

IMPACT OF THE SEXUAL ABUSE CRISIS ON ECCLESIAL MORAL AUTHORITY AND LAY MORAL AGENCY

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OUTLINE

- ❖ understanding moral agency in context: what that means and why it matters
- ❖ how that changes analysis of clergy-perpetrated sexual abuse
 - ❖ a structural understanding of clericalism related to sex, gender, and power and hierarchicalism demonstrate how priests' and bishops' moral authority is overemphasized, diminishing the moral agency of laypeople
- ❖ if clericalism is “baked into” ecclesial life, how does it show up when we consider the experiences of Catholics contending with infertility?

- ❖ powerful social forces shape the situations in which people make choices, making certain actions and outcomes easier to choose and others more difficult to choose (due to social idealization and economic incentives)
- ❖ in this way, social forces (specifically, structures and cultures) shape human agency, yet the individual retains freedom to act (i.e., social forces do not determine human behavior)
- ❖ social forces often operate unconsciously—e.g., agents' moral perceptions, values, expectations, and eventual choices are influenced by factors they may not identify

RETHINKING MORAL AGENCY

- ❖ social structures and cultures can shape agents to act well, incentivizing virtuous action and constraining vicious behavior
 - example: having a SEPTA regional rail stop at Villanova can encourage faculty, students, and staff to reduce carbon emissions and take public transit (through the incentive of convenience)
- ❖ yet social structures are also beset by “social sin”, which “encompasses the unjust structures, distorted consciousness, and collective actions and inaction that facilitate injustice and dehumanization”¹
- ❖ thus, social structures often incentivize and socially idealize sinful action

1. Kristin E. Heyer, “Social Sin and Immigration: Good Fences Make Bad Neighbors,” *Theological Studies* 71 (2010), 413

RETHINKING MORAL AGENCY

- ❖ while moral theologians are developing ways to think about social forces impacting agency, theologians in ecclesiology (the study of the church) are grappling with the idea of the Church as “holy” given the sex abuse crisis and other instances of sin in the Church (see Hinze, Flanagan, Gaillardetz, etc.)
- ❖ “we are called to hold together at the same time two truths about the Christian church. First, that the church is holy, God’s chosen instrument for the salvation of the world... Second, that the church is sinful, in that as it walks its pilgrimage toward its fulfillment in the reign of God, it stumbles, sometimes spectacularly so.” — Brian Flanagan, *Stumbling in Holiness*

RETHINKING HOLINESS AND THE CHURCH



when we analyze social ills, we can identify the social forces at work that contribute to perpetuating those problems



recognizing the role of social forces helps contextualize the actions of individuals—not absolving individuals for wrongdoing, but situating their choices within a world that contains pressures, incentives, ideals, biases, etc.



because agents often miss the social forces that influence their choices, ethical analysis that makes those forces known can help improve moral discernment and moral decision-making



recognizing the sinfulness of the church can prompt us to bring structural analysis to ecclesial contexts to understand the sins of the church and how to transform the church going forward

WHY DOES THIS MATTER?

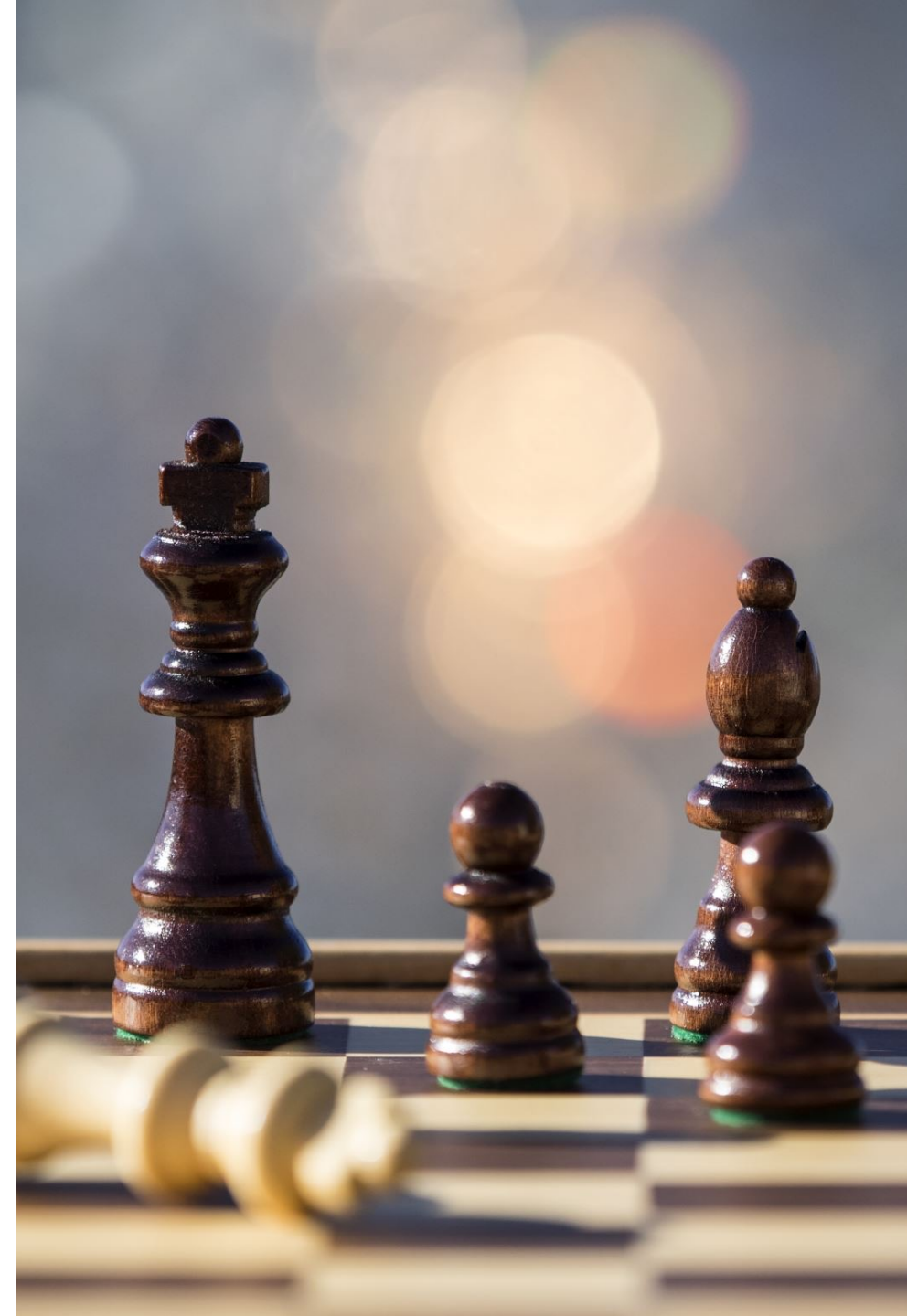
STRUCTURAL ANALYSIS OF CLERGY PERPETRATED SEXUAL ABUSE

- ❖ recent research conducted by Julie Hanlon Rubio and Paul J. Schutz applies these insights about the importance of structural analysis to the sexual abuse crisis in the Catholic Church
- ❖ they argue that the sex abuse crisis is not best explained as an issue of “a few bad apples.” Instead, it’s a structural problem in the Church.
- ❖ **clericalism** as a social force shaping attitudes and environments in ways that allow for CPSA

CLERICALISM

- ❖ not a critique of priests—clericalism is a *structural* reality “baked into ecclesial life”
- ❖ “a structure of power that isolates clergy and sets priests above and apart, granting them excessive authority, trust, rights, and responsibilities while diminishing the agency of lay people and religious”¹
- ❖ shaped by **sex, gender, and power**
- ❖ all three contribute to shaping environments in which clergy-perpetrated sexual abuse can take place

1. Julie Hanlon Rubio and Paul J. Schutz, “Beyond ‘Bad Apples’: Understanding Clergy Perpetrated Sexual Abuse as a Structural Problem & Cultivating Strategies for Change” (2022).



CLERICALISM AND POWER: MORAL AUTHORITY

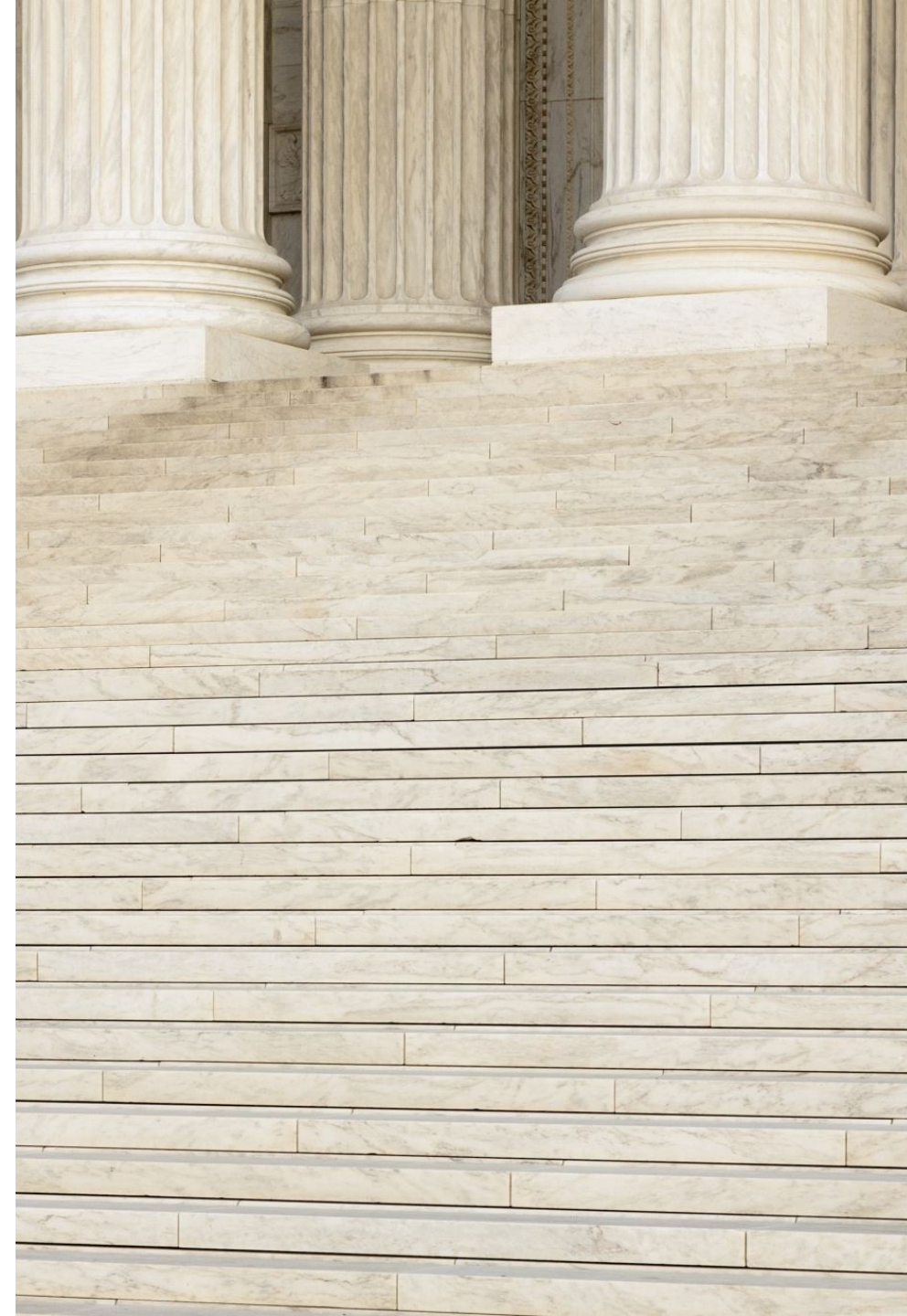
- ❖ Hanlon Rubio and Schultz¹ notice structural clericalism in:
 - ❖ priests' authoritarian management styles: “top-down decision-making... little to no consultation... lack of openness to feedback; and resistance to collaboration” (28)
 - ❖ theologies of the priesthood that reinforce notion that priests are authoritative by connecting ordination to authority and narrowly conceive of “masculine” and “feminine” roles. **“In practice, these theologies typically suppress the gifts of lay people and religious”** (29)
 - ❖ a male-dominated institutional Church: a respondent writes, “gender is related to institutional priesthood and clerical-ism, and clericalism is related to abuse of power. In addition to all the ways that society affords men more power over the vulnerable, the Church affords priests an inordinate amount of power over non-ordained men, women, and children.”

1. Julie Hanlon Rubio and Paul J. Schutz, “Beyond ‘Bad Apples’: Understanding Clergy Perpetrated Sexual Abuse as a Structural Problem & Cultivating Strategies for Change” (2022).

HIERARCHICALISM

- ❖ a response to the Pennsylvania Grand Jury Report (2018) detailing how bishops covered up and mismanaged the abuse crisis in several dioceses in Pennsylvania
- ❖ moral theologian James Keenan proposed an additional term as the “father” of clericalism
- ❖ clericalism does not adequately capture the distinctive distortions found in the Catholic hierarchy of bishops
- ❖ hierarchicalism involves the “the power of the episcopacy and its attendant networks, privileges, and power options that circumnavigated the investigations of civil leaders”¹

1. James F. Keenan, “Hierarchicalism,” *Theological Studies* 83, no. 1 (2022), 99.



CONTRIBUTIONS OF A STRUCTURAL ANALYSIS

- ❖ in a hierarchicalist episcopal structure, bishops are incentivized to look out for one another rather than for laypeople and vulnerable children
- ❖ without suggesting that bishops are not responsible for responding to those incentives and failing to protect survivors of sexual abuse, a structural analysis can point to the social dynamics related to gender, sex, and power that need to change to address the sexual abuse crisis

HOW DO THESE INSIGHTS RELATE TO CATHOLIC REPRODUCTIVE ETHICS?

- ❖ sex, gender, and power all connect to reproduction, parenthood, and Catholic teaching on procreation
- ❖ the features of clericalism within the Church that Rubio and Schultz identify (and the added dimension of hierarchicalism) show up when we analyze the experiences of Catholics contending with infertility
- ❖ clericalist cultures and structures in the Church disincentivize trust of the Church as a moral authority on reproductive issues, yet also disincentivize public disagreement with official teaching



63 in-depth interviews conducted between 2020–2023 on Zoom and via phone



57 with women in the U.S. who identify as Catholic and as having dealt with infertility



6 with Catholic physicians who treat infertility



names you'll hear today are pseudonyms

THE STUDY

PASTORAL RESPONSES TO INFERTILITY

“I had no expectation at all that my church was going to minister to me or speak to me in a way that was compassionate about having a child... I have always found my church to be so inept at resolving and responding to my life that I just I’m no longer disappointed.”

– Susannah

PASTORAL RESPONSES TO INFERTILITY

- ❖ Kelly mentioned her struggles with fertility to her priest.
- ❖ He was “very kind” and offered to pray for her.
- ❖ She did not consult him further: “with priests being older men, that’s just not a conversation I’m going to have with a priest in any kind of detail.”
- ❖ Kelly’s priest mentioned to her, “I’m celibate. I have one sister who herself doesn’t have any kids.”
- ❖ Kelly took this to mean, “I have nothing to tell you about this, kind of admitting, ‘I bring no life experience that would be helpful to you.’”
- ❖ She concludes: “of course they don’t have a lot to say because they’re all men who have opted out of that part of the life cycle.”

SEX ABUSE CRISIS AND BROKEN TRUST

“I can't discount as part of my discernment the role that the recent revelations of clergy abuse have had... and how it shapes my understanding of what the role of the magisterium is and its credibility.

...So when the Pennsylvania report came out I was working in fundraising for a diocese. I started reading it and I kept reading it and it was just so wrenching, like just so heartbreaking.

I've had friends that have endured and survived sexual abuse. And so thinking about that and, you know, my role as a friend, accompanying them, knowing how it's affected them and then seeing something that's so important and meaningful to me as parish life, growing up in the church and seeing it just so violated again and again, in so many ways at so many levels, it's just really hard. It's still really hard to know what to do with all that.”

– Alexandra

THE SEX ABUSE CRISIS AND BROKEN TRUST

“I rely on my experience more than the tradition. The second scandal was revealed in 2017 when I was starting treatment. When I was starting this process, you know, all the scandals that keep piling on with the church, it makes me angry.

I’m like, wait, you covered up another sex abuse scandal... and I’m the one who’s on the outs [for using IVF]?... the credibility of that side for me is quite low... part of me is like, I’m just like, no, you’re lucky to have us women in this church. You’re just lucky to have us.”

– Kelly

THE SEX ABUSE CRISIS AND BROKEN TRUST

“when the sex abuse stuff came out in the early two thousands, I didn't pay attention to it. I don't even remember hearing it... Whereas when it came out this time, the second time with like then-Cardinal Wuerl did and the guy before him... it got me really mad.

... then our friend who just became a priest then had told us that he was recruited by, one of the guys that then in Pennsylvania was just announced as a sex predator. And then you start thinking about like, these are the same people of recruiting the next round priests, and we're recruiting people who will either look the other way or engage... and when's it gonna stop?”

– Beth

SYSTEMIC DISTRUST

“The abuse crisis... signals a collapse of the authority of the Magisterium in a way that is comparable to the effects of the encyclical *Humanae Vitae* in terms of tension between the moral agency of the conscience of the individual and the necessary ecclesial and ecclesiastical dimensions of Christian life. The hermeneutic of suspicion has given way to a hermeneutic of systemic distrust as the dominant hermeneutic in the church today.”¹

1. Massimo Faggioli, “The Catholic Sexual Abuse Crisis as a Theological Crisis: Emerging Issues,” *Theological Studies* 80, no. 3 (2019), 584–585.

Moral Concern

Application and Conclusion

the two ends of marriage
(procreation, union) ought
not to be separated



IVF and artificial
insemination separate
conjugal act from
procreative act

embryos have dignity,
moral status



IVF injures dignity of
embryos through embryo
creation in lab, destruction

dignity of marriage ought
to be between two persons
(man and woman)



introducing donor gametes
violates dignity of
marriage

Catholic Magisterium's (Congregation for the Doctrine of the Faith) conclusion:
***in vitro* fertilization and artificial insemination are morally illicit**

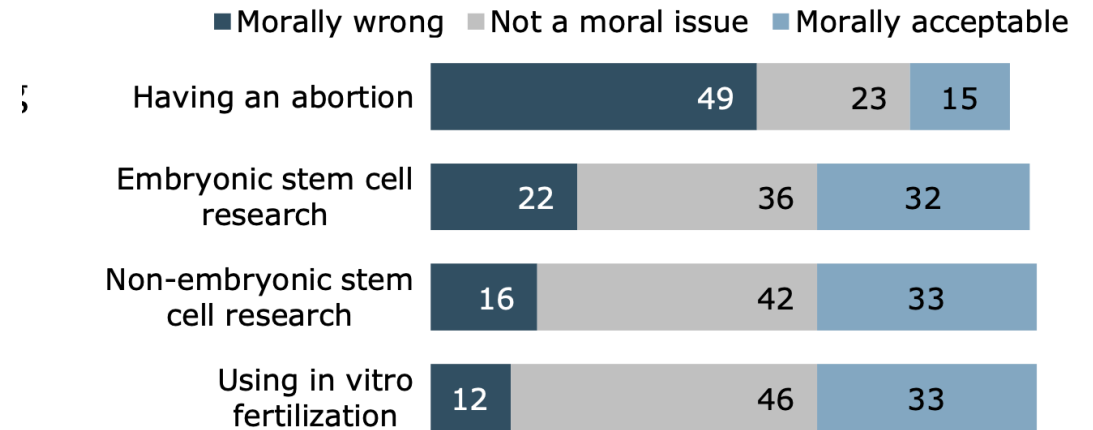
DONUM
VITAE,
1987

AMERICAN ATTITUDES REGARDING IVF

In a 2013 survey of a representative sample of Americans, Pew Research found that 79% of Americans think IVF is either morally acceptable or is “not a moral issue.”

Moral Assessments

% of U.S. adults who say each of these is ...



Source: Pew Research Center survey March 21-April 8, 2013. Q58a-d. Responses of those who volunteered “depends on situation” and those who did not give an answer are not shown.

PEW RESEARCH CENTER

U.S. CATHOLIC VIEWS ON IVF

- ❖ Only 13% of US Catholics thought IVF was morally wrong
- ❖ 72% of US Catholics surveyed thought IVF was either “not a moral issue” or was morally acceptable

In Vitro Fertilization

% saying that using in vitro fertilization is ...

	Morally wrong	Not a moral issue	Morally acceptable
All adults	12	46	33
Men	13	46	31
Women	11	46	34
18-49	11	48	32
50 and older	14	43	33
College grad+	7	46	43
Some college	11	47	33
H.S. or less	16	45	26
Rep./lean Rep.	12	46	33
Dem./lean Dem.	10	47	35
<i>Political ideology</i>			
Conservative	15	42	32
Moderate	10	48	35
Liberal	7	55	33
Protestant	13	45	31
White evangelical	14	42	31
White mainline	9	46	39
Black Protestant	12	49	23
Catholic	13	46	31
White Catholic	9	49	35
Hispanic Catholic	18	41	26
Unaffiliated	9	51	34

Source: Pew Research Center survey March 21-April 8, 2013. Q58d. Response of those who volunteered “depends on situation” or who gave no response not shown.

PEW RESEARCH CENTER

WAMU 88.5
AMERICAN UNIVERSITY RADIO

NEWSLETTER

TURE MUSIC PODCASTS & SHOWS

RELIGION

Despite church prohibitions, Catholics choose IVF to have children

MARCH 22, 2024 · 5:00 AM ET

HEARD ON ALL THINGS CONSIDERED



Jason DeRose

ANTICIPATING JUDGMENT

“If you said out loud, I’m considering IVF, you didn’t know if the person across from you was going to tell you you’re a bad Catholic... like you didn’t know what kind of judgment was going to whack you in the face, depending on who you talked to.”

– Susannah

A CULTURE OF SILENCE

“If you’re told that the way you conceived your children is immoral, who the heck wants to be open about saying about what you did... so it’s never going to change unless more people talk about it.”

– Joy

LAY PERSPECTIVES ON IVF

“our faith can evolve with our understanding of nature and these incredible things that we can do to support life. So for me, it’s all compatible. The sanctity of life, I do take seriously, and I’m not going to be willy-nilly about what we do with embryos or necessarily doing the most aggressive treatment... there is a point where I have to consider what’s a moral use of resources.”

– Kelly

LAY PERSPECTIVES ON IVF

“your husband giving you injections, holding your hand... crying together... rejoicing together in the small success... IVF can be very unitive and hopefully procreative.”

– Joy

LAY PERSPECTIVES ON IVF

“having like 700 embryos and not using them and keeping them in a freezer and then saying, go ahead, throw them out... I have a problem with that because I believe those are babies. But if you implant two embryos and those are the only ones you got and they both grow and you have twins, praise God. You need to do that hard work... dig deeper and find out what is actually morally right and wrong in your head and your heart in your conscience informed by scripture and tradition.”

— Susannah

FEMINIST CONCERNS WITH IVF AND ASSISTED REPRODUCTION

- ❖ feminist scholars in Catholic moral theology (Cahill, Farley, Ryan, Rubio, etc.) and in bioethics (Harwood), sociology (Becker, Thompson, Almeling), law (Roberts, Obasogie), medical anthropology (Inhorn, Bell), and moral philosophy (Russell) express concern about the unregulated marketplace of assisted reproductive treatments, largely for reasons different than those the CDF put forward
- ❖ ARTs contribute to and reinforce pressures on women to bear children through invasive, intense, and expensive medical treatments
 - ❖ some ARTs may reinforce narrow notion of family based on biological relatedness
 - ❖ marketplace for gametes (sperm, egg) reinforces cultural biases related to gender, race, and disability
 - ❖ only wealthy people can afford ARTs
 - ❖ genetic testing of embryos reinforces cultural biases against people with disabilities

AUTONOMY IN REPRODUCTION IS NOT ENOUGH

“In the absence of a critical discernment and balancing of autonomy and other values, a vacuum is created where the still strong forces of patriarchy and market economics can move in to govern ‘autonomous’ reproductive choice.”

— Lisa Sowle Cahill

Lisa Sowle Cahill, *Sex, Gender, and Christian Ethics* (Cambridge University Press, 1996), 218–219.

- ❖ a clericalist culture that emphasizes priestly authority over the laity sets up an ineffective relationship for confronting fraught moral issues. The Church does not empower women and couples with theological resources and pastoral support to make reproductive choices themselves
- ❖ in addition to several factors, including widespread lay rejection of *Humanae Vitae*, the sex abuse crisis reinforced distrust of the Church as a moral authority on issues related to sex, gender, and reproduction
- ❖ departure from official Church teaching on reproductive technologies does not indicate irrelevance of faith commitments to reproductive choices. Rather, many Catholics creatively employ their faith as a guide in making reproductive decisions related to infertility treatments, but their efforts are largely done privately
- ❖ a clericalist ecclesial environment that does not make room for the diverse perspectives of laypeople in a spirit of dialogue loses out on the moral insights of laypeople, and laypeople lose out on the chance for communal discernment



COMBATting CLERICALISM THROUGH EMPOWERMENT OF LAY MORAL AGENCY: POPE FRANCIS, *AMORIS LAETITIA*

- ❖ Francis emphasizes: the Church's role is to “form consciences, not replace them” (37)
- ❖ Yet, he notes, the Church has struggled to “make room for the consciences of the faithful, who very often respond as best they can to the Gospel amid their limitations...” (37)
- ❖ “we have long thought that simply by stressing doctrinal, bioethical and moral issues, without encouraging openness to grace, we were providing sufficient support to families” (36)
- ❖ pastors ought not to “apply moral laws to those living in ‘irregular situations,’ as if they were stones to throw at people’s lives” (305)

MORAL AGENCY MOVES FORWARD WITH FRANCIS

- ❖ Francis advances a vision of the lay moral agent in dialogue with the Church as a moral teacher.
- ❖ He emphasizes the contextual factors that shape the circumstances in which agents make choices, recognizing that those circumstances may prevent the person from striving toward the Church's vision of the ideal family.
- ❖ The Church as a moral teacher hierarchy can alert laypeople to the undue influence of cultural and structural forces that shape their choices and accompany them in moral discernment
- ❖ Quoting the Synod of Bishops, Pope Francis suggests that the Church ought to “unambiguously denounce cultural, social, political, and economic factors—such as the excessive importance given to market logic—that prevent authentic family life and lead to discrimination, poverty, exclusion, and violence” (*Relatio Synodi*, 38).