

# **“WHERE WE ARE TODAY”**

(1 of a 4 part series)

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## *Summary*

*The Catholic bishops would have the general public believe that the clergy abuse phenomenon, which burst into public awareness in 1984 and appeared to reach critical mass with the scandalous Boston revelations in 2002, is now history, as was articulated by Archbishop Wilton Gregory when he was president of the USCCB in his remarks, February 24, 2004. When questioned, they often cite the Dallas Charter, claiming that it is “in place” and most dioceses have self-declared themselves to be in full compliance. The bishops have said the problem is now over because they have done all the right things, but most important, they have declared it to be over. Reality however, especially painful reality, is not subject to the determination of Catholic hierarchs.*

*Widespread clergy abuse has been a painful part of the institutional Church since its earliest years. The major difference in the present era is the widespread public awareness of it in spite of all hierarchical attempts to keep it buried in deep secrecy. With this awareness has come a fundamental shift: the clergy and hierarchy are not in control of the outcome of the abuse problem. The lay people, the survivors and victims and the secular society are in control.*

*Clergy sexual abuse has turned out to be a catalyst for the exposure of several factors contributing to the causes of its institutional, systemic enabling and cover-up. The papacy and the bishops have resisted all efforts to discuss the relationship of mandatory celibacy and the Church’s traditional sexual philosophy to clergy sexual abuse. They have also resisted all efforts to examine the relationship of the way the Church is governed to the solidly proven cover-up. In short, the hierarchical structure will accept only those elements of causality that do not reflect negatively on them or on the hierarchical system.*

*The way the official Church has reacted to the overall phenomenon, to the victims, to the lay Catholics who have called for an explanation and reform, to the clergy who support victims, to the media who have supported victims and called for accountability, and to the civil officials who have called the Church to task, has revealed a dimension of the Church that stands in stark contrast to the image most Catholics grew up with and firmly believed in....an image of a Church that was always right and could always be trusted. Such an image is no more.*

*This paper began with an address to the 2006 SNAP convocation in Jersey City. My assignment was look at the past and estimate where we are today, concluding with my reflections on what the abuse issue is telling the Church and secular society. Contrary to the bishops' collective fantasy, the problem is not solved and the "crisis" as some would erroneously name it, is not over. As long as the complex reasons "why" remain unexplored and as long as the hierarchy treat victims as adversaries and see clergy abuse almost exclusively as a threat to their image and power, the very dark cloud will continue to overshadow the Church and impede it from being the Christian community intended by the Founder and hoped for by the faithful.*

## **REFLECTIONS ON CLERGY ABUSE-WHERE WE ARE TODAY**

### ***PART ONE***

It has been nearly 22 years since the sexual abuse of dozens and probably hundreds of Catholic children by Gilbert Gauthier in the Diocese of Lafayette, Louisiana captured the attention of the United States Catholic Church and nearly 5 years since the public revelation of the massive institutional cover-up of clergy sex abuse in the Archdiocese of Boston on January 6, 2002. For many of us, victims, survivors, supporters, it is difficult to continue to be part of this complex social force and maintain an accurate perspective.

What appeared to have begun in the United States has spread throughout the world: the revelation that Catholic clergy as well as members of religious orders of men and women have sexually abused children, minors and vulnerable adults in every religious and secular setting imaginable. Back in 1985, as we, Michael Peterson, Ray Mouton, Jason Berry and I watched this dark hole in Catholicism gradually open up, we were even more dumbfounded by the reaction of the Bishops' conference and the non-reaction of Pope John Paul II and his Vatican bureaucracy.

I suspect the Vatican functionaries and most bishops might admit that it is difficult for them to stand back and dispassionately evaluate where we have been, where we are and where we are going. I say "*I suspect*" because there are too many valid indications that the bishops as a group and all too often individually, see the clergy abuse phenomenon from the highly restricted and myopic view of their clerical enclave.

Our present era of clergy abuse revelation began in 1984. Since then, the institutional Church's governmental system has yet to publicly call for a widespread pastoral response to the countless direct and collateral victims of clergy abuse. Very few of the authority figures have taken off their robes and symbols of power, dismounted their thrones and gone out to the wounded as Christ would do. Yet there has been significant progress in the struggle for justice and pastoral compassion towards all those harmed by clergy sexual abuse. The progress has been in spite of the Vatican and the world's bishops, and not because of them.

In spite of being intimately involved with the evolving socio-cultural movement that is focused on clergy abuse and hierarchical denial, I have also been able to place considerable distance between myself and the clerical sub-culture that runs the Catholic Church. I suspect I see the institution and the clerical world as most lay people, Catholic and not, see it.

Violations of mandatory clerical celibacy in the form of sexual abuse are as old as the institutional church itself. The Church's own canonical history, captured in countless decrees issued by popes, bishops and councils, demonstrates not only regular instances of such abuse but patterns of sexually abusive behavior. In some periods such patterns became so widespread and commonplace that they were presumed to be constitutional aspects of priesthood or religious life.

Historically the Church authorities have responded through disciplinary measures against the offending clerics, yet such measures were limited to what has commonly been called the "lower clergy." Deacons, priests and religious brothers were punished, but no actual sanctions, other than an occasional forced resignation, have ever been imposed on sexually abusive bishops. In our own era the Vatican, through the Congregation for the Doctrine of the Faith, has mandated canonical penal processes against deacons and priests accused, but nothing has been done to or about bishops who have violated those placed in their trust. The U.S. bishops have said that

they will treat such cases with “fraternal correction yet they have never defined much less applied this principle leaving us with the realistic conclusion that it is meaningless.

The secret trials of accused priests and the laicizations issued by the Congregation for the Doctrine of the Faith are in complete accord with Canon Law and Church policy. The bishops’ claim that they are incapable of subjecting accused bishops to such measures is also in accord with Church law. Only the pope has the authority to bring charges against a bishop. Any canonical suit brought against a bishop must be heard by a Vatican tribunal appointed or approved by the pope. The bishops were therefore correct when they said that the best they could legally do would be to apply the meaningless process of fraternal correction.

Has the Vatican ever moved against an accused bishop? The short answer is ‘yes’ and ‘no.’ Some have been forced to resign but no bishop has been subjected to a canonical trial. This of course, points out the institutionalized injustice in the system. The U.S. bishops could have gone on record as requesting the Vatican to subject their peers accused of sexual abuse to the same degree of investigation and judicial process as the accused priests. They did not. The question is “why not?”

### *Putting the Present in the Context of the Ages*

Clergy sexual abuse was not new in 2002 when the Boston Globe exposed the deeply entrenched and institutionalized cover-up in the Boston archdiocese. It was not new in 1984 when Jason Berry courageously exposed the history of cover-up in Lafayette, Louisiana. This unfortunate history goes back to the fourth century at least and quite possibly even before. The Church’s own canonical documents prove that violations of mandatory celibacy have been part of the fiber of Church life for centuries. At different periods of history the extent of such violations would provoke official attention. Some decrees would be passed and some disciplinary laws enforced. The interest would wane and life would go on.

There appear to have been four consistent aspects of all of this:

1. There have been constant violations of celibacy and many of these have been illegal in one form or another, i.e., sex with minors, concubinage, forced sex with age appropriate persons.

2. The Church hierarchy has consistently tried to respond to celibacy violations through disciplinary actions against offending priests.
3. The Church has resisted all attempts to seriously study the relationship of mandatory celibacy to sexual abuse by the clergy.
4. The Church authorities have never shown serious concern for the emotional and spiritual welfare of the victims or their families. Nor have they shown any meaningful concern for the impact of sexual abuse on the lay faithful in general.

What has been true throughout Catholic history certainly appears to be true in the contemporary experience. The Vatican and the bishops were generally lifeless as far as clergy abuse is concerned, from the beginning of the present wave in 1984, until 2002. Then, when the massive backlash from the Boston Globe revelations began to sink in, the hierarchy went into action. It was almost exclusively defensive action. Since then all of the officially supported efforts: the National Review Board, Diocesan Review Boards, the Dallas Charter, the Offices for Child Protection, the widespread secret canonical trials, the “One Strike” policy, the public apologies, the liturgical penance services and whatever else has happened on the official level, all have one glaring common denominator: *none of it was proactive. Every aspect of the response was a defensive and embarrassed reaction to the widespread revelations in the secular media and to the pressure from the civil legal system.*

When the official church’s public relations apparatus proudly claims it has done more to deal with child sexual abuse than any other organization in society, there are two valid responses. On *what* is this gratuitous assertion based? There is no hard data to back it up. Second and more important, the official church, from the Vatican to the national bishops’ conference to the individual dioceses, *would have done nothing were they not forced to act.* If there had been no public exposure beginning in 1984 and no lawsuits and no grand jury investigations, nothing would have changed. The bishops would have known about sexually marauding clerics and done precious little to stop them much less extend compassionate care to the victims. There is no question that things have changed since 1984 but the changes have been forced on the Church by powers that the bishops have reluctantly realized, are greater than they are.

What happened in 1984 and again in 2002 to make the difference? Sexual abuse of children has been taking place for ages. Why did this garner such national attention, and shock? A careful study of the socio-cultural landscape appears to indicate that the convergence of a number of factors was instrumental. Children were considered as individual human beings and not as possessions of their parents. Sexual and physical abuse of a child was now regarded as a heinous crime.

The so-called sexual revolution of the sixties and the feminist movement had a profound effect on society's discussions about sexual behavior. Some conservative Catholic forces identify these two sociological realities as the cause of new found sexual freedom among clerics and victims alike, enabling them to shed restraints formerly imposed by the Church's stringent moral code. Actually, anyone who really believes this is ignorant of the nature and causality of sexual dysfunction, but that's another issue.

The sexual revolution freed people to look at and talk about sexual behavior. It was no longer hidden under a thick blanket of denial that forced society to act in public as if it didn't exist. Sexual dysfunction was out in the open. It was not a question of immoral behavior that could be stopped by an act of the will or blind fidelity to religious rules. It was and is a sickness, harmful to victims and perpetrators alike. The feminist movement too, forced us to look at human sexuality as it really is. Spousal abuse was exposed as an evil and not a right.

The sixties and seventies were a period of profound social and cultural change for all aspects of western society. Institutions previously held to be "sacred" were de-mythologized. The judiciary, the medical profession, the presidency and finally the Churches were brought down to earth. Lay Catholics who read the documents of Vatican II started to claim their baptismal right and slowly began to mature. The widespread and deeply rooted clericalism that sustained the church as an unequal society was revealed to be a virus and not a benefit to the Church as *People of God* and not Church as *People of the Purple Kingdom*.

The revelation of clergy sexual abuse of children and vulnerable adults has had a chilling effect on the ecclesiastical system that knew about and silently condoned and enabled it. Finally, the abusers were being exposed and their hierarchical enablers were being called to task. The world had changed and

the ability to hide behind the velvet walls of clerical privilege was rapidly shrinking.

### ***Toxic Secrecy: Keeping the Evil Alive and the Believers Off Balance***

Secrecy is as much a “Mark of the Church” as the official four: One, Holy, Catholic and Apostolic! Sexual abuse by clerics and the official response to it have not always been enshrouded in deep, dark secrecy. For centuries the official concern and the penalties inflicted on offenders were widely known. In the late medieval period accused clerics were subjected to canonical trials, laicized if convicted and then turned over to secular authorities for punishment where the penalties inflicted were severe and included execution in some cases.

In the late 19<sup>th</sup> century Pope Pius IX changed the approach by mandating absolute secrecy for all cases of sexual solicitation in the confessional. This culture of secrecy continued and was further enforced by official decrees in 1922 and again in 1962 when the Vatican issued special procedural rules for responding to reports of clergy sexual abuse and solicitation. The Vatican again issued revised procedural rules for dealing with clergy sexual offenses in 2001. Though the document itself has been made public, the secrecy surrounding the actual disposition of cases continues.

The secrecy that covers the canonical trials prevents both the victims and the general public from obtaining an accurate view of how the official church is handling abuse accusations. Neither the Vatican nor the bishops’ conference will reveal any information on the number of investigations, the number of laicizations, the number of exonerated clerics or on the outcome of specific cases. Victims are regularly asked to provide witness testimony in the canonical trials of their abusers and then forced to wait for prolonged periods of time with no news of the outcome. The secrecy continues to spread a disturbing level of toxicity throughout a Church already seriously endangered by alarming levels of hierarchical narcissism, arrogance, and paranoia. The Church authorities, trapped in a terminally suspicious medieval mind-set, do not understand. They might just begin to regain some of the lost trust and respect if they realized that the lay people are mature adults, quite capable of handling disgusting problems like clerical betrayal. One wonders what values are being protected by this obsession with the opaque.