

# KEEPING CONFIDENCES

Paul A. Lacey

## IMAGINE THE LOSS

Why is keeping or breaking confidences so compelling an ethical question for both individuals and for the institutions and societies we create? To begin to imagine an answer to that question, we need only consider some of the benefits of privacy and confidentiality: intimacy, friendship, trust and love; learning and the acquisition of skills; self-respect and autonomy— all those human potentials can flourish best in conditions in which we are free to reach out to other people and can create safe conditions, zones of privacy and confidentiality, where we may safely share our deepest lives and encourage intellectual, ethical and spiritual growth in one another.

Are there too many secrets in the world? Perhaps. Or is our capacity to protect the privacy, including the secrets of our lives, the key to protecting human dignity? I believe so. Whether we turn our attention to the private or the public life, we come face-to-face with the questions how to maintain a healthy balance between openness and privacy or secrecy, and when and how we should keep confidence with others.

## PRIVACY AND CONFIDENTIALITY

Privacy and confidentiality engage us as individuals making choices about our loves, our loyalties and our affiliations. They permit us to take risks and learn by trial and error. Who we are to become is first gestated in privacy, then tested, developed and filled out confidentially in the family, then among our trusted friends, and only later in the larger public life. However precious privacy and confidentiality are to us personally, they are equally precious for the health of our political, cultural and social communities and institutions. They are therefore in some cases actually legally privileged relationships and in other cases legal requirements of our professional lives or civic duties.

## OBLIGATIONS TO KEEP CONFIDENCES

((Confidential relations, also known as FIDUCIARY relations, are not confined to any specific relationships but refer to all this that are founded on secrecy and trust. The duty of secrecy in such a relationship is intended to prevent undue advantage that might stem from the unlimited confidence that one places in the other. A confidential relationship need not be a legal one but rather may be moral, domestic, social or personal.

(West's Encyclopedia of American Law Vol. 3, 152) ))

The root meaning of obligation is to be bound or committed to something as a duty. We play many roles that exact responsibilities from us. I am a spouse and a parent, a member of a religious congregation and formerly a teacher. I serve on committees and boards of organizations and am personal friend to a number of people. Each of those roles exacts loyalty from me, and each carries with it some degree of expected or required confidence-keeping on my part. I choose or oblige myself to be a dependable friend by keeping the confidences of my friends, my students, my family and others. In doing so, I also willingly undertake some risks, since only the confidences I share with my spouse are shielded from possible legal intrusion.

In undertaking such obligations to others, I also commit myself to the complex process of testing and discerning what limits or conflicts of obligations I may have appropriately undertaken. As a member of a board of a tax exempt charitable organization, I have a fiduciary or legal duty to keep its deliberations confidential. Were I to serve on a grand jury, I would be legally enjoined not to reveal anything which had transpired in its sessions. When I set out to keep or withhold confidentiality, I owe complex and sometimes competing duties to individuals and organizations. In acting ethically in any of these roles, I may have some freedom of choice in how to act, but I am not totally a free lance.

Personal privacy and confidentiality--without which privacy could only be secured by rigid solitude-- are thus fundamental human needs, rights and safeguards of human dignity. In some cases they are also obligations and privileges, sometimes sheltered and at other times required by law. In the United States, one basis for the right to privacy is what Louis Brandeis called the right to be left alone. "Privacy is a precondition for human liberty." (Harvard Law Review, 1890) In the European Union, privacy is protected as a "right of personality." Right, duty, obligation, privilege, legal requirement: such a range of terms and shields for a particular form of human relationship marks its importance for human society as well as its rich moral and ethical complexity.

Just as some heart-secrets may feel too dangerous for us to share with anyone else, others become dangerous unless we can release them from the zone of absolute secrecy into the zone of personal privacy. Essential to our spiritual, mental and physical health, our capacity to change, grow and become more whole, is that we can be a positive part of a community, that we can find our own right balance between openness and reticence. For our own good, we must be free to be utterly open to a spouse, a physician, a priest, minister, rabbi or legal advisor. All of those relationships are, in American law, both “privileged.” and “fiduciary” relations. It is both an article of faith and a matter of practical experience that the specially-protected privacy accorded those professional and intimate relationships ultimately benefit the whole society.

Someone too ashamed of having contracted a disease may die horribly, and infect many others, unless he is able to tell his secret safely to a physician. Someone undergoing a spiritual crisis needs to give voice to her doubts in safety. Someone accused of a crime can only get sound legal advice by being able to tell a lawyer exactly what happened.

We can only be transparent when and where we know our essential inner core, our most intimate thoughts and feelings, are protected in a zone of privacy kept totally confidential, a zone of “privileged communication” granted to and legally protected by the professional oaths and standards of a lawyer, physician, therapist or priest. ((Such a zone of guaranteed privacy, or privileged confidentiality, is widely recognized as precious not only to individuals but also to the political and social health of the whole society.))

## THE ETHICS OF FRIENDSHIP

In his Nichomachean Ethics, Aristotle identifies friendship as the ultimate ethical virtue, though by friendship he does not mean only personal interactions between individuals. Aristotle also describes humans as “social” and “political” animals, by which he means that our human condition is to live most fully in communities. Good will toward another person, a wish to befriend others by speaking to and calling out of them their purest hopes and ambitions, their best selves, must also be at the heart of any just social order. Can we imagine a society worth living in, where the truest friendship cannot safely be practiced? We humans create institutions such as families, faith communities, schools, charitable organizations, political organizations, governments, legal systems, institutions that we believe will best sustain and enrich our entire human community.

The privacy of the individual does not harm a just social order; it makes it possible. Any human institution that aims to be ethical must find ways to protect human privacy and

confidentiality.

Humans can count little on instinct and must therefore teach each new generation virtually everything it takes to survive and to pursue a meaningful life. Those apparent limitations turn out to be among our greatest soul-strengths. To be able to confide in someone else— to speak safely with complete honesty about our worst fears, mistakes, embarrassments or shames; our greatest hopes; to say the most risky things about ourselves; even to risk giving ourselves over to another’s power, knowing that what we want kept secret will remain secret—are among the greatest gifts that we can give one another.

The freedom and safety to confide— we must have both—may be the most important hallmarks of friendship. Knowing when and how to keep a confidence, knowing when either an individual or an institution should protect secrets, and when openness and transparency are the greater values, are among the most difficult decisions we make in life.

We are also autonomous beings for whom self-chosen and self-directed behavior, the practice of individual rights, including the right to our privacy, are as essential to our well-being as are our loves, friendships, families, and associations. In fact, our ability to pursue, enjoy and be fulfilled in relationships depends in large part on our capacity to protect the intimate knowledge we get from our loves and affiliations.

We are not required to be either solitary or lonely in order to enjoy the fruits of privacy. Human intimacy is unthinkable without the right to keep our own counsel, the sacred privacy of our own inner life. “The soul selects (her) its own society,” Emily Dickinson tells us, “then shuts the door.” It is hard to imagine a more apt description of confidentiality in privacy.

## MAKING AND KEEPING PROMISES

Implicit in our being social creatures is that we feel obliged to be promise makers and keepers. We must give serious consideration to our commitments to individuals, especially those tied to us by affection or obligation, as well as to our obligations to the society we live in. The powerful, evocative phrase we use for this is “keeping our word.” To keep or to break promises or confidences are actions announcing how we think the future should be. Will we shape our lives and our institutions primarily on the premise that human freedoms can only flourish and enrich our lives where we dare to keep our word to others? And where we live in trust that others will do the same with us?

Promise-keeping binds together the values of personal privacy, keeping confidences, and personal integrity. It is unimaginable that a healthy society can flourish either where nothing is allowed to be held as a secret, or where no one dares to entrust personal feelings or information to any other person. Neither can we imagine or bear to live in a society where a parody of intimacy is imposed on all relationships, but no inner life is permitted; or where to have a private, unshared thought, hope or desire is regarded as a betrayal of the community.

## PRIVACY AND SECRECY

Sissela Bok defines privacy as “...the condition of being protected from unwanted access by others—either physical access, personal information, or attention. Claims of privacy are claims to control access to what one takes—however grandiosely—to be one’s personal domain.” (Secrets 10-11 ) “Unwanted access by others” is a very gentle way to describe the present-day multitude of offenses against personal privacy: the intrusions of data-miners who collect or steal and sell our social security numbers, financial records and buying habits to anyone who will pay for the information; the intrusions of government investigators who have claimed, in the name of homeland security, the authority to know what books we borrow from public libraries; and the intrusions of schools, colleges and other institutions who demand and amass information about their patrons far in excess of their legitimate needs, simply because they can do so.

To search for information on the internet means we ourselves become part of the databases that others will exploit. “Cookies” built into our personal computers monitor what we look at and the products we order on-line. The social security card I was assigned fifty seven years ago prominently announces that it is “not for identification,” but is it possible today for any adult American citizen to get a job, do banking, get a driver’s license, buy insurance, or handle even the simplest transactions of daily life, without being asked for his or her social security number, precisely as a piece of identification?

## “INFORMATION ETHICS”

A society based on democratic and free market principles cannot function without broad access to data, nor can it sustain those principles without affirming the individual autonomy assured by privacy and confidentiality. (G.T Duncan, International Encyclopedia of the Behavioral and Social Sciences)

In Nineteen Eighty Four, George Orwell’s parable of absolute totalitarian social control, the protagonist Winston Smith commits his first act of rebellion by buying a blank book and

beginning a very ordinary personal journal.

Thus to claim the right to even a meager inner life, symbolized here by Winston's personal journal, is to claim the right to both privacy and confidentiality, the soul's choice of her own society. In the world of Orwell's novel, such self-assertion is punishable by death. Almost immediately after beginning his journal, as though it is an inevitable consequence of wanting an inner life, Winston Smith finds himself also longing for a shared affectional and intimate life. In the world of Big Brother, that is treason compounded. One definition of "intimate" is "secret."

But to learn how to know oneself honestly and then to learn how to share and grow intimately with another person, are surely among the greatest joys and accomplishments of being human. No wonder they are so feared by any totalitarian regime, or by the totalitarian impulse which arises in any nation in times of war.

#### CONFIDENCE - KEEPING AND TRANSPARENCY

Whatever other strengths or virtues we count on in our friends, we prize above all their ability to hear and keep our secrets. It is an ultimate act of loyalty. "Confide" literally means "with faith" or "faith together." "Keeping faith" with another means keeping the other's secrets as safely as one keeps one's own. The practical utility of so many of our most precious freedoms rest on the safety of personal privacy, guarded by the almost sacred taboo of confidentiality.

A second virtue in a friend, reciprocal to the capacity to keep confidences, is openness or transparency. It is a mark of trustworthiness that another person will share his or her own confidences. But we want such transparency to be openness to and with us, not indiscreet gossip about us. How can we keep as a friend someone who cannot keep our confidence?

Transparency has come to have such positive meanings (in large part as an antidote to a governmental or institutional culture of evasion and dishonesty which shelters behind secrecy) that we may think that it has neither limits nor deficits. Especially where large, anonymous organizations and government agencies have so much hidden control over our lives, the demand for open, public, clear and accountable processes is essential. The degree of transparency we have a right to demand of such organizations is commensurate with their power and influence over us.

## USES AND ABUSES OF TRANSPARENCY

Transparency, and the citizens' right to hold our public servants accountable for their actions, are the only dependable safeguards against such secrecy. The greater the power or influence possessed by a government agency, an employer, a corporation or other private organization, the greater the need is to practice transparency in its activities. "Sunlight is the best antiseptic" applies to the infections of power as well as to those of the human body.

In the year 2004, according to the New York Times, "A record 15.6 million documents were classified [by departments of the federal government]..." "at the rate of 125 a minute," under a number of often vague restrictions. Classifications included "sensitive security information," "sensitive," "homeland security sensitive," along with the more familiar "for official use only." The same article reports the number of documents declassified and made available to the public in the same year was at a new low of "just 28 million pages." (Scott Shane, "Since 2001, Sharp Increase in the Number of Documents Classified by Government," N Y Times, July 3, 2005)

Transparency can protect us from many forms of abuse, but there are also forms of apparent openness which are in fact abusive of personal rights and dignity. Among these are what we might call premature transparency and intrusive openness about others' private lives. Gossip, rumor, sensationalism published under the claim of "the public's right to know" are among such corruptions of transparency. "Tell-All books" push the ethical limits of transparency. Leaked information, even when it is true, which injures or jeopardizes the safety of someone guilty of no wrongdoing—e.g., leaking the name of a CIA undercover operative—is a corruption of transparency.

## TWO VALUES IN TENSION

Keeping confidence and behaving transparently, then, are two personal virtues and social values. each important to the health of a society. Yet in particular cases they may be absolutely at odds with one another. Both may protect us, sometimes from the same things. Both values also have their risks in practice. Many of our most precious rights are protected by procedural safeguards made up of a mix of openness and secrecy. For example, a pillar of democracy is the secret ballot, yet we demand transparent counting of the votes. Grand jury deliberations are secret, but indictments must ultimately be made public. Police investigations of wrongdoing need to proceed confidentially, but subpoenas must be approved by judges.

Civil and criminal trials must be open to the public, but jury deliberations must be entirely secret, and in the most serious criminal cases, jurors are sequestered from all contact with newspapers, news broadcasts and contact with their own families. This is stringently imposed secrecy and confidentiality, in the service of disinterested justice.

## THE MARKETPLACE OF IDEAS

The agora was the ancient Greek public space and marketplace. In its service as a marketplace of ideas, it was the heart of the political life of the polis, a zone of transparency where open debate and challenge were expected. Such public spaces for debate are essential to democratic societies, yet much which must ultimately go through the open, public testing of the agora must first be tested out in privacy, even secrecy.

At the edge of the open marketplace, there also has to be an area just outside the direct sunlight, a penumbra of light and shadow, where confidentiality and openness may shade into one another. On that border, an honest broker may be free to work quietly, off-the-record, helping to interpret, to reconcile differences, in preparation for the time when discussions and agreements may become public. The honest broker must be open to those she is hoping to bring together and utterly secret to everyone else. She makes her contribution to dialogue by remaining the holder of confidences.

Successful peace-making and “quiet diplomacy” efforts depend on informal, “back-channel,” highly confidential means of testing new ideas. All negotiation requires an interplay of confidentiality and transparency. There must be room for quiet approaches, tentative steps, uncommitted proposals and trial balloons, all kept sub rosa, under the radar. In diplomacy, as in many other sensitive areas of work, trust grows from step-by-step exploring of degrees of openness and degrees of confidentiality and secrecy

The American Friends Service Committee’s work during the depths of the Cold War, to bring together diplomats for “off-the-record” conversations, some of whom were not officially permitted by their governments to meet one another, bore fruit precisely because the discussions were guaranteed to be private and confidential. A generation of then-junior diplomats, many of them subsequently at the highest levels of their nations’ diplomatic service, got to meet and talk with their adversaries in conditions of safety. Some of those diplomats now tell AFSC representatives that it is time to re-invent such confidential conferences, in order especially to focus on improving north-south international understanding

## THE POWER TO KEEP SECRETS

There is always a case to be made for openness, but there is also a compelling case to be made for keeping secrets. Sissela Bok's book is a brilliant guide to both the necessity and the dangers of keeping secrets. She tells us, "**Through the study of secrecy, we encounter what human beings want above all to protect: the sacred, the intimate, the fragile, the dangerous and the forbidden.**" ( 281, Secrets)

Bok says the power to keep secrets gives us four essential protections of personal autonomy of increasing importance in the contemporary world. She cites these areas of personal autonomy as "**identity, plans, actions and property. They concern protection of what we are, what we intend, what we do, and what we own.**" (20, 27)

Every time we lock a door, we are asserting our right to keep some things private, secure and secret. Being able to keep our ideas secret from a premature disclosure which might destroy their effectiveness, also protects both our tentative, developing plans and the very capacity to shape our futures by personal initiative and experimental planning.

Secrecy protects both our options to act and perhaps even the actions themselves, as well as the safety of our personal belongings.

Just as not every secret conceals wrongdoing or guilt, there is not always a rational explanation for what we desire to keep private. Some of us do not want our recorded IQ or SAT scores to be known, or how much we weigh, or how old we are, or what our least favorite professor wrote on our worst paper in college. Some of us are embarrassed by errant branches on our family tree. Acknowledging our sexual orientation could be a terrible distress and personal jeopardy for some of us.

I may not conceal that I have tuberculosis in order to move easily in crowds; nor may I conceal if I am HIV-Positive to a potential sexual partner, but we do not need to justify keeping private what about ourselves does no harm to others. The right to privacy, to be left alone," does not need to be justified to the snoops, the gossips, the under-entertained, and the scandal-mongers-for-hire who infest our mass media, nor to the ultra-patriots who wish to police everyone else's thoughts and behavior.

It is a mark of the worst tyrannies that they seek to control every aspect of the private inner lives of their subjects. It is useful to re-read Nineteen Eighty-Four from time to time, to refresh this lesson. The heart's secrets are entitled to privacy for the same reasons that " a

person's home is his/her castle"—the inner sanctum of self not to be breached even by government without due cause and the greatest of safeguards.

## THE PRIVILEGE OF KEEPING CONFIDENCES

The word “privi-lege” literally means “a private law.” In the Roman Catholic tradition the absolute inviolability of the seal of the confessional binds the priest, and goes back to the Council of Trent in the thirteenth century. Nothing less than saving a soul is at stake in the sacrament of Confession, and the history of individual liberties is blessed by the heroic preservation of the seal of the confessional against invasive prosecutors and politicians ready to violate even our most humanizing rights, for the sake of expediency.

Only the privilege of confession to a priest, rabbi or minister is absolutely protected. Lawyers and doctors sometimes find themselves under court order to open records or reveal private conversations of, for example, diseased clients or patients. And there are stringent requirements that a therapist learning that a client is planning to injure another person must reveal that information to law-enforcement agents.

There are other relationships less formally protected by “privilege” which are nonetheless equally “fiduciary” and of such intimacy that those admitted to them will, in effect, pledge themselves at whatever personal risk, to the duty of secrecy. Many whose sense of vocation and personal integrity are bound up in our understanding of the need to preserve a wide zone of privacy in such relationships, willingly promise to keep confidence because we cannot conceive of any other way to preserve what are for us sacred bonds. We “give our word” to keep confidence with others. As with so much we call sacred, this confidentiality is often protected less by formal law than by religious proscriptions or prohibitions, even by taboos. Participants in such therapeutic programs as Alcoholics Anonymous pledge not to reveal what they hear in meetings, and except in the most extreme cases—such as a public confession of a murder—courts have tried very hard to protect that mutually-promised confidentiality on which self-help programs for recovery from addiction are premised.

## “ADMINISTRATIVE SECRECY”

Not all issues of whether to keep knowledge in confidence rest solely on how we choose to behave as ethical free-lances. We do much of our most ethically-sensitive work as colleagues or supervisors at work, and as voluntary members of groups, committees, societies, religious communities. Though we may not fit any privileged category such as doctor, lawyer, priest or

therapist, we are still responsible, obligated, as members of such voluntary groups to receive and protect the privacy of ethically sensitive information with which we are entrusted as a result of our jobs. Sissela Bok opens up these issues under the rubric of what she calls “Administrative Secrecy.”

Businesses, schools, courts, labor unions—all need some shelter in order to be able to arrive at choices and to carry them out. The processes of reasoning, planning, accommodation, and choice are hampered if fully exposed from the outset, no matter how great the corresponding dangers of secrecy.” ( Bok, 175)

Many institutions—especially schools and colleges, religious congregations and charitable or humanitarian service organizations—depend heavily on volunteers to serve extraordinarily important, responsible roles as board and vestry members, as fund raisers, classroom helpers and worship leaders. To a greater or lesser extent, such volunteer leaders will have fiduciary, secret-keeping duties to their organizations. They must therefore subscribe to shared assumptions about canons of confidentiality and means to maintain good community order. They must learn how to practice the discipline of collectively keeping confidences.

Bok is not speaking about young people learning in school, but she is nonetheless addressing a fundamental educational issue when she writes, “With no capacity for keeping secrets and for choosing when to reveal them, human beings would lose their sense of identity and every shred of autonomy.” ( 282)

## BALANCING “ADMINISTRATIVE SECRECY” AND OPENNESS

Balancing the needs of “administrative secrecy” with the need for openness is always difficult to untangle. Consider a hypothetical case. The rumor is that my boss has almost decided to fire me. Typically, my boss consults with only an inner circle of cronies about most matters. In my case, if he has followed his usual practice, he has consulted only with people who, I believe, neither know nor value my work. What information about my evaluation am I entitled to have and when may I have it? How and when may I introduce information on my own behalf? If I have no opportunity to plead my case before the decision is made, I will be at the disadvantage of appealing a conclusion my boss has already committed himself to and carefully shored up to be appeal-proof. That strikes me as an abuse of secrecy, in the name of respecting my privacy and maintaining others’s off-the-record remarks about me. It is not only my own self-interest which would make me distrust my boss’s protestations that his system is

designed to preserve my privacy and spare me embarrassment.

## THE COST OF THINKING OUT LOUD

As a sometime administrator, I also know painfully the hazards of planning, especially of thinking out loud about problems and possible solutions. I say to a trusted colleague, “I wonder what it would take to....,” and I hear the next day that it is now common knowledge that I intend to do exactly what I have only wondered out loud about. My most suspicious associates may distrust my motives, my judgment and above all my protestations that I haven’t made any decision. “He thought about it, didn’t he?” That idea now has been undermined before it could be even examined. How can I continue to trust that colleague or others who abuse my trust? But how can I avoid isolation as an administrator?

People who suspect the motives of others often find themselves tempted to “fill out” what is not known with speculation and guesses which then take on lives of their own. We all like to complete a gestalt, and many people with no intention of spreading misinformation fall in love with the symmetry of an imagined pattern of explanation. “It stands to reason that...” is a very seductive introduction to imaging the worst about others’ behavior and motives. With whom is it both safe and ethically appropriate for decision-makers to brainstorm and speculatively try out the most atypical solutions to problems?

Anyone who thinks I am on the wrong track, or who generally opposes my leadership, or who even perhaps thinks he could do my job better than I, may take my openness, my willingness to explore options out loud, as an opportunity to undermine me before I have had a chance to test my ideas fully even in my own mind. My capacity, authority and responsibility to make plans for the organization I serve can be definitively compromised.

If out of self-protection I consult only the innermost circle of my colleagues, the people who most frequently agree with me, how can I get the benefit of hearing criticism from supporters and the loyal opposition alike? –especially if I have reason to fear that much of my opposition is not loyal to me or to what I believe the institution must do?

## THE SEDUCTIVENESS OF KEEPING SECRETS

Under such conditions, how can I or anyone else with planning or budgeting responsibilities safely explore new ideas and options? Where choices are hard and consequential for many people—putting together an annual budget is an excellent and excruciating example—

decision-makers may feel so abused for their openness that they vow next time to share their thinking with no one. From a practical standpoint, secrecy looks far safer than openness. Stakeholders get shut out, or they log-roll, make strange alliances to undercut their opponents, and deliberative processes take on the vehemence of street-brawls, except for the lofty, idealistic language we all tend to use against our opponents. Legitimate self-interests and narrow vested interests alike clash, and it becomes very hard to accept that one group has lost its argument in a democratic process.

Lawyers' "work products"—notes, memos and opinions, are guaranteed confidentiality. In business, so are trade or proprietary secrets on which a corporation depends for producing and distributing its distinctive products. But there is a great deal more which seems to need the protection of brainstorming and thinking out loud, than is protected in the administrative world that Sissela Bok describes. Concealing needed information from those charged with making decisions subverts any organization which intends to follow shared democratic decision-making.

#### THE SEDUCTIVENESS OF "FULL TRANSPARENCY"

But Bok tells us, "Full transparency would cripple choice and policy-making in any administration." It is a continual ethical struggle to know when information is truly information, and not baseless speculation, anxiety-outbursts, deliberate manipulation of false data and misinformation, or special pleading. If knowledge is power, so are undetected falsehood and misinformation. Under such pressures, practicing confidentiality in good faith becomes more difficult as it becomes more necessary. When the consequences for one's friends or one's opponents are great, knowing when to keep confidence responsibly and with appropriate loyalty is a most serious ethical choice.

#### CONFIDENTIALITY AND RELIGIOUS COMMUNITY

When we consider the needs of a religious fellowship, we touch on issues of keeping faith with others, being trustworthy, protecting the privacy of others, knowing when to be transparent, and perhaps above being dependable promise keepers.

Alfred North Whitehead wrote that religion was what humans do with their solitude. And so it is, but it is also one of the things we most happily do in and through creating community. One generally-cited etymology for "religion" is "binding together." Religious affiliation is a powerful means to overcome our isolation and loneliness, to transcend our littleness and nourish our most precious interdependencies. We must also be the creature who

needs and values a private, sacrosanct inner life of thought, reflection, fantasy and imagination, aspiration, spirituality and personal choice. The greatest riches we bring to our friendships, loves and personal loyalties develop out of and intertwined with our private inner worlds.

The problems of “administrative secrecy” also bedevil religious fellowships and congregations, where our responsibility for one another is perhaps as great as in any voluntary association we can have. Even in traditions where leadership is hierarchical, and priests or ministers, theologians and counselors are highly trained and experienced, congregations can be shattered by failures to handle highly personal matters discreetly and in confidence. To speak of the tradition I know best, in the Religious Society of Friends it is of the essence of our polity that we practice wide consultation and reflection, which means wide sharing of information, among the meeting members, in preparation for the group discernment which will lead to a decisions.

Quakers are but one religious community where such lay leadership is widely practiced and cherished. Though most Quaker meetings and churches will usually have well-educated, professional, sensible and sensitive people as members, committee members may lack specific training in pastoral care or counseling. It is a strength in such traditions that individuals learn how to discern Divine leading for a congregation, by working with each other. It can also be a hazard to depend so heavily on both the collective good will, the good sense and the discretion of sometimes inexperienced and untrained members to address extremely delicate human problems.

Committees especially charged with preserving the good order of the congregation, Trustees or members of Ministry and Counsel or Ministry and Worship, are expected to perform complex pastoral duties of advice and correction of what earlier generations would have called “unruly walkers”. In practical terms, meeting committees may be called on to support and counsel partners in troubled marriages, to comfort divorcing couples and their children, to help members through the loss of livelihood, struggles with addictions, serious or terminal illness, crises of belief, of aging and death.

These are among the great crises and painful secrets of human life, and each requires to be addressed with tact, sympathetic and accurate knowledge and good sense, and the most absolute confidentiality. In any spiritual community or religious congregation, the expectation must be strong that members called to serve on committees know how to keep confidences, and that they will neither talk about the problems they are addressing nor quote what anyone has said in their deliberations. In practice it is very hard to hold one another to such discipline.

Well-meaning members who lack a good sense of boundaries— or worse, believe that it is a religious duty to reject boundaries in the name of complete openness about their committee work— tell a little bit to others they think might help informally; or they unguardedly reveal what should be private, because they value openness so highly. Many Quaker meetings are small and feel like closely-knit families and friendships. Though those conditions could make for especially tender, careful respect for setting boundaries, they may also lead to unguarded transgressing of what should be clear lines of responsibility and protected information.

If I tell one friend a secret, and learn it has been spread, I know exactly who is responsible. If a committee of my meeting knows my secret, and it is spread about, I may never learn who has violated my confidence, but I will find it difficult in the future to trust the good will or the collective responsibility of the committee.

To put the matter bluntly, the spiritual health of meetings and churches is seriously injured if members cannot discipline one another to respect the privacy of their fellow communicants. Too often, people celebrate their own openness where keeping their commitment to confidentiality is far more essential.

How many times have we had someone start to tell us "in strictest confidence" someone else's deepest, most embarrassing secret? How many well-meaning people does it take— people who have learned others' confidential secrets in the course of their committee work and who pass them on "in confidence"— before "speaking confidentially" simply becomes gossiping? How many people can talk "in confidence" about me and my shortcomings, before I feel merely that they are wilfully injuring my good name by gossiping behind my back?

A misuse of such information is a betrayal of power. One well-meaning but indiscreet member of a church or meeting committee can ruin the possibility that the religious fellowship can help conflicted people find satisfactory resolutions to their problems.

Given that the definition of "fiduciary" is that it is a relationship where "extreme confidentiality" is an obligation, do not members of a religious congregation have a reasonable expectation of such "extreme" fiduciary protection?

In a tradition like Quakerism, where on principle lay leadership is widely shared, it is crucial that nominating committees thoroughly review and recommend only those who understand and practice the need for absolute confidentiality to do the meeting's work. The hope is that, by careful seasoning and practice over time, most members can be ultimately suitable to serve on the major oversight committees of the meeting. Nothing can be more destructive to good order, however, than for a nominating committee or a monthly meeting, to believe that all meeting members can be assigned to all committees in some mechanical form of "taking turns"

democracy, rather than by matching those with the appropriate gifts and temperaments to serve the meeting at a particular time, and resolutely not nominating people who have not shown the needed discretion to serve the fellowship..

It is hard to overstate how important the nominating process is for the health of any faith-community dependent on widely-shared lay leadership. If a fellow member of my congregation violates confidentiality about me, perhaps the monthly meeting will discipline him—though in my experience that is very rare. It is much more likely that these good-hearted people will want to forgive him for how he injured me. Where there has been substantial indiscretion about a congregation member's privacy, we are likely to see the offended members leaving the congregation, and the people who do not know how to keep confidences continuing to serve on the same committees.

#### “AFTER SUCH KNOWLEDGE, WHAT FORGIVENESS?”

Secrecy is as indispensable to human beings as fire, and as greatly feared. Both enhance and protect life; yet both can stifle, lay waste, spread out of all control. Both may be used to guard intimacy or to invade it, to nurture or to consume. And each can be turned against itself... ( Bok,18)

We are always warned that fire is a good servant but a poor master. The same could certainly be said of secrecy. Each is a dangerous necessity for humankind, but neither is a solution for all our needs. We keep secret what is most precious, most fragile or most dangerous to us. We are at the mercy of anyone who knows our secrets. T.S. Eliot asks, “after such knowledge, what forgiveness? This is a quintessential question about human intimacy. Can I bear to know and be known so thoroughly? Can I forgive someone who knows my secrets but cherishes neither them nor me?”

We may know unforgivable things about one another; and that we know someone's most cherished or dangerous secrets, particularly if we have learned them by espionage or stealth, is unforgivable in us. Knowing and forgiving are remarkably complex human actions, especially when they are intertwined. Openness can also be like fire, a dangerous necessity, a source of power which must be controlled. It can be a matter of life or death whether we tell our doctor the source of a shaming infection. Confessing our wrong actions can be embarrassing, but it can also lead to healing penance and reconciliation. Both openness and secrecy can lead us to “conflicted, ambivalent experience.” (18)

For the most part, we live our lives not at the extreme ends of total secrecy or total transparency, but finding a reasonably safe, mutually supportive balance between them. We may not want to live secretive lives, but we want to enjoy a full measure of privacy. We want to

chose whether and with whom we share our thoughts, our deepest interests and inner lives.

## BETWEEN GROWTH AND SAFETY

Mediating between stagnant isolation and vapid openness is the zone of close human companionship and trust, the zone of shared confidences. The psychologist Abraham Maslow liked to diagram us as poised midway between safety and growth, so that even the smallest step toward one took us farther away from the other. We may adapt that diagram for our own purposes, and imagine the extreme of privacy, absolute secrecy, as the realm of stagnant safety, maintained at the loss of the stimulation of human company. Will total openness guarantee growth? Not if being open means only being able to live with shallow like-mindedness. Openness may be a necessary condition for growth, but not a sufficient one

We live in a time when the values of the private life are under unprecedented attack from technology in the service of crass market values and uncritical patriotism. As the zone of personal privacy shrinks, the zone of government secrecy grows ever larger; and as governments become more secretive, they may also become less answerable for their actions or their consequences. Some politicians and government agencies play on our fear of terrorism in order to intrude ever further on our personal lives. And we are told, probably accurately, that “the war on terror” may last generations and ultimately be unwinnable. Must we and our descendants then live in a state of perpetual siege on the most precious expressions of individual autonomy and choice.? Can we continue to risk the self-revelations of deep friendships? Can we continue to be promise-keepers and keepers of one another’s confidences? Can we continue to get the free flow of information on which democratic governance depends, at a time when nearly a dozen journalists have been threatened with imprisonment or have served sentences for disobeying court orders to reveal their confidential news- sources?

If secrecy is a human need, so is the capacity to confide in others. “Keeping our word” to one another is one of our most admirable human qualities. We long to have that integrity in our own lives and to see it in our children. Those who will respect and love us enough to keep our secrets secret, we wish to keep in our “heart of hearts.”

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