

Conscience & Casuistry

Michael Sean Winters | Aug. 3, 2011 | Distinctly Catholic

Regular readers of this column will know that I am a huge fan of casuistry, which got a bad name during the Protestant Reformation, but remains a quintessentially Christian way of applying legal remedies. Casuistry aims to find a way not to penalize those who, technically but not viciously and with no harm to their conscience, mess up. Casuistry is an expression of sympathy with the human condition. Casuistry is opposed to Pharisaic postures. It is a good thing.

As the debate over the new mandates regarding health insurance policies heats up, I would like to recall a [similar debate that happened in my home state of Connecticut in 2007](#) [1]. The bishops there fought a proposal in the state legislature that required all licensed hospitals to deliver Plan B, an emergency contraceptive, to those who had been raped. The legislature passed the law over the bishops' objections and the Republican governor at the time signed it into law.

The next day, instead of shutting down Catholic hospitals, the Catholic bishops in Connecticut issued a statement that perfectly exemplifies casuistry at its best. The bishops noted, "since the teaching authority of the church has not definitively resolved this matter and since there is serious doubt about how Plan B pills work" they would consent to administer the drug provided there was no ovulation test performed beforehand. Such a test would definitively prove whether or not conception had occurred. In the absence of that knowledge, the bishops concluded that: "To administer Plan B without an ovulation test is not an intrinsically evil act."

Part of the debate about the new mandates involves Plan B drugs and their use. The USCCB and others are well advised to consider the Connecticut example and not make the issue of Plan B a line in the sand.

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[1] <http://www.newstimes.com/news/article/Bishops-change-Plan-B-stance-84445.php>