

A People not a Pyramid

Christianity: Leadership in a Society of Equals. Part III.

Abstract.

One of the greatest achievements of the Second Vatican Council was its reclamation of the original grace and inspiration of the Church's identity and mission as the People of God. It provided both the insight and authority for the Council to embrace courageously a revolutionary programme of fundamental renewal and reform of Church life. The central biblical notion of the People of God is at the heart of the Council's reaffirmation of the baptismal equality of all its members.

Pope Paul VI wished to consolidate the theological revolution of the Council by developing a charter of moral principles which would clearly set out the rights and obligations of all Catholics. He envisaged that this would be the basis for the Fundamental Law of the Church. This document would represent not just an ecclesial Bill of Rights but would stand as a modern version of the Constitution of the Catholic Church. It would serve both to affirm the honest citizenship of the Catholic Church in the modern world and also to inform and function as the instrument for the interpretation of Canon Law.

This series of articles attempts to explain some of the major reasons why reviving the Fundamental Law of the Church is both timely and essential in providing both a rationale for and a validation of the systematic and comprehensive reform and renewal of the life, leadership and culture of the Catholic Church. Special attention is paid to the foundational theological concept of the Church as a community of individual women and men who, through Baptism into the new humanity of Jesus, freely choose to become members a society of equals.

The following essays, along with the previous two in the series, represent an attempt to apply these understandings to current situation of the Catholic Church in Australia. It is now facing the urgent need to make fundamentally important choices about ecclesial life, leadership and governance as it ponders an increasingly uncertain future. No doubt the scenario is not unique.

Tipping points

“The agenda for the promised 2020 synod of the Australian Church cannot be determined and managed only by those who cling to what they regard as the non-negotiable aspects of Church hierarchy and governance, when those aspects are shown to have contributed to past failures in transparency and accountability. Those failures then compounded rates of child abuse which were shocking, tragic and indefensible. The Royal Commission has less than a year to run. Once it reports, the Australian Church will need to change radically, or become a despised, diminishing sect.” – Frank Brennan SJ (16/02/2017) ¹

In August 2016, Archbishop Mark Coleridge of Brisbane announced that the Catholic Bishops of Australia had voted to hold a National Plenary Council in 2020. In the course of a 2016 interview published in *The Catholic Leader* the Archbishop said that the two decisive factors in the Bishops’ thinking were the continued decline in participation rates and the anticipated negative impact on the Catholic Church in Australia as a result of the Royal Commission’s Catholic Wrap Up and final Report late 2017.

Archbishop Coleridge expressed his own personal views about the historical and social reasons for the Catholic Church’s rapid decline in retention rates among its own people and its loss of standing in secular society:

“I think we have to accept the fact that **“Christendom is over – by which I mean mass, civic Christianity. It’s over.”** Archbishop Coleridge then went on, **“We are not the power in the land which we once were.”** He then issued a very important challenge, one that cannot and must not be ignored, **“Now, how do we deal with that fact? “We need to face the facts, and in the light of the facts, which aren’t always friendly, we have to make big decisions about the future.”** ² (Bold added)

The Archbishop’s admission **“We are not the power in the land we once were”** is a powerful acknowledgment that not only is civic Christendom over, but the Catholic institutional arrogance and presumption that accompanied it were finished as well.

He is right of course. The privileged status the Catholic Church has enjoyed in Australian society up until 2016-17, together with the public recognition, deference and entitlements given it, have now become degraded. The Church’s high moral profile has been compromised, perhaps terminally, as a result of the dismal failure of its leadership.

Wishing it would go away

The Royal Commission hearings during the February 2017 Catholic Wrap Up have provided valuable context for and historical perspective on what bishops were thinking and saying years before the Royal Commission began its work. For example in his Pentecost 2010 Pastoral Letter to the Catholic people of Canberra Goulburn, Archbishop Coleridge wrote in a defensive and ultimately dismissive tone:

“At the moment, the Catholic Church and the bishops in particular are being pounded mightily and dismissed as lacking all credibility or worse. This is hardly surprising, and it can be humiliating. But it is not the end of the world; nor is it the end of the Church. Paradoxically, the Catholic Church has often been at her best when down for the count. History shows that new and unexpected surges of Gospel energy have come not infrequently in the wake of devastation. My hope is that we may now be moving slowly and painfully towards a moment of that kind. That is surely the promise of Easter, which is what sustains me and many others through this troubled time. My deepest and most heartfelt prayer is that the same promise of life out of death may sustain the survivors of sexual abuse whose faces I have come to see and whose voices I have come to hear.”³

The Archbishop’s message is even more instructive when read along with the later statement of the Australian Catholic Bishops Conference when the Gillard government announced that Royal Commission would be held. The Bishops Conference statement also projects a certain air of regret and contrition for the failings of ‘the Church’ but the overall tone of defensiveness and opacity is identifiable. These came to be standard features of the ACBC’s narrative over the next three years:

“We deeply regret the suffering and trauma endured by children who have been in the Church’s care, and the effect on their families. Mistakes were made and we apologise to victims and their families for these failures.

Much of the public discussion is about how the Church dealt with cases 20 or more years ago. Critics talk as though earlier failures are still prevalent. Major procedural changes in dealing with these matters have been implemented by the Church since then. It is unjust and inappropriate to suggest crimes are being – or have been – committed, without producing evidence; without asking those accused for their responses before making generalised slurs.

It is unacceptable, because it is untrue, to claim that the Catholic Church does not have proper procedures, and to claim that Catholic authorities refuse to cooperate with the police.

As we have welcomed the opportunity to cooperate with the Inquiries announced in Victoria and NSW, and to address issues that have been raised – both justified and unjustified – we are also ready to cooperate with this Royal Commission. We look forward to consultations with the Government on the terms of reference.”⁴

Now there are other pressing concerns that the bishops must consider after their confronting experience of being investigated, questioned, cross examined and lectured by the Royal Commission into Institutional Responses to Child Sexual Abuse. In 2010 Archbishop Coleridge expressed the view of his fellow bishops that, although the immediate outlook seemed rather grim, in the perspective of Church history, it would pass and people would inevitably ‘experience some closure and move forward.’ It will never be as simple as that.

The bishops and other Church leaders are now held responsible by the Catholic people for having placed the dignity, honour and reputation of clerics and religious ahead of the human dignity and value of innocent children. The memory of this scandal will never be erased from the Catholic memory. Expressions of remorse from the hierarchy will remain hollow unless they are followed by a comprehensive systemic reform of the Church's administrative institutions and structures. Francis Sullivan, CEO of the Truth, Justice and Healing Council, has finally concluded that the Church must be seen to be accountable: "...Changes must be made, and if they are not made willingly they will most certainly be forced upon us." ⁵

Who has the moral compass?

A disturbing number of bishops participating in the Royal Commission's Catholic Wrap Up regressed into a dependency mode by constantly fawning upon the Royal Commission and expressing how eagerly they anticipate guidance that they will receive when the final report is released. Archbishop Coleridge added that the Commission's recommendations in the final report will be central to the development of the agenda for the 2020 Plenary Council.

Many Australian Catholics would probably find the bishops' sudden desire for advice and direction rather odd, even disingenuous. Justice McClellan and his associates questioned them a number of times about why it has taken a Royal Commission over four years to force them to accept their responsibilities as citizens of a law abiding liberal democratic society. Commissioners at times were clearly dumbfounded that many bishops and leaders of religious institutes appeared to have an underdeveloped moral sense and lack of understanding that they had actually presided over a culture of secrecy and deception that enabled the clerical sexual abuse of children to continue over decades and on a scale that challenges the imagination. On the appearance of the five Metropolitan bishops, Eric Hodgins picks up on the irony, "They were reduced to being supplicants before the RC being questioned by a female, secular counsel-assisting." ⁶

It is ironic too that their sisters and brothers in the Faith have been calling on the Bishops to join them at a common table for an amicable conversation about the state of the Church and its future. In that forum they would have heard truth, fact and reality calmly, openly and without the embarrassment of a being served a summons.

FACTS

As the Royal Commission entered into its final 'Catholic' stage, some remarkably frank admissions were made by Bishops. Archbishop Timothy Costelloe of Perth branded the role of Catholic Church leaders in the clerical CSA scandal a "catastrophic failure" while Sydney's Archbishop Anthony Fisher declared it 'criminal negligence.' Later he went on to say,

“ I think that part of why members of the Church and others looking in from the outside are so disenchanted, disillusioned, by our performance in this area is we should have been a model in this area. We have such high ideals with respect to children, with respect to family life, with respect to the powerless and innocent, and look what happened.

What I would like to recover is the community's confidence that we're there inspiring high ideals in this area rather than failing them and being hypocrites.”⁷

“We were a law unto ourselves,” confessed Archbishop Coleridge on two occasions. In September 2014, the Archbishop told the priests of the Auckland diocese in New Zealand, “We thought the law didn’t apply to us.”⁸ This attitude was illustrated on numerous occasions during the RC’s questioning of bishops and other religious leaders. Commissioners expressed particular bemusement and amazement at two retired bishops over their struggle to explain adequately what citizenship means and implies, what is the distinction between a moral failure and a criminal act, particularly in relation to child sexual abuse by priests and religious.

In 2011, Peter Wilkinson wrote presciently and specifically about some of these values on which the Royal Commission has made frequent mention over the past year or so:

“It seems to me that the Australian church as church hasn’t really yet come to grips with Australian culture. There are many good qualities in the Australian culture absent from the church.

- 1) Democratic process. We expect this in government and public corporations, but it is largely absent from the church.
- 2) Gender equality and equality of opportunity. That discrimination exists in our church. Gender equality and equality of opportunity are not there.
- 3) Freedom of expression
- 4) Transparency and accountability from those who govern us and are in authority. They and their roles are are not do not exhaust the identity and mission of all the People of God
- 5) Cultural and religious tolerance. These I would say are in our church, and highly commendable. But so many of our best values are not present in the church, and I think Catholics in this country are not entirely at home because those values are not present and they are not incorporated in the way the Catholic Church conducts its business.”⁹

In his 2017 Lenten Letter, Bishop Vincent Long has affirmed that the Royal Commission has come to represent a “shameful indictment not simply on the perpetrators and their enablers but the Church’s collective and systemic betrayal of the Gospel.”¹⁰ Catholicism’s presumed moral status in a nominally Christian society is now devalued and its bishops stand to receive a harsh collective assessment when the Royal Commission’s final report is published at the end of 2017. “We are not the power in the land which we once were.” At the end of the final day of the Wrap Up Archbishop Fisher, echoing Archbishop Coleridge, remarked ‘we don’t have the same authority

as we had before.” No wonder. It should be no surprise at all that the old political patronages and cultural deference that the Catholic Church in Australia formerly enjoyed have long disappeared.

On another note, an inhouse one, it was noticeable that during the lead up to and during the Commission hearings some bishops repeatedly used of the collective “We” or “the Catholic Church” indiscriminately. This was not helpful nor was it fair because the terms actually referred rather narrowly to the bishops and religious superiors themselves and not to the entire Catholic population. The same lack of nuance was evident when apologies were made ‘on behalf of the Catholic Church.’ There seemed to be little understanding among Catholic leaders of the difference between their acknowledged culpability and apologies and the totally unjust implication of ‘collective guilt’ of all Australian Catholics.

Other examples of muddled thinking were the gross understatements about the seriousness of clerical CSA when several bishops and leaders of religious institutes could not identify the difference between a moral foible, moral lapse or failure and a criminal act. The widespread outrage among Catholic and others is understandable when some of these senior Church officials described clerical child sexual criminal abuse as mere ‘mischief or misbehaviour.’

Frank Brennan provides his own succinct ‘wrap up’:

“They apologised not just for the sins of those church personnel who violated children, the most vulnerable members of our church community. They apologised and acknowledged also the gross failures of their predecessors and other church authorities who failed to act resolutely and compassionately in relation to the perpetrators and the victims, labelling their responses as ‘scandalously insufficient,’ ‘hopelessly inadequate,’ as ‘a kind of criminal negligence’, ‘just totally wrong’. Some ‘were just like rabbits in the headlights. They just had no idea what to do, and their performance was appalling.’”

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After a drawn out saga of obfuscation, avoidance and some examples of astonishing ignorance about the fact that paedophilia was not just a moral lapse, ‘a bit of mischief,’ but a crime, it was not surprising that the Commissioners began to lose patience. During this last year in particular, the Royal Commission has bluntly challenged the Australian bishops and leaders of Catholic religious institutes to understand and to assume their responsibilities as honest citizens of a free democratic society. This became a constant theme and it was not new. Irish Prime Minister Enda Kenny had delivered a similar judgment on and summons to the leadership of the Catholic Church in his country. In a July 20, 2011 speech in the Dáil, the Irish Parliament, Kenny said:

‘the dysfunction, disconnection, elitism - and the narcissism - that dominate the culture of the Vatican to this day’ and he found the behaviour of Catholic Church leadership at the very top badly wanting when assessed against the standards of decency and

transparent accountability which prevail in secular society, 'This is not Rome. This is the Republic of Ireland 2011, a republic of laws.'

Kenny added that the church's leaders had repeatedly sought to defend their institutions at the expense of children and to 'parse and analyse' every revelation of church cover-up of crimes 'with the gimlet eye of a canon lawyer.'¹²

After the devastation wrought on the victims of child sexual abuse, their families and on the entire Catholic Community in this country, it is a matter of paramount importance for the bishops and other religious leaders to demonstrate clearly that they are committed to the systemic reform of their professional governance and Church culture. A top priority will be for them to address the widespread perception that Catholic leaders place a higher value on the Code of Canon and civil law and the protection of its sectional interests than on the moral virtues which flow from the Gospel. The tension between the Church's internal Law and and its Moral theology must be resolved clearly and speedily in favour of Virtue.¹³

The Commission has already indicated that it will be making recommendations to the Australian Bishops about what they and the Vatican will be asked to do to honour their legal responsibilities towards the people of Australia. Furthermore, it would not have been lost on many that the Royal Commission has indicated that Cardinal Pell's evidence of central importance to the serial priest paedophile Gerald Ridsdale case could be found to be 'implausible'.¹⁴ Whatever the present state of the relationship between Cardinal Pell and the Australian Bishops, in the eyes of the public, including most Catholics, they are all tarred with the same brush.

The Catholics of this country expect the bishops to explain what it was/in the culture of leadership that led them to behave like 'a law unto themselves,' to be guilty of 'criminal negligence' and carry the guilt of a 'catastrophic failure' of leadership. In the eyes of the secular opinion makers this is a matter of guilty by association. The bishops need to convince the Faithful that they understand the extent of the damage that has been done by compromising the integrity of the Gospel and the good reputation of Australian Catholics. Cardinal O'Malley stated very bluntly at a March 23 conference on the protection of minors in Rome, the counter-sign behaviour of Church leaders has compromised the Gospel and undermined the mission of the People of God:

"Let there be no doubts, no other topic is more important for the life of the church. If the church is not committed to child protection, our efforts at evangelization will be to no effect; we will lose the trust of our people and gain the opprobrium of the world."¹⁵

The DRIFT

Who would want to join us and why?

The numbers tell the story. Since the early 1950s, the participation rate of Catholics in Australia has gradually fallen. The last two nation wide parish head counts indicate that the decline in the numbers of Catholics involved in regular (monthly) faith practice has become dramatic.

The drift is happening practically everywhere in the developed world. It is not just secularism which is to blame; it is a failure of the Church leaders to hold people, to attract the disaffiliated back and outsiders to join. The testimony of Paul's letters and the historical narrative of shows clearly that the *Jesus Movement* grew and flourished because the community offered to outsiders a clear and attractive alternative moral code and social identity. Above all, Christianity totally eclipsed the old way of life with its determinisms by race, class and gender in a society of unequals:

“For as many of you as were baptised into Christ have put on Christ. There is neither Jew nor Greek, slave nor free, male and female; for you are all one in Christ Jesus.” (Gal 3: 27-28)

“Therefore, if anyone is in Christ, that person is a new creation; the old has passed away and the new has come.” (2 Cor 5: 17)

When the Church's structures of social relationships fail to reflect this foundational reality, it would be quite reasonable to ask the question about why anyone in their right mind would want to become or remain a member. There is definitely an enormous problem here for the evangelical mission of the Catholic Church and it must be faced honestly, openly and fearlessly. It is the biggest of all the elephants in the Church's living room. If ever the Magisterium of the Catholic Church undertakes an intellectually rigorous re-examination the historical theology of Sacraments then it would be led to at a fresh understanding the faith that the only Sacrament which marks out or 'radically configures' a person to Christ is Baptism and no other.

Two other very likely causes for the 'drift factor' in recent decades were Pope Paul VI's condemnation of artificial birthcontrol in his 1968 encyclical letter, *Humanae Vitae*. Cardinal Alfredo Ottaviani pressured Pope Paul to publish the letter, advising him that if he did not do so, then the Papal teaching office would forfeit its moral authority. Ironically, this is what happened in any case. Catholics responded with mass dissent with some suggesting that around +90% of adult Catholics in developed countries rejected the document as both authentic teaching and as binding on their consciences.

Following Paul's death in 1978, and after the thirty day papacy of John Paul I, the Catholic Church entered into a period of nearly forty years of stagnation, authoritarianism, spiritual

nostalgia, doctrinal regression, ritual restorationism and Curial corruption under Popes John Paul II and Benedict XVI. The levels of alienation deepened and the rates of disaffiliation increased dramatically during those decades, particularly among Catholic women. Paul Collins has provided a clear, balanced and well documented account of those two papacies and their influence on the direction they took the Church. ¹⁶

There are two notable facts in the recent history of the Catholic Church in Australia, both surprising and both inviting reflection. Firstly, the Australian Catholic population has become not only educated to the highest levels, it is probably one of the most theologically literate in the world. Hundreds of non ordained women and men have graduated from Australian theology colleges – mostly Catholics ones – and many of them have proceeded to the highest levels in academia. For the most part, the hierarchy has bungled it through lack of insight and will. They do not and continue not have a clue about what to do with cohorts of highly competent and educated laity.

The late Robert McClory illustrates a typical authoritarian games played in the past by the Catholic hierarchy. When faced with a thinking laity, the hierarchy (the Teaching Church) often resorted to abstruse circular arguments to force the Faithful into submission. That tactic doesn't work anymore, however, other forms of infantilisation are employed in their place:

"If modernity stressed reason, the church stressed faith. If modernity stressed human progress, the church stressed original sin. If modernity stressed freedom of thought, the church stressed the binding nature of its dogmas. If modernity stressed democracy, the church stressed authority." ¹⁷

Secondly, and perhaps for the first time in Church history, more women than men are disengaging from faith practice in the Catholic community. Our leaders need to study that issue very closely indeed. They will most likely find the reasons for the exodus quite simple: women are walking out because they believe that they are not being acknowledged, taken seriously and are certainly not being heard despite official affirmations that all Catholics enjoy these as rights and not by the concession:

"The Church recognizes everyone's right to suitable freedom of expression and thought. This includes the right of everyone to be heard in a spirit of dialogue which preserves a legitimate diversity within the Church." # 44. ¹⁸

The quality of its community life and the persuasive power of its message have always been and remains Christianity's most effective means of exercising its evangelical mission and influencing the world around it. At least in the developed countries, the Catholic Church has continued to lose its power to attract, evangelise and exert moral influence. Added to that, most people leaving active participation are probably not so much walking away from Christ or decent human values

as they are distancing themselves from an institutional structure which they see as not faithfully reflecting Christ or his Gospel.

Emeritus Bishop Pat Power has for years been promoting a specific vision and shape of Christian Community which would be magnetically attractive to mass of spiritually ‘homeless’ people:

“In 1996, I gave a talk in which I expressed my hopes for the Catholic Church. They were that it would be

- a more human Church
- a humbler Church
- a less clerical Church
- a more inclusive Church (and therefore more truly catholic)
- a more open Church
- a Church which finds unity in diversity
- a Church which discovers its whole tradition
- a Church which truly reflects the person and values of Jesus.

I have restated these hopes many times since, including at the Oceania Synod of Bishops in Rome in 1998 in the presence of Pope John Paul II, the future Pope Benedict XVI and my brother bishops. Surely such aspirations are even more pressing today.”¹⁹

The reform needed by the Church today will involve much more than just “tinkering around the edges.” Issues such as the authoritarian nature of the Church, compulsory celibacy for the clergy, the participation of women in the Church, the teaching on sexuality in all aspects cannot be brushed aside. Listening must be a key component of reform and at times that will involve listening to unpalatable truths. It needs to be recognised that all wisdom does not reside exclusively in the present all male leadership of the Church and that the voices of the faithful must be heard.”²⁰

When rank, privilege and titles are set aside, when conversation replaces a speech fest, then the dynamics of communication changes. Bishops and other Church leaders find themselves in a situation where they are forced to speak to their own experience and not to their conceptual framework and the dynamics of communication and the semantics of relationships shift dramatically. A conference becomes a gathering of a society of equals. Cardinal Schönborn considered Pope Francis was inspired when he directed that speeches at the 2015 be limited to four minutes and that the Bishops and other official delegates spend most of the time working in small language-based discussion groups:

“Things are not changed at the endpoint but along the way,” he reflected.

“At the Extraordinary Synod Assembly in 2014, for example, what the bishops had to say was still incredibly abstract. But a year later they were suddenly talking about reality,”

the cardinal pointed out. “Bishops spoke about their own family situation. And, lo and behold, they no longer simply theorized abstractly,” he said.’²¹

Another dimension of the drift, an internal one, is the apparently large number of priests who are declining the offer of episcopal ordination.²² If this is the case, have the incumbents ever asked one another the question, “Why are so few willing to become one of us” and drawing the necessary conclusions? Maybe, if large numbers of laity and local clergy had a determinative role in the selection of bishops, more men would respond positively and quite probably the episcopal ranks they would be joining would be of a very different composition in the first place.

End Notes

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- 2) Mark Bowling, “Brisbane Archbishop calls for first synod for entire Catholic Church in Australia since 1937” *The Catholic Leader*, August 17, 2016. (Accessed 14/02/2017 <http://catholicleader.com.au/news/brisbane-archbishop-calls-for-first-synod-for-entire-catholic-church-in-australia-since-1937>). On the last day of the Catholic Wrap Up, ++Coleridge told the Commission that the matters raised at the hearings plus the principal recommendations in the final report would largely shape the agenda of the Plenary in 2020. (<http://catholicleader.com.au/news/brisbane-archbishop-calls-for-first-synod-for-entire-catholic-church-in-australia-since-1937>).
- 3) “Seeing the faces, hearing the voices,” *Belonging and Community*, (Journal of the Diocese of Woolongong) Tuesday, 25 May, 2010. (Accessed 13/03/2017 http://www.dow.org.au/news/news-and-media/item/seeing-the-faces-hearing-the-voices?category_id=4).
- 4) ACBC Press Release, November 12, 2012 (Accessed 08/03/2017 <http://mediablog.catholic.org.au/statement-on-royal-commission-bishops%E2%80%99-response/>).
- 5) “Where to from here?” *Pearls and Irritations*, 15 March, 2017 (Accessed 15/03/2017 <http://johnmenadue.com/?p=9759>).
- 6) “The Catholic Dilemma,” *Pearls and Irritations*, 8 March, 2017 (Accessed 08/03/2017 <http://johnmenadue.com/?p=9702>).
- 7) Royal Commission into Institutional Responses to Cases of Child Sexual Abuse, (Transcript 24.02.2017. 259).
- 8) Rowena Orejana, “Australian archbishop links clericalism to child abuse,” *nzcatholic.org.nz* (Accessed 09/03/2017 <https://www.nzcatholic.org.nz/2014/09/10/australian-archbishop-links-clericalism-to-abuse/>).
- 9) “CATHOLIC PARISH MINISTRY IN AUSTRALIA: FACING DISASTER,” Catholics for Ministry website (Accessed 12/03/2017

- <http://www.catholica.com.au/editorial/CatholicParishMinistry.pdf>). Aspects of this article were discussed along with other matters on ABC Radio, April 2011.
- 10) “Bishop Long’s Lenten Message 2017,” *Catholic Outlook*, 24 February, 2017 (Accessed 26/03/2017 <http://catholicoutlook.org/bishop-vincent-longs-lenten-message-2017/>)
 - 11) “The Catholic Wrap Up at the Royal Commission,” republished in *Pearls and Irritations*, 28 February, 2017 (Accessed 80/03/2017 <http://johnmenadue.com/?p=9607>).
 - 12) “Taoiseach’s speech on Cloyne motion,” *The Irish Times*, Wed, Jul. 20, 2011 (Accessed 23/02/2017 <http://www.irishtimes.com/news/taoiseach-s-speech-on-cloyne-motion-1.880466>).
 - 13) “Moral theology sets the parameters for lawmaking. Legal norms in the Christian community cannot, and must not, operate independently within some kind of self-defined order (*ordo iuridicus*). They must be part of the theological life of the community, which means they must sustain and promote a life of faith, hope, and love. In the ecclesia, the gathering of the faithful, the theological virtues give sense and purpose to every single norm. This is to imply a lot: moral theology has a critical role to play vis-à-vis canon law. It can set the parameters for the lawmakers, can tell them how far to go or not to go. It can give guidance to those who are implementing and interpreting the law: it can guide them in keeping the law in the service of the theological virtues.” - Ladislav Orsy, “Moral Theology and Canon Law: The Quest for a sound relationship,” *Theological Studies* 50 (1989) 159 (Electronic copy accessed 17/03/2017 <http://cdn.theologicalstudies.net/50/50.1/50.1.7.pdf>).
 - 14) Victoria Crow and Charles Miranda, “Cardinal Pell meets with Pope Francis ahead of second day of testimony at Royal Commission,” *News Corp Australian network*, March 1, 2016 (Accessed 28/03/2017 <http://www.news.com.au/national/courts-law/cardinal-pell-said-he-could-not-remember-any-child-abuse-reported-to-him/news-story/89fd6d38f61e03e08f0450a72c0c8873>).
 - 15) Gerard O’Connell, “Cardinal O’Malley: Evangelization will have ‘no effect’ if the Church doesn’t protect children,” *America Magazine* March 23, 2017 (Accessed 27/03/2017 <http://www.americamagazine.org/faith/2017/03/23/cardinal-omalley-evangelization-will-have-no-effect-if-church-doesnt-protect>).
 - 16) *God’s New Man: The Election of Benedict XVI and the Legacy of John Paul II* (London: Continuum, 2005); John Cassidy, “The Disastrous influence of Benedict XVI,” *The New Yorker*, February 12, 2013 (Accessed 27/03/2017 <http://www.newyorker.com/news/john-cassidy/the-disastrous-influence-of-pope-benedict-xvi>).
 - 17) Robert McClory, *As It Was in the Beginning: The Coming Democratization of the Catholic Church*. (New York: Crossroad Publishing, 2007) 118;
 - 18) Beau Donnelly, “Child Abuse Royal Commission should reject Pell’s evidence: counsel assisting,” *The Age*, October 31, 2016 (Accessed 12/03/2017 <http://www.theage.com.au/victoria/child-abuse-royal-commission-should-reject-pells-evidence-counsel-assisting-20161031-gsek56.html>).
 - 19) Pat Power, “The Royal Commission and the need for reform,” *Pearls and Irritations*, 1 March 2017 (Accessed 18/03/17 <http://johnmenadue.com/?p=9620>); “The Royal Commission and the need for reform,” *Pearls and Irritations*, (Accessed 01/03/2017

- <http://johnmenadue.com/?p=9620>); see +Pat's fellow Canberra-Goulburn priest, Peter Day, "The Smell of Sheep," *Catholics for Renewal: Documents* (Accessed 17/02/2017 <http://www.catholicsforrenewal.org/Church%20power.pdf/>).
- Brendan Hoban (Association of Catholic Priests, Ireland, goes even further, drawing attention to the enormous damage that is inflicted on the Faithful as a result of the Church hierarchical culture of patronising, condescending and infantilising authority: " ... As Gabriel Daly points out, perhaps the worst effect of enforced conformity is that it weakens conscience. Accordingly, it diminishes an individual's capacity for personal conviction and moral growth. In simple terms, if we insist in treating people like children, how can we expect them to respond as adults?" - "Thinking for Ourselves," *Association of Catholic Priests*, 28 November, 2016. (Accessed 21/01/2017 <http://www.associationofcatholicpriests.ie/2016/11/thinking-for-ourselves/>).
- 20) III. THE PERFORMANCE OF JUSTICE. THE TESTIMONY OF THE CHURCH. World Synod of Bishops 1971 (Accessed 12/03/2017 <https://www1.villanova.edu/content/dam/villanova/mission/JusticeInTheWorld1971.pdf>); see also, Peter Henriot, "Remembering 'Justice': Retrieving a forgotten proclamation," *America Magazine* Nov 14, 2011 (Accessed 12/03/2017 <http://www.americamagazine.org/issue/794/article/remembering-justice>). Many German language Catholic reform groups such as the *Pfarrer-Initiative* in Austria, Germany and Switzerland refer to 'the Faithful' in the sociological language of citizenship: "We consider all baptized members of our church as "Church citizens" (*Kirchenbürgerinnen und Kirchenbürger*) - endowed with certain duties and god-given rights. For in God's people, each one is endowed with the Spirit of God, and is thus empowered and called by God to share responsibility in the Church." *Pfarrer-Initiative* (Accessed 25/02/2017 <http://www.pfarrer-initiative.at/site/de/wir>)
- 21) Maike Hickson, "Cardinal Schönborn: Francis Wants to Win Over Opposition in Loving Ways," *onepeterfive.com* August 11, 2016. (Accessed 03/03/2017 <http://www.onepeterfive.com/cardinal-schonborn-francis-wants-win-opposition-loving-ways/>).
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A People not a Pyramid

Christianity: Leadership in a Society of Equals. Part IV.

A NEW PARADIGM

...we have to make big decisions about the future ... It has to be an assembly of the whole Church and not just the bishops. (++)Mark Coleridge)

Archbishop Mark Coleridge has raised a number of matters he sees as essential for a responsible and transparently open process in preparation for the 2020 Plenary Council:

The need for the Catholic Church in Australia to retrieve its ‘missionary’ spirit, to let go of a introspective defensiveness. Coleridge has called for a break in the tradition about the apostolate of the laity: *‘The hierarchy needs to distance themselves from Pope Pius XI’s teaching in 1927 that the Catholic Action was “the participation of the laity in the apostolate of the hierarchy.” This presumes an ecclesiology of strict episcopal command, control and micromanagement. It is in tension with the ecclesiology of Vatican II which taught the ecclesiology of the People of God and the structures of shared governance, accountability and subsidiarity which are implied in that ancient model.’* Archbishop Coleridge also believes that *“...we have to ask questions about ordained ministry,’ the relationship between new ecclesial movements and the older established communities; the viability of the traditional parish and what might need to be done to sustain the sacramental life of the local churches.*

Archbishop Coleridge’s final question in the Leader interview is more than simply rhetorical: *Do we need a new paradigm?*¹

Vincent Long Van Nguyen, the Bishop of Parramatta, is firmly convinced that there is an urgent need for Church reform and he made this abundantly clear during a hearing at the Commission’s Catholic Wrap Up. However, Bishop Long believes that the biggest obstacle in the way is clericalism with its trademark characteristics of secrecy, privilege, status and entitlements:

“..... I see the clericalism as a by-product of a certain model of Church informed or underpinned or sustained by a certain theology. I mean, it’s no secret that we have been operating, at least under the two previous pontificates, from what I’d describe as a perfect society model where there is a neat, almost divinely inspired, pecking order, and that pecking order is heavily tilted towards the ordained. So you have the pope, the cardinals, the bishops, religious, consecrated men and women, and the laity right at the bottom of the pyramid.....I think we need to dismantle that model of Church. ... I think we really need to examine seriously that kind of model of Church where it promotes the superiority

of the ordained and it facilitates that power imbalance between the ordained and the non-ordained, which in turn facilitates that attitude of clericalism.”²

The subculture of clericalism is finally being named for what it is. Pope Francis has called it ‘evil’ which may eventually be purged from the Church but the damage has been done and its scale defies imagination. It is no wonder that during the past four years of the Royal Commission, there has been a catastrophic rupture in the relationship between the bishops and the Catholic people and clericalism had been a major causal factor. The estrangement between the two is deep and probably becoming more so. Consequently, bishops and other religious leaders have now largely forfeited their moral authority and capacity to provide effective leadership. The situation will be difficult, if not impossible, to reverse.

A respected and deeply insightful commenter on the Australian website *Catholica Forum* remarks on the episcopal fall from grace:

“In the Australian Catholic Church identity and power were also paramount. As Christianity became just one faction in competition with others, especially as Catholicism was one faction in competition with the other Christian faiths, and as it was for a long time a minor player in an anti Catholic British establishment, laws became front and centre, well in front of ideas. There were ideas but only in the sense of "this is what you are obliged to believe." But other ideas seeped in and the realisation that we have to think for ourselves plus the demand that we have a say in other matters we should have a say in the Church. The official Church, for example, the assembled archbishops at the royal commission lost political power within its own boundaries. It lost the power to constrain people. The question is where do we go from here. And are we game?”³

In a recent article, Bishop Geoffrey Robinson also expressed strong support for a comprehensive reform and restructuring of the Catholic Church. The hierarchy needs to listen closely to what the Royal Commission has been hinting at and, above all, the Bishops must learn from the laity is saying through their experience of the *Sensus Fidelium*:

“I am convinced that there must be a full and open discussion of all aspects of the Church if we are ever to put this scandal behind us. Quite simply, we need a different church. The Royal Commission was not constrained by any Church laws or teachings and so came much closer to the heart of the problem. In the meantime, all I can suggest is that the Australian bishops set up a body as independent as possible of Church authority to implement the recommendations of the Commission.”⁴

One of the constant criticisms heard from laity is about the behaviour of a number of local bishops, Bishops’ Conferences, Papal Nuncios and Dicasteries of the Roman Curia of their failure or refusal to reply to letters or emails. It is more than a lack of common courtesy and civility; it is another example of what may be interpreted as contempt and a denial of the rights as of their fellow

Catholics to be heard and their concerns acknowledged. It is an old problem and it is typical of the tired culture of clerical superiority and entitlement. Clericalism has gone beyond a religious aberration and morphed into a massive distortion of the Christianity itself. It has, on a deeper level, ceased to be an entirely religious disease and transformed itself into an ideological marker of sectional interest and institutional narcissism. It has no part in Christian society.

The Selection of Bishops

With the increasing number of bishops coming from religious life there might be an eventual shift in expectations about the length of episcopal tenure. The monastic tradition has been one of the most important guardians of the original genius of the Christianity sense of social and moral equality, free will and the primacy of conscience. The tradition of members regularly choosing their leaders in free elections was highly valued. Fresh blood kept the spirit of healthy, ongoing reform alive and countered the inbuilt tendencies in stratified secular societies towards dynasticism, autocracy, spiritual stagnation, cynicism and moral entropy. Modern liberal societies are in debt to Christian Monasticism for the modelling and realising genuine democracy, a fact many would find it difficult to admit and accept. Larry Sidentop, social historian and philosopher, comments on the democratic ‘Cluny effect’ on the selection of bishops:

“It would be difficult to exaggerate the influence, direct or indirect, of this Clunaic reform movement. The direct influence can be found not only in the way many older monasteries rapidly submitted to the disciplines of Cluny, but also in **the frequent election of monks from Cluny to bishoprics, where they began to defend the principle that the church should choose their own leaders.**”⁵

The Clunaic monk-bishops ideas reflected the ‘democratic’ convictions which were theologically and culturally at the heart of the monastic tradition. There was nothing novel about this. It was simply preserving the memory and intrinsic value of a thousand year old tradition of clergy and people being essentially involved in the selection of their bishops. American Church historian, Joseph F. O’Callaghan, has written widely on the ancient tradition of lay involvement in the selection of bishops. His important work has contributed greatly to a renewed conversation about reviving the ancient tradition of popular (whole Church) election of bishops. On the escalating tensions between Church and secular interests in episcopal elections, O’Callaghan writes of the strong papal support for the tradition of popular elections:

“Toward the end of the century the letters of Pope Gregory the Great (590-604) reveal that popular election continued to be the norm, but he too was concerned about royal interference.” In the event of a see becoming vacant an episcopal visitor was sent by the Pope or the episcopal synod to supervise the election of a new Bishops. The visitor would invariably appeal to the common desire for unity and stability: “The visiting bishop was instructed to encourage clergy and people, ‘putting aside all else, with one and the same consent,’ to choose as bishop one who was ‘worthy of such a great ministry.’”⁶

During the past forty years or so, Catholic reform groups have been attempting to engage the hierarchy and Laity about reviving the tradition of all the Faithful being involved in the selection of bishops. This is consistent with the ecclesiology of Vatican II, the *Sensus Fidei Fidelium* and the Council's theological vision of women and men who exercise inclusive, shared responsibility and accountability for the life and order of the Church including its leadership and governance. Over recent years, Peter Wilkinson has written extensively on the history of lay involvement in the selection of bishops and on the steps necessary to revive the tradition. Wilkinson's work has had an enormous positive impact especially in stimulating a wide-ranging and informed conversation both in Australia and abroad.⁷

Catholics for Renewal has recently promoted further thought on the involvement of the Faithful in the selection of bishops by conducting a survey which canvassed people on their views on the most pressing needs of their dioceses and the qualities of pastoral and administrative leadership they are looking for in a bishop. The results and analysis of that survey have since been published on the Catholics for Renewal website⁸ and also in the Autumn 2017 edition of *The Swag*, the quarterly journal of the *Australian National Council of Priests* (ACP).

In his evidence before the Royal Commission's Catholic 'Wrap Up,' Vincent Long Van Nguyen, Bishop of Parramatta, spoke of the negative effects the Church's hierarchical structure and theology of the perfect society have had on both accountability and a wider collegiality in a society of equals:

“Accountability in that perfect Church model only works upwards. You're accountable to the person above you. There's no accountability that reaches outwards or downwards, and that's the critical problem, as far as I see. That discipleship of equals calls into question that upward accountability that is in operation as a result of that ecclesiastical model of a perfect society where everyone knows their place and the pecking order is strictly dictated by ordination.”⁹

The Church has never been very comfortable with the notion of 'accountability.' From early centuries it has described itself as the changeless, perfect society, the spiritual Byzantium which is answerable to none but God. Constantine even exempted the clergy from civil prosecution and, over time, this imperial concession led to the development of a culture of ecclesiastical complacency and even contempt for secular institutions and the rule of law. This attitude still exists in many parts of the 'Catholic' world and has been named as such by the Australian *Royal Commission into Institutional Responses to Child Sexual Abuse*.

The leadership of the Catholic Church must now learn how to conduct themselves as responsible and accountable citizens. As Bishop Long indicates, the Church's leaders also need to make some profound changes to the way they communicate with the rest of the Faithful. Once those dynamics of communication are switched from the coded dialects of unequal power, of control and

infantilisation to the familial language of ‘sisters and brothers,’ then the entire culture of the Church will be transformed into what it was originally intended to be. Speaking at a recent Vatican sponsored conference on child sexual abuse, Francis O’Sullivan, CEO of the Truth, Justice and Healing Council, was even more blunt in his criticism of the Bishops’ failed leadership which visited catastrophe on the Catholic People of Australia:

"We have never really appreciated that the decisions our leaders made in order to facilitate and cover up actually broke the heart of what it meant to be Catholic," he said. "And we need to go back and fully confront that." ¹⁰

The need for the urgent revival of Paul VI’s Fundamental Law of the Church.

Truth, Justice, Healing and Redress in a new Paradigm of Church

For many decades, Catholics committed to the ongoing interpretation and application of Vatican II’s teaching, have been advocating the retrieval and reception of Pope Paul VI’s *Lex Ecclesiae Fundamentalis*. Pope Paul intended that the *Lex Ecclesiae Fundamentalis* be adopted in the post-Conciliar Church as Constitution of the Church which would set out the guidelines for clear and open government in the Catholic Church, set out the rights and obligations of all Catholics and which would provide a moral reference point and criterion of interpretation of Canon Law.

‘Two things should be especially noted about the *Lex Ecclesiae Fundamentalis*:

1) It clearly was to serve as a “constitution” in the sense that it was to provide the fundamental juridical framework within which all other Church law was to be understood and applied. Like the American Constitution, and all other civil constitutions, if any subsequent law passed were found to be contrary to the *Lex Fundamentalis*, the subsequent law would be void.

2) The *Lex Fundamentalis* was to serve as a fundamental list of rights of the members of the Church, like the American “Bill of Rights.” ¹¹

Fortunately, very important elements of the still incomplete *LEF* were accessed by the preparatory commission for the 1971 Synod of Bishops in Rome. The theme for the Synod was Justice in the modern world. Many of the *LEF*’s moral principles readily embraced, articulated and proclaimed in *The Performance of Justice*.¹²

Fr Tony Flannery, a banned and silenced Irish Redemptorist priest speaks of the vital importance of Paul VI’s visionary initiative for the preservation and guarantee of the rights and obligations of all members of the Church:

“The Second Vatican Council has put the People of God back into the centre of its teaching about church. Pope Paul VI wanted to give back fundamental rights to the People of God and commissioned the creation of a *Lex Ecclesiae Fundamentalis*, a constitution for the church. That project was stopped by Pope John Paul II. But a church

without respect for the conscience of each of its members, without appropriate participation on decisions in the church and without an obligation for those who are leading the church to give account, such a church lives in contradiction to the message of Jesus Christ and of the bible concerning each human being and to its own teaching about society.”¹³

The Congregation for the Doctrine of the Faith (CDF) has acted in a cowardly and secretive way in the cases of Tony Flannery and the five other Irish priests who have been silenced and censured in recent years for holding and promoting views alleged to be at odds with official Church teaching on a range of issues most notably, birth control, the availability of sacraments to remarried divorcees, homosexuality, clerical celibacy and the priestly ordination of women. During the papacy of Benedict XVI, Tony Flannery and Gerard Moloney, both Redemptorist priests, were silenced and banned from ministry, so too the 84 year old Marist priest-theologian Professor, Fr Seán Fagan who was even threatened with forced laicisation if he spoke publicly of his banning. All his books were bought back from distributors, destroyed or otherwise removed from circulation. Seán Fagan died in 2016, still silenced and unvindicated. The same treatment was meted out to Conventual Franciscan Owen O’Sullivan followed by Passionist Brian D’Arcy. The bans continue despite protests from around the world and despite approaches to Pope Francis. Because Fr Fagan was under such duress over the past decade of his life, he asked that a number of his speeches be published only after his death. Follows is a portion of an address he gave to a reform group in 2009:

“The Vatican ignores basic human rights in its procedures; the right to be heard, the right to know your accusers, the right not to have the same individuals as prosecutor and judge. Those accused are never addressed personally, but only through their superiors, who can command them to silence. The CDF is doing great harm to the Church.”¹⁴

None of them were told what precise offences they were being accused of, or who accused them. None of them were given an open and just hearing in a fair, accountable and transparent forum. This lack of due process is contrary to the teachings of Jesus Christ, the natural law and the normal practice of just civil judicial systems. In Australia, it was a situation almost identical with those in Ireland. Neither William Morris, Emeritus Bishop of Toowoomba, or Greg Reynolds, excommunicated former priest of the Archdiocese of Melbourne, were told the details of the accusations against them, the identity of their accusers and they were denied the opportunity to meet them face to face in a legal forum. It is the teaching of a General Council of the Church that all Catholics have the right to open and fair due process. In 1215, the Fourth Lateran Council decreed that:

“He who is the object of an enquiry should be present at the process, and, unless absent through contumacy, should have the various headings of the enquiry explained to him, so as to allow him the possibility of defending himself. As well, he is to be informed not

only of what the various witnesses have accused him of, but also of the names of those witnesses.”

The 1971 Synod of Bishops reaffirmed Lateran IV when it taught that it is a moral right of the accused to have the opportunity to face their accusers and for the matter to be dealt with speedily:

“The judicial proceedings give the accused the right to know his accusers, as well as the right to an adequate defence. Justice, to be complete, must include process speed. (And this is especially required in matrimonial cases.)” (Bold added) ¹⁵

The culture of secrecy, lack of transparency and accountability in the Church’s disciplinary policies and procedures have led, not to an increase in confidence and trust in Church governance but rather cynicism and loss of faith. Bishop Vincent Long has recently made reference to the lack of accountability to the Catholics of Australia in relation to the dismissal of Bishop Bill Morris. The popular perception is that very few of the Australian bishops were proactive in defending +Bill Morris both in Australia and in Rome. Given what they have learned at the Royal Commission about massive injustices done to thousands of innocent children, will the Australian Bishops summon up the courage to see restorative justice for Bishop Morris by setting up an independent forum in which he can meet his accusers face to face in accordance with the spirit of the Gospel, the decree of the Fourth Lateran Council and the directives of 1971 World Synod of Bishops? Securing the release by the Vatican of the secret ‘Chaput report’ and its publication would be of enormous benefit in this regard.

During the last few years, the entire hierarchy of the Catholic Church from the Pope to the local diocesan bishop has been promising profound change, genuine reform and more effective strategies in the way the institution exercises its responsibilities towards secular society and the way the Faithful are treated. But, as Fr Gerry O’Hanlon SJ remarked during his appearance at the Royal Commission, “Culture eats strategy for breakfast.” Until the culture is changed there will be little or no systemic reform in the way the Church is led. The small number of Catholic Faithful who are still participating in Church live would probably understand the situation very well as do the Royal Commissioners. Those who seem clearly not adequately to grasp this idea yet are Pope Francis, the CDF and probably the majority of the world’s Bishops.

The culture of the Roman Curia has certainly not been transformed enough for Marie Collins. She had experienced the levels of incomprehension and resistance when she came to realise that the CDF, which had been directed expressly by Pope Francis to cooperate closely with the Pontifical Commission for the Protection of Minors, had been stonewalling, dissembling and running interference. Collins protested to no effect so she resigned. Cardinal Gerhard Müller, Prefect of the CDF, proceeded to reject Collins’ criticisms. Her response to Müller’s statement is refreshing candid:

“I would ask that instead of falling back into the Church's default position of denial and obfuscation, when a criticism like mine is raised the people of the church deserve to be given a proper explanation. We are entitled to transparency, honesty and clarity.”¹⁶

Much has been said already about the urgent need to purge clericalism from ecclesial life. It is toxic at its core. It is narcissistic, narrowly self-interested, takes cover behind a wall of secrecy and avoidance of accountability. One of its worst tendencies is the habit of claiming the high ground of doctrinal orthodoxy and ‘pastoral’ orthopraxis while subverting and attacking those it judges to conform to neither.

Archbishop Coleridge is one of the few Australian bishops who is finally coming to understand and name the deep seated cultural distortion, denialism and pathology in the governance of the Catholic Church in Australia. The problems are not superficial and transitory. They are at the very core of the institution and will not go away unless they are purged:

“I for one never imagined the scale of the problem in years past. The data is there for all to see now. There is almost certainly more out there that has not come to light. I have long abandoned any suggestion of it being only bad apples, and I have said for years in fact now that we are dealing with something that is cultural and systemic.”¹⁷

Some concluding thoughts

The 1971 Roman Synod document of the Practice of Justice was strongly supported, endorsed and proclaimed by Pope Paul VI against the vigorous protests of influential figures in the Roman Curia. The document therefore enjoys the authority of the Magisterium. It should be welcomed by all Catholics and given special place not only in the Agenda for the 2020 National Plenary Council but also as a key discussion item for during the diocesan/regional/parish listening sessions leading up to the Plenary:

“..... , the members of the Church should have some share in the drawing up of decisions, in accordance with the rules given by the Second Vatican Ecumenical Council and the Holy See, for instance with regard to the setting up of councils at all levels.”¹⁸

Francis Sullivan, CEO of the *Truth, Justice and Healing Council* has the final word and rightly so:

“For my mind the clearest message is this. If people of good will, the good priests, the willing religious, the enlightened leaders, but more importantly people like you – the engaged and informed Catholics – don’t continue to push for change then, as sure as night follows day, the reactionaries will overcome and nothing will change.

If we do not continue to push – and push hard – the impetus for change will fade, inertia will set in, reformists will be shunned, and the victims of what has been the greatest betrayal in the Catholic Church in Australia will remain mired in hopelessness, despair and anger. This is a very dangerous time for the Catholic Church in Australia.

If the Church in Australia doesn't see continuous, concerted change from our leaders driven and backed by an active and demanding Catholic Community, then our Church as a religion will become a marginalized rump, stripped of credibility and relevance, left to preach to an ever aging congregation with eyes on an ever dimming here after. ...
...Changes must be made, and if they are not made willingly they will most certainly be forced upon us.”¹⁹

If the Catholic Church in Australia, and probably world wide, is to experience internal healing, reconciliation and renewal these movements of grace must assume an external shape of a system of ecclesial accountability and responsibility in governance which will ensure that abuse of authority in all its forms will be dealt with swiftly, transparently and justly. All of the matters raised by Archbishop Coleridge, the Facts, the Drift and the New Paradigm must all be essential to any planning for and discussions at regional synods/listening sessions and at the 2020 Plenary Council. At least this is a beginning after repeated calls by Pope Francis who has repeatedly challenged has all the bishops of the world to foster the growth of a synodal Church.²⁰

End Notes

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Further Reading: Background material on Pope Paul VI’s *Lex Ecclesiae Fundamentalis*:

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