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Sexual Abuse and the Catholic Church

Introduction

“The revelations of the Cloyne report have brought the Government, Irish Catholics and the Vatican to an unprecedented juncture. It’s fair to say that after the Ryan and Murphy Reports Ireland is, perhaps, unshockable when it comes to the abuse of children. But Cloyne has proved to be of a different order. Because for the first time in Ireland, a report into child sexual-abuse exposes an attempt by the Holy See, to frustrate an Inquiry in a sovereign, democratic republic..... the Cloyne Report excavates the dysfunction, disconnection, elitism ....the narcissism.....that dominate the culture of the Vatican to this day.” (Enda Kenny, Taoiseach, 20 July 2011).

Some commentators – including Tom Doyle, an American priest who served for five years as a canon lawyer at the Vatican Embassy in Washington, D.C. – have argued that child sexual abuse by Catholic clergy is one of the greatest crises in the history of the Catholic Church. Whatever the validity of this argument, child sexual abuse by Catholic clergy has been reported on widely throughout the world as a scandal, a crisis, and a betrayal. One of the major issues to emerge is that most cases occurred long before they were made known to the civil authorities and the response of the Church is seen as having been ineffective at best and, at worst, a ‘cover up’. Abusive clergy, some of whom were sent for psychiatric assessment and spiritual guidance, were moved from the site of ‘temptation’ to another parish or ministry, where some continued to abuse. The mind-set of the Catholic hierarchy was, and to some extent still is, that this was a problem of flawed individuals, rather than a problem that has significant organisational causative dimensions that became systematically embedded in Church thinking and practice.

The sexual abuse of children by Catholic clergy has had a profound effect on Irish culture and society. In 1994, the Irish government collapsed when it emerged that the State had failed to extradite a priest from the Republic, who had been found guilty of sex abuse charges, to answer similar charges in Northern Ireland. This occurred at a time when the relationship between the Catholic Church and the Irish State was undergoing significant change.
However, it was in 2011, following the publication of several government appointed commission reports into sexual abuse by Catholic clergy that the relational dynamics between the Catholic Church and the Irish State reached a new low, and this time it involved the Vatican. In a radical break with his usually composed presentation, the Taoiseach, Enda Kenny, gave expression to an anger that had perhaps been brewing for generations. The failures of the Catholic Church in dealing with the abuse of children was the straw that would finally break the camel’s back, and seriously undermine the power, authority and respect of the Catholic Church in Ireland.

The clergy abuse situation in Ireland is often seen as unique, in part because of the close relationship between the Irish Church and the new Irish state founded in 1922. It is also thought to be unique since the Irish surnames of the Irish diaspora, some of whom are priests and bishops in the United States, Canada and Australia, have been listed in abuse cases in those countries. This has raised questions about the oppressive power of the Catholic Church in Ireland and its influence on the Irish political process. Questions have been raised about the Irish ‘culture of deference’ and how this related to the abuse situation. Some wonder if the Church and state worked separately and together in covering up the sexual abuse of Irish children. Some also wonder if ‘Irish’ Catholicism has peculiar features, which when exported throughout the world, contributed to the abuse of children by Catholic clergy. As a mono-cultural society, rendering Ireland ‘the most Catholic country in the world’, the Catholic Church, once considered the ultimate arbiter of morality has found itself on the margins of influence in Irish public life.

However, it is at times when the public is most agitated by the perceived wrongdoings of one sector of society that statutory inquiries and a responsible media have to be seen to carry out their work in a calm, impartial and dispassionate manner. As an academic social scientist and a practising psychotherapist, I have had doubts and concerns about both statutory instruments of inquiry and the media reporting of the problem, in relation to sexual abuse generally, and the Catholic Church in particular. My concerns relate to real questions as to whether victims are well served by the name and shame approach taken to the problem and whether restorative as well as criminal justice instruments might be more widely applied. I also have justice concerns in relation to how some of the clergy have been dealt with by the statutory instruments to inquire into abuse in the Church and into the subsequent media reporting of
For example a number of serious shortcomings are immediately apparent in several of the statutory Commissions of Investigation into the handling of abuse complaints by a number of Irish Catholic Dioceses: (1) the Reports are rarely based on any rigorous comparative work which would offer an analysis of the behaviour of the Catholic Church in the handling of abuse complaints in comparison to other organisations, (2) the Reports are in the main ahistorical and lacking in sociological or anthropological analysis, (3) Church ‘witnesses’ appearing before the Commissions appear to have become ‘defendants’ rather than witnesses, without their rights being protected either constitutionally or in natural justice and (4) some of the Commission Reports have taken a name and shame approach to the senior clerics which is beyond the remit of either the legislation framing the work of the Commissions of investigation or indeed their own terms of reference.

These shortcomings have been compounded by media representations of sexual abuse, best summarised as a hugely complex issue being told as a common singular story. However, now that the dust has settled a little on some of the Commission Reports I want to raise questions about how the story of abuse in the Catholic Church has been told and to offer alternative perspectives. It is in nobody’s interest that one injustice begets another, especially if it is in the name of justice.

In this essay I argue that the abuse of children by Catholic clergy in Ireland and the responses of the Catholic hierarchy must be located within a historical and comparative context. I also argue that sexual abuse by Catholic clergy is best understood, not as a problem of ‘flawed’ individuals, but as a systemic problem that comprises individual, local organisational and global institutional dimensions. Finally in a radical break with popular discourse I wish to argue that in the aftermath of the disclosures of abuse of countless children by Catholic clergy, we have not so much transcended as inherited a new state of fear and oppression in Ireland. This time it is not the Church hierarchy that is to be feared but rather a new state of fear has been born that is based on an approach to children, families and ‘child protection’ that far from bringing forth a safer society for children or a new state of wellbeing for victims of abuse has rendered all men as suspects and a generation of children is denied the love of men.
Historical and Comparative Context

Sexual violence is a significant problem in Ireland. According to one major study, 42 per cent of women and 28 per cent of men reported experiencing some form of sexual assault over their lifespan; (30 per cent of women and 24 per cent of men experienced sexual abuse in childhood and 26 per cent of women and 12 per cent of men experienced sexual assault in adulthood). Of those who are now adults, and who had been abused as children, Roman Catholic clergy were the perpetrators in 3.9 per cent of cases (5.8 per cent of all male victims and 1.4 per cent of all female victims). While the Irish rate of sexual abuse for females is in line with international trends, the rate of sexual abuse of young males in Ireland is at the higher end of international trends. When it comes to what percentage of the abuse is perpetrated by Catholic clergy, those data that are available suggest that between 4 to 8 per cent of Catholic clergy have been accused of the sexual abuse of minors, and this figure is regarded as reliable in Ireland as well as internationally, although one always needs to be cautious with data when there is a dearth of quantitative studies on which to base ones findings. For comparative purposes six percent of the adult male population is thought to perpetrate sexual abuse against minors. However apart from the sexual abuse of minors the Catholic Church in Ireland now faces a problem of professional misconduct by Catholic clergy who have had sexual relations with women and men and indeed religious sisters, all in the course of their ministries. How many Catholic clerics have engaged in such sexual ‘boundary violation’ of adults is unknown and neither is it known how many priests and religious in Ireland have fathered children in consensual relationships, although there is growing evidence as to the existence of this phenomenon. Whichever way it is understood, the Catholic Church in Ireland has a significant issue on its hands regarding the sexual behaviour of its Catholic clergy.

Much has been written about the failure of the Catholic Church in Ireland to adequately respond to the sexual abuse of children, and in particular its failure to report abuse allegations to the police, at least until the 1990s. Much less analysis has focused on the Irish state’s response to the abuse of children, or comparing Church and state responses across time. From my analysis, while the accusation of cover-up has been levelled at the Catholic Church, it may well be the case that cover-up was a feature of how Irish people and the Irish state responded to the abuse of children from the 1920s until the 1990s and that the neglect of children’s plight was not a feature of the Catholic Church alone. And this state of affairs was
in the main broken by the courage of victims and the determination of some investigative journalists who took up their cases and began to give voice to their hidden stories of abuse through the newspaper pages and through television documentaries. While a full comparative analysis of the historical and cultural context of the abuse of minors is beyond the scope of this essay, I want to highlight three occurrences between 1920s – 1990s that I believe gives an historical and social context to how the abuse of minors was seen in Irish society and by the Irish political class.

First, in 1930 the Government of Ireland established a committee to review the Criminal Law Amendment Acts (1880–1885) relating to sexual crime in Ireland and to consider the situation of juvenile prostitution in the country. William Carrigan KC was appointed to chair the Committee. The Report indicated a rise in sexual crime in general, and crimes against children in particular. It reported that less than 15 per cent of the cases concerning children were prosecuted because of the desire of parents to keep the abuse secret or because of their reluctance to have their child appear in court. The report noted the views of the Police Commissioner who argued that sentences for sexual offences were too lenient and that legislation did not provide sufficient punishment to act as a deterrent. Carrigan concluded that the law as it stood contributed to the frequency of assaults on children and made a number of recommendations. These included that the age of consent be raised from 16 to 18, that the grounds for acquittal based on the belief that the girl was above the age of consent be abolished, and that the time allowed for commencing a prosecution under the Criminal Law Act be extended (it was six months at the time of the Carrigan Report).

When the Report was circulated in 1931 the Department of Justice decided that it would be unwise to publish it, warning that the allegations contained in it were damaging to the standard of morality in the country. A new government in 1932 was similarly critical of the Report which it also felt should not be published. The Minister for Justice claimed that a rise in the age of consent would act as a mechanism whereby women could blackmail men and that there would be an increase in the amount of crime reported. Moreover, he was also reluctant to give any weight to the evidence of children, suggesting that one could not trust the evidence of a child ‘with a vivid imagination’. This historical detail just captures the habitus or mind-set of the Irish political class of the time.
In the history of child sexual abuse in Ireland many commentators see the suppression of the Carrigan report as hugely significant. Kennedy argues that the recommendations of the Carrigan Committee, which had sought to tighten the law in relation to abuse of children was seen as being too harsh on men and disbelieving of children. Raftery and O'Sullivan argue that failure to publish the Report meant that sexual abuse did not become an issue of public debate until the 1980s and the potential of the Report to increase public awareness of the issue was never realised. They argue that the existence of the Carrigan Report demonstrates that both the Irish police and the Department of Justice were aware in the early 1930s that adults could and did sexually abuse children.

Second, the criminal law is only one means of dealing with the sexual abuse of children. In many cases criminal proceedings are not instituted for a variety of reasons and in some cases it is often difficult to obtain the proof necessary to secure a criminal conviction ‘beyond reasonable doubt’. However the state can intervene in other ways to protect children who are being abused and social policy during the relevant period gives clues as to how the state responded to the abuse of minors. My analysis suggests that policies on child abuse were practically non-existent in the late nineteenth and early twentieth-century Ireland. Until 1970 the Irish Society for the Prevention of Cruelty to Children investigated and processed most child cruelty cases coming before the courts. They worked under the provisions of the 1908 Children Act, which covered offences against and by children. In their first report, published in 1957, cases of assault of children, of incest and of neglect (the most frequent) were all recorded. Whilst the 1908 Act was amended several times, parts of the Children Act (1908) as amended formed the principle legislation for the protection and welfare of children until 1991. Two new pieces of legislation, the Child Care Act (1991) and, later, the Children Act (2001) heralded a new departure in relation to child welfare and child protection legislation. What is notable however is how long it took for the modern Irish state to enact suitable legislation for the protection and welfare of children and to decouple offences against children (Child Care Act, 1991) from offences by children (Children Act, 2001). Again, this history gives glimpses to the habitus and thinking of the Irish people and the political class at the time.

In a third glimpse into Ireland’s history of concern, or lack of it, for children, we see that whilst several sets of guidelines on the identification and management of child abuse were issued by the state from the 1970s, it was in fact 1983 before the first mention was made of
sexual abuse in official guidelines. It was not until 1987 when child sexual abuse was distinguished from other forms of abuse as requiring additional methods of identification and validation. These guidelines also used the term ‘child abuse’ rather than ‘non-accidental injury’ or the first time. Further, in statutory inquiries into the abuse of children in their family home, we learn that despite the 1987 Health Board Guidelines, many were not being implemented and many professionals were not even aware of their existence. In 1998, a team of experts who, examined the abuse of children by their father over a 20 year period, concluded that a genuine incredulity of the possibility of sexual abuse existed, particularly at the beginning of the period, both at senior social work management level and among family doctors.

So when we locate the story of alleged ‘cover-up’ by the Catholic Church in the context of the Irish mind of the time, what emerges is a story of cover up on all sides and of the neglect of the welfare of children on the part of both the Irish State and the Church. This is not to deny or doubt the care that many children received in their families or in alternative care system run by the religious orders on behalf of the Irish state. The perception of the state as opting out of child welfare and protection and handing it over to the religious and voluntary sector is also borne out by the historical data. And it also becomes clear that the state and its agents were aware from the 1930s onwards that adults can and do sexually abuse children, both inside and outside of the family. It is a sad fact of Irish history that the abuse of children was not given due attention by either Church or state. It reveals a cultural strategy of denial, and provides an insight into how children were seen and understood.

A Systemic Problem

It is a feature of many areas of academic study that certain perspectives, theories and methods dominate while others are neglected or excluded. This is certainly true in relation to study of child sexual abuse within the Catholic Church. Much scholarly work focuses on the assumed psychopathology of the perpetrator and on failures of individuals who were in positions of authority in the Church in relation to their handling of abuse complaints. Instead I suggest that there is a need to expand such individualistic perspectives and examine how cultural, theological, organisational and institutional Church influences were integrated and assimilated into and in turn influenced by the Irish Church in creating a climate in which the abuse of children became possible. What needs to be examined is the way the Irish priest
offender was moulded by the Catholic Church in creative dynamic relation with his individual and personal circumstances to influence his understanding of himself and his subsequent abuse of minors. What also needs to be examined is how the Bishops or Church leaders were influenced by a variety of Church policies, practices, cultures and thought in dynamic interaction with their own personal history to bring forth their response to the problem. In doing so I suggest that there are vibrant and dynamic ways in which both individual abuse perpetrators and individual Bishops and Church leaders were not just ‘flawed’ or ‘erring’ individuals but were part of the same culture. In both cases Church culture combined with individual struggles to attain position within the Catholic Church was to influence both the abuse perpetrators and the Church leaders at a structural level, as they continually reinvented their everyday lives and what it was to be a good clergyman or a good leader of the Catholic Church in Ireland. In undertaking this work I attempt to link structural issues with the micro world of struggle of individuals to develop and maintain their identity and social position and how both structural and individual factors were to contribute to their resultant behaviour.

In adopting this micro-macro approach I am influenced by three key questions: What kind of an organisation could accommodate the scenario of abuse of children that we have seen to emerge in the Catholic Church? What would the rest of the organisation have to be like for its members to behave in the manner in which they did? And what would the whole story of the organisation and the institution have to be for the various steps that we have seen to occur in the Catholic Church in relation to the abuse of minors by clergy?15 In answering these questions it is possible to identify a number of features of sexual abuse within the Catholic Church that have a role not only in giving rise to the abuse itself but also to the response of the Irish Bishops and Church leaders to the emerging problem.16

a. Sexual abuse is best seen as part of a continuum of sexual behaviour of Catholic clergy. Although the abuse of children is often seen as aberrant because of the criminal parameters of the problem, my research suggests that child sexual abuse by Catholic clergy must be considered against the background of the literature on the sexual underworld of ‘normal’ clergy and not as an unrelated sphere of clergy sexual activity. There is substantial literature on the sexual lives and behaviour of ‘normal’ clergy who make a celibate commitment at ordination. The sexual underworld of ‘normal’ clergy and the unhealthy organisational culture, in which the problems of
sexuality arise, are part of the context in which child sexual abuse by Catholic clergy becomes possible. This perspective raises the issue of celibacy as an important area for research in relation to this problem.

b. An inadequate theology of sexuality and the absence of a relational sexual ethics for clergy is also part of the problem of sexual abuse of minors by Catholic clergy. My research suggests that Catholic clergy were so focused on control of ‘the sex act’ that they did not think about the consequences of the ‘act’ for the other person, or even of the full significance of the age of the other person, when that person was a child or minor. When disclosures of abuse of minors were made, Church leaders often sent the perpetrators to confession and therapy, while the child was largely ignored.

c. The Church’s theology of scandal also forms part of the context that enabled the abuse by clergy to continue. Church leaders believed that informing the laity of the truth was akin to giving scandal and this was to be avoided. The theology of scandal underpins much of the behaviour of senior Church clerics who believed that the laity must not be scandalised by the truth of human frailty.

d. Clericalism can also be identified as having played a significant role in the clergy sexual abuse problem. Clericalism which was premised on the idea of clergy as an elite who were set apart from and above the laity; this thinking influenced both clergy and laity alike. For the Catholic laity, clericalism implied that Catholic clergy could do no wrong, thus children were not believed. For Catholic clergy it led to the belief that children would never tell and that families would not speak ‘ill’ of their clergy, giving some security to those abusive clergy that the stories would never be told.

e. The interplay of power and powerlessness contribute to the genesis of the problem of sexual abuse for those clergy who became abuse perpetrators. It is also significant in explaining how the Church leaders responded to the abuse disclosures. In the public sphere, clergy appear independent in the exercise of their duties and powerful in the minds of the public. However, despite experiencing the trappings of such a dominant power position in the public realm, many clerical perpetrators revealed that they experienced personal powerlessness, lack of autonomy, and frustration in the private sphere. This can be related to the power, authority and governance structures of the Catholic Church and to the nature of their relationships with superiors. Bishops also experienced powerlessness vis-a-vis the powerful Curia in Rome. Power within the Catholic Church was taught and seen to be in one direction only – upwards. Priests feared the Bishops and Bishops feared Rome.
f. Finally, a moral education that is overly intellectualised and technical and focuses mainly or only on theoretical or abstract problems, does not equip its students to make good moral judgements. As Arendt has observed, the precondition for the kind of judgement that is necessary to prevent wrongdoing, is not a highly developed intelligence or sophistication in moral matters. Rather, good judgement requires wisdom, skill and disposition to engage in an on-going silent dialogue with oneself, especially about the consequences of one’s potential actions for another. Judgement needs the special presence of others ‘in whose place’ we must imagine ourselves in emotion and thought and ultimately whose perspectives we must take into consideration before we act. What was absent from the education of Catholic clergy was such a relational approach to morality and judgement. Instead the morality taught in Irish Catholic seminaries was based on a rule book that relied on moral absolutes and theoretical understandings. Rule book morality failed to equip the Catholic clergy and the Church leaders for the challenges they would face in their complex ministries. Rule book morality was also easy to bargain with and confession could be used to clear the conscience.

New States of Fear and Oppression

In order to understand the consequences of playing rhetorical or political games with a problem as important and tragic as child sexual abuse it is useful to employ a critical analysis to the current state of childhood in Ireland in the aftermath of sexual abuse disclosures by so many and to ask if childhood is now better for Irish children. Aside from the general good that has been reported by adult victim-survivors of childhood sexual abuse because of the public support they received and the public vindication that followed the telling of their stories, what I wish to argue is that we have not so much transcended as inherited a new state of fear and oppression in Ireland, in which many if not most men are potential suspects. The unintended consequence of this is that a generation of children may be denied the love of men and a new silence is being imposed on the public discourse of childhood. What is most striking about this situation is that ultimately children stand to lose. The newly established super-structures of surveillance that have become the political if highly questionable means to the resolve the crisis of child sexual abuse in Ireland has not been accompanied by reasoned scholarship making its mark on these highly sensitive political processes.
Data mined from the Growing Up in Ireland survey of over 20,000 children and presented in 2013 show that poor children are over three times as likely to be obese at age three compared to better-off children, and similar patterns have been identified for mental health. A child’s psychological wellbeing is worse in lower income families than in higher socio-economic groups. The risk of serious emotional and behavioural problems at age nine is also twice as high in the bottom half of income distribution. Health problems persist into adulthood and the risk of cardiovascular disease in later life is over a fifth higher among people who grew up in poor households. Overall, some 3.5 per cent of children experience drug taking or alcoholism or mental disorder in their family.

In separate research, which looked at the experience of adults aged 50 years or older it was found that 7.1 per cent of respondents had been physically abused in childhood and 6.2 per cent had experienced sexual abuse as children. Some 8.6 per cent reported drink or drug use by parents when they were under 18 years. There was strong evidence of the lasting physical and psychological effects of these adverse effects. Children who were abused were over 30 per cent more likely to suffer heart disease as adults and they were also over three times more likely to have psychiatric problems. In light of the evolving evidence it would be wrong then to think that just because clerical child sex abuse has been identified and analysed that the problems of children are over and that none of them suffer abuse, either sexual or physical, or neglect. Much remains to be done.

And in returning specifically to the issue of sexual abuse, cultural narratives can prevent critical issues from being addressed, as some theorists such as Kincaid argue. For example, when one thinks about how Western culture has ‘enthusiastically sexualised the child while denying just as enthusiastically that it was doing any such thing’ one begins to see the how the dynamics of this particular problem can play out. Clearly, a society that regards children as erotic, (such as in representations used to sell products and in some sections of the pop industry), but also regards an erotic response to children as criminally unimaginable, has a significant problem on its hands. From this perspective, the extent of the abuse of children is still denied because the complexities involved in the interplay of childhood, sexuality and adulthood are also denied. It must thus become clear that a society that wants to protect children from sexual abuse, and understand how the problem is constituted, must change the dominant discourse to one that includes a better understanding of the complexities of adult and child sexuality and is less marginalizing of men. In the current situation, many children
suffer: those children who are sexually abused and those who are denied a nurturing relationship with men.

Conclusion

We know that conceptual models, or frames, are more than simply angles of vision or approaches to a problem. Each is comprised of theories, assumptions, and categories that influence where we look and what we find. Frames shape how questions are asked, what is taken as evidence, the conclusions drawn, and the subsequent actions taken. In this we need to keep alert to all that is being said if we are to get truly to the root social causes of the child abuse problem in the Catholic Church and in Irish society and the policy recommendations that should follow. However, it is in this very context that academics must ask the right questions and question taken-for-granted knowledge that seems to be increasingly a new part of the current problem in Ireland.

Notes

1. Department of Taoiseach, 2011, statement by the Taoiseach of Ireland (Prime Minister) in the Irish Dáil (Parliament) on July 20th in responding to a motion on the report of the Commission of Investigation into the Catholic Diocese of Cloyne (2011).


3. Department of Taoiseach, 2011, statement by the Taoiseach of Ireland (Prime Minister) in the Irish Dáil (Parliament) on July 20th in responding to a motion on the report of the Commission of Investigation into the Catholic Diocese of Cloyne (2011).


5. The Commission of Investigation into the Catholic Archdiocese of Dublin, Report of The Commission of Investigation into the Catholic Archdiocese of Dublin, (Dublin: Government Stationary Office, 2009; Chapter 1.24) states “Some priests were aware that particular instances of abuse had occurred. A few were courageous and brought complaints to the attention of their superiors. The vast majority simply chose to turn a blind eye”. A careful reading shows us that this “vast majority” is a majority of that unspecified cohort, “some priests who were aware”. However, it too easy to take an entirely different impression from such a passage and indeed in the rush by journalists into print after the publication of the Murphy Report this passage had morphed into the shorthand media impression, also heard on other media, that the Murphy
Commission had found that the vast majority of priests in the Dublin diocese were in fact aware of instances of child sexual abuse, but they simply chose to turn a blind eye.


7. See M. Keenan, *Child Sexual Abuse and the Catholic Church: Gender Power and Organisational Culture* (pp. 108-109).


16. For fuller elaboration of issues involved here see M. Keenan, *Child Sexual Abuse and the Catholic Church: Gender, Power and Organisational Culture*.
