

Harm, Hope, and Healing: Archbishop Martin

Lecture Notes from a presentation by Archbishop Diarmuid Martin, Archbishop of Dublin and Primate of Ireland, at the Marquette University Law School's International Dialogue on the Clergy Sexual Abuse Scandal, Milwaukee WI, on April 4, 2011

My reflections this morning are very much personal in tone. I have no special expertise in the area of restorative justice. I am not an expert in child safeguarding and I have no formal training in how to deal with the complex question of the clergy sexual abuse scandal. I would, however, not be telling the truth if I did not say that, despite my unpreparedness, I have acquired a good deal of personal experience over the past years. It is on the basis of that experience I speak.

Let me give you some brief statistical background into the extent of the abuse scandal in the Archdiocese of Dublin. In the period between 1940 and 2010—as far as it has been possible to ascertain —allegations or suspicions of sexual abuse have been made against over 90 priests of the Archdiocese and against about 60 religious priests who held diocesan appointments. Ten Dublin priests, or former priests, have been convicted or have cases pending in the criminal courts. Two non-diocesan priests, who served in Dublin, have also been convicted in the criminal courts. The number of victims who have been individually identified is 570, but it is generally accepted that the number of children who were abused must run into thousands, possibly by about 10 priests who were clearly serial pedophiles.

I became Archbishop of Dublin in 2004. I had spent almost all my priestly ministry working in the service of the Holy See. For a series of factors and right from the start, my service at the Holy See involved me in international relations. The work of the Pontifical Council for Justice and Peace, though not part of the Vatican's official diplomatic activity, involved a range contacts with governments and international institutions. I visited countries in every continent where the Church was experiencing difficulty or where there were serious social and political tensions.

It was this background which probably suggested my appointment in 2001 as the Holy See's Permanent Observer at the United Nations Office in Geneva and to the World Trade Organization. That new assignment involved working with about 15 U.N. organizations—in some of which the Holy See is a full member—as well as with the World Trade Organization and the Headquarters of the International Red Cross.

At that time it was known that my predecessor as Archbishop of Dublin, Cardinal Desmond Connell, was already some years beyond his 75th birthday and that he had presented his resignation to the Pope as indicated by Canon Law. I was not totally surprised or particularly worried when I noticed my name beginning to be mentioned in the early media lists of possible successors. I knew that journalists are always looking for some surprise outside candidate. And so, after having been

forgotten and ignored by the Irish media for decades, my name began appearing in newspapers as “a high flying, veteran Vatican diplomat” ideally placed to be sent back to Dublin to impose Rome rule.

As the speculation went on, in time my name appeared less and less among the prospective candidates and quite soon, to my satisfaction, I was no longer a “high-flyer” but a “long-shot outsider” to be looked at if no agreement could be reached on a local candidate.

Then one day a senior figure in the World Council of Churches said to me that he had read an article which presented a coherent argument that I should after all be considered for Dublin. I told him that he knew how much I was committed to my current assignment and that I would even ask for his protestant prayers to help prevent any change. Just a few months later having read the news of my appointment as Coadjutor Archbishop of Dublin, my friend called me saying that it was now clear to him, a good Presbyterian, that protestant prayers obviously had no effect in the Vatican.

I begin with this rather rambling personal reflection to stress that taking on the appointment as Archbishop of Dublin was not something that I had been preparing for or was prepared for. I had very rarely been involved in or indeed even consulted on Irish matters in the Vatican. I never lived in the Irish College or any Irish institution.

Today I can only smile when I read media reports saying that I was whisked out of the Vatican service to be sent back to Ireland “to clean up the sex abuse scandal” in Dublin. In all I had just two conversations with the Congregation for Bishops prior to my return to Dublin and the first was almost exclusively a discussion on why I felt I was not the person for the job. I was shown no files, given no statistics, given no special advice or information or mandate about the situation that I was to face. My conversations in the Secretariat of State focused more on the appointment I was leaving than on the task I was to undertake.

Within a few months however, I had succeeded Cardinal Connell and found myself responsible for a situation for which I had had no real initiation. To be just regarding Cardinal Connell, he had been central in putting into place within the diocese and on a national level the first clear norms for addressing the question of child sexual abuse by priests. He had re-established the use of Canonical trials for abusers. He had established a Diocesan Advisory Panel which had gained much expertise. He had above all established a Diocesan Child Protection Office with a lay director, Mr. Phil Garland, who had already begun his work in establishing not just an office, but a very different system.

I remember well the first complaint about the behavior of a priest that arrived on my desk. I looked briefly at the priest’s file to see if there were any earlier indications about his behavior. At the top of the file I found a yellow page saying “Inspected regarding CSA—Nothing found”. I felt however that I should look at the file in a little more detail and found that the very next document was an internal note: “Father X seems to be back to his old activities.” Clearly there was knowledge of “old activities” but no clear understanding that these activities indicated an ongoing serious pattern of grooming which should clearly have raised red flags. The case was effectively dealt with respecting the appropriate norms; the priest was removed from ministry and the civil authorities informed.

This afternoon, Ian Elliott, Director of the National Office for the Safeguarding of Children in the Catholic Church in Ireland, will illustrate the current norms we have in place for the Irish Church and about the way that his office is tackling the question of child safeguarding in the Church in Ireland on a very broad scale.

It still concerns me, however, that worrying behavior might even today not be recognized for what it is by a diocese or Religious Congregation. We have definitions, but these may still well be interpreted differently by different Church authorities. On more than one occasion, for example, I have been asked by other bishops to allow priests of their dioceses who have been removed from ministry to preside at weddings or funerals in Dublin. Those bishops obviously have a different understanding of what being “out of ministry” means. Even the best norms are subject to different interpretation. This stresses the crucial role in Ireland of the National Office not just in setting standards and guidelines but also in training and in monitoring.

That first case that I had to deal with led me to have serious misgivings regarding the earlier examination of files, which I was told was done rapidly over the previous Christmas period by three priests. My first decision then was to have all files re-examined by an independent outside expert asking him to verify if there were any indications in any personnel files regarding possible worrying behavior by priests. Again Ian Elliot will illustrate the need to ensure that his office can carry out its work of independent monitoring of all files on an on-going basis by competent assessors.

There are particular circumstances in Irish data-protection law which makes invasive investigations of files somewhat difficult for non-statutory bodies. The National Office for the Safeguarding of Children in the Catholic Church in Ireland has no powers other than moral compulsion to demand compliance and thus depends on the complete voluntary cooperation of the Church authorities. A Church with moral conviction should however have no need to rely on moral compulsion. Only the truth sets us free.

While my investigation of files was on-going, the Irish Government announced its intention to establish its own Commission of Investigation into the question of the sexual abuse of children by priests in the Archdiocese of Dublin. This commission—which became known as the Murphy Commission—had the power to request discovery of any documentation that the diocese possessed regarding any priest against whom allegations had been made or about whom suspicions existed. I decided then to widen my investigation of files beyond personnel files. Files were discovered in the most unlikely of places; at times there were files on a particular priest in up to 10 different diocesan offices or with Auxiliary Bishops or even retired officials.

Phil Garland, the Director of the newly established diocesan Child Protection Service, was at the same time endeavoring to have all files relating the child sexual abuse by priests gathered into his office and was not finding it an easy task. My requests to retrieve all existing documents on child sexual abuse from current and former diocesan officials went at times unanswered even after repeated requests. In one case I saw diocesan documents for the first time when I was asked by the Government Commission of Investigation to comment on them, having been told that the Commission had made discovery of these documents from a former diocesan official. This dispersal of information and the lack of communication between various authorities in the diocese contributed very significantly to the misreading of the seriousness of the behavior of some offenders.

For the duration of the work of the Murphy Commission I was in a particularly difficult position in that I could not speak about the evidence that was unfolding and I was left in an invidious situation. Priests were suspicious of me, feeling that I was allowing uncontrolled access to their personal information. In fact, the Commission required discovery only of documents regarding individual priests who had been the subject of allegation or suspicion. There was no generalized handing over of documents. One Catholic newspaper asserted that I had invaded the files of the counselors of the Diocesan Marriage Counseling Service. It took weeks of legal battling before the newspaper retracted this inaccurate and unfounded story.

I tell these events not to re-open history, but to illustrate just how difficult it is to bring an institution around to the conviction that the truth must be told. All institutions have an innate tendency to protect themselves and to hide their dirty laundry. We have to learn that the truth has a power to set free which half-truths do not have. The first condition for restorative justice is that all parties are willing to tell the truth and to take ownership of the truth, even when the truth is unpleasant. As I said at a recent liturgy of lament in Dublin: “The truth will set us free, but not in a simplistic way. The truth hurts. The truth cleanses not like smooth designer soap but like a fire that burns and hurts and lances.”

When the Murphy report was finally published I was strongly criticized for not criticizing the report. People were telling me that I should have attacked the Commission for not having attacked the lawyers and the psychiatrists and the media consultants for their failures, while all I did, it was said, was to recognize the failures of priests and bishops. Letters were written by diocesan authorities to all priests and leaked to the press saying that: “Archbishop Martin was out of the country when all this was happening. He has no right to speak. Had he been here, he would have done the same things as we did.”

Perhaps I would have acted as those in responsibility did then. It is possible that the advice of lawyers and psychiatrists and media advisors may not have been the best advice. It may also have been that the lawyers and the doctors had been asked the wrong questions or were not given the correct information. In the face of the disastrous situation revealed in the Murphy Report, however, I felt that this was not the time for finding faults within the Report. The minimum that I would have expected was that, looking at the overall and indisputable horrors revealed in the Murphy report, there would have been recognition that the decisions taken were the wrong ones and that they should be recognized as having been wrong. I still cannot accept a situation that no-one need assume accountability in the face of the terrible damage that was done to children in the Church of Christ in Dublin and in the face of how that damage was addressed. The responses seemed to be saying that it was all due to others or at most it was due to some sort of systems fault in the diocesan administration.

Within days of the first ritualistic expressions of regret about what the Murphy Report had revealed, people were quickly encountering a “Church of silence.” No one was accountable. No one was saying anything any more. In isolated cases there were even those who claimed that I should challenge Judge Murphy herself and the quality of her Report.

No report can ever be without its defects, but in its essence the Murphy Report illustrated a reality which can only be described as horrendous. It would be horrendous in any situation but what did it say to people when this happened within the Church of Jesus Christ?

I provided the Murphy Commission with almost 70,000 documents. I believe I did the right thing. I believed I was doing the right thing and I was more and more convinced I was doing the right thing the more I read those documents and as I met with some of those who were the victims of abuse and their parents and their spouses and their children.

Reading the final report of the Commission brought out for me even more clearly the extent of the problem that existed in the Archdiocese of Dublin and the extent of the suffering it brought with it and which still exists today. The dominant emotion I experienced in reading documents and meeting victims was anger; anger at what was done to children; anger at the grief of parents who live still today with feelings of guilt and bewilderment; anger at the fact that the Church failed its weakest; anger at those who still seem to be in denial.

There is still more to come about Dublin. One chapter of the Murphy Report has not been published in its entirety. There is still more to come about another Irish diocese where the Murphy Commission's Report has been finalized but not yet published. But the story does not stop there. Since the Murphy Report has been published the diocese has been receiving more and more complaints especially about a number of serial pedophiles who had been ministering in the diocese over a long period of time.

Already during the workings of the Murphy Commission I had begun speaking of thousands of direct victims. It is now obvious to me that most of the serial pedophile priests who were working in Dublin will each have abused hundreds of children. Some had been abusing from the time they were in the seminary and then for at least 10 years. Some were abusing for even longer.

Statistics can be used in different ways. If I take a Father Z, I can categorize him statistically in various ways. He can be statistically registered as one priest; it can be determined however that he abused perhaps 100 known victims; there can be valid indications that he had probably abused hundreds more other children; the number of family members affected will then easily reach into the thousands. And that is just for one priest. And in Dublin you must multiply Father Z by about 10 real serial abusers. More dramatically still, there are no accurate statistics about those who took their own lives.

But even those numbers, though shocking, have not got the right focus. Statistics are too often offender-focused. We have to set out from the standpoint that the person who was at the epicenter of abuse was not the priest, but the victim, a child. A restorative justice approach would have to re-orient the way we draw up not just our statistics but our pastoral care. One victim constantly reminds me that the stern words of Jesus in Saint Matthew's Gospel (Mt 18:6) about the "great millstone" to be fastened around the neck of anyone who becomes a stumbling block for the "little ones", are quickly followed (Mt 18:12) by the teaching on the Shepherd who leaves the 99 sheep to find the one who has been lost.

This victim reminds me that it is the lost child, the molested child who should be at the center of our attention. The Church should be actively seeking out victims to embrace them with the healing power of Jesus Christ. Certainly so many victims are left with the impression that they are being “dealt with” rather than being sought after and reached out to with priority care. Victims rarely feel that they are been given priority over the 99.

What was documented in the Murphy Report is horrendous. The Archdiocese of Dublin got it spectacularly wrong. All I found I could say on the publication of the Report was that the Archdiocese of Dublin got it spectacularly wrong; spectacularly wrong “full stop,., not spectacularly wrong “but.” That decision of mine was, I was told, “a catastrophic media strategy.”

Let me come back to restorative justice. Is there room with those who have sexually abused children to apply a system of justice which rather than simply punishing the offender, attempts to allow the offender to be part of the process of restoration and healing? What is my experience?

Restorative justice has shown striking results in many areas. But restorative justice is not cheap justice. It is not justice without recognition of wrongdoing, without putting the balance right. Restorative justice may possibly even be about forgiveness, but again not about cheap forgiveness.

In the case of serial sexual offenders restorative justice is not about restoration to ministry. There can be admission of guilt on the part of the offender and even expression of forgiveness on the part of a victim, but the Bishop has to establish a balance between the need to rehabilitate offenders and the duty to protect children. The bishop or religious superior has a fundamental responsibility to protect children and the most vulnerable in society. We should not overlook the fact that the very words of Jesus regarding those who harm children are among his harshest and least conciliatory.

Without wishing to be unduly harsh, I feel that I can honestly say that with perhaps two exceptions I have not encountered a real and unconditional admission of guilt and responsibility on the part of priest offenders in my diocese. Survivors have repeatedly told me that one of the greatest insults and hurts they have experienced is to see the lack of real remorse on the part of offenders even when they plead guilty in court. It is very hard to speak of meaningful forgiveness of an offender when the offender refuses to recognize the facts and the full significance of the facts.

This does not mean that the reaction to the offender should be simply a punitive one. The sexual abuse of children is a heinous crime. There are no theological arguments or norms of canon law which can in the slightest alter that fact. This does not mean that the offender be simply abandoned. The prison system on its part should have more than a punitive role. On release, the Church authorities—even if the offender is dismissed from the clerical state—have their responsibilities to the offender.

The first responsibility is to ensure that the offender constitutes no risk to children. The primary responsibility here should be of public authorities and regrettably the legislative framework in the Republic of Ireland still leaves a great deal to be desired in this regard. There are a number of laicized priest offenders living in Dublin—some who were incardinated in United States dioceses and barely known to us—who are still in total denial of their wrong-doing and who must be therefore considered high risk and yet are not even on a sex-offenders list.

There are others where the level of risk is lower. It is important to ensure for priest offenders an environment which renders them as safe as possible and that they be monitored and supported by the diocese or religious congregation. Negative scapegoating of offenders, or simply leaving them be, will in all possibility even increase the level of risk that they pose. The Archdiocese of Dublin has a specific member of its Child Safeguarding team who carries out the work of monitoring offenders and a small committee supports him. In each case a very strict regime is required of the offender and hopefully any signs of resistance to such a regime are recognized early. It must be recognized that some priest sex offenders will be very manipulative in seeking to be restored to some ministry or in finding ways of getting access to children.

While victims—at least in Dublin—will rarely want to have anything to do with offenders. I believe that they do recognize the efforts of the Archdiocese to establish a strict yet humane support approach to monitoring offenders. Such monitoring is in the interest of all, but it is very difficult for the Archdiocese to do this on its own without some collaborative framework with police and public authorities.

What does restorative justice mean for victims? This is the challenge which haunts me. I wish that I could promise that magic term “closure” to victims. But I am aware that even saying that can be offensive to survivors. I cannot determine when they find closure. There is no fast track healing. I can play my part, but I cannot achieve healing by decree. What I do know is that I can make things worse and at times I know that I do. Promises must be kept. Deadlines must be respected. Established norms must be respected. To victims any attempt at covering-up or backtracking on norms signifies betrayal.

Melissa Dermody will illustrate the work that is being done within the Church in Ireland by our outreach service to victims called *Towards Healing*. It is a service which provides counseling but goes beyond counseling. Victims need more than counseling alone. They have been robbed not just of their childhood but of that self-esteem without which deep wounds will remain open and will on occasion explode.

For a long time there was little attention paid to the spiritual needs of victims. Counseling and financial help were provided, but the spiritual wounds were rarely recognized. A precondition for the Church’s providing a service of spiritual healing to victims is that the Church learns to be a truly restorative community, a community which welcomes and accepts the wounded into its community on their terms. Victims have told me of examples of their feeling that their priests were somehow embarrassed by their presence. Their priest would prefer not to have to talk about what had happened.

As part of the recent Apostolic Visitation to the Archdiocese of Dublin, the Archdiocese organized a liturgy of lament and repentance which was prepared primarily by victims of abuse in Dublin. There was an element of risk involved that a public event could be derailed. Protesters entered the Pro cathedral in Dublin during Easter Sunday Mass last year and children’s shoes were thrown around the altar. The liturgy of lament in fact was a truly restorative moment for many who took part and they felt that they had encountered in it a Church which was beginning to identify with their hurt and their journey.

I was annoyed to read in newspaper reports that the liturgy of lament was “presided over” by Cardinal O’Malley or by me. It was not led or presided over by any Cardinal or any Archbishop. By design, the entire sanctuary area of the Cathedral was empty except for large, stark wooden cross. My intention was that the liturgy would be presided over by the cross of Jesus. There were to be no celebrities. Anyone who spoke came out of and returned to their place among the people of God in lament or repentance.

But there are so many survivors who have not had that experience of being surrounded by a Church in lament, rather than a Church still wanting to be in charge, feeling that it can be in change even of their healing. Lives have been damaged and people are still left alone with their nightmares and their fears. Many victims were sought out by their offenders because they were already in some way vulnerable people and that vulnerability has been magnified as a result of abuse.

For restorative justice to work in a Church environment then the Church becomes a restorative community, a restorative community for all. Priests who have dedicated their entire lives to ministry and witness feel damaged and wounded by the sinful acts of others. They need new encouragement and enhancement, but always rejecting any sense of denial of what happened or feeling by priests that that they are the primary victims.

The culture of clericalism has to be analyzed and addressed. Were there factors of a clerical culture which somehow facilitated disastrous abusive behavior to continue for so long? Was it just through bad decisions by Bishops or superiors? Was there knowledge of behavior which should have given rise to concern and which went unaddressed? In Dublin one priest built a private swimming pool in his back garden to which only children of a certain age and appearance were invited. He was in one school each morning and another each afternoon. This man abused for years and there were eight priests in the parish. Did no one notice? More than one survivor tells me that they were jeered by other children in their school for being in contact with abuser priests. The children on the streets knew, but those who were responsible seemed not to notice.

The question has to be asked as to what was going on in the seminaries. The explosion of abuse cases took place, it would seem, in the in the 1970’s and early 1980’s, immediately after the Second Vatican Council. The problem existed, however, long before the Council and some of the serial abusers identified in the Murphy report were ordained and were abusing long before the Second Vatican Council.

Certainly in the post-conciliar years there was a culture which thought that mercy rather than the imposition of penalties would heal offenders. I believe that this was a false understanding of mercy and of human nature. Meanwhile, serial sexual abusers manipulatively weaved their way in and out of the net of mercy for years, when what they really needed was that they be firmly blocked in their path.

There is a real need of a formation regime for future priests which will more effectively foster the development of rounded human beings, not just in the area of human sexuality but in overall mature behavior and relationships. Being a priest today requires a high level of human and spiritual maturity to be able to face the challenge of truly serving the community. My fear is that some

young men who present themselves as candidates for priesthood may be looking not to serve but for some form of personal security or status which priesthood may seem to offer them.

The formation of future priests requires that it takes place in a particular spiritual environment and in a specific setting. I am also particularly anxious to ensure that my future priests carry out some part of their formation together with lay people so that they can establish mature relationships with men and women and do not develop any sense of their priesthood giving them a special social position. There are signs of renewed clericalism which may even at times be ably veiled behind appeals for deeper spirituality or for more orthodox theological positions. What we need are future priests who truly understand the call of Jesus as a call to total self giving, nourished by a deep personal relationship with the Lord and by constant reflection on the word of God in a life of prayer and continual conversion.

For seven years I have been Archbishop of Dublin and I inevitably attempt to draw a balance sheet of where we are. Mistakes were made. It was thought best for the Church to manage allegations of abuse within its own structures and to use secrecy to avoid scandal. That type of avoidance of scandal eventually landed the Church in one of the greatest scandals of its history. Such an approach inevitably also led to those coming forward with allegations being treated in some way as “adding to the problem.” Some were never given the impression that they were believed. The norms and procedures which the National Office in Ireland is publishing and updating will hopefully change that approach to victims. But it is hard to turn around the culture of an institution.

A restorative justice approach which admits and addresses the truth in charity offers a useful instrument to create a new culture within the Catholic Church which enables the truth to emerge not just in the adversarial culture which is common in our societies, but in an environment which focuses on healing. At our service of lament and repentance I stressed that scandal of the sexual abuse of children by clergy means that the Archdiocese of Dublin will never be the same again. That is more easily said than achieved. After a period of crisis there is the danger that complacency sets in and that all the structures which we have established slip down to a lower gear.

A Church which becomes a restorative community will be one where the care of each one of the most vulnerable and most wounded will truly become the dominant concern of the 99 others, who will learn to abandon their own security and try to represent Christ who still seeks out the abandoned and heals the troubled.

I hope that these rather personalized reflections will be of some use in setting a framework for our day and will renew all of us in our own commitment and give us new energies and new hope.