

Irish report indicts Catholic Church, authorities for child sex abuse

Steve James**19 January 2010**

The Commission of Investigation report into the Catholic Archdiocese of Dublin, known as the Murphy report, was finally published late last year. The commission, established in 2006 by the Irish parliament, was tasked with investigating how numerous allegations of child sex abuse by priests were handled between 1975 and 2004.

Documenting an extended series of abuses, some of which were belatedly tried through the courts, the report makes clear—based on over 100,000 documents—that the church authorities in Dublin, in collusion with the police and state authorities, systematically covered for abusive priests for decades.

The Dublin Archdiocese guaranteed that successive generations of children were exposed to a large number of predatory paedophiles, who were themselves in need of psychiatric treatment. When parents or children complained, their reports were rarely taken seriously, or were ignored. If they were investigated, the outcome remained concealed within church archives while the priests in question were moved to other areas with no restrictions on their activity.

The report has generated immense public outrage. A number of bishops linked in the report to hushing up paedophile cases, who initially refused to resign, have been forced out of office. Father Michael Canny of Derry told the press, “There is no good saying other than the truth. The church...has no credibility, no standing, and no moral authority...confidence in the church has been broken on a fundamental level.”

Less attention has been paid to aspects of the report that shed light on the extent to which the Catholic Church retains a dominant role in the Irish republic. This medieval institution continues to be given unregulated access by the country’s political leaders to the minds and bodies of successive generations of young people. The abusive and criminal practices documented in the report are only the vilest expression of a relationship established between the Irish bourgeoisie and the church in the earliest days of the republic.

For this reason, the report allows an airing of abuses and attributes responsibility to the church and state bodies, but essentially absolves the Irish political system. Its conclusion is that the same state responsible for allowing church abuses to take place in the first place should be entrusted to “ensure that no similar institutional immunity is ever allowed to occur again.”

The commission came about following a 2002 RTE prime time programme “Cardinal Secrets,” which alleged that church and

state authorities in Dublin had for decades ignored and suppressed repeated complaints and warnings of endemic sexual abuse of children by priests. Many individuals, including violent child rapists who had repeated allegations against them, were simply transferred to areas unfamiliar with their activities.

While rumours and bitter personal testimonies had been circulating for decades, it was only in the late 1980s that legal cases began to emerge. In 1987 a number of Catholic dioceses took out insurance against allegations of child sex abuse. In 1994 Father Brendan Smyth was sentenced to four years in prison for abusing children in Northern Ireland and a number of individual cases emerged over the 1990s.

In 2002 an inquiry was set up into child abuse in the Ferns diocese in county Wexford. Never officially published, the Ferns report, completed in 2005, noted that bishops in the diocese routinely responded to abuse allegations by treating them purely as a “moral problem” for the priests in question. There were repeated instances of priests being re-allocated to curacies where they would have responsibility for children. Individuals known to have a propensity to abuse children were even inaugurated into the priesthood.

When complaints were made to the Gardai, the Irish police, the Ferns report noted, these were, prior to 1988, not recorded properly—although later complaints were investigated. Local health authorities made “no significant response” to abuse allegations.

The Ryan report, published earlier in 2009 by the Commission to Inquire into Child Abuse, documented but held nobody accountable for the existence of a horrifying children’s gulag, run by the church from the era of British colonial rule and maintained by the Irish state as a tool of class intimidation and child labour. Every form of physical and sexual abuse was rife in a network of brutal industrial schools, whose functions were integrated into the legal and education system.

Completed in July 2009, the Murphy report was finally cleared for publication by the high court in Dublin last November. Large sections are redacted from the version available for download. The report even now states that it “recognises that the Archdiocese of Dublin and the many religious orders that operate within it have made and continue to make a major contribution to the lives of the citizens of Ireland....”

The report also considers that currently “there are effective structures and procedures in operation.” Its primary concern is merely that these structures are not legally based, being dependent

on the current archbishop of Dublin and the director of the Child Protection Service.

There are, nevertheless, many insights.

The report only deals with Dublin, where the archdiocese dominates a city with 1,000,000 Catholics. The archdiocese of Dublin is divided into 200 parishes, within which some 650 priests are currently active. Since 1940, 1,350 priests have been ordained in the city, while an “unquantifiable” number of priests were available for supply work. Currently, the archdiocese runs parishes, provides services to 477 national schools, 189 post-primary schools, prisons, the defence forces and 50 hospitals. Yet, the report makes clear, its legal status is unclear, its finances are unclear and its management structures vague and dependent on the subjective whims of individual archbishops. It answers to the Pope and the Vatican, not the ruling parties in Dublin.

An entire chapter of the report is devoted to “Canon Law”—the Vatican’s own set of arcane and confused internal procedural rules. The report complains that “the fact is that Catholic Church authorities, in dealing with complaints against its clerics, gave primacy to its own laws.” The commission unearthed procedural documents from 1922 and 1962 on the “worst crime,” which made clear that, to the extent that the church took sexual abuse of minors to be a problem, secrecy was the priority.

Anyone making an accusation against a priest was required to swear an oath of secrecy, on penalty of excommunication. The entire process was slanted to ensure silence, to avoid any prejudice to the church’s reputation. To the extent that individual priests were found guilty, the emphasis of the process was to avoid removing them from the priesthood.

Even this secretive framework was set aside. The commission found that the Dublin archdiocese adopted a “pastoral approach”—moral advice to the priests—which was “wholly ineffective as a means of controlling clerical child sexual abuse.”

The commission received reports on 172 named priests and 11 unnamed. Of these it finally investigated complaints concerning over 320 children against a representative sample of 46 priests. The 46 include 11 who have already been convicted of child sex offences.

One example will do. The report mentions a Father James McNamee, as having had 21 complaints against him, dating back to 1950s. Most involved McNamee abusing young boys in the guise of helping them learn to swim. By 1978 he had a private swimming pool to which only young boys were invited. From at least the 1970s, successive bishops and archbishops were aware of McNamee’s predilections.

An internal investigation by another priest, Monsignor O’Regan, warned the presiding archbishop that a “possibly explosive situation exists locally, which could be very scandalous indeed.” In 1979, however, McNamee was transferred to a Carmelite monastery in Delgany for “health reasons.”

The report notes that “the emphasis was on the avoidance of scandal and the protection of the priest’s reputation rather than the protection of children.”

This was a general pattern. “The Dublin Archdiocese’s preoccupations in dealing with cases of child sexual abuse, at least until the mid 1990s, were the maintenance of secrecy, the

avoidance of scandal, the protection of the reputation of the Church, and the preservation of its assets.”

In this, the church was assisted by a police force that essentially agreed that the church was above the law. “A number of very senior members of the Gardai, including the commissioner in 1960, clearly regarded priests as being outside their remit. There are some examples of Gardai actually reporting complaints to the archdiocese instead of investigating them.”

The report is similarly critical of the health authorities, particularly the Health and Safety Executive, which appears to have had little role in even recording cases of clerical abuse. When it did so, no effort was made to chart potential abusers, and they had no powers to intervene on behalf of potential victims.

Political response to the report has been very limited, beyond expressions of outrage. One incident however, was revealing.

The Vatican was contacted by the commission in 2006 requesting documents on procedure and reports relayed from Dublin to Rome in the period covered by the investigation. Rome did not reply and then contacted the Irish Department of Foreign Affairs to complain the requests had not gone through the proper channels. A similar request was twice forwarded to the papal nuncio—the Vatican’s envoy—in Ireland, Archbishop Giuseppe Leanza, who also refused to reply.

Irish *Taoiseach* (prime minister) Brian Cowen defended the Vatican’s dealings with the Murphy commission. According to Cowen, “My belief is that the commission and the Holy See appear to have acted in good faith in this matter even if the best outcome was not achieved.”

For its part, the Vatican responded to the commission report with a statement of “profound regret,” precisely 420 words in length.



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