

COVENANTAL ETHICS

The Church and the Royal Commission into Sexual Abuse

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THE RECENT announcement in Australia of a Royal Commission into sexual abuse in all government and non-government institutions reflects an international pattern of high-level government investigations. The sexual abuse phenomenon is a major crisis facing the Catholic Church.

It raises many questions. I would like to consider one. Amongst the various approaches in Christian Ethics, is there one best suited to understanding and addressing the sexual abuse issue and its impact on victims and the Australian Church? Broadly speaking, in our Judaeo-Christian heritage, two approaches to Theological Ethics seem to dominate: the Sapiential with Hellenistic roots and focus on the individual, rationality, wise judgment and virtue; the Covenantal from the Hebraic context and centred on the community, relationship, love and intimacy.¹ Jesus embodies both: the wise teacher and the loving, compassionate Victim, in solidarity with all victims.

The wisdom approach is consonant with recent emphases in Catholic ethics on the person, conscience and the virtues. But could we retrieve something from our Jewish roots through 'Covenantal Ethics'? Perhaps, in our current circumstances, the Sapiential tradition is best filtered through the lens of a Covenant community striving, humbly and hesitatingly, to respond to God and others within the framework of right relationships.

I am suggesting, then, that 'Covenant' can act as a 'core' metaphor, employed as both a hermeneutic lens and investigative tool for the Church's self-understanding and the ethical tasks confronting it with the sexual abuse crisis.² I approach this in three stages: first, to outline the general and, second, the specific

characteristics of 'Covenant' noting the place of justice and of victims; third, to examine how Covenant can act as a hermeneutical lens concerning the sexual abuse crisis facing the Church in Australia, leading to final comments.

Covenantal Ethics: A General Framework

It is increasingly appreciated that the foundational moral experience is being confronted by the 'other' (whether God, the person or creation as centres of value) who calls us 'out of ourselves, and calls for recognition, respect and response.'³ The dynamic of the moral life is of gift-call-response. In the Christian experience, it is the initiative of God's love reaching out to us. This is embodied in the person of Jesus. To answer his invitation is not a solitary task. It is to become part of a community of faithful disciples.

There are many metaphors used to describe Jesus and his moral quest. Relevant here is the metaphor of Jesus as the 'New Covenant'—in the Eucharist, the Church, as mediator between God and humanity. By looking back to the Hebrew view of Covenant, how can we enrich our understanding of our faith community's identity and its associated attitudes and dispositions to the world around us? We do so around four ideas: relationship, gift, inclusive scope and identity.

First, the biblical account of Genesis affirms the Scriptural view that creation and human beings are inherently *relational*. God's call is always one towards life and into relationship. God's desire to be involved in our world, close to us, for our well-being and happiness, is expressed in the call into a Covenant relationship. Its use drew on the cultural ex-

perience of the Ancient Near East.⁴ Covenants expressed the need to work together effectively in order to ensure peace. The union created by them generated outcomes that take on a richer significance in the Israelite covenant, namely, 'loyalty, service and solidarity.'⁵

Israel's faith conviction was of union, through a covenant, with the one true God as the object of God's special love. This was unique in two ways. First, nowhere else in the ancient Near East is there found 'the concept of a covenant between divine and human partners.'⁶ Second, this covenant's foundation is not an agreement but divine *gift*. This makes the moral universe of Israel radically different from other cultures. Morality is secondary and subsequent to God's founding initiative of a privileged intimate relationship between human beings and God. The covenant is solely the revelation of God's purpose and of divine gift. Consent is the free decision to accept the offer, to enter the Covenant.

The Torah (Law), then, as integral to that gift, is not a juridical but a theological concept expressed as the way (*derek*), a journey entered to remain 'in state of covenant.'⁷ This revealed moral path continues the primordial and defining experience for God's people in the Exodus, namely, the process of liberation (interior and exterior). This is fulfilled and personified in Jesus. He shows us the way to share in his Paschal mystery, foreshadowed by the Exodus of old Israel. The journey of salvation and deliverance is progressive, involving constant conversion.⁸

Again, the primordial event of the Exodus/covenant, the foundation of the nation's identity, is a hermeneutical concept used to interpret its past (*e.g.*, Abraham, Noah).⁹ The Covenant with Abraham represents God's gracious, dependable presence and unconditional love in 'I will be your God. You will be my people' (Lev. 26:12). The Mosaic Covenant reveals God's faithful love through the prophet hearing God's call to be an 'agent for liberation and justice.'¹⁰ Ben Sirach 'acclaims Israel's unique heritage' and insists 'on the call for God's peo-



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ple to participate in a unique way in the wisdom of God, because they have at their disposal a special source of wisdom: the Torah.¹¹

Loving-kindness (*hesed*) distinguishes the call to the covenant relationship. It signifies God's faithfulness and the divine concern for the welfare of people, especially God's predilection for the poor and vulnerable. Importantly, its basic self-understanding, to which Israel must always return when this is forgotten, is of a people who are poor and needy and hence the object of God's special love.

Third, while *hesed* cannot be understood outside a context of relationship, its *inclusive scope* extends beyond one's family, acquaintances and community of faith. As the God whose peace is a gift in right relationships, entering the Covenant means a call to be just, especially by sharing in God's special concern for the oppressed, the poor and the most disadvantaged, represented in the orphan, widow and stranger (Deut. 14:28-9). Social justice is Israel's 'response in faith to the gift of God.'¹² Consistently, the prophets do not see the poor as closer to God because of their poverty. Schaub notes that '[T]he prophets see the poor as victims. Their fellow Israelites victimized them by violating the most fundamental stipulations of the covenant.'¹³ When the community's eyes were blinded or ears closed to social inequality and to those in need, the call of the Prophet was to bring people back to the Covenant. Hence, for the Israelite faithful, religion and ethics were inseparable. The Sabbath was truly made for man and not man for the Sabbath.

Fourth, the Covenant and its God-given demands was the source of the community's self-understanding and *identity* ('You will be my people and I will be your God'). Further, the *Qahal Yahweh* was not a community turned in on itself. Its faithfulness was measured against the criteria of mercy and justice (widow, orphan and stranger). Again, the election of Israel was not to a privilege to be 'different' but to be 'for the rest' (the others) as John Thornhill reminds us.¹⁴

The newness and developmental nature of Israel's Covenant (relative to other covenants) is captured in the prophecy of a 'new covenant' in Jeremiah (31: 31-4). That the teaching of Yahweh 'will be written on their hearts' meant that, in the deepest core of the self, 'all people will know God and be able to hear God's call.'¹⁵ In this capacity for discernment we find the sapiential aspect emerging within the Covenantal framework. In the global and concrete anthropology of the Bible, the heart is the principle of morality, the centre of one's freedom. It embraces the whole person.

The summons to be God's community present in and *for* the world was meant, then, to have cognitive, affective and behavioural consequences. The identity of the community was to be one in which its members could perceive and appreciate with God's eyes. Their dispositions were to be those which could be affected by events and people and move to responsible and accountable action.

So far, what has emerged is the central place of relationship in the biblical notion of Covenant that grounds it as an inherently ethical reality. Covenantal Ethics, then, is an apt description. Its more specific character is evident in three ways.

Covenantal Ethics: Three Specific Features

The specific nature of Covenantal Ethics (and its moral consciousness) is suggested, first, through forms of *language*. Verbs built on the five senses offer a more concrete sense engag-

ing with human experience and its ethical claims in terms of the Covenant. Being attentive and positively responsive is expressed when the 'Lord *hears* the cry of the poor' (Ps 34:6) and Jesus, stretching out his hand, *touched* the leper (Mark 1: 41). The negative response as a moral indicator to the 'true' Covenant is captured when mercy is preferred to the *scent* of sacrifice normally pleasing to the Lord God (Lev. 1:9). Similarly, salt losing its *taste* (Mt. 5:13) is an image used of those whose moral discernment has failed to 'taste and see the goodness of the Lord' (Ps. 34.8). Loss of taste characterises those who are not faithful to the Torah and neglect the burdens of 'afflicted humanity.'¹⁶

Perhaps Covenantal ethics' most telling expression is the image of *seeing/not seeing* as in Matt. 25: 31-46 and the Great Judgement. Seeing, being affected and responding constellate around works of mercy. This offers both a criterion of judgement and a recovery of authentic Covenantal ethics, but in a fresh and original manner. By his identification with the disadvantaged of the world ('the least'), Jesus brings together the two commandments into the 'greatest commandment of the Torah' and gives it new depth in his person.¹⁷

Second, in Jesus, the ethical claims of the Covenant and the prophetic hope for the 'new covenant' in Jeremiah 31 (noted above) find their realisation in *one person* and in the realm of interiority. In his person, Jesus embodies the kingdom of God, Covenant and the Law.¹⁸ This specification also highlights the limitations of the Covenant as an ethical framework before the coming of Jesus. The core of morality now shifts from allegiance to a group gifted by God to one based on personal commitment, albeit anchored in relationships. This is linked with later appeals post-Enlightenment to general concepts of humanity ('the brotherhood of man') as an ethical benchmark. Tillar notes that such can be ambiguous and need 'a critical point of reference.' Hence, Jesus' identification 'with outcasts, the poor, sinners, and the disabled' provides the criterion that is

needed; Jesus' compassion embodies the principle of 'universality through a historically particular intermediary.'¹⁹ Or, as William Spohn suggests elsewhere, Jesus is the concrete universal of Christian Ethics.²⁰

Sight and moral perception take paradigmatic form in the parable of the Good Samaritan (Lk. 10: 29-37). This provides an instance of how Covenant Ethics is anchored not only in a *person* but also in concrete experience though the third specifying factor—*narratives*. The parable unfolds in the interplay of authentic and distorted understandings of Covenantal Ethics.

This is a story about attention that leads (or does not lead) to *recognition*.²¹ The priest and Levite are privileged members of society.²² They also represent the 'religious fundamentalism of their times'²³ seeing faithfulness to the Covenant as fulfilled in conformity to rituals that were relatively unimportant. This focus led them, and others, to neglect the Hebrew tradition of showing compassion to the poor and marginalised. They see the wounded man and pass by. Blinded by ethnic and religious prejudice, they do not 'recognise' what is individual and particular about him. He is a non-person rather than a human being who needs help.

Again, this is compounded by their fear of attack by bandits if they stop to help together with their unwillingness to be 'defiled' by touching the victim. The same lack of recognition extends to the Samaritan himself. For the Jews, he is culturally and religiously inferior, excluded, even hated. He is further marginalized by his 'shady' profession, a trader in oil. Finally, it must not be forgotten that the inn in the story is a 'den of thieves' and the innkeeper is the head thief.²⁴ The Samaritan, as with the 'unjust' steward, knew the ways of the world. He bribed the innkeeper but clearly indicated 'I'll be back!'

How specifically does this story instantiate Covenantal Ethics? By exploring distorted understandings of the Covenant and its ethical demands it uncovers what is authentic in

the Hebrew tradition. In this, it uses two types of subversion. One is through the contrast of inside/outside. The story offers a model of true faithfulness and an authentic Covenant ethic embodied in a person—the Samaritan—who is perceived by the Israelite community to be an *outsider*. He is culturally, religiously and occupationally inferior and unclean—yet is the one who truly 'belongs.' This raises the question of the true Covenant together with the nature of the Covenant community and its membership, anticipated in Jer. 31:31-4.

Subversion takes another form when Jesus, in answering 'who is my neighbour', inverts and re-frames the question. The original question refers to 'neighbour' in the objective sense, namely, who counts, who belongs to God's people and, hence, qualifies to be an object of neighbourly love. At the end of the parable, Jesus' responds by turning the original question back on itself. 'Which of these proved himself a neighbour...?' Here, 'neighbour' is seen in the subjective sense. What matters is the attitude and heart that is *neighbourly* and, inevitably, has a scope of concern that is universal. The Good Samaritan embodies the identity, right perceptions and appropriate dispositions of authentic Covenant Ethics. He is a faithful Israelite, a true disciple. This brings us to the next stage in the article.

Learning from Covenantal Ethics: The Royal Commission in Australia

The northern hemisphere experience indicates that what is ahead in Australia is potentially, almost certainly, much bigger and more disturbing than we can imagine. There have been detailed research projects in the United States and Ireland.²⁵ These have generated commentaries to add to the wave of studies done from the 1990s by social scientists and theologians.²⁶ While contexts are different, the titles of this small selection of those studies give some pointers to what may be ahead for the Church and community in this country.

Investigations into sexual abuse across in-

stitutions have occurred or are currently in process in Australia. Recently, Neil Ormerod has done a very fine overview and theological reflection on sexual abuse and the Catholic Church in Australia.²⁷ Again, recognising the need for a ‘new era of co-operation, transparency and honesty’, the Church has set up a *Truth, Justice and Healing Commission* to advise its bishops, to run its dealings with the forthcoming Royal Commission and also to work with victims of clergy sex abuse.

The sexual abuse revelations involve a range of issues—the theology of sexuality, clerical celibacy, cover-up by episcopal authorities, ecclesial structure and systemic dysfunction *etc.* Here, the focus is specific.

We noted earlier two ethical traditions—Sapiential and Covenantal. The Sapiential or wisdom approach has its roots in the person as individual and rational, searching for happiness. Wisdom expressed in discernment and the practice of virtues can provide a bridge with a more relational and community based ethics. We have noted how, in Ben Sirach, God’s people can, through the Torah, participate in the wisdom of God.

I would like to propose that Covenantal Ethics is more consonant with the present situation (as it is for issues of suffering, poverty and solidarity facing the global community in general) than is the sapiential tradition. As we have seen, the community ‘is a fundamental datum of moral life according to the Bible.’²⁸ Covenantal Ethics is grounded in the gift of God, embraces various dimensions of relationship and gives special preference to those who suffer injustice, here the victims of sexual abuse. Again, in current circumstances, any appeal to the Church itself in its tradition or in its Episcopal representatives as repositories of wisdom risks being, at the least, foolish and, at the most, offensive. Its wisdom must be a silent presence amongst broader company.

In using Covenant Ethics as a hermeneutical lens to understand and respond to this crisis for the Church, five signposts suggest themselves: covenant identity as gift; recognition

of, and solidarity with victims; listening to learn; the transpersonal power of evil as demonic; the functional analogy with the destruction of the Temple.

Commentators agree that the sexual abuse crisis touches the very identity of the Church. Arbuckle reminds us that any culture in crisis, needing change, must return to its founding story and values.²⁹ The first lesson from our Hebrew roots, then, is to engrave on our memories that the Covenant (and the community’s identity) is a *gift* from God. Human history and the biblical narratives tell the story of humans who do not do justice to the gift of God— in wickedness, weakness and failure. As a Church, we are part of that story. This is who we are. We must own and reclaim this as part of our identity. We cannot rely on ourselves. We can only beg for forgiveness and for the original gift to be renewed, appreciating what the Bible attests—that ‘God’s ‘giving’ is followed by his ‘forgiving.’”³⁰

The second lesson is, with the Lord God, to hear the cry of the poor—to be affected by *victims*—in the perspective of the Prophets. Hearing is remembering—another way of describing faithfulness to the Covenant—‘I will never forget you my people’. This is fully realised in God’s response in Jesus, in his sacrificial death, which, as Ormerod points out ‘carries the weight of a religious and moral imperative to put an end to sacrificial violence and the creation of victims.’³¹ In the Hebrew Scriptures, another word for sin is ‘to forget.’ To forget who we are is to be unfaithful to what is revealed in Jesus’ death and resurrection. It is an erosion of the Church’s very identity. Just as Jesus is the risen Victim identified with all victims, so too must be his Church.

In the light of past failures, the most basic task is for the Church, in its authorities and communities, to learn ‘to identify with the victim.’³² This is about *recognition*. In the language of the virtues, being true to our identity entails a set of perceptions and dispositions that lead us to understand, to respond and to act as people who have put on ‘the mind of

Christ.’ As Ormerod implies, *solidarity* will require a much wider range of people listening to, and being ‘with’, victims in their pain beyond members of the Church appointed Commission. Such a consideration cannot be separated from an agonising possibility: namely, the responsibility of bishops, clergy and laity ‘who colluded, whether actively or passively, with a system that allowed the rape and abuse of children.’³³

It is also a call to theologians to be part of this process during and not just after the Royal Commission. The tools are there, as in tapping the work of Edward Schillebeeckx or Dorothy Soelle on theology and suffering. These writers remind us that it is particularly in times of crisis, in negative contrast experiences, that hope is the antidote to suffering. ‘It is those contrast experiences which make hope real, since hope then becomes so necessary.’³⁴ There is also suffering’s *subversive* aspect as the ‘dangerous memory’ in that, as Robert Gascoigne reminds us, ‘although it is suffering that most confounds our search for ethical intelligibility, it is likewise suffering that is the most profound source of insight and conversion.’³⁵ For all that, Australian Archbishop Mark Coleridge reminds us in an interview in 2010 ‘...the challenge for me was to see their faces and to hear their voices and that was not easy.’³⁶

This brings us to a third guidepost for the Australian Church—to *listen and learn*. This is captured by Bishop Kevin Dowling of Rustenburg, South Africa. He made headlines in suggesting that ‘church leadership, instead of giving an impression of power, privilege and prestige, should rather be experienced as a humble, searching ministry together with its people.’³⁷

Such an approach could reveal the face of wisdom. Like Solomon, this entails the quest for a discerning and responsive heart. The Church will need to change radically ‘if such a humble, searching ministry is to be its hallmark’ concludes Linda Hogan.³⁸ It means embracing vulnerability and a sense of power-

lessness that shares the powerlessness of the victims. Hogan cites McDonagh’s conclusion (confirming what is implied in Ormerod’s comment), that ‘bishops and the wider Church must first be evangelised by the abused, brought to some deeper and fuller meaning of the gospel by the abused before they presume to lead in the evangelising of others.’³⁹

Again, the past decade has confirmed the extent of the crisis and its devastating effects worldwide. While the figure of 5% for sexual abuse amongst clergy is no greater than its occurrence in other groups within the community, it is still commonly described as ‘staggering’, ‘horrendous’ ‘incomprehensible’, particularly in the light of betrayal of the trust placed in priests and in the Church. Relevant here are the comments made about Benedict XVI’s Pastoral Letter to the Catholics of Ireland. While Bernard Treacey, O.P. acknowledges his appreciation, with others, of the tone and ‘register’ of the Pope’s words, he notes that ‘there is a sense...of a writer overwhelmed by the enormity of what he has had to confront, both in the horror of abuse and in the dereliction of duty among church leaders to whom it was reported.’⁴⁰

In Australia, Archbishop Mark Coleridge is of similar mind. When asked by interviewer Margaret Coffey how he sees the situation here in Australia, he offers an extended reflection, even if ‘a work in progress.’ About the ‘enormity’ of the sexual abuse question he observes:

The Church may also have underestimated the power and subtlety of evil. This may seem strange to say of the Church which is often regarded as taking evil and sin more seriously than do other Churches and Christian communities.

But it is evil we are dealing with in the case of sexual abuse of the young; and it is an evil which is not just personal.

It is a power which reaches beyond the individual; it seems more metaphysical than moral. A supra-personal power seems to take hold of human beings who are not in themselves wholly evil. But they are in the grip of a power which they can, it seems, do little to understand or

control; and it is a power which is hugely destructive in the lives of those they have abused and in their own lives.⁴¹

This brings us to the fourth benchmark from our Jewish heritage. What Coleridge is trying to articulate may find an analogical equivalent with the world-view prior to, and in, Jesus' time and is expressed, in striking form, in Mark's Gospel. There, the *transpersonal power of evil* is the realm of the *demonic*. This sits uneasily with the modern sensibility. More importantly, it must be carefully understood in the present discussion of sexual abuse. Coleridge's description of the present is paralleled by that of fellow scripture scholar Brendan Byrne looking into the past.

In both the ancient and biblical worlds, people spoke of 'demonic possession.' This described 'when they felt themselves held captive from within by forces and compulsions over which they had no control.' These were 'transpersonal forces that robbed them of freedom of choice, stunted their human growth, and alienated them from God, from life in community, and from their own individual humanity.' Byrne suggests that, in today's world, the manifestations of the demonic are in the many 'captivities' whether personal, social or economic, under which people labour. It is also manifested in the 'multiple forms of addiction that burden us as individuals and as societies—huge, transpersonal forces that control us and make us their slaves.'⁴²

I noted above how this is an analogy. The destructive evil in abuse of the young (a criminal act) cannot simply be reduced to Byrne's 'captivities' and 'multiple forms of addiction' (often about self-harm that is not criminal). Again, Coleridge is not attempting to address any correlation between the recidivist rate and the compulsive nature of sexually abusive behaviour nor trying to minimize personal or institutional responsibility. He is wondering aloud (tentatively): how can evil be so powerful that it can almost take on a life of its own and shape an individual's attitudes and actions?

But this reminds us that social systems and Church communities are cultures. As such, they subtly shape, often without our conscious awareness, how we think, feel and act. So we must consider the possibility that unseen, unnameable, evil can so infiltrate ecclesial cultures that abusive behaviour is made easier for a perpetrator. Further, the Church must recognize the empirically grounded research that has verified corruption of Catholic institutional culture in various parts of the world (e.g., some seminaries and chanceries). Whether unseen or observable, such processes can also influence how the abuse, once revealed, is subsequently handled by church or secular authorities. It can involve what may be tantamount to silent, even if unwitting, collusion, as noted earlier.⁴³

Like a massive tsunami that engulfs all in its path and, as it recedes, leaves everything (and everyone) stained, both innocent and guilty can be caught up in something so much bigger than themselves. Ultimately, what the Jewish story anticipated was embodied in personal form in Jesus—He alone has the power to set us free from such 'demonic' forces and from our own weakness or unwillingness to acknowledge any collusion with them.

As a Church, then, we must throw ourselves at the feet of the crucified Lord, again captured well by Archbishop Mark Coleridge in response to the announcement of the Royal Commission.

We can forget that evil is an awesome power...we can forget that the only power greater than evil is the love of God which raised Jesus from the dead...denial is long behind us and defensiveness is futile...the only way forward now is to face the full horror of what has happened, and to do so humbly and courageously as men of faith who have entrusted our lives to Jesus crucified and risen.⁴⁴

The enormity of the crisis brings us to the fifth and final lesson from the Jewish tradition. It concerns 'crisis' understood in terms of public disasters that befell Israel, such as the destruction of the Temple by the Babylonians. This offers a *functional analogy*. The language used

here offers a striking parallel with what is happening for the Church today. Walter Brueggemann says that, for Israel, ‘the temple had come to be the point of reference for all life. Its destruction thus meant the *loss of a center*; a profound public *disorientation*, in which *public meanings and values* are *nullified* or at least severely placed in *jeopardy*.’⁴⁵

The language used here encapsulates something of the situation today for the Church locally and internationally. Brueggemann notes how public energy in Israel’s prayer focused on the destruction of the Temple - the collapse of their ‘known world.’ They resorted to the psalms of communal lament. Nevertheless, we are reminded that ‘after the trauma of the collapse of the monarchy and the exile, God’s power renews the religious community of Israel.’⁴⁶ For us, such a process requires, as Brueggemann suggests, ‘an imaginative identification of a ‘dynamic analogy’, for the points of contact with our own experience.’

As Catholics, what is happening with sexual abuse involves a public sense of ‘loss, hurt and rage that we have in common’ yet is something in which ‘we have an immediate, direct, and personal stake.’⁴⁷ Like the loss of the Temple, it almost certainly will involve the end of the world we have known concerning the Church.

In the light of this, are we perhaps prone to ‘loss of public awareness and public imagination?’ While transparency and accountability are central, we need to think about this crisis *theologically* as with other public events and disasters. Further, we have to find ways of *praying publicly* about it—to grieve, repent and lament together. Somehow, we need to ritualise forgiveness—asked from and received from victims. We need specifically designed liturgical gatherings, beyond the Eucharist or Ash Wednesday, to engage the sense of loss, hurt, guilt, shame, disorientation and even rage. As Brueggemann points out ‘it is stunning to think that prayer of this kind might indeed be the point of entry into the larger world of faith, where the Lord of the nations gov-

erns.’⁴⁸ Or as Tigger has observed, ‘it is those contrast experiences which make hope real.’⁴⁹

Conclusion

It would be difficult not to have some sympathy for the Australian Bishops today as they confront the sexual abuse crisis and the future. So often, as public leaders, they provide the public lightning rod for victims’ pain and anger as, too, for the public’s outrage.

Often the Church’s public face shows a dominant concern for credibility. What is being asked now, and the benchmark against which all is measured, is authenticity. The language used in the *Truth, Justice and Healing Commission* is a good start. There is needed a deepened and more realistic reclaiming of our identity. As noted earlier, any culture in crisis or needing change must return to its founding story and values. This could well be achieved by drawing on our Jewish heritage. Further, Desmond Tutu reminds us that healing and forgiveness will be possible ‘only if the depth of the damage and the awfulness of the abuse are acknowledged, and if we are prepared to deal with the real situation.’⁵⁰

We must start at the feet of the victims. At times, this may involve lying beside the victim traveller abused by the robbers before we can be the Good Samaritan. Again, as in the parable, the ‘true’ Israelite was an outsider, so too with the sexual abuse issue, prophetic voices from outside the Churches accompany, even enable, the cry of victims. Most importantly, before even thinking about evangelising, even if under the rubric of the ‘New Evangelisation’, we must first be evangelised.

Our tradition speaks of the four marks of the Church—one, holy, catholic, apostolic. As one theologian has remarked, through this experience, we are learning about the fifth mark—sinful.

I had finished drafting these thoughts when I received from a friend this story from a paper given by a West Australian author. It is an apt closing...

The story is told of a Rabbi who was missing from the Synagogue on the evening of the Day of Atonement. The Synagogue was filled with all the Jewish people of the Town, waiting to commence the service on this most holy day. They sent a messenger to search for the Rabbi

and he was found rocking the cradle of a crying child. The parents had left it behind to go to the Synagogue. To attend to the little crying Child has priority before the needs of the Community; the balance in Judaism is weighed in favour of the individual soul.⁵¹

NOTES

1 I suggest these categories adapting the approach of John Lakers who contrasts the metaphor of intimacy (relationship) with that of power and judgment (rationality). He argues, using the work of Walter Ong, SJ, that with oral cultures, in which memory was the repository of the past, tradition and community were central. This formed the context for the emergence of the Covenantal ethical tradition and its biblical literary expression. With literary cultures came the gradual formation of languages of human interiority, agency, freedom and purpose which enabled the text (replacing memory as the repository of the past) to be engaged and interrogated. This forms the background to the sapiential tradition. The interplay of these two approaches can be found in the Hebrew and Christian Scriptures but this is beyond the scope of this article. See John J. Lakers, OFM, *Christian Ethics: An Ethics of Intimacy* (Quincy, IL: Franciscan Press, 1996), xiii-xxviii and 62-86. (My thanks to Professor Robert Gascoigne for his comments on an earlier draft).

2 The expression 'core metaphor' is used by Ormond Rush. The core metaphor of 'reception', for example, uses 'reception' as both a hermeneutic lens, and an investigative principle to uncover 'reception' as an integrating principle and, through this, to open up new ways of understanding reception.' See Ormond Rush, *The Eyes of Faith: The Sense of the Faithful and the Church's Reception of Revelation* (Washington DC: The Catholic University of America Press, 2009), 5-7. See infra for how the Pontifical Biblical Commission acknowledges the biblical use of Exodus/covenant as a hermeneutical lens concerning Israel's history.

3 Patricia Lamoureux & Paul J Wadell, *Christian Moral Life: faithful disciple for a global society* (NY: Maryknoll Orbis, 2010), 13.

4 'Today, everyone acknowledges that the prophetic theme of the covenant was elaborated according to the model and the literary form of the bilateral pacts of the ancient Near East. But the biblical Covenant is new in two ways: first, the parties entering into it are no longer two sovereign powers, but God and man. Second, the provisions of this covenant are of a new kind: the law will be written in men's hearts (Jer 31:31),' Ignace de la

Potterie, 'Biblical Exegesis: A Science of Faith,' in José Granados, Carlos Granados, and Luis Sánchez-Navarro, *Opening up the Scriptures* (Grand Rapids, Michigan: William B. Eerdmans Publishing Company, 2003), 30-64 at 36-37.

5 Marilyn M Schaub, 'Covenant', in Carroll Stuhlmuller (Ed.), *The Collegeville Pastoral Dictionary of Biblical Theology* (Collegeville, MN: The Liturgical Press, 1996), 178-181 at 179.

6 Pontifical Biblical Commission, *The Bible and Morality: Biblical Roots of Christian Conduct* (Libreria Editrice Vaticana, 2008), 30.

7 *The Bible and Morality*, 31.

8 *The Bible and Morality*, 33.

9 *The Bible and Morality*, 30.

10 Lamoureux & Wadell, *Christian Moral Life*, 5

11 *The Bible and Morality*, 6

12 *The Bible and Morality*, 51.

13 Schaub, 'Covenant', 742.

14 John Thornhill SM, *Sign and Promise: A Theology of the Church for a Changing World* (London: Collins, 1988), 36.

15 Lamoureux & Wadell, *Christian Moral Life*, 6. The Pontifical Biblical Commission says of this Jeremiah text and of the new Covenant that it marks a radical innovation in the history of the covenant. 'Through the pardon of their iniquity and the gift of the Holy Spirit, the LORD now gives his people a natural disposition to live according to the Torah.' *The Bible and Morality*, 57.

16 Brendan Byrne, *Lifting the Burden: Reading Matthew's Gospel in the Church Today*, (Strathfield, NSW: St. Pauls, 2004), 57.

17 Byrne, *Lifting the Burden*, 193.

18 *The Bible and Morality*, 68.

19 Elizabeth K Tillar, 'Critical Remembrance and Eschatological Hope in Edward Schillebeeckx's Theology of Suffering for Others', *Heythrop Journal* 44 (2003), 15-42, at 24.

20 William C. Spohn, *Go and Do Likewise: Jesus and Ethics* (New York: Continuum, 1999), 2.

21 There has been an explosion across disciplines about the structure of personal and group identities based on the notion of 'intersubjective recognition.' This has bearing on Benedict XVI's remarks in *Caritas in Veritate* about global interdependence, a 'felt' concern for others and the possibility of solidarity.

- 22 This section is indebted to the very fine discussion in Gerald A. Arbuckle, *Humanizing Healthcare Reforms*, (London & Philadelphia: Jessica Kingsley Publishers, 2013), 78-81. He draws on Bruce J. Malina & Richard L Rohrbaugh, *Social-Science Commentary on the Synoptic Gospels*, (Minneapolis, MN: Fortress Press, 1992) and John J. Pilch and Bruce J. Malina (eds), *Biblical Social Values and their Meaning* (Peabody, MA, Hendrickson, 1993).
- 23 Arbuckle, *Humanizing Healthcare Reforms*, 79. While 'fundamentalism' may be a term more relevant to modern religious phenomena, Arbuckle's usage is analogically appropriate.
- 24 Arbuckle, *Humanizing Healthcare Reforms*, 80 citing Malina & Rohrbaugh, *Social-Science Commentary*, 346-8.
- 25 See Linda Hogan, 'Clerical and Religious Child Abuse: Ireland and Beyond', *Theological Studies* 72:1, (2011), 170-186. She notes, for instance, John Jay College: *The Nature and Scope of Sexual Abuse of Minors by Catholic Priests and Deacons in the United States 1950-2002* (Washington, DC: U.S. Conference of Catholic Bishops, 2004 and a Supplementary Report (2006); *Commission to Inquire into Child Abuse (Ryan Report)*, (Dublin: Stationary (sic) Office, 2009). Report and Executive Summary is available at <http://www.childabusecommission.com/rpt/pdfs/>. Report into the Catholic Archdiocese of Dublin (Murphy Report (Dublin: Stationary (sic) Office, 2009).
- 26 For instance, in the USA, Joseph P Chinnici, *When Values Collide: The Catholic Church, Sexual Abuse and the Challenges of Leadership* (Maryknoll, NY: Orbis, 2010); Philip Lawler, *The Faithful Departed: The Collapse of Boston's Catholic Culture*, new ed. with preface (2008; New York: Encounter, 2010). In Ireland: Tony Flannery, C.Ss.R (ed.) *Responding to the Ryan Report*, (Dublin: Columba, 2010); John Littleton and Eamon Maher (eds), *The Dublin/Murphy Report: A Watershed for Irish Catholicism?* (Dublin: Columba, 2010).
- 27 Neil Ormerod, 'Clergy Sexual Abuse: What Difference Did Vatican II Make?' in Neil Ormerod et al. (eds), *Vatican II: Reception and Implementation in the Australian Church* (Mulgrave, Vic: Garratt Publishing, 2012), 213-225. Ormerod itemizes previous studies into sexual abuse but also into trust and professional standards concerning health professionals and clergy. He also notes theological commentaries such as that of Bishop Geoffrey Robinson, *Confronting Power and Sex in the Catholic Church: Reclaiming the Spirit of Jesus* (Collegeville: Liturgical Press, 2008).
- 28 *The Bible and Morality*, 187.
- 29 Arbuckle, *Humanizing Healthcare Reforms*, 161.
- 30 *The Bible and Morality*, 111.
- 31 Ormerod, 'Clergy Sexual Abuse', 225.
- 32 Ormerod, 'Clergy Sexual Abuse', 225.
- 33 Hogan, 'Clerical and Religious Child Abuse', 186.
- 34 Tillar, 'Critical Remembrance', 27.
- 35 Robert Gascoigne, 'Suffering and Theological Ethics: Intimidation and Hope', in James F. Keenan, S.J., ed., *Catholic Theological Ethics in the World Church: The Plenary Papers from the First Cross-cultural Conference on Catholic Theological Ethics* (henceforth CTEWC) (New York: Continuum, 2007); 163-6, at 163.
- 36 'Where is the fire of Pentecost? Sexual abuse, the Catholic Church, and culture', Interview by Margaret Coffey with Archbishop Mark Coleridge, Professor James Ogloff, Brendan Callaghan, SJ, Professor Karen Terry, Professor William Marshall, Professor George Rousseau and Dr. Alistair Blanshard, on ABC Radio National, *Encounter*, 23.5.2010.
- 37 Kevin Dowling, 'Catholic Church Teaching Finds Church Leadership Lacking', *National Catholic Reporter*, July 8, 2010 cited in Hogan, 'Clerical and Religious Child Abuse', 185-6
- 38 Hogan, 'Clerical and Religious Child Abuse', 186.
- 39 McDonagh, 'Between Evangelising and the Priesthood', in *Dublin/Murphy Report*, 113-120, at 113.
- 40 Bernard Treacey, O.P., 'Learning with Pope Benedict', *Doctrine and Life* 60:5 (May-June, 2010) 2-3, at 2. Cited in Hogan, 'Clerical and Religious Child Abuse', 178.
- 41 'Where is the fire of Pentecost?', *Encounter* (toward end of the transcript available on the ABC website).
- 42 Brendan Byrne, SJ, *A Costly Freedom: A Theological Reading of Mark's Gospel* (Strathfield, NSW: St Pauls, 2008), xi-xii.
- 43 See note 33.
- 44 Archbishop Mark Coleridge, *Letter to the Clergy of the Archdiocese of Brisbane*, Nov. 19, 2012.
- 45 Walter Brueggemann, *The Message of the Psalms: A Theological Commentary* (Minneapolis: Augsburg, 1983), 67. Emphasis added.
- 46 *The Bible and Morality*, 176.
- 47 Brueggemann, *The Message of the Psalms*, 68.
- 48 Brueggemann, *The Message of the Psalms*, 68.
- 49 See above note 34.
- 50 Desmond Tutu, *God Has a Dream: A Vision of Hope for Our Time* (London: Ebury, 2004), cited in Hogan, 'Clerical and Religious Child Abuse', 186.
- 51 Kenneth Arkwright, 'The Essence of Judaism in the Perspective of History' available at www.ccjwa.org/Documents/Articles/jewishnessinhistory.pdf