked the theory to justify the sexual exploitation of minors.

Johnstone, an Australian who over the years has been critical of proportionalism, said he's "totally unconvinced" of any connection between proportionalism and the abuse crisis.

Third, statistical studies of the crisis may not support a link to a defective moral theory.

Margaret Smith, data analyst for a John Jay study of the "causes and context" of the sexual abuse crisis commissioned by the U.S. bishops, likewise said in 2008 that research found incidents of sexual abuse as far back as 1950, the very beginning of the time frame the bishops asked them to consider (1950-2000). Those earlier acts of abuse probably cannot be explained by proportionalism.

Smith said there was a "dramatically lowered incidence" of abuse among priests who graduated the seminary in the 1980s, some of whom were formed in the 70s when proportionalism was still in vogue. As a result, Smith said, if anything, proportionalism is "arguably associated with a decrease rather than an increase" in abuse.

Smith added that changing attitudes towards authority in the '60s and '70s, as well as a growing individualism in the broader culture, may well have played a role in the crisis "and that, she said, was perhaps the point Benedict "was reaching for" in 2008. Nonetheless, Smith said, her hunch is that when all the data is in, proportionalism will not loom large.

"This is behavior much more deeply embedded in the personality of individuals than a particular theory of moral action," Smith said. "I think the analysis of causes will have more to do with things like preparation for living a life of celibate chastity, and how to understand and deal with intimacy."

Fourth, some critics say that a focus on proportionalism ignores other factors which were arguably more central to the crisis, such as a self-referential clerical culture, the church's drive to protect its institutional self-interest, and a perception that while priests are now subject to tough discipline, bishops too often remain "above the law".

Dominican Fr. Thomas Doyle, who has studied the crisis extensively and who has long been a critic of the church's response, says the "core issue" is "the lack of accountability of complicit bishops, and the lack of penal measures against bishops who have themselves sexually abused minors."

All this suggests that while Benedict's words this morning will once again earn points for candor, debate over how he understands the roots of the crisis "and thus what to do about it" will likely continue.

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As a footnote, one extremely prominent Catholic theologian recently made a splash which, to some observers, seemed to revive proportionalism, or at least to call into question a form of Catholic moral theology which leans too heavily on acts as opposed to intentions.

Ironically enough, that theologian was Pope Benedict XVI.

Famously, the pope said in his book-length interview with German journalist Peter Seewald that although condoms are not the right answer to AIDS, using a condom could represent a "first step" towards moral

responsibility if the intention is to reduce the risk of infection.

After those words created a global media sensation, some observers concluded the pope had accepted condoms as a "lesser evil" which could be justified by the "proportionate reason" of saving lives — just the kind of reasoning proportionalism advocates.

The Vatican and other Catholic commentators scrambled to insist that Benedict was not "justifying" condom use, but rather acknowledging that in some cases it might mark positive movement in the direction of what the Catholic church regards as ethical sexual behavior. In other words, they argued, Benedict's point had more to do with spiritual maturation than moral theology.

In fairness, in chapter three of the same book, Benedict XVI once again blamed moral theories in the 1970s, which he said called objective good and evil into question, for the sex abuse crisis. It should have been clear, therefore, that the pope's lines on condoms did not augur any revival of proportionalism.

Debate over how to exegete the book, however, suggests that not only are the causes of the abuse crisis still open to debate, but so too is precisely how to weigh acts and intentions in Catholic moral theory.

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