Democratisation of a Hierarchical Religion: the Roman Catholic Church in the Time of a Credibility Crisis Caused by Sexual Abuse Misconduct

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Abstract

This paper reflects, from a sociological perspective, on the nature of authority in the Church and on the modes of governance and character of the internal self-organisation of the institution of Roman Catholicism. Historically there are no restrictions to democratisation of the Catholic church. On the other hand, at the time of a credibility crisis the necessity for accountability strengthens the trend towards wider forms of democracy. The efficiency and integrity of Catholicism demand transparency of structures and accountability of leaders, who have frequently, especially in Ireland, failed in their supervision by mishandling and covering up abuse cases.

Keywords: democracy, religion, Catholic church, abuse, sexual scandals, accountability
Słowa kluczowe: demokracja, religia, Kościół katolicki, nadużycia, skandale seksualne, odpowiedzialność

In substance, the Catholic Church takes a neutral line on forms of state regime. The primordial and later on institutional Catholicism has made its way under various types of empires, absolute or constitutional monarchies, feudal systems, and even totalitarian regimes. Politics and formation of social order are not focal goals of Catholicism, but its religious mission, or function and communication, as Niklas Luhmann argues, come first[1].

Consequently, no system of governance is intrinsically good or bad in itself, unless a political order is suitable for a development of human religious life. At the social (and ethical) level hence it is a question of whether the instruments of power are exercised for the common good. Since the beginning of systematic Catholic social ethics in the late nineteenth century, however, the Church has moved increasingly

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[1] P. Beyer, *Religion and Globalization*, London–Thousand Oaks–New Delhi 1994, p. 79–81.

closer to asserting that democracy not only is consistent with the principle of the common good but is the best known system of transferring power, it promotes the participation of citizens in political life, "guarantees to the governed the possibility both of electing and holding accountable those who govern them"[2]. In general, democracy is recognised as a device of empowerment to 'subjectivity' of society while it strengthens and expands structures of participation, sense of belonging, and collective responsibility. Democratic system allows the fullest application of the principle of people's sovereignty[3]. Nonetheless, a democratic political system is applicable only externally, to a state or other form of social structure but under no circumstances internally, as a mean of organizational model to the institutional church itself.

This paper reflects, thus, from a sociological perspective, on the nature of authority in the Church and on modes of governance and character of internal self-organization of the Roman Catholicism's institutions. The author of the research recognizes that the matters of organizational models, authority, and governance are historically reliant to outer secular culture and moderately responsive to changes in non-church (non-ecclesiastical) culture. At the dawn of the twenty-first century, such external influence and demand, within the Western culture in particular, is characterized by a democratic imperative, expectations of participation in decision-making and ruling, requirement of leaders' accountability, and at the time of legitimization crisis, as Jürgen Habermas claims[4], democratic and participatory re-founding of the origins to any type of social order. Under the pressure of the crisis of credibility and decay of reliability, caused by very recent abusing scandals and perpetrators' covering-up mishandling by the church leaders is appropriate to consider the ways in which the Roman Catholic church is attempting to redefine (unless it is still defending to maintain, as a "fortress church", its salient traits untouched by modernization) its position and task in the contemporary social order.

To evaluate the matter of democratization of the church structures it is essential to make a consideration of three elements in such an order: 1) meaning of democracy as not merely a procedure of voting and electing but also as a social system and a mean of legitimization; 2) hierarchical-democratic aspects of church authority and governance in a historical glimpse; 3) challenge of accountability as an outcome of the latest abuse crisis based on the case of Ireland.

1. Democracy within the framework of an institutional religion

The question of how religious traditions affect the possibility of efficacious democratization has been debated for a couple of decades. A vast literature has analyzed relations between religions, among them Christianity in particular, and political culture

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[2] John Paul II, *Encyclical Letter* „Centesimus Annus", Rome 1991, § 46.

[3] Pontifical Council for Justice and Peace, *Compendium of the Social Doctrine of the Catholic Church*, Rome 2004, § 395.

[4] J. Habermas, *Legitimation Crisis*, Boston 1975, p. 25, 149 n.

and systems. However, the limited attention has been paid to an internal structure and system of governance within the church institutions.

The most common concept of a contemporary democracy refers to its liberal philosophical roots in the modern time. Thus liberal democracy is a specific form of elective government, complex of civil rights, the rule of check and balance. Government founded in such democratic principles has the following characteristics: wide-ranging and habitual political competition (in a form of fair elections) between individual citizens, organizations, and political parties for political positions; inclusive mode of participation where no one is excluded, even minorities; a set of civil, political or human rights and liberties. Furthermore, an idea of a radical democratization is becoming increasingly popular across today's societies. As Olesen points out:

> We may speak of three lines of normative thinking on radical democracy, although this is an analytical distinction that overlooks significant overlaps. These are referred to as the broadening, the delegation, and the deepening of democracy[5].

The first one line denotes the extension of democratic rules to more and broad social areas. It refers, amongst other things, to the growth of elements of democratic control in the entire spheres of decision-making. The delegation of democracy indicates a situation with governance on the lower, local level. Such an idea is not totally in contrast to the upper government (state or the centre of the church). It rather involves the aspirations of minorities (lay people mainly) who feel abandoned or suppressed. We can link these objectives to bottom-up initiatives as for example *Wirsind die Kirche*[6] and some movements as well as unions of Catholic priests in Ireland, Switzerland, Austria, Great Britain, Germany[7] and theologians like the *Cologne Declaration of European Theologians* (1989) and reactions to it across France or Brazil[8] or recently, in the context of showing up the abuse and cover-up scandals, in the German speaking countries: the *Memorandum der Theologen* (2011).

Such an idea of delegation refers also to one of the key concepts of Catholic Social Teaching itself – the principle of subsidiarity. The concept formulated yet by pope Pius XI in 1931 recognizes the rights (subjectivity, self-determination) of the family and intermediate organizations (other lower rank institution) in relation to the state (other upper rank institution). The paragraph is worthy to quote in extend:

> As history abundantly proves, it is true that on account of changed conditions many things which were done by small associations in former times cannot be done now save by large associations. Still, that most weighty principle, which cannot be set aside or changed, remains

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[5] T. Olesen, *International Zapatismo: the construction of solidarity in the age of globalization*, London 2005, p. 155.

[6] B. Menke, *Wir sind die Kirche – Das Kirchenvolks – Begehren in der Diskussion*, Freiburg im Breisgau 1995; L. Sandri, *Introduzione* [in:] *'Noi siamo Chiesa'. Un appello dal popolo di Dio: 'Più democrazia nella Chiesa'*, *Idem* (ed.) Torino 1996, p. 7–13.

[7] M. Hornsby-Smith, *Some Sociological Reflections on Power and Authority in the Church* [in:] *Governance and Authority in the Roman Catholic Church*, N. Timms, K. Wilson (eds.), London 2000, p. 16–19.

[8] M. Fahey, *Church* [in:] *Systematic Theology. Roman Catholic Perspectives*, F. Schüssler Fiorenza, J.P. Galvin (eds.), Minneapolis 1991, vol. 2, p. 15–16.

fixed and unshaken in social philosophy: Just as it is gravely wrong to take from individuals what they can accomplish by their own initiative and industry and give it to the community, so also it is an injustice and at the same time a grave evil and disturbance of right order to assign to a greater and higher association what lesser and subordinate organizations can do. For every social activity ought of its very nature to furnish help to the members of the body social, and never destroy and absorb them[9].

Undoubtedly, participation in social life, *nota bene* the institutional church has to be treated as well as a social entity, structure, an organization, and governance in addition to bottom-up forms of associations and individual subjectivity or local self-determination are organizational conditions accepted and supported by the church teaching.

In addition, the deepening of democratization absorbs a similar aspect of subjectivity: "empowerment of civil society through social action"[10]. Therefore democracy does not connote merely a system of voting but a broader sense of social culture. Robert Dahl, in his classic book *On Democracy*, describes a spirit of democracy as referring to values as "avoiding tyranny, essential rights, general freedom, self-determination, moral autonomy, human development, protecting essential personal interest, political equality, peace-seeking, prosperity"[11].

Moreover, the very Catholic social principle of subsidiarity recognises the rights (subjectivity) of the family and intermediate organizations (other lower rank institution) in relation to the state (other upper rank institution). In that light the Badini Confalonieri's warnings come to mind:

A patriarchal and theocratic caste system where all decision-making authority resides only and exclusively on a percentually negligible as well as largely unelected, unaccountable and self-perpetuating sacerdotal class, condemns the vast majority of its members to a position of relative irresponsibility, powerlessness and tutorage analogous to that of a minor child. 'Infantilization' of the laity is in effect one way in which the current ecclesiological literature describes the moral aspect of the dysfunctional exclusion of the laity from exercising their responsibility in determining the common courses of action to be implemented as a church. The above are the main reasons for regarding the issue of whether the Christian community can be structured democratically as an urgent one. Its solution will positively influence Christianity's capacity of attaining its essential goal of informing with the gospel both human beings individually and their economic, social and cultural constructs. For, as we will see, the same can be said of democracy that has been said of one of its constitutive principles, subsidiarity: namely, that it influences 'the possibilities for the development of personal, social, and cultural life as a whole'[12].

We can argue then that participatory democracy answers to the guiding principles of subsidiarity and fulfils a sense of subjectivity and self-determination. Then representative democracy, in that case the people choose representatives who are then

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[9] Pius XI, *Encyclical Letter 'Ouadragesimo Anno'*, Rome 1931, § 79.

[10] T. Olesen, *op.cit.*, p. 155.

[11] R. Dahl, *On Democracy*, New Haven 1998, p. 45.

[12] L. Badini Confalonieri, *Democracy in the Christian Church. An Historical, Theological and Political Case*, New York–London 2012, p. 6–7.

answerable to them, but simultaneously in direct way involved in the practice of governance. In the Catholic structure case the voters can elect, for example, only among the eligible candidates (ie. priests, theologians, qualified experts) what is nothing contradictory to both aspects of church ruling: teaching and governance. Of course, the range of answerableness of leaders (clergy) to the whole community of electors (lay people) is limited and conditioned by other internal rules which codify a role of priest, teaching authority (constitutive ideology), models of governance. Developing the principle of subsidarity provides, as an alternative, that decisions should be made at the lowest level possible to achieve and control the common good of a local, particular community (ie. parish), and consequently a large-scale social entity (ie. diocese, region, country). A higher level authority should, however, intervene only when a lower level self-organization is not able to act properly neither self-sufficient in achieving objectives (the common good). Thus, there is nothing opposite to elect leaders on the lower level or adopt other forms of representation[13], and subsequently impose financial accountability in the local church communities[14].

In Patrice Brodeur essay on democracy and religion we find out an remarkable notion on the characteristic of current 'glocal' democracy what derives from the unfolding democratization process that affects all spheres of life in multiple directions today. These directions include the dissemination of various forms of democracy through different sectors of society locally, and at the same time, transcend the present borders of nation-states to affect international organizations and transnational movements[15]. Consequently, democratization challenges a hierarchical church structures.

2. Inherently hierarchical constitution of the Catholic church?

Consequent reluctance to a democratic model for the Catholic church self-organization is, mainly, based on some spiritual or pure religious like arguments. As Badini Confalonieri identifies, there are three main objections to the democratization of the Church. Firstly, constitution to the Catholic Church has its supernatural origins which are reconfirmed and divine proven: "the essential political structures of the church are of divine right and, as such, both irreversible and necessary for its existence"[16]. In that context it is understood "several ecclesial institutions have been officially and explicitly affirmed by Roman Catholicism as having been either directly established by Christ, or indirectly willed/ordained by God"[17]. Those are as following: the dual

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[13]   J.L. Allen, *The Future Church*, New York 2009, p. 264–265.

[14]   *Ibidem*, p. 288–289.

[15]   P. Brodeur, *Democracy and Religion: An Overview of the Past, A pluralist Vision for the Future*, [in:] *The pluralist paradigm: democracy and religion in the 21st century*, S. Myers (ed.), Scranton 2006, p. 6.

[16]   L. Badini Confalonieri, *op.cit.*, p. 7.

[17]   *Ibidem*.

partition between ordained priesthood and non-ordained laity[18]; the threefold parti-tion of the priestly order with its descending hierarchy from bishops to priests and deacons[19]; the *sacra potestas* (sacred power) of a diocesan bishop[20]; the primatial authority of the pope also over the whole church[21].

Then the second objection come as the statement: "the ecclesial polity is radi-cally discontinuous from the human one, so that what is valid for the latter is not necessarily valid for the former"[22], and finally the third objection is "based simply on a negative judgement concerning some central features of democracy itself. Majority rule, in particular, is perceived as intrinsically relativistic and thus, because only truth should inform one's beliefs and guide one's actions, not to be adopted as a decisional procedure"[23]. Such an opposition is the strictly philosophical and serious in nature and ought to be most correctly debated in political philosophy.

Thereinafter Badini Confalonieri discussed the pros and contras on democratiza-tion in the church. Nevertheless, for our purposes it would be as much as necessary to take into account a key socio-political argument. For decades, at the very begin-ning of Christianity, forms of much differed to the current hierarchical-undemocratic model.

As shown in historical researches, the forms of structural organization to the Catholic church varied upon the time. A hierarchical, pyramidal model of governance was implemented not earlier than at the time of the Gregorian Reform in the elev-enth century[24]. In the Early Church a popular practice was an election of bishops by clergy and lay people[25]. In the medieval time that form swapped to royal nomination of bishops[26]. Therefore, to absolutise a contemporary Vatican appointment practice is oversimplification and an unrooted claim. Yet as late as the middle nineteenth century "direct papal appointment of diocesan bishops outside central Italy was rare"[27]. How-ever, at the time of the Papal State shrinking, in 1870, the Vatican, and its prisoner: the pope himself, counteracted. That has led not only to proclaiming papal infallibil-ity but the procedure of bishops' appointments was progressively centralised.

In the modern time many social thinkers provided socio-structural reflections on the specificity of Roman Catholicism. For Adolf Harnack the distinguishing feature

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[18] Second Vatican Council, *Dogmatic Constitution on the Church 'Lumen Gentium'*, Rome 1964, §18.

[19] Second Vatican Council, *Decree Concerning the Pastoral Office of Bishops in the Church 'Chri-stus Dominus'*, Rome 1965, § 15.

[20] Ibidem, §§ 2–6. And Second Vatican Council, *Dogmatic Constitution on the Church 'Lumen Gentium'*, §§ 20–21.

[21] Second Vatican Council, *Decree Concerning the Pastoral Office of Bishops in the Church 'Chri-stus Dominus'*, § 2; Congregation of the Doctrine of the Faith, *The Primacy of the Successor of Peter in the Mystery of the Church*, Rome 1998.

[22] L. Badini Confalonieri, *op.cit.*, p. 9–10.

[23] *Ibidem*, p. 10.

[24] H. Küng, *My Struggle for Freedom*, London–New York 2003, p. 347–348.

[25] J. O'Callaghan, *Electing Our Bishops. How the Catholic Church Should Choose Its Leaders*, Lanham and others 2007, p. 7–36.

[26] *Ibidem*, p. 37–54.

[27] J. Allen, *op.cit.*, p. 367.

of the Roman Catholic church was legalism which was supposedly inherited from the Roman Empire and its hierarchical, nonetheless pagan, structures. A historian of cannon law, Rudolph Sohm (1912), carried the critique a step further while indentifying the increase and consolidation of the Catholic Church with introduction of ecclesiastical law under the influence of pagan Rome. Sohm asserted that "not only legalism, but law itself, was incompatible with the nature of the Church as a spiritual community"[28]. In the dawn of the twentieth century a German sociologist of religion, Ernst Troeltsch (1931), linked Catholicism with the materialization of the church type of religion. It meant the Catholic church had comprehensible improvements over two other types of religion in his typology, mainly the mystical and the sectarian). Even though a church type of religion has been recognised as more sophisticated and developed, Troeltsch "considered that Catholicism, especially in the form it had assumed in the medieval West, carried objectification and institutionalization to excess, so that the originally free movement of the spirit became imprisoned in a hierarchical, episcopally ordered organization of sacrament and tradition"[29]. Generally, in contrast to the Protestant traditions and wider forms of liberal Christianity, Roman Catholicism is viewed as excessively institutional and not only legalistic, hierarchical or dogmatic. That characteristic of the church is an effect of accepting many foreign, heterodox elements to Christianity, and moreover of treating them as transcendently founded and divinely authoritative.

To some extend it is correct distinguishing a gradual advance in the emergence of the Church episcopacy and hierarchical structures. Catholicism did make use of several elements from the Greek world and from the political and legal systems of the ancient Rome. Since the Church is a social and historical entity, as an institution is indispensably under influence of contemporary socio-cultural trends. Beyond a shadow of a doubt the church, accordingly to the theses of Henry de Lubac and Yves Congar, is co-dependent on historical forms and paradigms. Nevertheless, for a vast majority of theologians the church has developed as a hierarchical institution on the basis of its divine foundation. The core of the church's substance and mission is apostolic authority of the leaders. As Dulles underlines:

> To imagine that the Church should never develop beyond her primitive and rudimentary forms and should draw nothing from the surrounding secular culture, would be to ignore [...] the historicity of the Church and her Catholic openness to the world. What is essential to episcopacy, however, is not the particular features borrowed from secular organizations but the existence of a body of pastors having apostolic authority. The true source of this authority is neither the Episcopal office nor the apostolic but, more fundamentally, Christ the Lord[30].

The apostolic succession is the institutional counterpart of the apostolic tradition and authority over sacraments and teaching. In such understanding the Church as community of believers, under presidency of hierarchy, is a visible continuation of the divine presence in the world. Therefore clergy ordination, within the apos-

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[28] A. Dulles, *The Catholicity of the Church*, Oxford 1987, p. 108.

[29] *Ibidem*.

[30] *Ibidem*, p. 119.

tolic succession, is a transmission-belt of the official mission and ministry. The office transmitted by ordination gives authority to the proclaimed word so the receivers of the teaching can allow to be inspired and judged by the word. In that way the doctrine of the apostolic succession maintains both function of the Church: the sacramental and the heraldic – teaching (proclaiming) of the word[31].

Many authors underline the existence of monarchical and hierarchical structures of the Catholic organizational model through the centuries. Such elements like submission to the authority of the clergy, and pope on the top, a meagre tolerance of diversity within predominantly Catholic states, unification of the state power instead of dispersing and balancing it, a monistic vision of the common good and reservation to the pursuit of particular interests as consistently discordant – strengthened (especially in Iberian-Latin America) predispositions towards paternalism, hierarchy or even authoritarianism.These may be the consequences to centralisation of governance and teaching, both especially link to the announcement of the papal infallibility dogma at the First Vatican Council.

For some authors it is evident that 'sacred power' (pastoral authority) – can be exercised by lay Catholics without any further confusion. If the authority were bestowed on officials in a democratic way by the people of God (sovereign in political term), this would open the door, inter alia, to separation of legislative, executive and judiciary functions of authority in the church, which would go along with a common democratic notion of separation of powers. In contrast to that possibility of representative, transferable power lays the ongoing practice as Willy Obrist clarifies:

> The characteristic element of *sacra potestas*, the power of consecration, is quite different from that of the pastoral and teaching authority. This is the real obstacle in the way of democratization. Moreover, maintaining this concept or making it *tabu* is the reason why the "visible" Catholic church nowadays stands out in our democratic landscape like a fossil from a time long past. Despite all talk of the universal priesthood, it perpetuates the church caste of the nobility with all its privileges of power. On closer inspection it is no longer possible to provide any basis for the concept of "the power of consecration". In simple terms, the power of consecration is the capacity to perform rites effectively. Thus the rite of ordination to the priesthood (according to the Catholic conception) makes the candidate capable of effectively performing the sacramental rites, with the exception of ordination[32].

So called 'sacred power' of consecration or sacred order of sacraments is the main presumption for maintaining an intrinsically hierarchical structure of the church. Nonetheless, after the Second Vatican Council the rejection of the use of political philosophy by ecclesiology has been raised clearly. For Francis Oakley this "has been part of the reaction to the reform proposals towards a democratization of the church recommended on the wake of the council, and the consequent fear or at least uneasiness it arouse in conservative theologians faced with the need to make constitutional

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[31]   J. Ratzinger, *Primacy, Episcopate, and Apostolic Succession* [in:] *The Episcopate and the Primac*, K. Rahner, J. Ratzinger (eds.), New York 1962, p. 53–55.

[32]   W. Obrist, *A Consecrated Hierarchy – an Obstacle to Democratization of the Catholic Church*, "Concilium" 1992, vol. 5, p. 29.

the absolute papal monarchy"[33] imposed around the previous council – Vatican I. Simultaneously, in the last decades of the twentieth century, in the post-counciliar era, grew up an expectancy of structural re-formation to the Church – in the spirit of inclusiveness, participatory, collegiality, dialogue – grew up significantly[34].

3. Challenge of a transparent, accountable governance in the context of credibility crisis

The reputation and credibility of the Catholic Church and its institutional clerical officers have been shaken in recent years by the alarming number of cases of minors abuse by priests and in Catholic run institutions like orphanages, boarding schools, other social welfare organizations. The cases of abuse were, moreover, repeatedly mishandled. Many perpetrators were masked by the church leaders, mainly diocesan bishops and religious orders' superiors. Such dealings caused even more grave crisis of credibility and cost stripping of the church authority[35].

In the Republic of Ireland series of sex abuse scandals, church leaders' mishandling and culpable negligence of control, lacking of ample minors' protection and compensation as well as participating in a deliberate cover-up of facts have been brought to light at the beginning of the 21st century. The cases have happened in previous decades mostly although the victims have been yet stripped off any help or compensations[36].

The first report on a large scale concerned the investigation into the Catholic diocese of Ferns (a rural territory south to Dublin). The Ferns Report was released in October 2005 identifying more than a hundred allegations of child sexual abuse committed between 1962 and 2002 against twenty-one priests operating under the auspices of the diocese. Two diocesan bishops of that time were found guilty of mishandling the allegations and failures to ensure that alleged abusers were kept away from children and criminal incidents reported to the legal (state) authorities[37].

Then the state Commission to Inquire into Childhood Abuse published in May 2009 its report[38] on investigations into all forms and effects of child abuse in Irish institutions for children, including institutions run by Catholic church orders. As the investigators conclude:

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[33] L. Badini Confalonieri, *op.cit.*, p. 58.

[34] I. Linden, *Global Catholicism. Diversity and Change since Vatican II*, London 2009, p. 67–90.

[35] E. Maher, *Reflection of a Layman on the Ryan Report* [in:] *Responding to The Ryan Report*, Tony Flannery (ed.), Dublin 2009, p. 133–147.

[36] K. Egan, *Remaining a Catholic After the Murphy Report*, Dublin 2011.

[37] *The Ferns Report*: *presented by the Ferns Inquiry to the Minister for Health and Children*, Dublin 2005, p. 280–281.

[38] The document is commonly known as the Ryan Report. It refers to psychical, physical, sexual abuses committed within educational-caring institution for children and youth in the period of time from 1936 onwards.

Sexual abuse by members of religious Orders was seldom brought to the attention of the Department of Education by religious authorities because of a culture of silence about the issue. When religious staff abused, the matter tended to be dealt with using internal disciplinary procedures and Canon Law. The Gardaí [the Police – M.L.] were not informed. On the rare occasions when the Department was informed, it colluded in the silence. There was a lack of transparency in how the matter of sexual abuse was dealt with between the Congregations, dioceses and the Department. Men with histories of sexual abuse when they were members of religious Orders continued their teaching careers as lay teachers in State schools[39].

Moreover, witnesses and victims were abandoned and remained silence because of fear, social isolation, power of abusers, and the general "culture of secrecy"[40].

In 2009 the Murphy Report presented a state investigation into the abuse scandal in the Catholic Archdiocese of Dublin. The vast document clearly stated undoubtedly that in the period of time from 1975 to 2004 "clerical child sexual abuse was covered up by the Archdiocese of Dublin and other Church authorities over much of the period covered by the Commission's remit"[41]. In spite of the mistreatment done by clergy also the Irish Police were accused in the report of covering up scandals. In recent years, while the children protection procedures have been put into practice in many places and rules on conducting with allegations have been implemented, still we could have observed misconduct and negligence[42].

The Church responded institutionally but rather dilatory withsetting up some examination commissions, like Catholic Church Commission on child Sexual Abuse (2002), National Board for Safeguarding Children in the Catholic Church in Ireland (since 2006) and publishing some reports and declarations, like McCullough Report following sexual abuse between seminarians and preceptors in the national seminary at Maynooth (2005), that have been received, however, with serious reservation by the public. After two legal reports revealed in 2009 only few high rank church leaders stood down after the mishandling scandals came out. Others admittedly, under public pressure, asked pope to agree to their resignation that has never been accepted[43]. The Vatican intervened a few times. The most spectacular form was a papal letter to the Catholics of Ireland. Benedict XVI stressed that many former and current bishops failed in leadership.

It cannot be denied that some of you and your predecessors failed, at times grievously, to apply the long-established norms of canon law to the crime of child abuse. Serious mistakes were made in responding to allegations (...) it must be admitted that grave errors of judgement were made and failures of leadership occurred. All this has seriously undermined your credibility and effectiveness[44].

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[39]   Commission to Inquire into Childhood Abuse, *The Commission Report*, Dublin 2009, p. 455.

[40]   *Ibidem*, p. 459.

[41]   Commission of Investigation, *Report into the Catholic Archdiocese of Dublin, July 2009*, Dublin 2009, p. 28.

[42]   The very recent report on the Catholic Diocese of Cloyne is coming out presents neglecting and mishandling of a diocesan bishop from 1996–2009. See the Cloyne Report (2011).

[43]   RTE News, *Victims criticise Pope's decision*, 11 August 2010.

[44]   Benedict XVI, *Pastoral Letter of the Holy Father Pope Benedict XVI to the Catholics of Ireland*, Rome 2010, § 11.

Notwithstanding the crisis of credibility, pope emphasisas remedy right implementing the norms of the church law[45] and cooperation with state authorities. Nothing is said concerning structural reforms, transparency of church institutions (including dioceses) and organizational position of the leaders (bishops).

In Ireland, and other countries accordingly, in contrast to carrying out new procedures for minors safeguarding and pressure on cooperation with state institutions in the case of new allegations, there are no forms of leaders accountability before a local church community. The bishops, nominated to their office by the Vatican in a yet secret way, thus are autonomous from and in some way detached. As noted above, the mechanism of irresponsibility but in fact accountability for misconduct and negligence of leadership is deeply rooted in a specific church culture and it worsens the trauma of abusing.

Despite of willingness to proceed with the abuse allegations and taking the accused clerics on trial, the Vatican is not apt to deal with bishops and other high rank superiors accountability and still there are not clear procedures to conduct on failures of leadership, mishandling the abuse cases, and illicit covering up. Psychologically and socially the foremost challenge at the time of credibility crisis is then a problem of covering up the. It is based on the lack of effective accountability of the leaders as well as formlessand non transparent ways of nominations and making church career in general[46]. Within the church society turn out a specific culture of class (clergy) solidarity, keeping secrecy. Probably we can found a ground for it in a cultic understanding of priesthood. As Keenan refers the findings of Hoge and Wenger:

> In "the cultic model" of priesthood the sacred role of the priest is underlined, emphasis is placed on worship and the sacraments, and the priest is seen and sees himself as a man who is set apart, – if you like as part of a separate clerical caste. The second model is described as "the servant-leader model" in which the priest is seen as sharing the human condition with all of the baptized. This model de-emphasizes the priest's separateness and special status, placing himself in the twin roles of servant and leader. A priests' distinctiveness in this model comes from his spiritual and institutional leadership within the community and not as a matter of ontological difference coming from holy orders[47].

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[45] At the beginning of the century the central institutions of the Roman Catholic Church worked out more adequate and developed legal procedures. Since 2001 all allegations should have been reported to the Congregation of the Doctrine of Faith. Nonetheless the lack of transparent procedures persisted up to the publication of new guidelines in 2011. See Congregation of the Doctrine of the Faith, *Circular Letter to Assist Episcopal Conferences in Developing Guidelines for Dealing with Cases of Sexual Abuses of Minors Perpetrated by Clerics*, Rome 2011. However, in the past time, the church law supported the culture of secrecy and fostered to some extend mishandling and practices of covering up the perpetrators, notwithstanding the protection and healing the victims while the special instruction, *Crimen Sollicitationis* (1962), from the Vatican obtained. See commentary: T. Doyle, *The 1922 Instruction and the 1962 Instruction 'Crimen Sollicitationis' Promulgated by the Vatican*, 2008.

[46] The most significant problem faced by the American Catholic priests was – according to a 2003 survey, it means before the outburst of abuse scandals – the way authority is exercised in the Church. That was difficult and confusing for a quarter of priests. D.R. Hoge, J.E. Wenger, *Evolving Visions of the Priesthood: Changes from Vatican II to the Turn of the Century*, Collegeville 2003, p. 32.

[47] M. Keenan, *Priesthood in a Time of Crisis: What do we know about Priests and the Challenges they face?*, http://www.associationofcatholicpriests.ie/2011/10/marie-keenans-address-to-our-agm [access: 15.10.2011].

What is striking, many authors observe such an emphasis on a cultic model among young generations of priests and seminarians in the Western world. Ontologically sacred and separated priests or in social terms privileged and unaccountable leaders may, on the other hand, pass on their illicit irresponsibility to another generations of clergy and build up the wall of division and conspiracy between the 'caste of anointed' and 'lower class' of laity'.

We can point out some causes of the bitter disruptions. The reforms, called by pope John XXIII *l'aggiornamento*, of the Vatican II Council have been implemented very slowly, in limited ways or if yet not have been stopped. The laity – in sociological terms: a second, lower social class of the church – meets a lot of obstacles on the way to active participation and collective responsibility for the church society. The process of stimulation to activity is going forward toilsomely, if at all, especially concerning to Catholic women. It bears on decision-making about pastoral, ministry, liturgical, educational tasks, in holding clergy – in sociological terms: a first, upper social class of the church – accountable, in the formation of consultative, advisory and regulatory committees and keeping them working. At least this level of democratization of an institutional church is on demand. It reflects some understanding of and meets questions and concerns of the church leaders, as Fahey notes:

> At a 1987 international synod of Roman Catholic bishops on the topic "the role of the laity", Irish Cardinal Tomas O'Fiaich of Armagh, Ireland, noted that the hierarchy of the Catholic church needs to set about "awakening the sleeping giant" that is the laity and noted "that feminism can no longer be considered middle-class madness or an American aberration"[48].

In the Irish context it has to be admitted that participatory and controlling mission of the lay Catholics. The leaders of the church did not pay attention to these words (of the late eighties of the 20th century) being constantly involved into covering up the perpetrators of sexual and emotional abuse in their dioceses until the present time of investigations and until the official state reports into child abuse cases have been published recently in the beginning of the new century.

In her newest, and brilliant, book on child sexual abuse in the Catholic church, based mainly on the Irish background, Marie Keenan unmasks some mechanisms of misconduct the abuse cases and covering them up. The Irish scholar recognises the schemes of maltreatment and false sense of corporative solidarity. She names it 'organized irresponsibility' which refers also to organizational culture delineated by clericalism, lack of supervision and accountability nor statutory mechanisms of control[49]. Such a complex of misconduct was an effect of nexus of laity subordination and clerical superiority both legitimized by the Irish culture for centuries. In Ireland, as noted by Keenan, "clerics saw themselves as set apart and set above" and the laity treated them as God's messengers on the earth[50]. Such privileged 'people of God' are over any control nor can be accountable before a local community. One of the crucial

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[48] M. Fahey, *op.cit.*, p. 10.

[49] M. Keenan, *Child Sexual Abuse and the Catholic Church: Gender, Power, Organizational Culture*, New York 2011, p. 172–173.

[50] *Ibidem*, p. 172.

findings of Keenan, and also shared by many other authors, is to strengthen holding the leaders of the Catholic communities accountable, what is not effective if without lay people participation and self-government[51]. In particular, it is necessary to change the clerical culture and clericalism of the Church[52] and impose a common control (democratic) on church finances, governance[53]. Furthermore, providing a system of bishops' electing can allow and accelerate the growth of transparency and accountability among church authorities[54].

Conclusion

In the context of globalization, whilst worldwide circulation of information and ideasas well as interdependence of localities are fostering, the sexual abuse and cover-up scandals in the Catholic Church demand far more transparent, accountable institutions, individual accountability of leaders, and a sort of democratic (bottom-up) controlling. Accordingly, sociology and political sciences offer to an institutional church a new perspective to self-understanding and organizational reconstruction. Furthermore, a significant part of the recent ecclesiological literature take "exception to what has been dubbed the 'theological reductionism' or even 'mystification' of the church, and insisting instead that relevant sociological and political insights be integrated in ecclesiology"[55]. For that reason unquestionably the Catholic Church, with its structures, as an institution and a global actor, needs to be evaluated and analysed as any other social structure: in particular, from the sociological and political point of view as a class society, structure of power and authority[56], global actor that is a subject of worldwide changes at the third wave of globalization.

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[51]   K. McChesney, T. Plante, *Beyond the Decade of Crisis* [in:] *Sexual Abuse in the Catholic Church: A Decade of Crisis, 2002–2012*, T. Plante, K. McChesney (eds.), Santa Barbara-Denver-Oxford 2011, p. 250–252.

[52]   G. Robinson, *Changing the Culture* [in:] *Sexual Abuse in the Catholic Church…*, p. 91–94.

[53]   Ch. Zech, *Church Governance in Light of the Sex Abuse Scandal: The Need for Financial Accountability, Transparency, and Sound Internal Financial Controls* [in:] *Sexual Abuse in the Catholic Church…*, p. 140–143.

[54]   J. O'Callaghan, *op.cit.*, p. 162–166.

[55]   L. Badini Confalonieri, *op.cit.*, p. 10.

[56]   M. Hornby-Smith, *op.cit.*, p. 12–14, 29–30.