

A Question of Accountability: Cardinal Pell, the Vatican and Child Abuse

By [Dr. Binoy Kampmark](#)

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Featured image: Cardinal George Pell (Source: [Salt and Light / Youtube](#))

The Catholic Church, much in the manner of a modern corporation, is a sprawling edifice of operations and functions. To hold part of it accountable for abuses – against human, bank account, or country – has presented a formidable legal obstacle.

This nightmare has taken place amidst a broader question: the extent Church officials believe they are accountable to secular justice, or those ordained by the Church itself. St. Augustine's point was clear enough: of the two sovereignties – that of the City of Man, or that of God – the latter would prevail.

Apologies for the specific issue of clerical child abuse have issued over the last decade. In 2003, Pope John Paul II, hardly a man known for his progressive tidings, suggested there was “no place in the priesthood and religious life for those who would harm the young.”[1] In July 2008, Pope Benedict XVI, on a visit to Australia, issued a specific apology for the past abusive conduct by the church's Australian clergy, demanding reparations and punishment as a response. But the wheels of justice have not so much grinded slowly as indiscernibly.

In an unprecedented move, Cardinal George Pell, termed by author Gianluigi Nuzzi “the ambitious bulldog from Sydney,” and one present at the penitent moments of Benedict XVI's apology, has made his way to Australia to face what are termed “historical sex offences”.

The paving was already taking place, with police investigating complaints about alleged offences that occurred in the Victorian town of Ballarat in the 1970s. In October, three Victoria Police detectives ventured to Rome to interview Pell, who “voluntarily participated in an interview regarding allegations of sexual assault.”[2]

Previous high-ranking Catholic figures have found themselves prodded by legal scrutiny, albeit ineffectively. Cardinal Archbishop Bernard Law of Boston received the special attention of the Boston Globe in 2002 which exposed the extensive nature of cover-ups on the subject of child abuse. The Massachusetts attorney-general though it wise to investigate claims of sex abuse in the church.

Law's case is an instructive one in terms of evasion, deflection and ultimately, the use of institutional cover to protect those accused of either being directly involved in child abuse, or being complicit after the fact. The attorney-general's report released in 2002 took the Cardinal to task over “choices that allowed the abuse to continue”. But the cardinal had a get out of gaol card: mandatory reporting laws regarding abuse had were not introduced till 2002.

Pope John Paul II, despite his fragile state, was also quick off the mark in whisking the troubled official to greener pastures: Law received the position of Archpriest of the Basilica di Santa Maria Maggiore in Rome, subsequently retiring without much fuss.

Over time, Cardinal Pell became the typical, paper churning functionary, suitably dogmatic, assiduously administrative, and always a defender of the Vatican through gloomy rain, vicious hail or roasting sunshine. As prefect of the newly created secretariat for the economy, he found himself stroking the purple, breathing the aroma of power. Importantly, he had won Pope Francis' favour.

To have also reached such a position came with legal perks and padding. While the Vatican remains an amorphous international entity, it can afford to duck and weave with defences of immunity in the courts of other countries regarding the conduct of its officials. As the US State Department describes it, the Vatican City State is "a sovereign, independent territory."^[3] Lacking an extradition treaty with the Vatican, the Australian authorities were always going to be hamstrung by any concrete action.

This became a moot point. Pope Francis, in his efforts to scrub and cleanse the stables, has let Pell return to face the legal music. Obviously feeling the momentum gathering, he also sacked long time irritant and conservative sparring partner Cardinal Gerhard Mueller, prefect of the Congregation of the Faith, the Vatican office charged with investigating sex abuse cases.

The timing was sweetening in its appropriateness: Mueller's five year term had been characterised by accumulation rather than action – some 2,000 cases of abuse had found themselves into the files, mouldering rather than advancing. But his time in office had also been characterised by scepticism towards last year's papal treatise *Amoris Laetitia*, deemed a tad too liberal for the liking of the reactionary set.

In Australia, the impetus to challenge church authorities has grown, much of it fed through evidence given to the ongoing Royal Commission into Institutional Responses to Child Sexual Abuse. The cases are mounting, though the stonewalling persists. (To date, 130 of the 2,025 cases referred to police by the commission have seen any action.)

The case against Pell has been framed under Victorian state law, and will be subject to the standard laws of evidence. The onerous nature of proving such allegations years after the fact remain problematic, but state authorities obviously feel that something might stick.

After years of protection, a Cardinal, one of the highest officials of the Vatican to date, shall appear on summons before the Melbourne Magistrates' Court on July 18. Will the City of Man prevail over that of the City of God?

Dr. Binoy Kampmark was a Commonwealth Scholar at Selwyn College, Cambridge. He lectures at RMIT University, Melbourne. Email: bkampmark@gmail.com

Notes

[1] <http://www.indcatholicnews.com/news.php?viewStory=9567>

[2] <http://www.abc.net.au/news/2017-06-29/cardinal-george-pell-charged-sexual-assault-offences/8547668>

[3] <https://www.state.gov/r/pa/ei/bgn/3819.htm>

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Kampmark](#)

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