CURRENT ISSUES

FACING CLERGY

(VOL XI)

BISHOP TODD HUNTER

An Agapic Vision for Survivor-Sensitive Investigations

I looked and saw all the oppression that was taking place under the sun:
I saw the tears of the oppressed—
and they have no comforter;
power was on the side of their oppressors—
and they have no comforter.
Ecclesiastes 4:1

Doing what is right and treating people fairly…
Sticking up for the down-and-out…
Isn't this what it means to know the Lord?
Jeremiah 22:16 (MSG)

And now I will show you the most excellent way…
The greatest of these is love.
1 Corinthians 12:31, 13:13

The scenarios are all too familiar.

Jane, a single woman in her early 30s, volunteered for her church. The pastor befriended her and started arranging times for them to work on planning projects at night, alone. Over time, she submitted to his advances, and they became sexually intimate.

Christian spirituality works like this: cherishing and treasuring the other person rules out abuses of all kinds.

Culver, a youth pastor at a local church, was admired by parents and students alike. Tragically, he regularly molested boys in the youth group during overnight lock-ins, creating years of secrecy, shame and grief in his community.

Pastor Robert was kind in the church foyer and warm in the pulpit, but a dehumanizing tyrant to anyone on staff who didn't live up to his constant demands, leaving his leaders and staff demoralized and afraid.

In many communities, churches are marked by this terrible cycle of abuse, one that requires acknowledging the trauma of survivors and securing fairness for the accused. What is the Church to do? We often fall prey to partisan polarizations:

1) The leftist, "woke" progressives care about survivors.
2) The conservative right cares about due process for the accused and protecting the institution at all costs.

However, there is another, more excellent way to respond: *agape* (1 Corinthians 12:31). *Agape* explodes prejudicial polarizations with a central question of Christian spirituality: *What does love require?*

Christian spirituality works like this: cherishing and treasuring the other person rules out abuses of all kinds. It makes them *unthinkable*. Those alive in Jesus don't have to force themselves not to abuse people—cherishing and treasuring them makes it impossible to even consider. Jesus-followers will the good of others. It is possible for the Church to both minister to survivors, and, in asking "What does love require?" provide the spirit of procedural due process for perpetrators. [1]

The Scope of the Problem

First, love requires us to see and admit to the scope of the problem. An estimated 3,000 priests sexually abused 330,000 children, 80% boys, in France's Catholic Church over the past 70 years.[2] Catholic Bishops in Canada have had to apologize unequivocally to the country's Indigenous peoples for a century of child abuse at church-run residential schools.[3] Sexual abuse by Catholic clergy members has been documented in every state in the United States. The abuse allegations span multiple decades and thousands of victims. In 2021, the U.S. Conference of Catholic Bishops (USCCB) reported 4,228 child sexual abuse allegations. These allegations were filed by 3,924 abuse survivors from July 1, 2019 through June 30, 2020. The incidents involved more than 2,700 individual clergy members from across the country.[4]

One of the most fundamental and undeniable aspects of Jesus' teachings is his unequivocal concern for the powerless and the oppressed.

Protestants have their own unfortunate history. In the last 25 years, hundreds of leaders in the Southern Baptist Convention sexually abused 700 of its members.[5] From the televangelist scandals of 1980s up to today, there is a sad, depressing, and consistent pattern of evangelical leaders being caught in abuse, harassment, sexual sin of most every kind, fraud, financial exploitation, misuse of funds, misuse of power, and spiritual abuse. The exvangelical movement clearly shows us the current angst regarding the state of the Church, not to mention the millions of people who tuned into each episode of *The Rise and Fall of Mars Hill* podcast.

My decades supervising churches and clergy tell me that the vast majority of clergy are good, humble servants who work faithfully and sacrificially for those under their care. Even so, the ubiquity of abuse is undeniable, and the call to love requires us to comprehend its terrible scope.

Love Prioritizes the Pain of Survivors.

One of the most fundamental and undeniable aspects of Jesus' teachings is his unequivocal concern for the powerless and the oppressed. Survivors are, by definition, a part of this prioritized community of the vulnerable. And yet, too often, survivors are treated as *problems* to be solved by judicatories. They become *issues* to be handled by PR teams. They are reduced to *adversaries* to be defeated by legal counsel.

Problems…issues…adversaries: these descriptors, and the practices by which they are manifest, are dehumanizing and retraumatizing for those whose bodies, minds, and souls have already been abused. Such re-harming could prove even worse than the sexual or spiritual abuse survivors first endured: now the whole Church, through its official institutional power, is menacing them.

Along this path, the truth is not discovered, exposed, and healed. The vulnerable of the Church remain at risk. The deep and profound irony is when the Church simply moves

[1]Each form of church government, Episcopal, Presbyterian and Congregational, will have to work issues of due process into their regulations for dealing with charges against clergy.
[2]https://www.npr.org/2021/10/05/1043302348/france-catholic-church-sexual-abuse-report-children
[3]https://www.aljazeera.com/news/2021/9/25/catholic-church-apologises-to-canadas-indigenous-over-abuses
[4]https://www.abuselawsuit.com/church-sex-abuse/
[5]https://www.houstonchronicle.com/local/investigations/abuse-of-faith/

clergy who misbehave to another church or gives them a slap on the wrist—all in an effort to *protect* the *Church's reputation*—they are actually trading short-term PR gain for long-term reputational pain. Presently, among the watching world, the gig is up. No one buys it or will tolerate it anymore. The way survivors are commonly treated, and the way perpetrators are too often allowed to skate, is destroying the witness of the Church.

Love Restores Agency to the Traumatized.

But what does it look like to love those who are vulnerable? More often than not, it primarily means restoring the agency that was taken from them by the abuse. When thinkers and practitioners call for *survivor-sensitive* or *trauma-sensitive* approaches to allegations of clergy misconduct, they have in mind the wisdom that emerges from agape-permeated values, such as:

- **Survivors must be involved in every aspect of the church's response to allegations,** from reporting, designing the investigative process, investigating, and announcing any sentence, to creating needed reform in the church and securely holding survivors.

- **Survivors must be discovered and have a safe way of coming forward.** They must know enough about the investigative approach to feel believed, welcomed, and safe in the investigation. They should be assured of as much confidentiality as possible, that they can even report to the investigator anonymously and be anonymous in the final, public report. It is crucial that survivors not be outed to those who could harm them or even take their life.

- **Churches, various judicatories, and religious institutions must not investigate themselves using employees who work for the institution.** Leaders of the church must have the courage to step aside. As Scot McKnight has written: "The church surrenders for the good of the other (the Survivor)."[6] *Surrender for the good of others* fits securely in any definition of agape. Churches should use independent outside contractors.

  One could understandably wonder, "Why can't the Church have the moral clarity to investigate itself and reliably do the right thing?" One would think we should be able to, but our long, consistent history tells us we can't, and the cost of this inability is paid for by survivors and by the reputation of the Church.

  Furthermore, when the church uses outside, independent attorneys, consultants and investigators who are Christians, the church is involved, but in an impartial way. Agapic-based impartiality is crucial to survivor/trauma sensitive ways of getting to the truth without re-traumatizing survivors or denying due process to the accused. It is heartbreaking to admit, but church leaders often respond to incidents of abuse with retaliation. Independent investigators will restrain retaliation, and in doing so protect those who have been abused.

- **The process must be open.** This means that contracts with investigators and investigative methods must be shared with survivors. This assures them that the scope of the investigation is thorough; it is not limited by budget or an artificial timeline; it is safe; and it will not simply re-traumatize survivors in an effort to protect the Church.

- **The investigative report must be made available to survivors and all others with the need to know.** This ensures the report is not stuffed into a drawer by a judicatory leader, thereby silencing the survivor and protecting the perpetrator. Controlling information is a key tactic of church cover-up.

- **Trauma-informed pastoral care must be offered to survivors and paid for by the church/judicatory/denomination.** This should be automatic. But as I mentioned earlier, it is not

[6] https://www.christianitytoday.com/scot-mcknight/2021/july/survivor-sensitive-approach-to-allegations.html

commonly done because attorneys and PR departments frown upon it. It may imply responsibility or guilt or cause insurance issues. Fair enough. But we must encourage churches to think this through based not on fear and protectionism but on doing whatever we can to care for the traumatized. Think it through using the vision of the Parable of the Good Samaritan. With that in view, no argument for withholding healing from survivors makes any moral or spiritual sense. Get "yes" oriented. Exercise your empathy muscle. Get creative. Find a way.

Many survivors never come forward. They are rightfully concerned that the Church will protect those in power: pastors, priests, professors, and denominational leaders. Survivors who fight these inner voices and find the courage to come forward are simply asking, "Who cares for us?"

When a survivor reveals their courage by telling a person in power what happened to them, they are more afraid than most of us can imagine. In that moment, they simply want to hear:

I am sorry…
You did not deserve this…
This is not your fault…
You are treasured of God and my sister/brother in Christ…
I see you…
I hear you…
I take your report seriously…
In taking the next steps, I will help protect you from the perpetrator(s)…

Love Protects the Process for the Accused.

We face a necessary controversy in the Church as we come to grips with how to simultaneously center survivors and ensure due process for the accused. This can be done. It simply requires vision—an agapic vision—for the good of the whole Church. *Survivor-centered* is not an invitation to be unrighteous to the accused. Nor is it axiomatic that centering victims will do so. Survivor-centered means something like this: *the Church, through its institutional power, will no longer be able to retraumatize victims in an effort to protect its leaders and itself. It is a holy and agape-based decision to put survivors in the center of any process, not cast aside as an infuriating annoyance.*

With that point clear, the church must also not assume guilt on the part of those who have not yet had the benefit of an investigation and the best practices of due process embedded in their particular ecclesial system. Survivors value due process too. They are not looking to harm others. Survivors know that if they were accused of a crime or wrongdoing, they would want due process for themselves. They are simply looking for inclusion in a safe and fair process.

In some quarters, there is concern that centering survivors is unfair to the accused. This is not true. An agapic vision has at its heart truth, fairness, and a strong will to do good for the whole community: survivor; accused; the churches with whom they belong; denominations; and the one, holy, catholic church.

I suggest these agape-based practices for the accused.

Value and seek out witnesses (Deut. 17:16; 19:15; 1 Timothy 5:19; 2 Corinthians 13:1), both those who prove guilt and those who prove innocence. We must be careful in applying the passages from 2 Corinthians and 1 Timothy. Many times, there are no witnesses to abusive acts, as it happens in carefully curated privacy. We keep the spirit of the passage by letting other forms of evidence (text threads, CCTV, emails) become the functional equivalent of *witnesses.* In addition, we must never use Matthew 18:6 as a rationale to send a survivor back to the person who abused them for a one-on-one conversation.

Survivor-centered is not an invitation to be unrighteous to the accused.

Ask the investigator and ecclesial court to do both examination and cross-examination (Proverbs 6:16-19).

Make the investigation an impartial quest for truth and justice, neither favoring the poor nor deferring to the great, but judging the situation in righteousness (Leviticus 19:15).

Care for the accused. The pastor and his or her family need to be assured that due process, integrity, and truthfulness are shaping the investigation. This is a difficult time for them and for their church.[7]

Love, more than any other construct or ideology, is the basis for caring for survivors.

Get help. Institutions with well-ordered desires, those who want to learn, grow and do better than the Church has done for the last few generations, can start to do so by getting outside counsel. Hiring a consultant is the best way to ensure an agapic-based process that centers survivors and is simultaneously righteous to the accused. I can think of no one better than Rachael Denhollander. She has been a big help to me, and I wish the whole Church could receive the benefit of her godliness, intelligence, and tenacity to do what is right for all parties.

The Most Excellent Way

It is rare that the scriptures make bold, clear definitive statements. But Paul's thought on love does just that:

> *And now I will show you the most excellent way…*
> *The greatest of these is love.*
> 1 Corinthians 12:31, 13:13

Love, more than any other construct or ideology, is the basis for caring for survivors. The practice of love never fails. Its practice, concerning church-based abuse, boils down to one question:

> **Regarding victim-survivors:** *What does love require?*
> **Regarding the accused:** *What does love require?*

I've handled countless cases of clergy misconduct and leadership malpractice. I know it gets messy. I realize we can feel lost in conflicting reports and evidence. I know we often fear that important relationships are going to be ruined. Someone is always going to hate us no matter what we decide and do.

In the middle of all this, turn to the most excellent, the greatest way. Agapic love is not squishy sentimentality. It is a beacon of light leading to concrete practices for discovering truth and enabling loving care.

[7] https://www.christianitytoday.com/scot-mcknight/2021/july/survivor-sensitive-approach-to-allegations.html