

Stalemate on Celibacy

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In spite of the greater ease with which dispensations to marry are being granted to laicized priests, it is becoming increasingly evident that the subject of celibacy is being approached from very different angles by the Holy See, and by those seeking a change in the law and many of those seeking dispensations. And the procedure being used, the delays and the secrecy are tending towards a loss of confidence in authority similar to that precipitated by the encyclical *Humanae Vitae*. There is a tendency to a stalemate on the subject of celibacy, between very large numbers of priests and laity on the one hand, and the Holy See and the majority of bishops on the other, which could have widely damaging effects unless true dialogue can be reopened.

In the encyclical of 1967 *On Priestly Celibacy* Pope Paul VI indicates the point of view of the Holy See.¹ If a priest is 'unfortunately unfaithful to the obligations accepted' it is due either to a mistake, 'a judgement on the fitness of the candidate for the priesthood which was not always adequate or prudent at the proper time', or to a moral failure in the 'way in which sacred ministers live their life of total consecration' (*ibid.*, 83).

This is a development on previous times. The *Codex* of Canon Law only provides for release from celibacy owing to ordination having been received under the compulsion of grave fear² and a complicated legal process, analogous to that needed for release from a non-consummated Christian marriage, is required (Canons 1993-8).

From about 1960 the Holy See began to admit not only grave fear, but also grave doubt about the presence of grave fear coupled with other good reasons.³

In the encyclical this is further extended to 'other grave reasons which give grounds for really solid doubts regarding the full freedom and responsibility of the candidate for the priesthood and his fitness for the priestly state'.⁴ Further, the unfitness considered is not only that arising from a mistake, but those 'particularly lamentable cases in which refusal to bear worthily this sweet yoke of Christ results from crises of faith, or moral weakness, and is thus frequently a failure in responsibility and a scandal' (*ibid.*, 85).

The grounds for dispensation are thus unfitness, whether arising

¹*On Priestly Celibacy*, nn. 83-90.

²Canon 214.

³Bouscaren-O'Connor, *Canon Law Digest*, vol. V, Milwaukee, 1963, p. 211.

⁴*On Priestly Celibacy*, 83.

from a mistake on the part of the candidate and those ordaining him, or from more or less blameworthy moral lapse after ordination, as well as ordination under duress of some kind.

Owing to the large number of cases throughout the world, the actual procedures being used by the Holy See in dealing with cases of dispensation from celibacy are becoming better known. In typical Roman legal fashion, the departure point is the canon law of release owing to grave fear having occasioned the ordination. It tends to pattern all other applications on this. It is an enquiry first of all into the freedom with which ordination was received and the obligation incurred, including whether the obligation was properly understood and realized. It seeks the opinions of psychiatrists and others to show lack of freedom. Or, failing this, to show an incapacity to lead a celibate life. The procedure is highly juridical, and seems aimed at showing either lack of freedom, or a mistake. Thus seen, the dispensation is an act of justice or the rectification of a mistake.

Another feature of current procedure, at least according to popular estimate, is the use of tactics of delay. In the encyclical it is said, referring especially to young priests: 'Because of the tensions to which their priestly obligations are subject, is it not to be expected that they will experience moments of diffidence, doubt, passion, folly? Hence, it is the wish of the Church that every persuasive means available be used to lead them from this wavering state to one of calm, trust, penance and recovery. It is only when no other solution can be found for a priest in this unhappy condition that he should be relieved of his office.'¹ This perhaps throws light on the seemingly endless delays and repeated requests for more information. Here the idea seems to be not that a mistake was made at ordination, but that a mistake is perhaps being made now, and multiple assurances to the contrary are demanded.

While in cases of force and fear, and of clear mistake in vocation, a kind of legal right to dispensation seems to be accepted, in those cases where subsequent moral fault seems to have 'lost' a vocation, dispensation is given 'letting love conquer sorrow' by the Holy See, which imposes 'some works of piety and reparation' (*ibid.*, 88). Or, in practice, laicization is given 'as a penalty' or 'as a penalty and because of lack of suitability', according to the case, where the moral fault seems to be adjudged serious.

A further element in the procedure is secrecy. The document of direction for ordinaries is a secret one, the procedure in individual cases is secret, any subsequent marriage is to be a secret one, without witnesses, secretly recorded. Indeed it seems that the Holy See actively discourages, and, where possible, stops all discussion about celibacy outside the confidential meetings of bishops among themselves, and makes any dialogue between the bishops and their priests and people on the matter very difficult.

¹*On Priestly Celibacy*, 87.

It has been commonly thought that where a civil marriage had already taken place, a dispensation could be obtained much more easily. From the point of view adopted by the Holy See this is intelligible. Unsuitability seems proved, and there is no hope of saving the situation by delay.

But recently more and more cases of priests, some still active in the ministry, have been dealt with, and sometimes rapidly when handled by someone with the right know-how. These cases seem still to be treated from the angle of mistake or unsuitability. It is thus understandable that annexed applications to continue in the priestly ministry after marriage have not been entertained, as this would shift the process on to a totally different basis.

It is this last type of case which most acutely brings out the stalemate which seems to be developing. While it cannot be denied that in many of these cases there does exist unsuitability, this is not being put forward as a cause (unless it is that implied unsuitability which consists in an inability to see incompatibility between priesthood and marriage and an insistence on a dispensation).

When faced with the process demanded, many will revolt from it as dishonest. They cannot plead for mercy on grounds of a mistake or of unsuitability, as they see it.

Some, in order to get a dispensation to which they feel they have a right, will connive at the dishonesty and put forward other reasons than their true ones, and this connivance may be shared by others who advise them or support them by their testimonies.

Others, knowing how cases are dealt with, or disgusted with the delays, will accept that they are excluded from the sacraments, with sorrow and some bitterness against the Church. Some may leave it altogether. Some may feel justified in celebrating their own sacraments. Some may even think they are not wrong in transferring their priestly ministry to 'a certain though imperfect communion with the Catholic Church'¹ in the ministry of another Church.

For those who go through with the process, whether before or after marriage, the elaborate inquisition, the delays, the repeated restarts, the apparent impotence of bishops and religious superiors to help them very much, the dependence on the services of someone with the proper kind of know-how to get things done in Rome, what often looks like a general mistrust of their own testimony and that of others, the secrecy, all these tend to lead to deep disillusionment with this exercise of pastoral authority and with all who share in it, not only on the part of the priests concerned, but also of vast numbers of other priests and laity who know about it. Even in cases which are ones of mistake or unsuitability, a vast disgust with the whole procedure is rapidly becoming prevalent, leading on the one hand to a cynical dishonest use of it, and on the other, and more and more

¹*Decree on Ecumenism*, 3.

commonly, to a rejection of the whole system mentally and spiritually, if not externally, as irrelevant to the gospel.

It can be doubted whether either the encyclical or the practice of the Holy See has come to grips with the chief driving forces behind the challenge to celibacy and the many defections. Those listed and rejected in the encyclical seem to be secondary: evangelical freedom; a new mentality and social situation; shortage of priests; diminution of defections; witness to perfect married life; unnatural solitude and psychological detriment; lack of ability to make decisive choice in youth.¹

Perhaps the chief cause lies in the conciliar idea of involvement in the world of men, expressed, among very many other texts, by the following: 'By their vocation and ordination priests of the new testament are indeed set apart in a certain sense within the midst of God's people. But this is so, not that they may be separated from this people or from any man, but that they may be totally dedicated. . . .'²

For the Holy See 'set apart in a certain sense' and 'dedicated' means celibacy. For more and more Catholics this has ceased to be evident, and the mission of the Church and its involvement in the world seems to require a married clergy, without denying the value of celibacy for some or even many. The impetus towards the modern world set in motion by the Council cannot be pegged at the Council's stage of development, but of its nature goes forward and leads to fundamental changes in outlook in all directions.

Many defections known to the writer seem to have started not with some moral lapse, but with an apostolic urge to penetrate human society and life, to share the life of men, and to be all things to all. Moral lapse may have intervened. But this can be seen as due not only to personal weakness and indiscretion, but to the segregated training and an idea of the priesthood which had not prepared them for this type of apostolate in and to the world. And for such cases recovery does not lie on the way of withdrawal from the apostolic line already entered, but in a new start, after a fall, along the same line. And this seems to indicate a continuance in the priestly ministry after marriage in many cases.

Another secondary impetus to a married priesthood seems to lie in the revaluation of the eucharistic assembly as the centre of the life of the Church. This requires not merely to keep up the numbers of priests, which might be done under the present system, but a vast multiplication of eucharistic assemblies with their own priests, which seems only possible with a married priesthood functioning out of its ordinary working hours. And in the context of the Missions even the present level of eucharistic life requires a very great increase of

¹*On Priestly Celibacy*, 5-12.

²*Decree on Ministry and Life of Priests*, 3.

priests beyond the abilities of present methods to produce.¹ Other secondary pressures come from the reevaluation of human freedom, the reassessment of marriage, and other currents in the Conciliar documents.

Many see in all this another facet of the conflict between the conciliar spirit and the conservative and curial elements in the Church, which is so damaging in many other spheres also. This particular aspect strikes at a very vital part of the Church, the training, ministry and life of priests. Two basically different approaches seem to fail to meet each other or even influence each other very much. Each goes on moving in its own course, but there remains a stalemate as they cannot come to grips.

An abandonment of the highly juridical and centralized procedure, and decentralization into the pastoral hands of the bishops, could ease the violent disturbance now felt by many priests who are themselves happy in a celibate ministry at the way their colleagues are treated when in trouble. It could also ease growing lay criticism, especially in those countries where priests become family friends and where their troubles are felt strongly by the laity. Relaxation of the secrecy surrounding the whole matter could do much to restore confidence.

But, even with all this, the central disparity of attitudes between the Holy See and a very considerable part of the rest of the people of God would remain. It is difficult to see how this can be resolved except by a rather radical change of position in Rome on the whole matter of celibacy.

¹For a strong statement of the mission position see: Adrian Hastings, *Church and Mission in Modern Africa*, London, 1967.