Confidentiality and its limits: some contributions from Christianity

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The issue is whether Christianity, of its nature, would seek to prevent a justifiable breach of confidentiality or could endorse it, under certain circumstances, as the act which is fundamentally more loving or more truthful. The individualistic nature of Western Christianity is noted. The Lutheran theologian Dietrich Bonhoeffer is used to show Christian support for dynamic rather than literal truth telling, and for awareness of the contexts and power relations within which persons stand.

In what follows, a distinctively Christian perspective is sketched. Breach of trust, in the specific case of breach of promise, is used to illustrate how Christianity might address breaches or apparent breaches of confidentiality. Behind this, there is a series of couples which reach to the heart of Christianity’s self understanding. Is it, at the most fundamental level, a religion of generosity or of obedience? Is it obliged to relax a little in those things which concern the strictness and perfection of our own lives, and choose to condescend affectionately to what is useful to others...? For all his naïveté, the abbot Joseph exposes selfish individualism and literalistic rigorism as unchristian and attempts to uphold the injunction of Jesus to love others. Christianity is a matter of love, not of “vanity goodness”.

At roughly the same time, St Augustine, by far the greatest theologian of the ancient Latin church, published two books on lies. Part of the context was that Augustine was provoked by the Priscillian heresy, and the fact that certain of the orthodox pretended to be converts, so as to learn the Priscillian secrets and then betray them to the authorities (Priscillian was bishop of Avila, and executed by the emperor Maximus in 386 CE on a charge of sorcery). Augustine addressed this breach of confidentiality in his treatise, Contra Mendacium (Against Lies). He acknowledged that not all lies are equally sinful (there are some which hurt no one and benefit someone), but he maintained that all are to be avoided, no matter what practical disasters may result. The details need not concern us here, but certain important principles emerge.

A distinction is made between venial (pardnable) and mortal (unpardonable) sins. Evidently, the practical strategy was one of adulterating rigorism. But more fundamentally, one sees that the tug of gravity in Western Christianity envisaged salvation as the preservation of oneself. Salvation is understood as being more individualistic and forensic than fundamentally to do with recreation, healing, and the union of all things with the divine. Scrupulosity becomes a virtue and wisdom is comparatively less significant. This mindset cast a shadow which we still see today.

Historically, rigorism did not triumph, because it could not cope with the complication of everyday living. Yet, much later, Protestants tended to distrust subsequent Jesuitical casuistry, seeing it as eroding moral certainties. It is more likely, however, that casuistry, with its preference for permissives over against absolutes, was attempting to shift an historical mindset of Christianity away from an expression of its moral values only in abstract terms.

If, as here, one is trying to think seriously about the limits of confidentiality, and whether Christianity helps one to negotiate that terrain or actually befogs it, one has to ask whether,
for Christians, their distinctive perception of divine power is better symbolised by laws engraved in stone, or in the vulnerability of Jesus, naked, pinned to the cross, hiding nothing and with nowhere to go. Breaching a rule on behalf of others (generosity is freely giving more than is required) always struggles with the accusation that it is patronising or a concealed way of creating debts. But generosity is, or should be, at the heart of Christianity, and defensive individualism ought not to invalidate such a passionate vision for wholeness.

A common way forward has been to redescribe a dilemma as a conflict of claims, and then attempt to fend off either on the basis of utilitarianism or by maintaining that those afflicted by uncertainty do not properly understand the meaning of vows. Headway may be made by either route, but this note is to suggest that neither can claim to be 


REFERENCES
4 St Augustine. Contra mendacium. This was published around 420 CE. Also see reference 1: 198. The classic modern study of lying is: Bok S. Lying: moral choice in public and private life. New York: Vintage Books, 1989.
6 See reference 5: 328.
7 See reference 5: 329.
8 See reference 5: 332.

Bonhoeffer then pointed to the superficiality of restricting the matter of truthful relations only to speech. We can engage in profoundly untruthful relations to others without saying a word. He developed the notion of “living truth” to refer to the dynamic of such relations, and denigrated “the cynic” or “fanatical devotee of truth” who would claim to “speak the truth at all times and in all places to all men in the same way”. Such an individual, he suggested, “wounds shame, desecrates mystery, breaks confidence, betrays the community.” He acknowledged the danger of his concept of living truth, and its risk of patronising, of “calculating . . . what proportion of the truth I am prepared to tell”. He suggested we can only respond by “attentive discernment of the particular contents and limits which the real itself imposes . . .”. Finally, he reminded his readers that in our attempts to express the real, we do not encounter it as a consistent whole, “but in a condition of disruption and inner contradiction which has need of reconciliation and healing . . . our words . . . can . . . fulfill their assigned purpose of expressing the real, as it is in God, only by taking up into themselves both the inner contradiction and the inner consistency of the real. . . . [T]hey must neither deny the Fall nor God’s word of creation and reconciliation.”

The brief notes above hardly at all address the issue of confidentiality and its limits directly. Their purpose is to attempt to show that at a profounder level, as a faith inspired by the love of Jesus, Christianity is concerned with more than the literal.