

## Response to THJC submission, requested by Gilbert & Tobin

1. I am happy with the TJHC document, with some serious reservations. Responding to the requests of the Commission, it is a well-researched and well-written document. I will, however, dot-point my reservations.
  - **Section 1** of the document attempts to describe the nature and function of the Roman Catholic Church. This, of course, is the impossible task. I have a problem with the nature of the presentation. It all sounds a little bit like *The Catechism of the Catholic Church*. Everything is nicely planned, and slots into a cohesive whole. But the reality is very different. Ultimately, the TJHC document might have joined Pope Francis in suggesting that the current pyramid-shaped nature of the Church should work toward having the point at the bottom, in service of the masses at the top. That is what the Gospel asks for (see Mark 10:45).
  - The crucial role of the Apostolic Nuncio in the appointment of Australian Bishops should be part of his description. Once he has worked through nominees, he determines a list of 3. The relationship between the Nuncio and the extremely conservative Congregation for Bishops is crucial, and has been very damaging.
  - The principle of subsidiarity has been clearly articulated at Vatican II, but it has never been successfully applied anywhere in the Church, and certainly never in Australia.
  - The description of clericalism should be related to a “superior state” assumed because of clerical mediation in sacred transactions (e.g. Sacraments).
  - It is not true that all consecrated religious in Australia are answerable to their superior. There are diocesan foundations that are answerable to the Bishop.
  - What is hinted at in the very final lines of the summary (“inevitably hierarchical”) should have been given more space throughout this first number. It is all too accepting and too positive. We have to live and work within deeply faulty medieval structures and procedures.
  - **Section 5**, dedicated to Seminaries and Seminarians, is also far too optimistic. It opens by claiming that the former model of a solitary and monastic-like formation has been replaced by a more integrated and communal form of life. Can this really be claimed for the reversals to that process imposed in Homebush (Sydney) and Carlton (Melbourne), where soutanes, clerical collars, long and complex liturgies, etc., are the order of the day? What is being presented is how things *should be*, not how they *in fact are*. Ask the Bishops why (with the exception of Brisbane) they will not allow their seminarians to study Theology at Australian Catholic University.

- The TJH Council might have proposed what is in this section (5) of the document as a way ahead, and asked the Commission to endorse such developments. They are not in place.
- **Section 7**, dedicated to the issue of Confession, is well done, in defence of an institution that has all but disappeared from the life of the Australian Catholic Church. In my past 20 years as a Priest, I may have heard about 10 confessions. However, given that it must be there (and the research and writing is excellent), I missed reference to the possibility that the *confessor* (Priest administering the Sacrament) may be an abuser. The bulk of the number deals with abusers who confess. Maybe I missed it, as it has been a problem (e.g. Ridsdale).
- **Section 8.1** articulates the *Towards Healing* dream that once an allegation is made, the alleged perpetrator is “innocent until proved guilty.” As the process involves standing down from ministry, and generally a geographical separation, the opposite is *always* the case. The alleged perpetrator in these cases is inevitably “guilty until proved innocent.”
- A parallel difficulty emerges when a Priest or a Religious is found guilty of abuse. Once dismissed, what does the Bishop or the Religious Order do? Throw them into the gutter? The media heap abuse on any support given to such a person who is very often too old and crippled as a human being to survive “in the world.” This is an issue that Marie Keenan’s fine study on the Irish situation has dealt with very well.

Francis J. Moloney, SDB, AM, FAHA