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Church's harsh new reality not a surprise

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Editorial

The news that the Jackson County, Mo., prosecutor has indicted Bishop Robert Finn of Kansas City-St. Joseph on a charge of failing to report suspected child abuse raises the ongoing abuse scandal to a harsh new level of reality, but one that should not come as a terrible surprise. This day has been moving toward us for quite some time.

Hauling a bishop, and in a separate action, his diocese, into court on criminal charges represents a final shattering of the shield of deference that historically has sealed off the church from civil authorities. It is tempting in this case to see the state as newly aggressive and zealous in its pursuit of religious leaders, particularly Catholic ones.

For years, however, the church has been given the benefit of the doubt. Law enforcement has averted its gaze from clergy crimes whenever possible for a host of cultural and historical reasons, not least of which was regard for the church?s role as a moral arbiter in the wider culture. But the crimes of church leaders -- priests who abused children and bishops who covered up for them -- reached such egregious levels that the conduct could no longer be ignored. Civil law was forced to step in where canon law had obviously failed to protect the interests of the most vulnerable.

These indictments prompted a claim from some that the prosecutor is anti-Catholic. The charge is nonsense. This whole saga could have been entirely avoidable had Finn and other diocesan officials notified police once they became aware of Fr. Shawn Ratigan?s apparent predilection for taking lewd photos of children and of his strange behavior around youngsters who attended his parish?s school.

Finn?s conduct beggars description. That a bishop in 2010 would, first, ignore the mandates of the 2002 Dallas Charter for the Protection of Children and Youth and his own diocesan directives, and then presume that a priest with a potential problem would simply obey a bishop?s order to take up residence in a convent and stay out of trouble, is incomprehensible. Such a presumption is born of either arrogance or naiveté of astounding proportions.

The larger context out of which this latest incident arises is the mindset that Finn represents -- the hierarchical ethos that equates faith with certainty. He has made clear in his tenure as bishop that there is no eventuality in life that is not addressed in some manner by the Catechism of the Catholic Church.

A culture that has all of the answers, of course, can admit no questions -- not about its theology or ecclesiology, not about aberrant behavior among its members or what to do about it. It is not coincidental that soon after he arrived in Kansas City, Finn gained a reputation as someone remarkably devoid of questions even as he shut down long-standing ministries and shunned the wisdom of those who had spent decades building a vibrant local church.

Unfortunately, as most understand, life has a way of dishing up those quandaries for which a list of pieties in one hand and a list of orthodoxies in the other are wholly inadequate.

Finn has led his church into a legal nightmare as result of an inexplicable lack of attention to the needs of children who were, by every reasonable measure, in danger.

The two indictments appear to create a material conflict of interest between Finn and the diocese he leads. Each -- he and the entity of the diocese -- have separate legal counsel. Further, it is known that Msgr. Robert Murphy, the vicar general who was involved in some of the decision-making regarding Ratigan, has also retained separate counsel.

Finn deserves his day in court and the opportunity to defend himself against the charge he faces.

At the same time, given what he has said publicly about accepting responsibility for the botched handling of the Ratigan case and given the diocesan-sponsored study that concluded that diocesan officials failed to follow their own guidelines and ?reacted to events in ways that could have jeopardized the safety of children,? Finn is a highly compromised figure. He has lost the confidence of many of his priests and people and will be burdened with preparing what he says will be a ?vigorous defense.?

He also faces the possibility of prolonged legal action from a grand jury in another county currently considering the Ratigan case and the diocese?s handling of it.

Church leaders -- the nuncio to the United States and those in the Vatican with responsibility for such matters -- should move quickly to assure that the legal circus about to unfold remains a sideshow to the main event, which is the functioning of the church of Kansas City-St. Joseph.

The church at large should not be dragged with Finn into the drama of the Ratigan mess. Precedent exists for inserting administrators or coadjutors to run a diocese amid unusual circumstances. Rome should move quickly to require Finn at the very least to step aside until the case is resolved.

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