

Steps Towards Justice in Relation to Clerical Child Sexual Abuse



Séamus O'Gorman SJ comments on some requirements of justice in relation to the current Child Sexual Abuse scandals

Acknowledging the Pain of Reality

Over the past few weeks much has been said, written and felt about the shocking story of clerical child sexual abuse. Rather than add pages more, the priority now seems to be to support the emerging initiatives, in particular the proposed audit, which offer some promise that the actions necessary to provide a more just way forward are being prepared for. A new light has stayed focused on this heart wrenching open wound in our society. For this, society's and the church's thanks are due to the remarkably courageous words, actions and leadership of a number of victims of abuse in the Diocese of Ferns. This crisis must be seized as an opportunity to face our past with genuine honesty, so that we can approach a future with some hope.

What has been exposed under this light is repulsive to the vast majority of people; it has been a source of real pain to most. For victims of clerical sexual abuse its emergence as the hottest news topic can open old wounds. It can mean being faced directly with their own efforts to come to terms with their experience, and to move forward as best they can. There is also for some the added pain of listening to their kind of experience being analysed, discussed and comment-

ed on by all sorts of people who never quite manage to give the impression that they fully appreciate the reality of what child sexual abuse was and is about. For others the lack of human compassion of people in positions of authority and their apparent willingness to avoid rather than face the issues stirs up feelings of despair and anger. Just as the light shines on one aspect offering a glimmer of hope, it highlights how much is still covered in darkness, how much perhaps we do not want to really know.

It is true that there are also many who are not direct victims who have found themselves deeply shaken by recent events. There are some who - despite its all too obvious weaknesses - had still somehow trusted in a basic goodness of the church and what it was about. For them it has been a time to put aside that trust. There is simply too much evidence against the institutional church, both within and without Ireland, in relation to what was done by the abusers, and by those in positions of responsibility to hold on to the old kind of trust. That has been broken.

It is also true that many priests and religious feel deeply saddened by these events. There are questions about why so many religious and priests acted in this way; about what action was taken in response to complaints; and about how to weigh conflicting rights, valued rights to confidentiality, to one's good name, with the fundamental rights of innocent people to be protected.

If justice is to be pursued in relation to this issue we will need to learn to

hear this pain and the disturbing questions it raises in a completely new way. But it is also crucial that clear steps be taken which indicate a genuine willingness to respond adequately to this pain.

An Adequate Response

Above all, this requires placing the needs of victims of sex abuse and their rights at the centre of responses. Not all the pain around is the same. The pain of those whose trust in the church has been dented, or of bishops, priests and religious who feel implicated cannot be allowed equal significance in determining the steps forward.

Immediately the priority focus must be on responding as best as possible to the needs of those who have suffered at the hands of priests and religious. For this to happen it is essential that church authorities prove their sincerity in providing for an adequate and independent audit of how complaints about cases of child sexual abuse have been dealt with. In this light the audit being proposed by the Bishops and CORI seems to be a step in the right direction. The credibility of this initiative will be greatly strengthened if it can be shown to have made a real effort to meet the standards asked for by the victims of clerical sexual abuse. This must include setting a reasonable time frame within which the audit will be completed and its results made known.

The step towards a thorough review of how complaints have been handled may of itself indicate a new readiness to address the possibility

that church authorities have committed serious errors. From this position, it is to be hoped that church authorities will also create a climate more conducive to those who wish to make complaints. Given the imbalance of power, between the individual victim and the church as institution, and a certain aura of untouchability around the church as institution, it is vital that those in positions of power make clear their real willingness to hear from those who have suffered abuse. Those who may come forward also need to be assured of a sensitive reception, within which they can feel confident that their complaints will be dealt with according to the best independently validated practise available. Letting go of the image that the church has never done wrong, and that any mistakes can be explained away by the standards of the time at least opens a more benign space into which victims may complain and seek justice.

It is also important for the church to show a readiness to provide resources by way both of compensation, and in terms of offering people counselling or other appropriate support. A response to the crisis that seems to be primarily intent on preserving church finances or which under resources the audit or support services cannot be tolerated as just.

The proposed audit offers some hope that at last the church will allow its record to be critically examined. With regard to the present and to the future, the church needs to be more proactive in ensuring that best practice is followed in relation to its involvement with young people. Guidelines need to be drawn up, to be revised and implemented. Adequate and independent mechanisms for overseeing and assessing their implementation are also essential. Confidence in the

church's determination to move forward in addressing these problems would also be boosted if authority structures administering dioceses allowed for wider effective involvement of lay people, perhaps in the shape of some model of diocesan council. Given the failures of the past, there needs to be serious attention to training priests and religious in relation to this area, so as to do everything possible to ensure that the abuses of the past will not be repeated.

These then are some of the concrete steps which can and must be taken in the immediate future. If taken they offer some hope of a better future.

Questions of Church Justice

However, when the spotlight is turned off the immediate pressure to deal with this crisis, there remain other questions which a church committed to justice will need to answer. There is a risk that the issue will be reduced to one of personal weakness, occasional poor leadership and procedural failures.

If the church authorities seek to lay most of the blame on priests who abused their power, there remains the need to reflect on and explain from where did so many priests - and lay people - draw such dysfunctional and damaging notions of power. While the church may choose to refuse any effort to democratise its style of leadership, the question does arise of how it will find a better way of ensuring that there can be checks and balances in relation to how its leaders use power. There appears to be something extraordinarily dangerous about having a system of leadership whose authority is grounded in its not being subject to meaningful questioning.

Another question to be faced is

whether having a leadership which can only be male and celibate has played some role in blocking the church as institution from grasping the seriousness of the issues. Would the presence of a real parental voice at some levels in the leadership of the church have provided a deeper instinctive sensitivity to the risks to children?

Finally, while it is clear that most celibates do not abuse children, the prevalence of this problem among the clergy of the Catholic Church means that space must be allowed for honestly exploring questions about whether the life of mandatory celibacy in practice contributes to a repression of sexuality which increases the risk that for a disproportionate percentage of men it will be expressed in such destructive ways.

Conclusion

Facing the fact that the current crisis of clerical child sexual abuse raises deeper questions will be a real challenge to the church's commitment to justice. If the church cannot guarantee that its organization is structured and administered in such a way as to prevent the past being repeated, it will become impossible for people to have any faith in the role of the church as institution. An organization which cannot protect its most innocent and vulnerable members cannot claim to be a sign of Christ's presence in the world.