

REFLECTIONS ON CLERGY ABUSE:  
WHERE WE ARE TODAY  
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**WHERE WE ARE TODAY**

**PART THREE**

**The Shrinking of the Institution**

The clergy abuse nightmare is a socio-cultural phenomenon with an impact that extends beyond the Catholic community. The institutional Church is an influential part of secular society. In addition to providing for the purely religious needs of Catholics through its sacraments and rituals, the Church also responds to a wide variety of social and cultural needs. It looms large on the social, cultural, political and economic landscape. Historically, the “Church” has all too often been equated, in the minds of many, with the hierarchy and clergy. In spite of the totally erroneous theology that the bishops and clergy are the church, one cannot dispute their power and influence. This historical identification of the Church with the clergy and hierarchy has enabled the clandestine and cryptic response to accusations of clergy abuse. As we stand back and look at the fallout over the past few years we can say with some sense of relief that things are changing. The institutional Church and especially the clerical aristocracy are shrinking.....finally!

Lay Catholics and even some priests are maturing at a rate that is alarming to the bishops but far too slow for Church as community. As the duplicity, dishonesty and even cruelty of many hierarchs and clergy have been exposed, the foundations of their privileged positions have deteriorated, having been sabotaged by the bishops themselves. In numbers that are alarming and threatening to them, Catholic adults are not disengaging their brains and their maturity when they walk into Church or when they approach a cleric. This of course comes as a tremendous shock to the hierarchical system which depends for its survival on the institutionalized conviction that the Church is an unequal society. Thus the truly adult Catholic lay person has become the bishops’ worst nightmare. This all happened because of the exposure of widespread clergy sexual abuse and the equally widespread pathological response.

The size and influence of the institutional Church are shrinking because many adults are abandoning their childish, unrealistic beliefs. The civil courts are playing a powerful role in this process as well. Victims have sought relief from the civil courts almost exclusively because the official Church either did not respond to them or responded in a harmful manner. The courts, prodded by the plaintiffs' attorneys, have steadily chipped away at the toxic belief that Churches and professional Church people always do good. One need only give a superficial glance to many of the activities of church related organizations and church authority figures over the past few years to see that organized religion is not only capable of great harm but in fact has inflicted and continues to inflict such harm on believers and non-believers alike. We should all read and even study Marci Hamilton's recent book, God vs. The Gavel for a graphic wake-up call to the destructive aspects of organized religion.

The shrinking of the institution and the demand for constant accountability has been hampered by widespread apathy and denial among the general Catholic population. The failure of the laity as a group to rise up in outrage at the knowledge of clergy sexual abuse of the Church's most vulnerable is a pathetic testament to the quality of Catholic moral teaching. The institutional Church has historically pointed accusing fingers at other denominations, secular groups, societies and individuals when any had done something or thought something the Church didn't agree with. It has not mattered that many of these accusations would have been ludicrous were they not so potentially harmful, such as Cardinal Lopez-Trujillo's recent reckless statement that condoms are useless in preventing AIDS. Yet when it comes to serious internal problems or the spectrum of outrageous corruption such as we have seen, the institutional defenders react defensively and go to every possible length to deny responsibility and failing that, to shift the blame.

The enraging aspect of this is that so many apparently mature and otherwise intelligent Catholic lay adults believe such nonsense. Far too many are still afraid to think outside of the stultifying ecclesiastical box. Too many more believe the erroneous propaganda dispensed by the institutional church simply because a bishop or archbishop said it. This is magical thinking at its most destructive level.

### **Some Thoughts on Where Things Stand Now**

Some have naively thought that once the Vatican became engaged the "problem" would be taken care of...but the reality is that the Vatican has known about the ravages of clergy sexual abuse for centuries. It has been well engaged in the contemporary era but only acted when forced by the post-Boston tidal wave of negative publicity and endless lawsuits. Pope John

Paul II responded to the massive *bruta figura publica* by calling the American Cardinals to Rome in what turned out to be nothing more than an ineffectual publicity event.

Although the late pope spoke of his love for children and his abhorrence of the sin and evil of sexual abuse, the true measure of his commitment was seen in his continued protection of Fr. Marcial Maciel Degollado, founder of the notorious Legion of Christ, brilliant fund raiser and accused sexual abuser. Rather than allow the course of canonical justice to proceed and possibly exonerate El Padre Nuestro, the pope caused the canonical process to be short-circuited. So much for justice!

John Paul II died in April of 2005 and was replaced by his former enforcer, Josef Ratzinger who has surprised many by taking a significantly different approach. Not long after his accession to the papal office, the superiors general of two religious orders were removed because of accusations of sexual abuse. The revered Fr. Maciel was one of them. His Teflon coating had somehow worn thin. True, he was not “defrocked” nor were the findings of the official investigation made public, but the outcome leaves little doubt in the minds of those who know how the Vatican operates, that the charges had plenty of substance. The man whom John Paul II had publicly held up as an inspiration for youth had now been removed as head of the Legion, forbidden to celebrate public liturgies, and “invited” to spend the rest of his days in prayer and penance. In spite of the careful language used in the official Vatican communiqué, the translation is fairly obvious. Maciel was found to have been guilty, removed from office, forbidden to do public liturgy and relegated to clerical limbo for the rest of his days.

Yet even if Pope Benedict XVI is personally sympathetic to the plight of the abuse victims, outraged at the conduct of the errant clerics and committed to at least trying to do the right thing, there remains the influence of the Vatican bureaucracy. It is probably true to say that although the pope is the absolute ruler of the universal Church, he remains unable to control that Byzantine, and murky maze known as the Roman curia.

Public statements made by various officials as well as private statements that have leaked out confirm that the common curial attitude remains defensive and aloof. The Vatican office holders are even further removed from reality than the local hierarchies so there is little reason to hope that there will be any revolution in awareness coming from any corner of the papal enclave.

The official Church response has been focused on the accused clerics. In 2001 the Congregation for the Doctrine of the Faith issued an edict that contained revised procedural rules for dealing with selected serious canonical crimes, chief among them clerical sexual abuse. Under the guise

of protecting children and the vulnerable from clerical sexual predators, the Vatican has aggressively sought to submit any accused cleric to a canonical trial. Laicizations have stepped up dramatically and the ultimate penalty, once avoided at all costs, has now become somewhat of a norm. The present policy has not solved the problem nor has it satisfied those who still demand that the official Church act like a Church and not a corporation. The canonical trials, both here and in the Vatican, remain shrouded in secrecy. The accused appear to be treated with the same hierarchical disdain as the victims. Dispatching every accused and guilty cleric will not come close to being the solution that will show that the hierarchs finally “get it.” Too many of us cynically and probably accurately interpret the “purge” as a frantic attempt by the official church to rid itself of its once “dearly beloved sons” who have now become a serious liability.

### **It's Still All About the Bishops**

The most effective action the pope could take would be to receive the victims and personally engage them in an effort at healing. His predecessor, in spite of statements of concern for the victims, refused all requests not only for audiences but even simple recognition. A personal meeting would have to be followed by a concrete action step, keeping in mind that the Vatican's traditional way of doing things is long on words and short on action. A respectable action program would involve launching a world-wide, comprehensive effort to bring about true pastoral and spiritual healing for the victims and their families and the countless others scandalized and confused by the Church's response to clergy abuse.

In suggesting a program I am surely not referring to a program that would have as its goal restoring the damaged and devastated to active membership in the institutional Church. Such a thought is both unrealistic and insulting. I refer only to extending concrete efforts to help people heal and find self worth and happiness. Such a process was recommended by the group assembled at St. Louis in February 1993 for the so-called “Think Tank.” Their recommendations and conclusions were concrete, practical and potentially effective. Yet once they made it to the Bishops' Conference they were minimized and rendered meaningless precisely because they recommended a real shift of focus and attention from the bishops to the victims. The St. Louis recommendations and any subsequent suggestions for steps that would really make a difference will no doubt remain a wishful dream. If anything, the present crop of bishops will concentrate not on restoring the victims but on restoring their own decimated power and rapidly eroding prestige.

Thanks to the efforts of the late pope, the U.S. hierarchy has become more clericalist, monarchical and narcissistically self-absorbed than at any time in recent history. They are sustained up by their commitment to a model of “church” that is archaic and grounded in a theology that has little if any resemblance to the scriptural notion of church as community or as, Vatican II named it, the “People of God.” Granted, there are exceptions and a few men who stand out as reasons for hope but by and large the ecclesial landscape is bleak. And, if one needs additional reason to be pessimistic, the current collection of young priests provides it. As one venerable old padre said to me, “they are so shallow and clerical that they’re scary.” So, from all of this what can one expect much less hope for?

First, it’s quite clear that the public expressions of apology and promises of reform have been a public relations effort and certainly not an expression of true compassion. The bishops promised action and they gave it in the form of concerted efforts at removing as many accused priests as possible but they still haven’t come close to doing what needs to be done. The overall response of the Bishops’ Conference and of many individual bishops has been bureaucratic, defensive and insincere. Even if many wanted to break loose and take revolutionary pastoral action, the overall organization seemed to be bogged down in a pit of bureaucratic quicksand. They seemed to really believe their own public relations propaganda, epitomized in Wilton Gregory’s disastrous remarks in February 2004, that the clergy abuse phenomenon “is history.”

The recent events in Chicago, Santa Rosa, Scranton, Los Angeles, Portland and Miami, to name but a few ecclesiastical jurisdictions, make it clear that the hierarchy’s commitment is not to reform but to its own survival. Bishops have refused to disclose the names of known abusers. They have continued to allow their attorneys to brutalize victims in court. They stubbornly persist in refusing to scrutinize their own role in the nightmare. The clearest expression of their true colors has been the organized, concentrated campaign to defeat all attempts at passage of State legislation that would favor victims of all sexual abuse, not just that perpetrated by Catholic clergy. In what is obviously an organized national campaign, the bishops have used erroneous, misleading and even slanderous information in an attempt to discredit the victims of clergy abuse, their attorneys and their supporters. Their goal is to prevent the passage of any legislation that would extend or eliminate statutes of limitation. Their highly paid public relations firms, lawyers and lobbyists have stopped at nothing to defeat proposed legislation that was supported in several states in the past year. Their tactics have been brutal and dishonest.

Among the areas of untruth, conjured up by the PR specialists and preached by the bishops and their minions, three are worth mentioning:

**1. The Catholic Church has done more than any other organization to combat sexual abuse.** The Church has only done what it has been forced to do and what it has done has been so co-mingled with PR hype that the truth is elusive. Were it not for the pressure of the secular press and the law suits, the official Catholic Church today would still be dealing with clergy sexual abuse the way it was forty years ago. There is absolutely nothing praiseworthy or virtuous about the administrative and bureaucratic steps taken in dioceses throughout the country or on the national level. It was all the result of tremendous pressure that the bishops could neither resist nor ignore.

**2. The problem is much greater in the public schools.** Archbishop Chaput of Denver has been the prominent mouthpiece for this particular myth. His assertions are based on highly subjective and clearly questionable data. In fact, the most credible research points to a conclusion that is quite different from Chaput's (4.4 % of mental health professionals have abused and 88% were adult females [Pope, 1992]; 3.8 % of students report sexual contact with school pros [Shakeshaft]). Far more important however is the historical fact that when a teacher sexually abused a student, his or her career was ended. When a priest sexually abused a minor congregant, he was usually transferred with no major interruption of his career.

**3. The legislative changes are only an attempt by victims' lawyers to "rip off" the Catholic community.** This one is really outrageous in light of the fact that the victims' attorneys take cases on a contingency basis. The bishops are quick to accuse the victims' lawyers of profiting from the lawsuits but what they don't tell the public is just how much their own attorneys are being paid. No diocesan attorney is working "pro bono" and all are "high dollar" counselors. The bishops of this country have spent tens of millions of the lay faithful members' donated dollars to pay their lawyers to stonewall all attempts at discovering the truth.

**4. The proposed legislation discriminates against the Catholic Church.** The suggestion that any State would pass legislation that singled the Catholic Church out for negative treatment is ludicrous. The proponents have all stated quite clearly that the hoped-for laws would apply to any public or private institution.

There is only one believable reason behind this aggressive campaign. It surely is not a commitment to promoting just legislation. Nor is it even a pragmatic effort to protect Church property and money. The real reason is to prevent any further disclosure of Church files. The files contain the truth and

the truth is that the institutional Church's historical response to reports of clergy sexual abuse has been far more damaging than had heretofore been revealed. Furthermore, these hidden files will reveal not only a policy and practice of protecting abusers at the expense of victims, but a widespread culture of arrogance, secrecy and even corruption.