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## BEYOND THE ABUSE OF POWER AND THE ABUSE OF CONSCIENCE

### Charting a Course for Theological Ethics in Response to the Sexual Abuse Crisis in the Australian Catholic Church

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#### **Abstract**

This article has a modest, but important, goal. It seeks to chart a course in a hitherto underdeveloped area of theological ethics: responding to the crisis of sexual abuse in the Church. Drawing on the Catholic theology of conscience in dialogue with the philosophy of Emmanuel Levinas, it argues that the crisis can be understood as a failure of conscience to attend to the ethical call, resulting from a form of moral blindness created by implicit belief systems within the Church. A response is suggested which is framed around Christina A. Astorga's threefold process of lament, resistance and kinship.

**Keywords:** Australian Church; Conscience; Levinas; Sexual Abuse Crisis; Theological Ethics; Vulnerability; Vulnerability Ethics

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### **Introduction: Foundational Reflections in the Face of a Crisis**

This article has a modest, but important, goal. It seeks to chart a course in a hitherto underdeveloped area of theological ethics: responding to the crisis of sexual abuse in the Church.<sup>1</sup> It is put forward alongside other work in theological ethics which is now beginning this journey—a journey which all recognise will be long and complex.<sup>2</sup> Given the germane nature of this work, I do not seek to provide definitive conclusions about the crisis or a complete vision of what is needed in response. Instead, I suggest ways of thinking about the crisis and our possible response in the hope that these will bear fruit in ongoing research and action in this area.

My proposal has two dimensions: first, a consideration of the crisis from the perspective of theological ethics, with a view to deepening understanding of the causes of the crisis. In this part of the article, I argue that an approach informed by a Catholic theology of conscience, enriched by the philosophy of Emmanuel Levinas and developed with a focus on the affective and relational dimensions of conscience, can shed light on some of the theological issues which rest at the centre of the crisis. Second, I suggest a path forward for theological ethics in response to the crisis, arguing for an approach which sees informed and courageous conscience leading through a process articulated by Christina A. Astorga. These two dimensions form the structure of the article.

I write from Melbourne, Australia, which is a unique and important context from which to consider these issues. Australia has recently seen one of the international community's most significant public inquiries into sexual abuse in institutional contexts through its

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<sup>1</sup>Much of the ground-breaking work on this area in theology is found in *Theological Studies* no. 3 (September 2019) and *Theological Studies* 80, no. 4 (December 2019). Note also that key authors who have been analysing the abuse crisis from different perspectives (for example, psychology and sociology) also point towards the need for theological change. See for example Kathleen McPhillips, "Silence, Secrecy and Power: Understanding the Royal Commission Findings in the Failure of Religious Organisations to Protect Children," *Journal of the Academic Study of Religion* 31, 3 (2018) 116-142; Marie Keenan, *Child Sexual Abuse & The Catholic Church: Gender, Power and Organizational Culture*, Oxford: Oxford University Press, 2011.

<sup>2</sup>For emerging literature from the perspective of theological ethics see for example Shaji George Kochuthara, "The Sexual Abuse Scandal and a New Ethical Horizon: A Perspective from India," *Theological Studies* 80, 4 (December 2019) 931-49; Stephanie C. Edwards & Kimberly Humphrey, "Haunted Salvation: The Generational Consequences of Ecclesial Sex Abuse and the Conditions for Conversion," *Journal of Moral Theology* 9, 1 (2019) 51-74; Note also the report from Catholic Theological Ethics in the World Church regarding its first 'Virtual Table,' focused on this area. See *The First*, January 2020, available at <https://catholicethics.com/resources/newsletters/>.

*Royal Commission into Institutional Responses to Child Sexual Abuse*, held from 2013-2017. The Commission had a substantial focus on the Catholic Church, which was shown to be by far the largest offender among religious organisations in the country.<sup>3</sup> The Commission's focus on institutional contexts led to findings that were concerned not only with abuse *per se*, but also with complicity with abuse through systemic cover-ups and failures to respond.<sup>4</sup> The Commission produced substantial resources through its inquiry, case studies, reporting and recommendations which provide crucial insight into understanding this crisis. In addition, Australia, and Melbourne particularly, has been an epi-centre of national and international focus on this topic as a consequence of the trial, conviction, appeal and subsequent acquittal of Cardinal George Pell for historical sexual abuse.<sup>5</sup>

### **An Approach Informed by Conscience and the Philosophy of Emmanuel Levinas**

The first part of my analysis is informed by Catholic teaching on conscience read alongside the philosophy of Emmanuel Levinas. Catholic theological anthropology sees conscience as central to the human person, and Catholic ethics points towards three distinct but interrelated features of conscience.<sup>6</sup> These include a call to moral responsibility, the search for moral truth, and the commitment to act in accordance with conscience.<sup>7</sup> My focus is on the first dimension, which calls the human person and human communities to ethical responsibility from a place that is antecedent and prior to consciousness.<sup>8</sup> In this way, ethical responsibility is constitutive of what it means to be a human person or a human community. Persons and communities cannot choose whether or not they are accountable

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<sup>3</sup>Timothy W. Jones, "Royal Commission Recommends Sweeping Reforms for Catholic Church to End Child Abuse," *The Conversation*, December 15<sup>th</sup> 2017. Accessed January 22, 2020, <http://theconversation.com/royal-commission-recommends-sweeping-reforms-for-catholic-church-to-end-child-abuse-89141>.

<sup>4</sup>In his comment that the behaviour of Church leaders in response to the crisis was something like "criminal negligence," Anthony Fisher—currently Archbishop of Sydney—implies such complicity. *Royal Commission into Institutional Responses to Child Sexual Abuse, Final Report – Religious Institutions: Volume 16, Book 2*, 231.

<sup>5</sup>Commentaries and opinions abound on the work of the Commission and the Pell case. I do not seek to add to these here. My focus is instead what the crisis reveals *theologically* and how we might respond from the perspective of theological ethics. These high profile investigations provide important contextual considerations for this work.

<sup>6</sup>See *Gaudium et spes*, 16.

<sup>7</sup>See for example Timothy E. O'Connell, *Principles for a Catholic Morality*, New York: Harper One, 1990, 103-119.

<sup>8</sup>Daniel J. Fleming, "Primordial Moral Awareness: Levinas, Conscience and the Unavoidable Call to Responsibility," *Heythrop Journal* 56, 4 (2015) 604-618.

to the ethical call, but they can choose how they will enact that accountability.

This means that not every response to the ethical call will be adequate. Conscience might be poorly formed and so unable to respond to the ethical call well, or may err through what *Gaudium et spes* refers to as “invincible ignorance.”<sup>9</sup> In addition, *Gaudium et spes* notes ways in which the call to ethical responsibility might be overcome or toned down: by a person (or community) “who cares but little for truth and goodness” or through conscience becoming “practically sightless as a result of habitual sin.”<sup>10</sup> Significantly, in all of these cases the ethical call remains, it is the subject’s capacity or will to answer which undermines the response. Recent work in this area has highlighted that other factors contribute to the capacity to respond to the call of conscience. For example, in using the example of racism, Bryan N. Massingale demonstrates how the “pervasive conditioning of one’s culture” can also cause a form of blindness which impedes conscience, which is distinct from the problems that *Gaudium et spes* names.<sup>11</sup> As I will argue below, this area needs to be addressed in the context of responding to the abuse crisis.

For his part, Levinas points towards the power that human consciousness has in overcoming the ethical call. In his philosophy he suggests that consciousness is prone to ‘totalization.’<sup>12</sup> This refers to the subtle (or sometimes obvious) way in which consciousness can overcome a consideration of other persons as subjects for whom one is ethically responsible in favour of considering them as objects for

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<sup>9</sup>GS, 16. Understood as a form of moral blindness that exists because of the necessary limitations on the human person’s capacity to apprehend moral truth.

<sup>10</sup>GS, 16. I would include in these categories the phenomenon of “turning a blind eye” to abuse, inasmuch as this demonstrates little care for the dignity of the person being abused, and leads to a form of sightlessness when it becomes habitual over time.

<sup>11</sup>Bryan N. Massingale, “Conscience Formation and the Challenge of Unconscious Racial Bias,” in David E. DeCosse & Kristin E. Heyer, ed., *Conscience & Catholicism: Rights, Responsibilities & Institutional Responses*, New York: Orbis Books, 2015, 55. I have discussed the impact of socio-cultural pressures on conscience in Daniel J. Fleming “From Theory to Praxis: Challenging and Insights for Conscience Formation Today,” in *Doing Asian Theological Ethics in a Cross-Cultural and an Interreligious Context*, ed. Yiu Sing Lúcas Chan, James F. Keenan and Shaji George Kochuthara, Bengaluru: Dharmaram Publications, 2016, 291–304.

<sup>12</sup>This concept is the substantive focus of the first of Levinas’ two major works, *Totality and Infinity: An Essay on Exteriority*, Translated by Alphonso Lingis, Pittsburgh: Duquesne University Press, 1969. I explicate the concept in depth and with reference to Catholic theological ethics in Daniel J. Fleming, *Attentiveness to Vulnerability: A Dialogue Between Emmanuel Levinas, Jean Porter, and the Virtue of Solidarity*, Eugene: Pickwick, 2019, 41–45.

the ego and its self-interestedness. This latter opens up the possibility of the violence that comes from objectification. To use a clear example, consider how in sexual violence the person who perpetrates the violence tends to operate from a consciousness that sees their victim as object, not subject.<sup>13</sup> Levinas' argument is that a case like this, rather than being the exception, is in fact symptomatic of the way in which consciousness functions, so frequently discovering ways to consider other persons as objects of curiosity, inconvenience or possession rather than as the locus of the ethical call.

In this way, consciousness is prone to holding the ethical demand hostage to its own set of priorities, rather than allowing itself to be hostage to the ethical demand.<sup>14</sup> A cornerstone of this functioning is the creation of frameworks of meaning which provide a rationale for the suffering of others.<sup>15</sup> When consciousness is in the midst of such totalization, it can readily provide a way of seeing the world which overcomes the ethical call on account of some other priority, thus sowing the seeds for a form of perverse 'justified' violence.<sup>16</sup> This is a way of deepening *Gaudium et spes'* claim that conscience can become "practically sightless": a conscience overcome by totalization can no longer see or respond to the ethical call, because it no longer recognises itself as accountable to it.<sup>17</sup>

This underpins Levinas' argument that "the justification of the neighbour's pain is certainly the source of all immorality."<sup>18</sup> For

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<sup>13</sup>See for example the situation of women in Asia as described in Christina A. Astorga, "The Triple Cries of Poor, Women, and the Earth: Interlocking Oppressions in the Christian Context," in Yiu Sing Lúcas Chan, James F. Keenan, Shaji George Kochuthara, ed., *Doing Asian Theological Ethics: In a Cross-Cultural and an Interreligious Context*, Bengaluru, Dharmaram Publications: 2016, 253-4.

<sup>14</sup>Andrew Tallon, "Nonintentional Affectivity, Affective Intentionality, and the Ethical in Levinas's Philosophy," in *Ethics as First Philosophy: The Significance of Emmanuel Levinas for Philosophy, Literature and Religion*, ed. Adriaan T. Peperzak, New York: Routledge, 1995, 107-121, at 108.

<sup>15</sup>See Emmanuel Levinas, "Useless Suffering," in *The Provocation of Levinas*, ed. Robert Bernasconi & David Wood, London: Routledge, 1988. Levinas deploys the term 'theodicy' to refer to such a framework. The term holds this precise meaning in Levinasian studies, but is easily confused with the broader study of theodicy in Christian theological contexts.

<sup>16</sup>Fleming, *Attentiveness to Vulnerability*, 42-45.

<sup>17</sup>See GS, 16. See also Fleming, "Flight and the Critique of Theodicy." I note here Massingale's work in this area as it relates to racial ideologies, in which he points beyond the 'invincible ignorance' of *Gaudium et spes* and towards the ideological structures which prevent conscience formation even before it can begin: "How can one rightly form conscience in a morally compromised environment when that environment is not only familial but the very culture itself." Massingale, "Conscience Formation and the Challenge of Unconscious Racial Bias," 56.

<sup>18</sup>Levinas, "Useless Suffering," 163.

Levinas, the Holocaust is the clearest example of the horror that ensues from human consciousness unchecked by the ethical demand. He reads this evil as the inevitable outcome of any form of reasoning or behaviour which does not begin with its responsibility in the face of the human person. In a number of his remarks on this abuse crisis, Pope Francis has described the sexual abuse of children and vulnerable adults by those entrusted with ministry in the Church as “the abuse of power and the abuse of conscience.” My suggestion is that the preceding analysis helps to make sense of this claim.<sup>19</sup>

What differentiates Levinas from other post-Enlightenment thinkers, and why he is so important in responding to the current crisis, is his provocative suggestion that the solution to evils like the Holocaust cannot be found in the activities of consciousness (the use of reason, for example), which are inherently prone to totalization.<sup>20</sup> The solution can only be found in forcing reason to account for itself in the face of an ethical call which is prior to consciousness; one which is constitutive of consciousness, not its consequence. As I have argued in previous publications in this area, the significant warnings embedded in this approach advance the Catholic understanding of conscience as a call to responsibility and, following in the tradition of the prophets of ancient Israel as well as the teaching of Jesus, reiterate the importance of holding up the ethical response to this call as the key criterion of faithfulness to God.<sup>21</sup>

### **Analysis and Critique of the Problem as a *Theological and Ethical Problem***

On the basis of this background in understanding conscience, it is possible to develop further insight into how the catastrophe of the abuse crisis could have occurred with such frequency and consistency within a Church which claims to uphold the dignity of the human person as core to its ethical teaching.<sup>22</sup> Apropos of this teaching, the Church’s own theological ethics is clearly at odds with

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<sup>19</sup>Pope Francis, *Letter of His Holiness Pope Francis to the People of God* (20<sup>th</sup> August, 2018) [http://www.vatican.va/content/francesco/en/letters/2018/documents/papa-francesco\\_20180820\\_lettera-popolo-didio.html](http://www.vatican.va/content/francesco/en/letters/2018/documents/papa-francesco_20180820_lettera-popolo-didio.html)

<sup>20</sup>Emmanuel Levinas, “Ethics as First Philosophy,” in *The Levinas Reader*, ed. Sean Hand, Oxford: Blackwell, 1989, 75-87. Elsewhere I have suggested a link between this observation of Levinas and the concept of original sin, see Fleming, *Attentiveness to Vulnerability*, 166-167.

<sup>21</sup>See Daniel J. Fleming, “Primordial Moral Awareness: Levinas, Conscience and the Unavoidable Call to Responsibility”; Fleming, *Attentiveness to Vulnerability*.

<sup>22</sup>As many have observed, in the Australian context the Royal Commission finally laid to rest the suggestion that this was merely a case of a few isolated incidents, demonstrating instead the systematic nature of the problem.

the behaviour of both those who committed abuse and those who were complicit with it through action or omission.<sup>23</sup>

I argue that this is an outcome of what Pope Francis has in another context referred to as a practical relativism, understood in terms of individuals (or communities) who may “have solid doctrinal and spiritual convictions” but who by their actions and dispositions reveal that “the deepest and inmost decisions that shape their way of life” witness to an implicit but nonetheless more powerful theological framework<sup>24</sup> which holds a different set of priorities altogether.<sup>25</sup>

Based on the analysis above, I suggest that this implicit theological framework functions in a subtle and dangerous manner akin to the problem of totalization. I also suggest that it contains features of what Massingale refers to as “an underlying cultural formation system” which infuses itself in the consciousness of members of a particular culture and undermines the capacity of conscience to hear and respond to the ethical call.<sup>26</sup> Such structures exist at an implicit level and mute the ethical call. In accordance with other ideological frameworks, they are unknown or unacknowledged in consciousness, presenting themselves as ‘neutral’ or ‘normal’ ways of seeing the world, and so manifest themselves in automatic behaviour or the uncritical acceptance of particular priorities and positions, usually at the expense of vulnerable persons.<sup>27</sup>

Understood in this way, the abuse crisis is the horrible consequence of Catholics—leaders and laity alike—who by their

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<sup>23</sup>It is peculiar that this very obvious contradiction has not garnered much attention in the analyses of the crisis in the Australian context. Such analysis tends to rest at the level of betrayal of those who trusted the Church as a place of safety for children and vulnerable adults and that the Church should have functioned as any trusted organisation would. However, these critiques miss the more fundamental point: in abuse and its cover up, the Church community is acting in a way that is antithetical to its own stated teaching on the dignity and sacredness of the human person.

<sup>24</sup>I use ‘implicit theological framework’ throughout this text to refer a framework of beliefs and values, reflecting particular transcendent commitments, which are never stated but are nonetheless evident in behaviour. Whilst I believe it is obvious in what follows, I wish to state unambiguously that the implicit theological framework which I analyse as operating in the abuse crisis is a distortion, and in no way reflects orthodox Christian theology.

<sup>25</sup>Pope Francis, *Evangelii Gaudium* (2013), 80.

<sup>26</sup>Massingale, “Conscience Formation and the Challenge of Unconscious Racial Bias,” 56.

<sup>27</sup>In addition to the point noted from Massingale’s work regarding implicit cultural formation, this approach employs aspects of Slavoj Žižek’s approach to ideological criticism inasmuch as it focused on both *content* (the stated theological framework of the Church) and *form* (the material reality which demonstrates what I have called the implicit theological framework in play). See for example Slavoj Žižek, *The Sublime Object of Ideology*, London: Verso, 2008, 1-56.

actions, omissions and dispositions witness to an implicit theological framework which upholds the following commitments: the god-like role and social status of clerics and other consecrated people,<sup>28</sup> their position as moral authorities above other moral authorities,<sup>29</sup> the Church's reputation,<sup>30</sup> and so on. Significantly, and in accordance with Levinas' warnings about totalization, when such commitments hold a place at the top of the priority of concerns in consciousness, what stands in their way is construed as an obstacle to be overcome, even if that obstacle is another human person. In this way, even important values or demands (such as the protection of the dignity of children) become relativised in the face of the 'higher' commitments. In its most extreme form, suffering is justified in order to protect the commitments that the implicit theological framework holds to be of utmost importance.

Whilst consciousness imbued with such a framework does not always lead to *actual* abuse, it is out of such an implicit theology the "horizon of abuse is established."<sup>31</sup> This happens because it produces a rationale for suffering which provides a way of thinking and acting which overcomes the ethical call on account of some other 'priority.' As we have seen, when such totalization functions at the level of cultural formation, it is normalised and promulgated as the 'way things are.' This is an egregious example of the practical relativism that Francis described. As a case study, the abuse crisis shows up in a

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<sup>28</sup>The trope the cleric was "like god" or was "god's representative" is common in survivor testimonies, as well as in analyses of why the Catholic community could by and large either turned a blind eye to abuse or could not accept that a cleric could abuse. See for example Faye's Story, *Royal Commission into Institutional Responses to Child Sexual Abuse* [https://www.childabuseroyalcommission.gov.au/narratives/fayes-story?category=52&field\\_private\\_session\\_gender\\_value=All&field\\_state\\_value=All&field\\_decade\\_value=All&field\\_government\\_value=0&field\\_atSI\\_value=All&next=1](https://www.childabuseroyalcommission.gov.au/narratives/fayes-story?category=52&field_private_session_gender_value=All&field_state_value=All&field_decade_value=All&field_government_value=0&field_atSI_value=All&next=1)

<sup>29</sup>Another common feature of the accounts of survivors and others is that Catholic clergy were, because of their position, able to create an alternate moral structure in which they are able to continue the abuse, construed in a perverted way as either a good in itself or as the responsibility of the person abused. As an example, note how in Faye's story her abuser suggests that she is "making him a better priest," and she is encouraged to confess the abuse once it happens. Faye's Story, *Royal Commission into Institutional Responses to Child Sexual Abuse* [https://www.childabuseroyalcommission.gov.au/narratives/fayes-story?category=52&field\\_private\\_session\\_gender\\_value=All&field\\_state\\_value=All&field\\_decade\\_value=All&field\\_government\\_value=0&field\\_atSI\\_value=All&next=1](https://www.childabuseroyalcommission.gov.au/narratives/fayes-story?category=52&field_private_session_gender_value=All&field_state_value=All&field_decade_value=All&field_government_value=0&field_atSI_value=All&next=1)

<sup>30</sup>What becomes abundantly clear in all of the Commission's reports is that the Church's reputation was an ultimate value for most who were in a position to respond to the crisis. What is most telling is that this was the case for people who saw and understood the extensiveness of the issues, and sought to respond, but seemed unable to relativise the value of reputation in the face of the evil of abuse.

<sup>31</sup>As the Australian theologian David Ranson has noted, see *Royal Commission*, Volume 16, 627.



radical way why Levinas argues that consciousness, unchecked by the ethical demand, inevitably leads to the Holocaust, because there is nothing to prevent consciousness, orientated towards self-interest—whether individual or communal—from justifying the suffering of others for one reason or another.<sup>32</sup>

I argue that this phenomenon was a significant factor in giving rise to actions and dispositions which permitted abuse, cooperated with abuse, covered up abuse, or were simply blind to the possibility of abuse. In its most extreme and confronting way, it is also often demonstrated in the stories of survivors who—even in the midst of being abused—often struggled with a theological framework which excused or justified their perpetrator or the church that was complicit, and frequently left them feeling to blame for their own suffering.<sup>33</sup> This is an abuse of conscience for all concerned, and it happens through the abuse of the power of consciousness to operate from a worldview that creates the condition of possibility for this evil, and the saturation of a culture in which an implicit theological framework blinds conscience of the ethical call.

### **Overcoming the Problem *through* Theological Ethics**

Just as theological ethics can support a diagnosis of the problems at the centre of the abuse crisis, I suggest it can also chart a course in response. This approach recognises that most solutions to the crisis hitherto proposed are the products of consciousness. They have been economic and legislative in their focus, both within the Church and in society at large, particularly in the context of Australia. Victims are compensated through financial means, laws (civil or canon) are amended or changed to better protect children and vulnerable adults,

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<sup>32</sup>Note how, in Faye's story above, it is not only that she is abused. Her suffering is *justified* through the implicit theological framework that the priest was equivalent to God and his own suggestions that his abusive actions, and her confession of sexual acts with him, "made him a better priest." This functions in precisely the way that Levinas suggests that totalization functions, and why it is so dangerous. It provides a rationale for inflicting suffering on others.

<sup>33</sup>In no way is this suggesting that victims of abuse were responsible for their abuse. Rather, what it refers to is the fact that many victims of clerical abuse were placed in an impossible position because of this implicit theological framework. Time and time again, those who survived point to the features of the implicit theological framework noted above (the god-like role and social status of clerics and other consecrated people, their position as moral authorities above other moral authorities, the Church's reputation, etc.) as providing them with additional trauma and confusion when it came to comprehending the abuse as evil, and taking action to overcome it. Note how, in Faye's story which was cited above, she says, "The priest was God." If this is one's belief system, who could possibly accuse 'god' of abuse, let alone report 'god' to others in the community?

and the justice system is charged with the task of enforcing these, and punishing those in the present or in the past who have traversed legal boundaries. On this account, the Church mitigates against the risk of future abuse through child safety principles and their corresponding audits and accreditations. Whilst it made a number of recommendations related to 'culture' and 'clericalism,' the Royal Commission and other Australian responses have tended to favour these more instrumental means. The Catholic Church's newly established professional standards body in Australia has had a more substantive focus on the culture of the Church, though this remains at the level of cultures of professional practice and standards, rather than looking to a theological level of change.

Notwithstanding the importance of these responses, I argue—based on the diagnosis of the fundamental problem noted above—that they are not enough. In fact, without an attempt at change at the level of the problems of totalization and cultural formation, which are in this case theological problems, such responses will either prove ineffective, or will give rise to the same kinds of problem in other forms. The organisational leadership theorist Peter Senge refers to this as “shifting the burden,” understood as providing a solution which—rather than dealing with the fundamental problem—provides a temporary solution by shifting it to another area of responsibility, which seems to achieve a result at first but ultimately fails.<sup>34</sup>

This is not a question of the motivation of those seeking to resolve such problems, which is often good. It is rather a critique that gets to the heart of the implicit structures of belief that give rise to these problems in the first place. And if it is true that the problem in the context of the abuse crisis is even in part a problem found in Catholicism's implicit theologies, there is no reason to expect that the solutions proposed through law, economics or the justice system will be enough. Instead, I propose a threefold approach of prophetic lament, prophetic resistance, and radical kindship, which is inspired by a framework put forward for response to a different set of catastrophes by Christina A. Astorga.<sup>35</sup>

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<sup>34</sup>One of Senge's classic examples is a company who is falling behind in revenue paying bills by borrowing money. There is an immediately positive impact (the bills are paid), but the substantive problem (lack of revenue) has not yet been dealt with, meaning that whilst a negative impact on the system has been delayed it has not been resolved. Peter M. Senge, *The Fifth Discipline: The Art & Practice of the Learning Organization*, New York: Double Day, 2006, 392.

<sup>35</sup>See Astorga, “The Triple Cries of Poor, Women, and the Earth,” 257-262. Cf. also the methodology proposed by Lisa Fullam in response to gender injustice in her “Joan of Arc, Holy Resistance and Conscience Formation,” in David E. DeCosse &

### **Recognition of Guilt: Prophetic Lament**

The process begins through returning to the two core aspects of Catholic theological ethics noted earlier: the concept of the dignity of all persons, and conscience understood as a primordial and pre-conscious call to ethical responsibility, given particular salience in the presence of other persons. These already form part of the *stated* theological ethics of the Church, and in that sense there is nothing new about them. However, the abuse crisis demonstrates that these aspects of the Church's ethical tradition have been relativised out of the framework of an implicit theology. The starting point of a response must therefore be a recognition that the awakening of Catholic conscience in the context of the abuse crisis is an awakening of *guilty* conscience: a conscience which has let totalization and cultural pressures overcome the call of the vulnerable other, and through this the call of the Christ. When conscience becomes aware of its guilt in this way, it breaks open to the possibilities of repentance and conversion which, as James F. Keenan has demonstrated, provide the condition of possibility for genuine love of neighbour.<sup>36</sup> This begins with the kind of prophetic lament that Astorga invites, one which makes the suffering of victims of abuse our own, "for only then can the numbness of our indifference be pierced and the callousness of our insensitivity be broken."<sup>37</sup>

### **Solidarity: Prophetic Resistance**

Making the suffering of others our own is not something that can be achieved through the power of consciousness, which too easily absorbs and enacts totalization. Instead, this comes about through a moral commitment which centres the dignity and experience of the vulnerable other (in this case, the victim of abuse), and chooses to approach reality from where they stand, with them, and with a commitment to overcoming whatever threatens to undermine their dignity. I argue that the way in which this can come to fruition is through a centring of the relational dimension of the human person through the virtuous disposition of solidarity.<sup>38</sup> Out of a commitment

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Kristin E. Heyer, ed., *Conscience & Catholicism: Rights, Responsibilities & Institutional Responses*, New York: Orbis Books, 2015, 80-82.

<sup>36</sup>James F. Keenan, *Moral Wisdom: Lessons and Texts from the Catholic Tradition*, Lanham: Rowman & Littlefield Publishing, 2016, 16-18.

<sup>37</sup>Astorga, "The Triple Cries of Poor, Women, and the Earth," 257. Cf. Francis' suggestion that response to the ecological crisis requires becoming "painfully aware, to dare to turn what is happening to the world into our own personal suffering and thus to discover what each of us can do about it." *Laudato Si'*, 19.

<sup>38</sup>See Fleming, *Attentiveness to Vulnerability*, 198-228. In this work I draw extensively on Thomas Ryan, "Conscience as Primordial Moral Awareness in *Gaudium et spes* and *Veritatis splendour*," *Australian eJournal of Theology* 18, 1 (2011) 83-96.

to the dignity of all, such a disposition leads to a preferential option for those whose dignity is most at risk of being compromised, whether because of social structures, fragility, illness or otherwise. The preferential option invites solidarity with such persons and groups first, a position which flows out of the Christian tradition which—as Cornel West notes—is “a religion especially fitted to the oppressed. It looks at the world from the perspective of those below.”<sup>39</sup> On this view, mutual vulnerability within human relationality rests at the heart of the ethical life.<sup>40</sup>

Returning to the theology of conscience developed above, solidarity cultivates attentiveness to the voice of God which echoes in the depths of our consciences and appears in a particularly pronounced way in the presence of other persons. The virtue of solidarity provides a disposition which sees accompaniment and commitment to the good of those who are vulnerable in any way as a cornerstone of the moral life. And it is from this position of solidarity that all other commitments flow. It is here that consciousness and its activities return, not as the starting point of a response, but as the answer to the ethical call discovered in solidarity with the vulnerable. This leads into a methodology founded on “the biblical injunction to look at the world through the eyes of its victims, and the Christocentric perspective that requires that one see the world through the lens of the Cross—and thereby see our relative victimizing and relative victimization.”<sup>41</sup> Epistemology, philosophy, and theology all take on a different focus with this starting point, because they are all framed as answers to the ethical call. According to this view, it is impossible to relativise responsibility for the dignity of other persons, or to place responsibility outside of the scope of concerns for any endeavour.<sup>42</sup>

This approach leads to a different kind of change to those which have become common in response to the abuse crisis. In this case the response does not proceed from consciousness, but precedes it. As Thomas Ryan and I have suggested elsewhere, this highlighting of the preconscious ethical call animating the ethical life leads to an

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<sup>39</sup>Cornel West, *The Cornel West Reader*, New York: Basic Civitas Books, 1999, 62.

<sup>40</sup>In this aspect of the book, I draw on work undertaken by Margaret Farley in her book *Just Love: A Framework for Christian Sexual Ethics*, New York: Continuum, 2008, especially in her proposals for virtues and norms for relationships characterized by justice (p. 207-244). Whilst Farley’s focus is on sexual relationships, I argue that her proposals—like others who have written in this space—can be appropriated more broadly into other relationships, including among members of the Church.

<sup>41</sup>West, *The Cornel West Reader*, 370.

<sup>42</sup>West, *The Cornel West Reader*, 2.

emphasis on what Andrew Tallon refers to as “affective attunement” and “affective intentionality,” founded in relationality.<sup>43</sup> Solidarity aligns one person (or community) with another at an affective level, and in so doing animates a consciousness which thinks from the good of the other.<sup>44</sup> In this way, consciousness which begins with solidarity gives a priority to the vulnerable other, and what programs for thinking and acting are appropriate if their dignity is going to be protected. In centring this response, it provides the capacity to overcome totalization, and can challenge implicit cultural structures which undermine flourishing.<sup>45</sup>

I propose that this shift to an affective intentionality coexists with the prioritization long suggested by liberation theology as a key feature of Christian life, namely that *orthopraxy* precedes and underdetermines *orthodoxy*.<sup>46</sup> This further aligns with the insight of Aquinas that ‘beings’ “are revealed not in what they *are* but in what they *do* and always in an interactive context.”<sup>47</sup> This approach is not simply a call to action. Rather, it is a prioritisation of lived witness as the material condition which underdetermines the functions of consciousness and, on this basis, belief.<sup>48</sup> On this view, living as if each and every human person is the image and likeness of God, and responding to them as if they are the vulnerable Christ himself through solidarity has the power to transform consciousness from

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<sup>43</sup>Daniel J. Fleming and Thomas Ryan, “Witness, The Pedagogy of Grace and Moral Development,” *Australasian Catholic Record* 95, 3 (2018) 262-265; Andrew Tallon, “Levinas’s Ethical Horizon, Affective Neuroscience, and Social Field Theory,” *Levinas Studies* 4 (2009) 47-67.

<sup>44</sup>Fleming, *Attentiveness to Vulnerability*, 209-212.

<sup>45</sup>See Fleming, *Attentiveness to Vulnerability*, 212.

<sup>46</sup>In the words of Gutierrez, “only by doing this truth will our faith be “veri-fied,” in the etymological sense of the word.” Gustavo Gutierrez, *A Theology of Liberation*, Maryknoll: Orbis Books, 1973, 10.

<sup>47</sup>Fergus Kerr, *After Aquinas: Versions of Thomism*, Oxford: Blackwell, 2002, 48-49. Here Kerr refers to *ST I-105.5*

<sup>48</sup>Zizek develops this observation with reference to Pascal’s claim in his wager that, if a person finds a particular belief difficult, they should follow the way by which others began their belief: “They behaved just as if they did believe, taking holy water, having masses said, and so on. That will make you believe quite naturally...” Blaise Pascal, *Pensees*, Hamondsworth: Penguin, 1966, 152-3. Cited in Zizek, *The Sublime Object of Ideology*, 37. As Zizek summarises, the point Pascal makes here is that if you “act as if you already believe... the belief will come by itself.” Zizek, *The Sublime Object of Ideology*, 38. The fundamental insight here is that one’s behaviours give rise to a consciousness which makes sense of them, not the other way around. This is in sharp contrast to how most post-Enlightenment thought, alongside the dominant approach used in the Church’s moral pedagogy would have it: if we teach you about moral truths, your behaviour will follow accordingly. I note here a resonance with the approach Lisa Cahill takes in her *Theological Bioethics: Participation, Justice, Change*, Washington: Georgetown University Press, 2005.

totalization to a consciousness which answers the ethical call, prompting the same conversion for culture.

Solidarity, then, leads us to critique those aspects of our consciousness or culture which stand in the way of human dignity. Such a commitment has the effect of showing up the evil of the implicit theological framework noted above: it is impossible to relativise the ethical demand of the other person in the presence of a belief in the god-like place of clerics, for example, because if solidarity is a primary virtue is the latter that gives way to the former. And if the former is the status quo, solidarity will impel courageous action to change this, through the kind of resistance that Astorga recommends in the second phase of her framework.<sup>49</sup>

### **Kinship: A Church that Witnesses to the Dignity of all**

The final aspect of Astorga's framework refers to a radical kinship. In the context she is analysing, this is kinship with all of creation, directed towards the ecological crisis and the necessity of "a new order of relationship, where [the earth] can flourish in its full abundance."<sup>50</sup> Astorga suggests that such a new order is required to overcome the objectification of and violence towards the earth, which she argues interlocks with the objectification of and violence towards women.<sup>51</sup> Drawing on *Laudato Si'*, she suggests that a key condition in this context is a reverence and awe in the face of all created things.<sup>52</sup> As I read it, extending on Astorga's analysis, this underpins an attentiveness to vulnerability, and a form of relationality underpinned by mutuality, reciprocity, and love, which is antithetical to any form of abuse.<sup>53</sup>

On this basis, I conclude by proposing an appropriation of this radical kinship, through a commitment to attentiveness to vulnerability in solidarity, as a fundamental solution to the abuse crisis, and the *telos* of the prophetic resistance noted above. Linking back to the Christological call noted above, it is out of this framework that we answer the ethical call, overcoming the lure of a consciousness and culture which justifies the suffering of others for the protection of some alleged 'good,' in favour of the true Good, which always sees the dignity of each and every person as its priority.

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<sup>49</sup>Astorga, "The Triple Crises of Poor, Women, and the Earth," 258-260.

<sup>50</sup>Astorga, "The Triple Crises of Poor, Women, and the Earth," 260.

<sup>51</sup>Astorga, "The Triple Crises of Poor, Women, and the Earth," 261.

<sup>52</sup>Astorga, "The Triple Crises of Poor, Women, and the Earth," 262; Francis, *Laudato Si'*, 11.

<sup>53</sup>Astorga, "The Triple Crises of Poor, Women, and the Earth," 261.