

WHERE WE ARE TODAY

REFLECTIONS ON CLERGY ABUSE

PART TWO

The Nightmare Unfolds

Too many people associate the discovery of the clergy abuse phenomenon with the Boston Globe exposition of the Boston debacle in January, 2002. This was when it all reached critical mass, not when it started.

There had been a few scattered news stories of clergy sexual abuse prior to the series run by the *Times of Acadiana* in 1985. A priest was criminally convicted of raping a disabled woman in El Paso in 1978. The story received local coverage but did not capture national attention. As an aside, after serving over two years in prison the priest was released and re-instated in ministry and went on to sexually abuse a number of young girls.

The news coverage of Gilbert Gauthé and the cover-up by the Diocese of Lafayette, Louisiana was nationwide and touched off a new approach to the press' handling of Catholic Church problems. After the Louisiana debacle stopped making headline things were relatively quiet for a short period before a series of serious abuse cases exploded onto the national scene. The James Porter cases captured national attention in 1992. Also in 1992 and 1993 widespread sexual abuse by friars was exposed at two Franciscan seminaries: St. Anthony's in Santa Barbara, CA, and St. Lawrence in Fond du Lac, Wisconsin. In 1994 the Luddy civil trial took place in Altoona PA. In 1997 the famous Kos case was heard in Dallas, Texas, and in that same year the physical and sexual abuse of residents in a Catholic orphanage was exposed in Vermont. Cases of clergy abuse continued to pop up around the U.S. on a regular basis. With ever increasing regularity victims directly approached civil lawyers and by-passed the Church. Why? Because by the late nineties they knew that, with very few exceptions, the Church authorities would react with disbelief, lies or attempts to cajole them into silence. The victims as well as the general public now knew that the official Church would remain in defensive denial.

Having known about the extent of clergy sexual abuse for at least eight years, Pope John Paul II finally made a public acknowledgment in June 1993 when he wrote to the American bishops about the problem. His response was not only disappointing to victims but proof that at the highest levels, the men

running the world's oldest and largest organized religion did not have even a basic grasp of the nature and extent of this problem.

The papal letter set the tone for the rest of John Paul II's public statements about clergy abuse. He first expressed sympathy and solidarity with his brother bishops because of the suffering caused them by this problem. He named sexual abuse as a sin, gave passing mention to praying for victims and then shifted gears and focus to the secular media and its tendency to sensationalize sex abuse. So much for any hope that the pope would align himself with the victims and prescribe any effective measures on any level. LinkUp (originally known as *VOCAL*) and SNAP were founded in 1988. Seeing that the official Church was hardly any help to the victims, they banded together to help themselves. *VOCAL* held the very first national gathering for victims of clergy abuse in a suburban Chicago hotel in October, 1992. Featured speakers included Dick Sipe, Jeff Anderson, Jason Berry, Tom Doyle and a one-time appearance at victim events by Andy Greeley who gave an insightful address on the role of clericalism in the clergy abuse crisis. The gathering attracted hundreds including media from as far away as the Netherlands. The late Cardinal Bernardin had agreed to appear but backed out at the last minute because of his fear that people might express anger towards him.

The 1992 gathering took place in the midst of the Fr. James Porter furor taking place in New England. Some might remember Cardinal Bernard Law calling down God's wrath on the Boston Globe at a press conference called in response to the shocking Porter revelations. The wrath would come but it would take a few years before it hit the surface and when it did, the target was the Cardinal and the divine delivery system was the very newspaper the Cardinal had originally called in as a target. So much for God's obedient response to a cardinalatial summons.

Then came January 6, 2002 and the unexpected tidal wave that hit the American and European scene following exposure of the systematic cover-up of crimes by Geoghan, Birmingham, Shanley and eventually several other Boston priests. No one expected the chain reaction that was touched off that Sunday morning. Why then and not 1997, 1993 or 1984? Pundits from all sides have advanced their theories. My own is that for the first time the public actually saw physical proof of the bishops' lies and cover-up. The Globe did not simply recount the Geoghan horror stories. They reprinted letters sent to the cardinal, pleading for help as well as the self-serving and blatantly dishonest official responses given. Here was indisputable proof of the lies, manipulation and cover-up. Most significant, here was proof of an uncaring attitude of disdain on the part of the institution.

What started in Boston quickly spread throughout the U.S. The major networks all featured documentaries about clergy abuse and hierarchical cover-up. The bishops were caught with their collective pants down and they knew it. The arrogant and lame public responses of Cardinal Law and bishop after bishop only fueled the flames of anger. The Boston Globe staff told the story with uncanny accuracy in their book *Betrayal*, published in 2003.

The Catholic Bishops had reacted to the papal letter of 1993 by setting up a clergy abuse committee. The committee, chaired by Bishop John Kinney, issued a four-volume handbook. It contained some helpful information but in general, both the committee and the manual were ineffective. SNAP organized demonstrations at the annual bishops' meetings in November of that year. Members of the committee had a few *pro forma* meetings with victims but these were certainly not to gain insight into the harm or to begin a compassionate response. The purpose of these meetings was self-serving and led to absolutely no meaningful growth in the bishops' insight into the complex and devastating world of clergy sexual abuse.

There were numerous lawsuits between 1985 and 2002 and some received significant media attention. But nothing seemed to cause a collective cultural wake-up and after each media micro-burst things seemed to quiet down. In spite of consistently losing in the courts, bishops plodded along, ignoring victims for the most part, still shuffling accused priests around and making no effective moves to confront the huge rotting mess that was steaming in their front yard. In the courts however, things were happening.

Few cases actually ended up in full-blown trials and when they did it generally amounted to an embarrassing spectacle for the institutional Church. The bishops learned the hard way that they were losing their grip on some of the important areas of society. They especially learned that in court, bishops and clerics in general are citizens like the rest of us. Some were shocked that they weren't given the royal deference they had become so accustomed to. They also learned that their retained public relations firms had little effect on the devastating impact of the direct testimony of victims and their families.

Most of the cases filed between 1985 and the present, and there have been several thousand in the U.S alone, have ended in negotiated settlements. In general however, this is not before the dioceses have put up costly, often destructive battles during which victims and their witnesses have been routinely attacked by aggressive and insensitive lawyers. It is not without significant justification that Richard Sipe, who has served as a consultant and expert witness on behalf of many victims, has stated that the Church's attorneys are, in his opinion, the most morally compromised group of people

he had yet to meet. As one who has layers of scar tissue from wounds inflicted by these attorneys, I totally agree with Richard. Having worked with close to 300 attorneys in twenty-two years, my impressions of the plaintiffs' bar are positive. Some handle one or two cases and then retreat, often avoiding any more church related litigation. There is a significant group however who have continued to represent and fight for clergy abuse victims. These are men and women for whom this challenge transitioned from representing clients...or doing a job...to fighting for justice and healing. Unlike the defense lawyers, the plaintiff's attorneys take great financial risks since they work on a contingency basis. Many have lost sizeable amounts of money, often personal funds, in their quest to help their clients. A number of these attorneys have represented clients on a "pro bono" basis, something yet to be found among the defense bar in these types of cases.

There is another aspect to the role played by the attorneys and it is this: their clients are nearly always severely wounded and traumatized people who had been devout and unquestioning Catholics. When they sought compassionate help and understanding, their official church leaders generally were unable, unwilling or both, to provide it. Over the years I have seen the attorneys often be what the clergy should have been but were not: caring and compassionate supporters. They believed the victims. They showed understanding and sympathy. They were present to listen, support and guide in ways that went far beyond the call of their legal duty to their clients.

Not too long ago Francis Maier, the chancellor of the Denver Archdiocese, wrote an article, more accurately a diatribe, in a magazine called *Crisis*. In it he accused the victims' attorneys' of conducting a "rip off" of the institutional Church, based on his erroneous impression that the attorneys are behind the attempts to change the legislation in several States. I met Fran Maier years ago and I recall him as a decent enough fellow. However in this case he is obviously totally misguided by his archbishop, Chaput of Denver. While he and the bishops criticize the victims' attorneys, they fail to either understand or accept the fact that historically the lawyers have been what the bishops refused to be for the victims and their families. I won't go into Maier's article in detail but will say that if his conclusions represent the thinking of his boss, then neither he nor the archbishop have the slightest idea of the full scope of the clergy abuse problem. Worse still, they show absolutely no evidence of sensitivity to the profound damage done to people abused by clerics. Our experience should have taught us not to expect any such sensitivity from the hierarchy or their minions.

In 1978 and 1979 two priests were tried *in criminal court* for sexual abuse. One was in Texas and the other in Iowa. The local press published stories

about each but the coverage was limited in scope and superficial in its treatment. Neither story was picked up by the syndicated media. Contrast these cases with what we have seen since 1984 but especially since 2002. After the Boston revelations in 2002 the coverage was front page and world-wide. It certainly seemed that any control the bishops had over the secular media had vanished in the hurricane strength winds of the nationwide revelations of abuse and cover-up.

Some have debated whether the media coverage laid the groundwork for the response of the civil courts or vice-versa. I personally believe that the major breakthrough came from the secular media. Once they put the stories out to the public the plaintiff attorneys found the courts less willing to give the Church deferential treatment. What was actually happening was more complex than simply providing the public with sordid and shocking information about the clergy that had heretofore remained well hidden. The media were directly responsible for the gradual erosion of the deep-seated denial that prevented the judicial establishment and the Catholic and non-Catholic public in general from both believing *and* comprehending the evidence of the massive betrayal of trust that was exploding before their very eyes. Thousands of cases have been filed in civil courts throughout the U.S. and in several other countries as well. Thousands more would no doubt have been filed were it not for restrictive statutes of limitations. The civil law process has been successful on several levels. A significant number of victims have received well-deserved monetary compensation for the harm done them from the corporate Church and its insurance carriers.

We all know that the money has not and will not heal the wounds, but it has served to get the bishops' attention. They may have been able to manipulate and intimidate the victims and in so doing denied them not only justice but charity, but they have had far less success manipulating the civil law process. More important has been the fact that through the discovery aspect of the legal process, the official Church's files have been revealed to the public. Here we have discovered the truth of what has actually happened in chanceries and episcopal mansions. These files have provided objective and incontrovertible evidence of cover-up by bishops, religious superiors and even the Vatican. They have revealed an aspect even more disturbing than the cover-up: the almost total lack of pastoral or even human concern for the plight of the victims and their families. The files have revealed beyond question that the authority figures of the Catholic Church either would not or could not comprehend the unspeakable damage wreaked on bodies, emotions and souls by the clergy who actually abused, and the bishops, who ignored, stonewalled, lied and covered up the abuse.

The years since 1984 –in particular the turbulent five years since the Boston revelations- have uncovered more horror stories of thousands of instances of rape, sodomy and abuse. The cases, the media investigations and the grand jury reports have exposed the true colors of the corporate leadership of the Catholic Church. While it is true that several bishops and certainly scores of priests and religious have been equally horrified and sincerely motivated to *do something to make it right*, the soul jarring fact is that the default response of the hierarchy has been decidedly unchristian but, in the estimation of critical observers, corporately correct.

Do They Get It? More Important, Can They Get It?

Could the ecclesiastical system and its keepers have reacted in any other way? Over the centuries the official Church has defended mandatory celibacy by means of a pseudo-spiritual smokescreen that has betrayed a seriously flawed understanding of human sexuality and human nature in general. The standard priestly formation program has always been constructed with various elements that gradually indoctrinated the young seminarians with the official Church's philosophy of human sexuality. This philosophy has traditionally been grounded in the fundamental theory that the celibate, or sexless life, is attainable but more important, it is preferable and so much more in keeping with God's plan. Those who choose and follow it are spiritually and emotionally superior to the masses who involve themselves to some degree in sexual activity. While scores of books have been written defending the Church's traditional teaching on sexuality and celibacy, many more have challenged it. For our purposes, it is important to recognize the historical evidence that has shown that contrary to the justifications and claims of success constantly repeated by the official Church, mandatory celibacy has not been consistently successful. In its failure, it has left hundreds of thousands of bodies, emotions, psyches and souls deeply wounded.

I categorically disagree with those who claim that mandatory celibacy itself causes men (or women) to turn to sexual abuse of minors, children or vulnerable adults. I also disagree with those who claim that a healthy, happy and spiritually creative celibate life is impossible. In my life in the institutional Church I have met, lived with and worked with far too many celibate men and women whose dedication to the mission of Christ and whose healthy approach to life amazed and edified me. Yet we cannot deny that the imposition of mandatory celibacy on all clerics has taken a terrible toll.

I return to the question of whether or not the official church could have reacted any other way and would like to frame my response within the context of official celibacy. I don't believe the hierarchical system or its keepers *could* have responded in any other way. I say this for three reasons:

1. Clerics are nurtured to believe that the institutional church is identified with the clerical culture and this culture and the church power structure is to be protected and preserved at all costs. Mandatory celibacy enhances the "mystique" that surrounds the clerical culture.

2. The clerical formation in mandatory celibacy does not allow clerics to experience true intimacy since intimacy is equated with sexual expression and sexual expression is beneath the celibate lifestyle. A by-product of this is the inability to comprehend and certainly to appreciate the long-lasting emotional and spiritual damage that results from sexual abuse. Most clerics see sexuality from a two dimensional viewpoint: cognitive and volitional. In other words, they know it exists and they believe they can *will* it not to happen in their lives.

3. Clerics not only are *not* parents, but they are not able to appreciate the parental bond between a parent and a child. Consequently they fail to understand the indescribable pain a parent experiences when learning of a child's sexual abuse *at the hands of a cleric*.

I have spent countless hours with mothers and fathers, listening and trying to empathize with them over the violation of their children. The pain of simply knowing that a loved child has been violated is made more acute by the response of Church officials and especially the brutality of many of the Church's lawyers. In my twenty-two years of experience with clergy sexual abuse and in my extensive research, I have not seen any evidence that the hierarchy or the clergy *ever* regarded the damage to the victims and their never-ending pain as the most important object of response. There is simply no evidence that the institutional Church ever considered reaching out to victims as the *only* important first response.

The Vatican never issued any instructions or guidelines to bishops about how to extend true pastoral care to the victims and their families. In recent years the official church has put on workshops and seminars to instruct clergy on how to conduct canonical trials. The bishops have met numerous times as have their attorneys and the subject matter is always the same: how do we protect ourselves from civil suits and how do we prevent and escape liability. The official Church in the U.S., Canada, the U.K., Ireland, Australia, New Zealand and continental Europe *has never made any attempts, serious and substantial or even mediocre at addressing the pastoral and spiritual needs of the victims and their families*.

I am offering the strange clerical culture and the complex dynamics of mandatory celibacy as *explanations* and not *excuses* for what all agree has been an unspeakably scandalous response by the official church to the very people it has harmed.