

‘The boat had moved’: The Catholic Church, Conflations and the Need for Critique

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A man from the state of Chu was crossing a river. When the ferry got to the middle of the river, his sword fell into the water. Immediately he took out a knife from his pocket and made a mark on the boat. ‘This is where my sword fell off,’ he murmured and stepped aside, much relieved. The ferry sailed on and soon got to the dock on the opposite bank. As soon as the boat anchored, the man jumped into the water to look for his sword at the place where he had marked the boat. The boat had moved but the sword had not. Is this not a very foolish way to look for a sword?¹

To say we are horrified by the recent revelations of child abuse, and of the institutional complicity which sought to avoid the consequences of this abuse in the public domain, is in many ways as effective an exercise as the man from Chu’s futile attempt to find his sword by marking the place on the boat where it fell overboard. The abuse of children in a sexual context is heinous, no matter what way you look on it. To be branded a paedophile is probably the worst label that can be bestowed on any adult. Indeed, even in prisons, the harshest treatment meted out by convicts to other convicts is reserved for paedophiles. Some of the details of abuse are just unspeakable; it is appalling to read that ‘more than 90% of all witnesses reported being physically abused while in out-of-home care’; it is appalling to read that witnesses to the Ryan Report reported that:

In addition to being hit and beaten witnesses described other forms of abuse such as being flogged, kicked and otherwise physically assaulted, scalded, burned and held under water.

¹ *The Annals of Lü Buwei*. Translated by John Knoblock and Jeffrey Riegel (California: Stanford University Press, 2000), p. 371.

Witnesses reported being beaten publicly in front of other staff, residents, patients and pupils as well as in private. Many reports were heard of witnesses being beaten naked and partially clothed, both in private and in front of others. They reported being beaten and physically assaulted with implements that were for the specific purpose of inflicting pain and punishment, such as leather straps, bamboo canes and wooden sticks.²

These instances are shocking but it is the reaction of the Church as a structure which is even more troubling. When the role of an organisation is supposedly the preaching of morals and ethics to the general population, the fact that this organisation then systematically proceeded to deny the abuse perpetrated by some of its members, to obstruct any investigations into the abuse and to protect its own members to the detriment of the victims, often children placed in their trust, is an abomination. To be aware of these crimes and to collude in the avoidance of bringing those responsible to justice, and worse, to redeploy the abusers so that they could abuse again, is an act of criminal conspiracy. And the Murphy report spells this out very clearly:

Many of the auxiliary bishops also knew of the fact of abuse as did officials such as Monsignor Gerard Sheehy and Monsignor Alex Stenson who worked in the Chancellery. Bishop James Kavanagh, Bishop Dermot O'Mahony, Bishop Laurence Forristal, Bishop Donal Murray and Bishop Brendan Comiskey were aware for many years of complaints and/or suspicions of clerical child sexual abuse in the Archdiocese. (*Murphy Report*, Part 1, p.6)

In this chapter, I will make no attempt to talk about the individual effects of abuse, as there are others in this book who can speak from personal experience on that issue. It is necessary that we remember what happened so that it can never happen again, but the past is not my concern here; rather, I want to focus on the present and the future of Irish society and on how that society should best react to the structures of the Catholic Church. For me, the core issue is not how the Church responds to the crisis

² *Commission to Inquire into Child Abuse Report*, Volume 3, p. 393.

but how we, as a society, respond to the Church. The Church-State relationship in Ireland has been categorised by conflations of perception and knowledge that have blocked serious efforts to analyse the best course of action that should occur in the wake of these Reports. These conflations parallel the error of marking the place in the boat where the sword fell out, and they have a similar effect on the process of finding that sword.

The first conflation is that of 'Irish and Catholic'. Since John A Costello, leader of the inter-party government, declared: 'I am an Irishman second; I am a Catholic first',³ there has been a hand in glove relationship between the Irish State and the Catholic Church. This has crossed over party lines, with the hierarchy given the right of specialised input into aspects of de Valera's constitution, and with undue and continuing influence on health and educational matters. The Church, as a partner of the State, has been almost a given in our culture, to such an extent that the symbolic power exercised by the Church can blind us to the actual deeds and behaviour of that Church. This point can best be clarified in the light of Pierre Bourdieu's discussion of 'symbolic power' and social change. 'To change the world', Bourdieu argues, 'one has to change the ways of world making, that is, the vision of the world and the practical operations by which groups are produced and reproduced.'⁴ To date, in Irish society the Church has to a large extent exercised a monopolistic symbolic power in that it is central to educational and health practices and discourses in Irish society. The Catholic Church exercises *de facto* control over most educational institutions in the country and in a lot of the health facilities, and these cases of systemic abuse have given rise to some questioning of the suitability of the Church for such a role. People have talked about the need for reform within the Church, and of the need for the Church to heal itself, but this is as misguided as the man from Chiu's efforts to find his sword: it is to look in the wrong place. The core issue, I would maintain, is not about the Church, but about secular, civic society (we

³ Dermot Keogh, *Twentieth Century Ireland: Nation and State* (Dublin, Gill and Macmillan, 1994), p. 208.

⁴ Pierre Bourdieu, *In Other Words: Essays towards a Reflexive Sociology* (Stanford: Stanford University Press, 1990), p.137.

are a republic after all, at least in name) and how that society should deal with an organisation whose upper management strata in both parish organisation and religious orders has been criminally conspiratorial about hiding the crimes of their members. And we are not talking about the long forgotten past here. The Murphy Report spells out the time-span of these complaints very clearly:

All the Archbishops and many of the auxiliary bishops in the period covered by the Commission handled child sexual abuse complaints badly. During the period under review, there were four Archbishops – Archbishops McQuaid, Ryan, McNamara and Connell. Not one of them reported his knowledge of child sexual abuse to the Gardaí throughout the 1960s, 1970s, or 1980s. It was not until November 1995 that Archbishop Connell allowed the names of 17 priests about whom the Archdiocese had received complaints to be given to the Gardaí. This figure was not complete. At that time there was knowledge within the Archdiocese of at least 28 priests against whom there had been complaints. (*Murphy Report*, Part 1, p.10)

Even as late as February 2010, a paedophile priest, Patrick Hughes, pleaded guilty at Dublin Circuit Criminal Court to four counts of indecent assault against the child, who was then aged between 11 and 14 between 1979 and 1983. Detective Sergeant Joseph McLoughlin, who apprehended the priest, agreed that Gardaí were 'getting the run-around from church authorities'. He said they were initially unable to locate the accused man through the Archbishop's Palace but a 'liaison priest' contacted him in 2003 and said the accused wished to speak to Gardaí, but the detective then received a call to say the accused would not be attending. That was the last he heard about his location and efforts to find him were unsuccessful until Gardaí received a tip-off and Detective Sergeant McLoughlin located the priest in England.⁵

'Getting the run-around' from Church authorities is the issue we need to look at, and it is in this context that we arrive at the second conflation to which I referred earlier. It is all too easy for

⁵Fiona Ferguson and Sonya McLean, "Jailed paedophile priest: it was an altar boy thing", in *Irish Independent*, Wednesday, February 03, 2010.

the Church to see itself as moral and ethical in structure, and as far removed from the civil and legal rules and regulations of civic society. At present, there is a strong conflation of the sacred and the secular at play in the way the Church is responding to the different reports. It is as if because the message of the Church is ethical and moral, then ipso facto their behaviour must also be seen as ethical and moral and any abuse is just an aberrance which can be glossed over by the Church's overall message. To paraphrase Marshall McLuhan, in this case the medium is not the message. As a way of moving forward post the Murphy Report, Irish civil society needs to differentiate between these two modes of knowledge as embodied in the Church and act accordingly.

To claim that the Catholic Church is ethically-driven and that it preaches the gospel of Christ is a way of insulating it from the cause and effect modality of the civil legal system. The key here should not be whether or not the Church does this, but rather how the Church is treated as an organisation within our culture. What the Church claims as its message and *raison d'être* is a matter for itself, but its corporate and systemic actions, enacted in the socio-cultural sphere, should be treated in precisely the same manner as the actions of any other corporate system and organisation. In other words, to preach about the Sermon on the Mount on a Sunday should in no way protect or absolve those who give our legal system 'the run around' on a Monday.

Rather than seeing the Church as a special case based on its own claims to a transcendent knowledge and perspective, I would submit that the correct and ethical legacy of the Murphy Report, and that of the Ryan and Ferns Reports, should be that we look at the Church as a temporal and historically-contingent organisation and subject it to the same scrutiny as any other institution in society. Minister Dermot Aherne made the point that 'the bottom line is this: a collar will protect no criminal,'⁶ but we have seen few priests and religious sent to jail, and there have been no prosecutions of people in the hierarchy for withholding evidence, or protecting priests, or moving them on to abuse in

⁶ *The Irish Times*, Friday, November 27, 2009.

other dioceses when their abuse has been brought to light. Also, the rather supine response of the Taoiseach to the non-compliance of the papal nuncio was an indication of the blurring of the roles of the Church in terms of symbolic power:

The Commission wrote to the Papal Nuncio in February 2007 requesting that he forward to the Commission all documents in his possession relevant to the Commission's terms of reference, "*which documents have not already been produced or will not be produced by Archbishop Martin*". The letter further requested the Papal Nuncio, if he had no such documentation, to confirm this. No reply was received. (Murphy Report, Vol. 1, p.37)

The Commission again wrote to the papal nuncio in 2009 enclosing extracts from the draft report which referred to him and his office as it was required to do. Again, no reply was received. The excuse given by papal nuncio Archbishop Giuseppe Leanza, was that the Commission had not gone through the correct diplomatic channels. The Taoiseach said it was 'regrettable' that the Vatican invocation of diplomatic privilege had given 'the impression that the Holy See was refusing to co-operate with the commission', adding: 'the commission and the Holy See, it appears, acted in good faith in this matter, even if the best outcome was not achieved'.⁷ Here we see a conflation of the two conflations of which I speak: Cowen, like Costello and de Valera before him, is a Catholic first, as he makes excuses for a lamentable lack of response by the nuncio, and he has confused the behaviour of the Church as a self-protective secular organisation with the message they preach. Here it would seem a Roman collar still does provide some protection, and also that there is, in the Taoiseach's mind at least, a blurring between the two forms of knowledge of the Church.

The Church, as spiritual and moral entity, would be expected to not alone comply with the request of a body investigating abuse by its members, but to embrace the chance to undo a wrong. However, the Church as organisation clearly decided to hide behind the dual relationship it has with other countries and

⁷ www.breakingnews.ie/ireland/eymhgbojsnau/rss2/

invoke the diplomatic letter of the law. Rather than seeing their role as pastoral, the nuncio chose to see the matter in terms of one country's diplomatic dealings with another. Here we see Bourdieu's symbolic power at work, but here too is the lever with which that power can be deconstructed. If the Catholic Church sees its relationship with Ireland as that of a foreign country, then we, in Ireland, must ask why we allow people whose allegiance seems to be to the Vatican as a foreign state, access to our health and education systems? Would we allow similar latitude to people in an organisation whose first loyalty was to the Queen of Great Britain? Saying that they have a pastoral duty of care is one thing; not responding to a legally instituted inquiry is a more formal example of the State, and its institutions, being given the run-around, albeit at a different level, by the Church authorities yet again. That the Taoiseach is unwilling to call this act what it was – obfuscation of the work of the Commission – is a shame and another example of how the symbolic power of the Church needs to be unpacked and deconstructed if our society is to retain a sense of its own integrity. I am not saying that the Church should no longer be involved in the education of the young in Ireland. What I am saying is that this involvement has generally been taken as a given, without any great sense of questioning as to its validity or utility in the twenty first century. We need to critique why the state pays for the facilities and the teaching and yet the Church has a presence on 95% of all first, second and third level institutions in Ireland. Given the obfuscatory behaviour of the Church as an organisation in the area of the protection of children, do we want that particular institution so intimately involved with our children? It is a debate that needs to take place.

And this is the crucial point at issue here. Any organisation will close ranks to protect its own members – we have seen it in the financial sector, in politics and in business. Modern organization theory makes the point about the closed systems of large organisations, which are deemed to be immune to disturbances from outside of the organization itself, and about centralised and hierarchical modes of power and knowledge, and about the need to protect the organisation at all costs. This means that response to outside factors is invariably defensive and reactive.

There is even an acronym to describe this attitude to maintaining the status quo – ‘TINA (there is no alternative)’.⁸ So rather than judging the Church as a special case, above and beyond the socio-cultural norm, in its own terms *sub specie aeternitatis*, we need to critique it as an immanent and historical structure. We have heard the TINA argument in relation to recapitalising the banks and in terms of the Church’s role in education (who would take their place?) but this is an argument based on a similar premise to that of the marking on the boat. One of the reasons the Church became involved in education, apart from the obvious one of transmitting their ideology to coming generations, was the scarcity of educated people who could sit on boards of management and run educational institutions. But that no longer applies and there are many people who could now run schools, both primary and secondary, as well as our third level colleges.

This process of critique and debate will have consequences for the interaction of civil society with the Church, and with the mode of knowledge produced by the Church. So, for example, the pronouncements of the Church with respect to women, and women’s bodies, and contraception and sexual activity have been seen as a transcendental preoccupation with the value of life. However, if looked at as an immanent structure, then the point could be made that an organisation that is made up of largely middle class, middle aged celibate men would have a very specific viewpoint on issues of sexual activity and on women in general. When such a body makes the point that women cannot be ordained because Christ ordained no women, we can see this as a transcendent form of knowledge or we can wonder why this is the only aspect of the real life of Christ that has been maintained as an exclusionary precept. After all, Christ was Jewish, itinerant and a carpenter, but the Catholic Church has not made any of these a precondition for ordination to the priesthood. Again, looking at the historical and contingent composition of the people making this decision, there would seem to be other reasons to explain the exclusion of women from the ministry. Christ had little truck

⁸ Stewart R Clegg, *Modern Organizations: Organization Studies in the Postmodern World* (London: Sage Publications, 1997), p.58

with the legalities of the Pharisees nor with the materialism of the temple – how many of the practices of the mitred prelates of our hierarchy could stand up to a scrutiny from this perspective? How would the man who asked little children to come unto him react to Archbishop Leanza's prevarication? Or how would he react to the Taoiseach's defence of this prevarication? Or how would he react to the hierarchy's hiding behind legal arguments and issues of mental reservation to give the state authorities the 'run around'? These are all questions that need to be asked by the people, and answered by the Church.

It is not my purpose here to brand all of the members of the Church as evil or wrong. I merely want to call to account an organisation which nimbly switches between a spiritual and pastoral role and a legalistic and protectionist one. This is nowhere more sharply illustrated than in two accounts of the papal visit to Ireland in 1979. The Pope's visit was often seen as the highpoint of Catholic hegemony in Ireland. His visits to Dublin, the youth mass at Galway and a huge open-air mass in Limerick attracted huge crowds and his iconic kissing of the ground, and his cry of 'young people of Ireland, I love you' seemed to herald a leader in touch with his people. However, in Saint Joseph's Industrial School in Ferryhouse, Clonmel, two boys were kept back in school and not allowed to go to Limerick to see him and when the rest of the school had gone, a boy told the committee that when the rest of the boys left, 'this Brother came and raped me in my bed' (*CICA Investigation Committee Report*, Vol. II, 87).

The savage irony of this rape taking place while the Pope, the representative of the Catholic Church, was telling the young people of Ireland how much he loved them is too bitter for words. But like all irony, it is instructive: the behaviour of the Pope with respect to the young people of Ireland was the transcendental face of the Church. The behaviour of the raping brother, and its subsequent cover up, was that of an organisation which seeks to minimise the effect of wrongdoing.

Similarly, the pomposity of a letter sent by the Interdiocesan Case Management Advisory Committee, representing the diocese of Cloyne in response to the proposed publication of the Cloyne Report captures the mindset I am talking about:

The church, and its essential pastoral role, is not an optional participant in society but an integral part thereof as designed and mandated by almighty God. Far from being in conflict with each other, the roles of the church and the statutory agencies of the State are complementary.⁹

Here again, we see the run-around that results in this conflation of power and knowledge and of Church and State. Almighty God is invoked without any question as to how a divine entity would react to his messengers on earth hiding material from an enquiry. The sense is that as representatives of God, the diocese of Cloyne need not be answerable to the State. One might ask how the invoked deity might respond to the results of the Cloyne inquiry which stated that:

However, what are glaringly absent are any references to the need to protect vulnerable young people and to act in a timely and effective way to achieve this end. This is illustrated by the minutes of the Case Management Committee that met on 21 September 2005 to discuss the A case. Current risk to young people is not referred to at all. The suggestion is noted that the option of retirement to the accused might be offered if appropriate. (This is, in fact, what happened when the Bishop met the accused later in the month, when he decided to offer to retire from his post.)¹⁰

One would think that an organisation found guilty of such a lapse in standards would at least mimic contrition and not invoke legal threats about the nature of the Report but again there is that conflation of the medium and the message to be seen in the letter which states that that:

Your report seriously wrongs the Diocese of Cloyne and our committee. Therefore, if you issue this report in its present

⁹ *The Irish Times*, Tuesday, January 6, 2009 This is the full text of a letter from the chairman of the Interdiocesan Case Management Advisory Committee, representing the diocese of Cloyne, to Aidan Canavan, chairman of the National Board for Safeguarding Children (NBSC).

¹⁰ *Report on the Management of Two Child Protection Cases in the Diocese of Cloyne*
<http://www.cloynediocese.ie/Bishop%20on%20Management%20of%20cases%20NBSC%20report.htm>

form or include its distortions in your forthcoming annual report, we shall have no choice but to seek remedies in either ecclesiastical or secular courts or both.¹¹

Again, there is no mention of the wrong that clerical abusers do to their victims. The Report was issued, and drew the necessary conclusion that the child protection practice of the diocese of Cloyne 'was significantly deficient in a number of respects', most notably in its failure to 'focus on the needs of the vulnerable child and the requirement to take preventative actions quickly and effectively to secure their wellbeing'.¹² Here, the recourse to legal threats did not result in the 'run-around'. Here the organisation was called to account and the important point to note is that while the organisation huffed and puffed, the Report was published.

In 11 December 2009, in the wake of the publication of the Murphy Report, a statement from the Vatican spoke of the Holy Father being 'deeply disturbed and distressed by its contents'. It described the Pope's profound regret at the actions of some members of the clergy who have betrayed their solemn promises to God, and added that the Church 'will continue to follow this grave matter with the closest attention in order to understand better how these shameful events came to pass and how best to develop effective and secure strategies to prevent any recurrence'. Finally, the statement notes that:

The Holy Father intends to address a Pastoral Letter to the faithful of Ireland in which he will clearly indicate the initiatives that are to be taken in response to the situation. Finally, His Holiness encourages all those who have dedicated their lives in generous service to children to persevere in their good works in imitation of Christ the Good Shepherd.¹³

¹¹ *The Irish Times*, Tuesday, January 6, 2009.

¹² *Report on the Management of Two Child Protection Cases in the Diocese of Cloyne* <http://www.cloynediocese.ie/Bishop%20on%20Management%20of%20cases%20NBSC%20report.htm>

¹³ Vatican Statement after meeting with Irish bishops; Comunicato: incontro del santo padre con rappresentanti della conferenza episcopale Irlandese e capi dicastero della curia Romana, <http://www.reuters.com/article/idUSTRE5BA1LJ20091211>

Again we have the conflation of the act with the message – Christ indeed was a good shepherd but the Church as an organisation has been very much the opposite. Remember the good shepherd in the parable went in search of one of the sheep that was lost. In the archdiocese of Dublin, and in Cloyne, the focus was less on the sheep and more on the shepherd. On learning of the problems of abuse, Archbishop McNamara took out insurance, which was a sign that he had an eye more to protect the shepherd than the sheep. And in Cloyne, the HSE report refers once more to an ongoing lack of sharing of information with the authorities.

To take the conflations of which I have spoken as givens and as natural and to hope that we can progress as a society is to demonstrate the same *modus operandi* as the man from Chiu. The boat has moved and we, as a society, as a republic, must recognise this and dive into the cold waters of critique if we are to have any hope of finding that metaphorical sword. This is the task which we must undertake and this is the only way that we can become a republic in nature as well as in name. I will conclude with a classic sample of this in the Irish public sphere. On Tuesday April 26, 2009, the co-ordinator of CORI, Sister Marianne O'Connor, was interviewed on the breakfast show of Newstalk FM, by Ivan Yates and Claire Byrne. Yates asked questions about the property portfolios of the congregations and about the symbolic tokenism of putting on of extra help-lines in the wake of the Murphy Report. Then Byrne posed the following question:

I am just wondering how you would see Jesus Christ reacting today, if he was walking the earth today, how would he deal with this, and would he deal with it the way you're dealing with it this morning?

Sr Marianne replied: 'I don't know how to answer that really.' That is because this question unpacks the conflation between the two types of knowledge structure that we have seen – that of the moral message and the self-protective system. The boat is moving – and we need to ensure that this motion, powered by critique and questioning, is ongoing

