

New Zealand Royal Commission and the Catholic Church

Rocío Figueroa

Introduction

The Royal Commission Report on Abuse in Care in New Zealand was released on July 24, 2024, and it considered the widespread abuse in care in state facilities and faith-based settings between 1950 and 2019. The state facilities were orphanages, youth justice facilities, psychiatric and mental health institutions, special schools and residential schools. The faith based communities were the Catholic, Anglican, Presbyterian, and Methodist church and also Gloriavale and Salvation Army.

What was the first reaction in NZ after the Report was published? What was the reaction of the victims? What was the reaction of the Church?

I would like to share three responses that highlight different reactions. One of the survivors who was in a state care facility and was abused at Lake Alice Child and Adolescent Unit during the 70s spent his life in financial hardship and faced significant health issues due to the ongoing impact of the torture he experienced.¹ His complaints along with those of many victims, were largely ignored for more than forty years. They submitted their complaints to the United Nations Committee Against Torture. The report confirms that the Crown Law Office did not consider Aotearoa New Zealand's obligations under the Convention against Torture when dealing with the Lake Alice claims in the 1990s and 2000s. The United Nations Committee against Torture found Aotearoa New Zealand in breach of the convention for failing to ensure a prompt and impartial investigation into the unit. Following the publication of the report, the Government decided that 'terminally ill Lake Alice abuse victims would receive a rapid compensation of 20,000 dollars from government'.² One of the survivors who was terminally ill received the payment and said that he could now die with dignity by paying for his own funeral. The survivor died the next day.

This testimony demonstrates the importance of redress, the recognition of abuse, and how justice and compensation can help restore the dignity of the victim, as seen in this case where it was a very late justice but at least contributed to a peaceful death.

¹ "Govt approves rapid payments for terminally ill abuse survivors", *Inside Government. News, Information and Events for the New Zealand Public Service* (13 August 2024). Retrieved from: <https://insidegovernment.co.nz/govt-approves-rapid-payments-for-terminally-ill-abuse-survivors/>.

² "Terminally ill Lake Alice abuse victims to receive rapid compensation from Government", *Radio New Zealand*, (13 August 2024). Retrieved from: <https://www.msn.com/en-nz/news/national/terminally-ill-lake-alice-abuse-victims-to-receive-rapid-compensation-from-government/ar-AA1oIfnA>.

Regarding the reaction of the priests, it surprised me that a large number of priests in New Zealand after the publication of the report, were primarily concerned with false accusations. Knowing that only about 2% to 5% of accusations are proven to be false, and knowing that thousands of victims have been abused in Catholic settings, it is quite surprising that their first concern was their own safety. It surprised me and made me think. We see that they feel scared and in one way is a good sign because they are more aware, but at the same time they are more focused on themselves than on the victims and that is problematic. Cozzens describes this as a deflection of the problem, a psychological and often unconscious reaction of denial.³ They prefer to concentrate on the false allegations, so they don't have to confront the unbearable reality of children and vulnerable people being harmed in our Church. This made me think: how do we change this clericalist culture? As we heard yesterday, yes, the priests need a just process, but it is interesting that after the revelation of so many victims the first thought is about themselves. How do we make our faith communities more victim-centered?

On the other hand, the reaction of bystanders has been very quiet. A few days in the press, some news coverage, and that is it. In Catholic circles, there has not been deflection, but silence. If someone brought up the topic, many did not want to engage, and others preferred to change topic.

I am grateful that you have organized this conference with one session focused on the Royal Commission in New Zealand. The betrayal that survivors have suffered from people who, in the name of God, harmed them is already horrific, but a second victimization is our silence—prioritizing sometimes the image of the institution, the damage that it caused or a false peace that doesn't disturb our routine.

1. Some statistics

The Royal Commission Report on Abuse in Care in New Zealand was released on July 24, 2024, and it considered the widespread abuse in care in state and faith-based settings between 1950 and 2019. The findings are shocking: the report provided low and high estimates of 114,000 and 256,000 (40%) out of 655,000 people in care suffered from physical, psychological, spiritual, and sexual abuse, including torture in health care institutions, in Lake Alice hospital.⁴

About 2,300 people came forward to the Commission and 43% came from faith-based care institutions, revealing that they suffered from physical, psychological, spiritual, and sexual abuse. Additionally, more than half of the survivors who provided

³ Donald Cozzens, *Sacred Silence. Denial and the Crisis in the Church* (Victoria: John Garratt Publishing, 2002), 27.

⁴ Martin Jenkins, *Indicative Estimates of the Size of Cohorts and Levels of Abuse in State and Faith Based Care 1950 to 2019. Final Report*, (1 October 2020), Retrieved from: <https://www.abuseincare.org.nz/our-progress/library/v/195/size-of-cohorts-and-levels-of-abuse-in-state-and-faith-based-care-1950-to-2019>, 6-8.

evidence to the Inquiry after going through a Catholic institutional setting were sexually abused. It is estimated that between 53,000 and 106,000 people may have been abused in faith-based care settings from 1950 to 2000.⁵ This estimate of the rate of abuse has been calculated mainly on international evidence.

The Catholic Church had the highest rate of abuse among the various faith-based institutions investigated: 1122 individuals reported. Almost half reported abuse involving sexual harm.⁶

The most vulnerable individuals - such as children, disabled people, Māori, Pasifika, and women were the most severely harmed. The report reveals that Māori and Pasifika children and young people experienced higher rates of abuse compared to their non-Māori and non-Pasifika counterparts. One of the significant consequences of the abuse for Māori and Pasifika was not only the trauma of sexual and physical abuse but the loss of their cultural identity, language, and connection with their family and community.

In her testimony, Paora Crawford Moyle tells the story of how she experienced sexual abuse after church functions, Sunday school, church picnics and in parishioner's homes. On top of that terrible sexual abuse, she also suffered cultural abuse:

At school I was targeted by my teacher for my behaviour and because I was Māori. I had an undiagnosed neurodiverse condition – I now know I have high functioning autism. I was constantly sent to the corporal punishment teacher, and was strapped with a large leather belt, or caned across the backside or back of my legs. I was 8 years old when I was first strapped, and this abuse continued for at least the next three years.⁷

The report highlights the intersection of racism and abuse, where layers of trauma

⁵ Martin Jenkins, *Indicative Estimates*, 39. “It has been used two approaches to estimate the numbers of survivors of abuse in State and faith-based care. The top-down approach starts with number of people in State and faith-based care settings between 1950 and now – ‘the Cohort’ – and uses data on prevalence of abuse (from New Zealand and international studies) to estimate the percentages of the Cohort who may have been abused. The bottom-up approach starts with the number of people in State and faith-based care (in a range of settings) between 1950 and now who have identified that they have been abused in care – the ‘known’ claimants of abuse. For present purposes, known claimants of abuse are treated as a proxy for the minimum possible numbers of survivors, given that recorded claims almost certainly represent a significant underestimate of true levels of abuse”. (p. 5)

⁶ Lisa Zengarini, “Report reveals scale of abuse in Church in New Zealand”. Retrieved from: <https://www.vaticannews.va/en/church/news/2022-02/research-reveals-scale-of-abuse-in-new-zealand-catholic-church.html>

⁷ Paora Crawford Moyle, *Survivor experience*. Retrieved from <https://www.abuseincare.org.nz/reports/whanaketia/part-1/survivor-experience-paora-crawford-moyle/>

are present due to the discrimination survivors encountered in care settings. Research about the relationship between poverty, racism and abuse, shows that Māori were more frequently placed into care, separated from their cultural roots and whanau, and subsequently experienced harsher treatment due to their ethnicity and skin color. Today, one in five Māori or Pacific Island families live in poverty, as opposed to half that rate – one in 10 – for Pākehā families.⁸ There is no way we will prevent abuse if we do not address the social causes that nurture violence: “a large volume of research, both internationally and in New Zealand, has found close links between poverty, deprivation, child maltreatment and neglect”.⁹

Sexual violence is a legacy that reproduces itself, as new generations learn from the violence of generations past, as victims learn from victimizers. Of the 2,329 survivor accounts, 683 (29%) survivors were incarcerated at some point during their life. Much of the violence that ripples through our society has its roots in child abuse.¹⁰

2. Importance of the report

This report belongs to the group of international independent reports that have been written by Royal Commissions or other ad hoc public institutions.¹¹ We are confronted with a new type of literature that McCaffrey describes as “the emergence of a new genre of civil literature that serves a social purpose (...) these reports are more than mere historical descriptive narratives; they are an embryonic literature of social action and accountability”.¹²

From a theological point of view, these reports invite us to read them as ‘signs of the times’ and interpret them in the light of the Gospel. *Gaudium et Spes* defines the

⁸ Mark Rashbrooke and Angie Wilkinson, *Cracks in the Dam: The social and economic forces behind the placement of children into care. A report for the Royal Commission of Inquiry into Historical Abuse in State Care and in the Care of Faith-Based Institutions invisible forces destroying families in Aotearoa – independent research report*. Retrieved from: <https://www.abuseincare.org.nz/our-progress/library/v/552/cracks-in-the-dam-invisible-forces-destroying-families-in-aotearoa-independent-research-report>, 24.

⁹ Ibid. 27.

¹⁰ Abuse in Care. Royal Commission of Inquiry Abuse in Care, *Quantitative Analysis* (September 2023) Retrieved from: <https://www.abuseincare.org.nz/our-progress/library/v/556/quantitative-analysis-of-abuse-in-care>, 28.

¹¹ For example, the Royal Commission in Australia 2017 or the Independent Inquiry Child Sexual Abuse (ICSA) in England and Wales, 2022. There are other reports funded by the Catholic Church and the episcopal conferences such as the John Jay Report in the United States (2004) or the Independent Commission on Sexual Abuse in the Church (CIASE) in France 2021 among others.

¹² Artur McCaffrey, “A New Genre of Civic Literature: Official Reports of Government Inquiries into International Cases of Abuse of Institutionalized Children” in *Blog. Los Angeles Review of Books*, (4 October 2017) Retrieved from: <https://blog.lareviewofbooks.org/essays/new-genre-civic-literature-official-reports-government-inquiries-international-cases-abuse-institutionalized-children/>

meaning of signs of the times: “The People of God.... Motivated by this faith, it labours to decipher authentic signs of God’s presence and purpose in the happenings, needs and desires in which these people have a part along with other people of our age”.¹³ The novelty of Vatican II was to propose a new way of doing theology. The signs of the times concept highlights the importance of knowing the historical events while also trying to discern the presence and will of God through those events. History has the capacity to manifest God’s presence. On one hand, this report is the fruit of the expertise of people with academic and professional qualifications who make recommendations and analyze institutional problems. On the other hand, it collects the testimony of hundreds of survivors. As stated in the most recent French report, they possess a ‘unique knowledge’, because as victims, “These people were victims who became witnesses and, in this sense, active players in establishing the truth. It is thanks to these people that our report was conceived and written”.¹⁴ Carlos Schickendantz, quoting Hans-Joachim Sander, asserts that the perspectives of those impacted by sexual violence hold the greatest significance and meaning in international abuse reports.¹⁵ Their testimonies and experiences become a *locus theologicus*, possessing a unique authority that offers insights unavailable elsewhere. From this standpoint, according to Schickendantz, “the body of literature on this topic has irreplaceable cultural and theological importance”.¹⁶

The voices of the survivors become a source for theologizing. Their voices are a sign of the times, a cry to God for justice. This cry demands that, as a community, we place the most vulnerable —the poor, and victims of any type of violence and abuse — at the centre of our concern and mission. The report is a ‘must read’ for pondering the signs of the times and discerning what God is asking of us through their suffering. I would like to focus on the systemic factors highlighted by the report.

3. Systemic Factors

In Survivors’ experiences of abuse and neglect in faith-based care. Summary and key messages, there is a chapter dedicated to the Catholic Church and it affirms: “Despite the scale of abuse and neglect within the Catholic Church in Aotearoa New Zealand, the Inquiry is unaware of any consideration by the church of the systemic

¹³ *Gaudium et Spes*, 11.

¹⁴ French Independent Commission on Sexual Abuse in the Catholic Church (CIASE) *Summary of the Final Report*, Retrieved from: Rapport final - Commission indépendante sur les abus sexuels dans l’Eglise (ciase.fr)

¹⁵ Carlos Schickendantz, “Relevance and meaning of the international reports on abuse. An inescapable challenge for the reform of the Catholic Church”, in Eds. Veronique Lecaros and Ana Lourdes Suarez, *An Evolving Crisis at the Core of Catholicism*, (Routledge: London and New York, 2024) 144-145.

¹⁶ *Ibidem*.

causes of this”¹⁷. It continues:

The church’s comprehension of the nature and extent of abuse of people in its care mostly comes from protocols and advisory committees set up to handle individual reports of abuse. The church leadership has made minimal and inadequate attempts to understand the fundamental and broader systemic factors that have influenced abuse. This has meant the church’s prevention of further harm has been limited at best.¹⁸

Trying to understand the systemic factors that have influenced abuse, we need to unpack what defines a systemic problem: it is an issue arising from the structure and principles that inform the system, rather than from individual actions or isolated incidents. The horror of abuse is not simply due to a few ‘bad apples’; the same pattern of abuse, cover ups, and impunity has been repeated over decades and across different countries, dioceses, and congregations. Systemic problems in the Catholic Church require comprehensive changes to the system’s culture. A culture is shaped by a mix of factors: beliefs, symbols, ceremonies, language, stories and everyday rituals.¹⁹ As ecclesialogist George Wilson noted, a culture: “cannot be captured by noting only the components of a group life that are formalized”.²⁰ Many of the dynamics operating within a culture are unconscious, with people often imitating those who are valued within it. Culture is ingrained in us, influencing and leading us to take certain things for granted. For example, if my grandmother and mother treated the priest with special deference, considering him superior, as a child, I would do the same without questioning it. A culture can empower individuals by teaching them how to behave and live, but it can also be limiting.²¹ The attitudes or behaviors of a particular culture can be so powerful that it becomes nearly impossible for its members to even conceive of other ways of being. When I was studying theology in Lima, there were only two women in one of the courses. One of our priest professors asked: ‘why are you here? We do not need women studying theology’. For him, it was impossible to think otherwise.

The Royal Commission has highlighted several systemic elements within the Church’s culture that must be addressed. There are at least four interconnected factors in church culture that have contributed to this failure: clericalism, the hierarchical structure of the church, the perception of women, and spiritual abuse. From these four elements, cultural practices and norms have been institutionalized, and we, as members

¹⁷ Abuse in Care – Royal Commission of Inquiry, *Survivors’ experiences of abuse and neglect in faith-based care. Summary and key messages* (June, 2024), n. 198. Retrieved from: Summaries and guides | Abuse in Care - Royal Commission of Inquiry

¹⁸ Ibid, n. 200.

¹⁹ George Wilson, *Clericalism: the death of Priesthood* (Collegeville: Liturgical Press, 2008), 4.

²⁰ Ibidem.

²¹ Ibid., 5.

of the Church, have often unconsciously adhered to and continued supporting these norms. This has created a dangerous combination that has enabled and concealed abuse within the Church.

a) *Clericalism*

The first systemic factor is Clericalism that has been defined as “the idealization of the priesthood...linked to a sense of entitlement, superiority, exclusion, and abuse of power.”²² This idealization has not only influenced how clergy perceive themselves but also shaped how they are viewed by the laity. The New Zealand report connected this clericalism with sexual abuse, affirming: “Consistent with international findings, many survivors said the trust and status of clergy and religious leaders meant they were granted unsupervised access to people in care in a way other people might struggle to gain.”²³

The distinction between sexual abuse and abuse perpetrated by religious figures or priests lies in the spiritual authority they wield to seduce minors and their families. Our Catholic culture often regards the priesthood as a separate, exalted, and elitist group. We have long perceived ordination as a sacrament with a seemingly magical effect, believing that clergy automatically become saints on the day of ordination. Priests or consecrated people are seen as representatives of God’s voice and love within the community. The report continues: “Christian teachings emphasized the importance of obedience to authority figures, especially parental or parent-like figures.”²⁴ Within this context, “For many survivors, obedience to religious authority was so ingrained they complied with the orders of clergy or other religious leaders, even when it involved abuse or made them uncomfortable”²⁵. Mr. J survivor affirms:

You need to understand, that our predator was God in our community. He was God’s representative in our parish and the authority that ruled over not only the local church, but also the convent school I attended with my brothers and our devout Catholic family.²⁶

Clerical culture continues to be imbedded in our communities and all of us contribute to it. Rabbi Abraham Heschel made this point. In a free society: “Some are guilty but all are responsible”.²⁷

²² Royal Commission into Institutional Responses to Child Sexual Abuse, “Final Report,” 36.

²³ *In Survivors’ experiences of abuse and neglect in faith-based care*, n. 155.

²⁴ *In Survivors’ experiences of abuse and neglect in faith-based care*, 154.

²⁵ *In Survivors’ experiences of abuse and neglect in faith-based care*, 158.

²⁶ Abuse in Care Royal Commission of Inquiry, “Statement of Mr J for Faith based redress hearing. Retrieved from: <https://www.abuseincare.org.nz/our-progress/library/v/201/statement-of-mr-j-for-faith-based-redress-hearing%20>.

²⁷ George Wilson, *Clericalism*, 7

b) Hierarchical structure of the Church

The second systemic factor is the hierarchical structure. Theologian James Keenan observes that the flaws of clericalism have been indiscriminately attributed to both priests and bishops. He advocates for distinguishing between clericalism and hierarchicalism. He defines hierarchicalism as the “episcopal culture of elitism, power, networking capability, and impunity.”²⁸ The problem, according to Keenan, lies in the tendency of the episcopacy towards authoritarianism, domination, avoidance of transparency and accountability and other narcissistic behaviors.²⁹ He argues that the third wave of sexual abuse reports in the United States focused on the episcopacy, beginning with the investigations into Card. Mc. Carrick, former archbishop of Washington, and continuing with the Pennsylvania report, which revealed an unprecedented glimpse into the culture within the episcopacy.³⁰ The report concludes:

Despite some institutional reform, individual leaders of the church have largely escaped public accountability. Priests were raping little boys and girls, and the men of God who were responsible for them not only did nothing; they hid it all. For decades. Monsignors, auxiliary bishops, bishops, archbishops, cardinals have mostly been protected— many including some named in this report, have been promoted. Until that changes, we think it is too early to close the book on the Catholic Church sex scandal.³¹

Keenan also notes that 40% of bishops do not have a ministerial assignment, holding only titular churches, and argues that “bishops shape their clergy more than seminaries do.”³²

Keenan distinguishes hierarchicalism as a vice within the hierarchy, suggesting the possibility of a hierarchy with servant-leader bishops. However, I contend that the hierarchical structure of the church is not a healthy way of governance. The New Zealand Royal Commission Report considers that the true issue enabling abuse lies not just in the flaws within the hierarchy, but in the very nature of such an organizational structure: “Many survivors told the Inquiry that this hierarchy and supreme power held by clergy prevented other staff members from intervening to stop or report abuse”.³³

A hierarchical system centralizes all power in the hands of a few, which is

²⁸ James Keenan, “Hierarchicalism”, *Theological Studies*, (2022), vol. 83 (1), 91.

²⁹ James Keenan, “Hierarchicalism”, 100.

³⁰ James Keenan, “Hierarchicalism”, 86.

³¹ “40th Statewide Investigating Grand Jury Report” quoted in James Keenan, “Hierarchicalism”, 88.

³² James Keenan, “Hierarchicalism”, 93.

³³ *In Survivors’ experiences of abuse and neglect in faith-based care*, 41.

inherently unhealthy. When all decision-making authority –whether financial, pastoral, or administrative– rests with a single individual, it creates a dangerous situation. Firstly, it is dysfunctional, because no single bishop possesses all the necessary competencies, and it fails to adequately leverage the collective experiences, insights, and judgments of the broader community.³⁴ Secondly, by marginalizing the voices and experiences of the broader community, the resulting decisions, many times, are disconnected from the needs and realities of the laity. Thirdly, this concentration of power leads to a lack of accountability and therefore renders the laity and clergy irresponsible, powerless, and infantilized.

Bishop Erio Castellucci underscores a critical issue in the episcopal ministry: the overwhelming responsibilities often placed on a single bishop, who may be tasked with guiding not just one, but sometimes even two dioceses. This excessive burden turns the bishop into a “bottleneck” through which everything must pass and from which everything must originate. To address this challenge, Castellucci suggests the need for a more genuine sharing of responsibility.³⁵ However, a canonical obstacle remains: the correlation between the power conferred by ordination and the power of jurisdiction, which in legal terms, reduces the ecclesial co-responsibility of lay men and women to a mere ‘cooperation’ with the governing power of ordained ministers.³⁶ The sacred power of consecration or holy orders is frequently cited as justification for maintaining an intrinsically hierarchical structure within the Church.³⁷ However, historical research reveals that the Church’s structural organization has evolved over time.³⁸ Early Christian communities were more collegial and less centralized, with a greater emphasis on shared leadership and collective decision-making. Over time, the Church adopted the more rigid hierarchical structure.

Regarding abuse, a hierarchical system creates a toxic environment, often leading to internal handling of abuse disclosures, primarily aimed at protecting the institution’s image. The Report affirms: “Research has demonstrated that people who work in extremely hierarchical organizations may fear speaking up for fear of repercussion, which can allow the abuse to keep happening”.³⁹ The concentration of power in the hands of a few high-ranking individuals often leads

³⁴ Luca Badini Confalonieri, *Democracy in the Christian Church: An Historical, Theological and Political Case* (Bloomsbury Publishing, 2014), 3.

³⁵ Luigi Mariano Giuzzo, “Riformare il diritto canonico”, *Il Regno*, 4/2024, 89.

³⁶ A tension continues with canon 129. Those who are endowed with sacred orders are capable of the power of governance, which is properly in the Church by divine institution and is also called the power of jurisdiction, while lay faithful can cooperate in the exercise of this same power.”

³⁷ Marcin Lisak, “Democratisation of a Hierarchical Religion: The Roman Catholic Church in the Time of a Credibility Crisis Caused by Sexual Abuse Misconduct”, *Studia Religiosa*, 45 (1), 2012, 14

³⁸ Marcin Lisak, “Democratisation of a Hierarchical Religion”, 12.

³⁹ *In Survivors’ experiences of abuse and neglect in faith-based care*, 41.

to an insular approach to crisis management. When abuse is disclosed, the instinct within such a structure is to handle these matters internally, prioritizing the protection of the institution's image over the well-being of the victims. This internal handling can involve covering up allegations, silencing victims, and shielding perpetrators from accountability. Moreover, this centralized authority often discourages transparency and accountability. Lower-level clergy and laity may feel powerless to challenge the decisions of their superiors or to speak out against wrongdoing. The hierarchical system can thus perpetuate a culture of secrecy and impunity, where abuses are not adequately addressed, and justice is not served.

Arus Soma, the spoke person from Te Ropu Tautoko told to the New Zealand Parliament that “hierarchical and opaque decision-making processes impeded scrutiny and making complaints”.⁴⁰ This is due to a type of hierarchical organization described by O’Loughlin as a culture of vectoral accountability: “one is answerable-responsible in one direction only, namely, towards whence one perceives one’s authority to come”.⁴¹ The priest is accountable to his bishop, the bishop to the Pope (a Pope who lives miles away and who cannot know all what his all bishops are doing). When we think of the Church as hierarchical, it’s not just about a pyramid-shaped structure or a clear chain of command. It’s about the idea, introduced by Pseudo-Dionysius, that holiness, grace, power, and authority flow from the top down. This concept means that power and spiritual influence are believed to move in one direction—downwards from higher levels to lower ones. In practice, this means that priests and bishops are seen as being responsible to those above them in the hierarchy, not directly to the people they serve. Their primary accountability is to higher authorities within the Church, rather than to the community members. This belief, rarely stated in its full form, manifests itself in virtually every aspect of Church life for their people: “The priest or the bishop is responsible to higher authority *for* their people, they are not responsible to their people”⁴².

An argument is sometimes made that the Church cannot be a democracy because it is not organized by the principle of ‘one person, one vote’. However, democracy also has a broader sense as a social culture that avoids tyranny, promotes freedom, self-determination, moral autonomy and human development. The Church applies many democratic principles in its life: like the election of the Pope, the election of the superior in a Congregations....Church’s social doctrine

⁴⁰ “NZ Catholic safeguarding offers blueprint for improvement”, *CathNews New Zealand*, (22 August 2024). Retrieved from: <https://cathnews.co.nz/2024/08/22/nz-catholic-safeguarding-offers-blueprint-for-improvement/>

⁴¹ Thomas Laughlin, “The Credibility of the Catholic Church as Public Actor”, *New Blackfriars* (2013), 141.

⁴² Thomas Laughlin “The Credibility of the Catholic Church as Public Actor”, 141

asserts that democracy is the best system for transferring power and promoting citizen participation in political life. It empowers individual agency and strengthens participation, a sense of belonging, and collective responsibility. Yet, the Church does not apply this organizational model to itself. Grace does not eliminate nature. In its human dimension, the Church has an organizational system, and it has become evident that this structure undermines its credibility and it is unhealthy.

c) *Women in the Church*

The NZ Royal report referring to all Christian Churches affirms:

Although early Christianity was notable for its respect for women, there is also a legacy of constraints on female leadership in the churches, despite frequent challenges from within. Although there have been changes over time, in all eight faiths the Inquiry investigated, clergy and religious leaders have been highly gendered with control historically held by males.⁴³

Women within the Catholic Church continue to be treated as second-class citizens because we do not take part in the decision-making processes and leadership of the institutional Church. Women have no authority in the Magisterium, in sacramental worship, or pastoral governance just by the fact of our gender. It is not enough to add a few women to the Vatican or dioceses, as the final decisions are still always made by the hierarchy who are always male. This inequality contributes “to an internalized inferiority that disempowers women, preventing them from maturing and growing in their own autonomy and leadership”⁴⁴. The role of women within the Church, some misogynistic interpretations of the Scripture, along with the clerical approach to exercising power and organizing ecclesial structures, has become deeply ingrained in the tradition, passed down from generation to generation. Theresa Tobin describes the situation of women within the Church as a ‘structural gender-based spiritual violence in the Catholic Church’.²¹ It is the proverbial elephant in the room. — an issue that remains largely unaddressed while women continue to suffer various forms of abuse daily. The report states:

The exercise of male power over women and children can limit freedom of thinking and response among those who are not in this position of power.

This constraint was particularly evident when survivors told the Inquiry that

⁴³ Abuse in Care Royal Commission of Inquiry, *Report. Whanaketia - Through pain and trauma, from darkness to light*, 618-619 (Accessed 25 September 2024) <https://www.abuseincare.org.nz/reports/whanaketia/part-7/chapter-8/>.

⁴⁴ Rocio Figueroa – David Tombs, “Case Study: The Spiritual Abuse in the Servants of God’s Plan”, 260.

female staff were party to abuses of power among male clergy but did not act to intervene or report it. The power held by male abusers often meant their behaviours went unchecked.⁴⁵

Though Jesus' message was one of the value and dignity of women, we Christians failed to follow that message in its entirety. We see immediately in early Christianity a continuous tension between the vision of radical equality and women's full participation in leadership as an alternative to existing Graeco-Roman society and the influence of the patriarchal order. In the end, in the second century, this equality disappeared, and the Church adapted to a patriarchal structure of bishops, priests, and deacons as we know it now. Christianity expanded during the Roman Empire and was regulated for another twenty centuries by a patriarchal law in which women were considered inferior and suffered social, political, and cultural discrimination.

The position of women in the Catholic Church, is marked by inherent injustice and imbalance of power. While there has been growing awareness and action regarding the sexual abuse of children by clergy, violence against young or adult women is still frequently clouded by ambiguous interpretations. The Church often masks these acts of violence as consensual transgressions or, even more disturbingly as a "consensual affair". For instance, in a pastoral setting, between a parish priest and a parishioner, the structural inequality and power imbalance, make any notion of reciprocity impossible.

When a priest abuses a minor, there is a strong expectation that he will be dismissed from his position. Sadly, the same does not apply when a young woman or an adult woman is sexually abused, as evidenced by the case of Marco Rupnik, a Jesuit who abused over 30 women and yet continued to exercise his ministry. The Pontifical Commission for the Protection of Minors brought concerns about the handling of Rupnik's case to the Pope, leading Francis to call for further investigation.⁴⁶ Due to pressure from victims and the Commission the Pope has since lifted the statute of limitation on the case.⁴⁷

d) *Spiritual Abuse as an enabler of sexual Abuse*

The fourth systemic factor that has enabled sexual abuse is spiritual abuse. In religious settings, spiritual abuse can exist without sexual abuse, but what becomes almost certain is that when sexual abuse happens in a faith-based

⁴⁵ Abuse in Care Royal Commission of Inquiry, *Report*, 630.

⁴⁶ "Pope Francis requests review of Rupnik case", *Vatican News*, (27 October 2023). Retrieved from: <https://www.vaticannews.va/en/pope/news/2023-10/pope-request-rupnik-review-case-proceedings-synod-listening.html>.

⁴⁷ Stop Using Art by Father Rupnik, Cardinal O'Malley Tells Vatican Officials| National Catholic Register (ncregister.com).

community, it is usually preceded by spiritual abuse. For example, Mr. DA abused as a child affirmed: “Brother Thaddeus took me under his wing, soon you will be my special friend, he was supposed to be my special friend. He called it love but I don’t know what it was”.⁴⁸ The Inquiry heard from some survivors of faith-based settings who “talked about the manipulation they experienced in the form of spiritual abuse, whereby religious leaders used religious authority and claims of closeness to God to dominate, control or coerce them.”⁴⁹

In our communities, we are now more aware of sexual abuse, but not much attention has yet been given to spiritual abuse. Spiritual abuse happens when churches, priests, religious sisters, or pastoral agents use religious symbols, texts, teachings, prayers or their leadership to violate or threaten someone’s spiritual self, their freedom, and their personal relationship with God. Spiritual abuse as defined by Lisa Oakley is a systematic pattern of coercive behaviour in a religious context that may include manipulation, insistence upon secrecy and silence, and requirement of obedience to the abuser or control through the use of sacred texts or teachings.⁵⁰ Johnson and Van Vonderen define spiritual abuse as “the mistreatment of a person who is in need of help, support, or greater spiritual empowerment, with the result of weakening, undermining, or decreasing that person’s spiritual empowerment”⁵¹. Doris Wagner defines spiritual abuse as “the violation of the spiritual right of self-determination”⁵².

Conclusion

We are at a time of opportunity and challenge. Thanks to the Royal Commission we are able to hear the voices of the victims. They are crying out for justice and change. The Commission has pointed to a need for systemic change in the Catholic Church. I have mentioned some aspects of our Catholic church culture and structure that facilitate and shield abuse.

We are aware that culture resists change and it takes time to change any culture. The New Zealand Report is an opportunity for the Catholic Church to reflect on the

⁴⁸ Mr. DA, “Witness statement of Mr DA for the Marylands School public hearing”. Retrieved from: <https://www.abuseincare.org.nz/our-progress/library/v/368/witness-statement-of-mr-da-for-the-marylands-school-public-hearing>.

⁴⁹ *In Survivors’ experiences of abuse and neglect in faith-based care*, 44.

⁵⁰ Lisa Oakley and Justin Humphreys, *Escaping the maze of spiritual abuse: Creating healthy Christian cultures* (London: Society for Promoting Christian Knowledge, 2019), 30.

⁵¹ David Johnson and Jeff Van Vonderen, *The Subtle Power of Spiritual Abuse: Recognizing & Escaping Spiritual Manipulation and False Spiritual Authority Within the Church* (Minneapolis: BethanyHousePublishers,1991), 20.

⁵² Doris Wagner, “Gefährliche Seelenführer,” *Zeit Online (Kommentar)*, (23 January, 2019) Retrieved from: <https://www.zeit.de/2019/05/geistlicher-missbrauch-kirche-glaube-spirituelle-freiheit-beeinflussung>)

changes that are needed. It gave 138 recommendations and some of them address some of these systemic factors. For example, it recommends that faith-based entities ensure religious leaders are accountable to an appropriate authority, such as a board of management, for decisions related to abuse prevention and response. All religious or pastoral ministers, including leaders, should undergo effective management, oversight, annual performance appraisals, and professional supervision with an independent supervisor. Additionally, these entities should have policies to manage conflicts of interest in cases of abuse and neglect. For those in their care, especially children and young people, entities should provide age-appropriate education on abuse prevention, emphasizing the power dynamics within religious ministry and fostering self-protective skills⁵³.

Democratization of the Church or at least the incorporation of more democratic principles in its organization is crucial and just following these recommendations would be a big step.

The Synodal report has asked for a Revision of all the Canon Law and implementing changes in canon law could be significant in this regard, such as making ecclesial participation bodies mandatory, like diocesan councils of bishops (Canon 473) and parish pastoral councils (Canon 536).⁵⁴

We are people who work in and for the Catholic Church. We can all together make a series of resolutions.

⁵³ Recommendation 94: All faith-based entities should ensure that religious leaders are accountable to an appropriate authority or body, such as a board of management or council, for the decisions they make with respect to preventing and responding to abuse and neglect in care. Recommendation 95: All faith-based entities should ensure that all people in religious or pastoral ministry, including religious leaders, are subject to effective management and oversight and undertake annual performance appraisals.

Recommendation 96: All faith-based entities should ensure that all people in religious or pastoral ministry, including religious leaders, have professional supervision with a trained professional or pastoral supervisor who has a degree of independence from the institution within which the person is in ministry.

Recommendation 97: Each faith-based entity should have a policy relating to the management of actual or perceived conflicts of interest that may arise in relation to allegations of abuse and neglect in care. The policy should cover all individuals who have a role in responding to complaints of abuse and neglect in care.

Recommendation 100: Wherever a faith-based entity has children, young people, or adults in its care, they should be provided with age-appropriate prevention education that aims to increase their knowledge of abuse and neglect and build practical skills to assist in strengthening self-protective skills and strategies. Prevention education in religious institutions should specifically address the power and status of people in religious ministry and educate children, young people, and adults in care that no one has a right to invade their privacy and make them feel unsafe.

⁵⁴ Luigi Mariano Giuzzo, “Riformare il diritto canonico”, 89.

We need to be witnesses. The community that **witnesses** has a key role in supporting survivors of trauma. First, the person who have experienced trauma needs to be able to tell their story and be believed. The event of violence needs to be spoken and it needs to come to light. If someone tells their story someone must witness this testimony, creating not only a safe space for speaking but also receiving the words when they are spoken. It is through being witnessed that the survivor can construct a narrative of their own trauma that can help to make sense of the experience and bring some life in a place of death. Being a witness is more than just speaking and listening because many times, the experience is unknown not just to the person listening but also to the survivors themselves. It is a process of handing over and receiving an experience that is not easy to communicate. It is not gathering information as a cold observer. It is to witness a wound that is open and remains: the possibility of trauma healing lies in the capacity to witness the persistence of the storm even after the literal storm has ended. Witnessing means remaining in that suffering that has not gone away.

Furthermore, we need to make the following resolutions: we will not participate in any form of cover-up; we will denounce any abuse; we will endeavour to protect the vulnerable and finally we will speak the truth to power.