

CASE STUDY

PETER KRAMER

(1947-)

DIOCESAN PRIEST

Diocese:
Regensburg, Germany



Current Status: *suspended*
Location: *in psychiatric institution awaiting trial*

Peter Kramer, ordained in 1997, abused two boys in 1999. In 2000 he was convicted in a non-public trial, sentenced to probation, and ordered to go to therapy and keep away from children. Within months he and first communicants were photographed together. No one noticed or cared.

His bishop, relying upon a good report from the therapist, appointed Kramer a pastor in 2004, two years after German bishops solemnly promised never again to appoint a convicted abuser to work with children. The bishop told no one about the conviction and Kramer dedicated himself to working with the boys of the parish. Kramer's past was revealed in summer 2007, and by fall 2007 he was accused of abuse in his new parish. His bishop said that he acted properly in appointing Kramer; Pope Benedict seemed to agree.



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Peter Kramer: A Second Chance and a Cruel Experiment

Early Career

In June 1997, Peter Kramer, a former auto mechanic, was ordained by Bishop Manfred Müller for the diocese of Regensburg in southern Germany. In September 1997, he was stationed at the village of Viechtach.

A year and a half later, on March 31, 1999, the Wednesday of Holy Week, thirty-one-year-old Kramer abused two boys. While their parents, Joanna Treimer, a music teacher, and her husband, were at an event at the Kolpinghaus community center, Kramer played a game of tag with nine-year-old Daniel and his brother, twelve-year-old Benedikt. Kramer lured the boys into a corner, caught them, and groped their genitals. Their eleven-year-old sister Franziska saw this and reported it to their parents. The next day, the Treimers confronted Kramer. He denied everything. Joanna and her husband then told their pastor, who believed them and contacted the chancery on April 1, 1999.

On April 6, Bishop Manfred Müller removed Kramer from his parish without any explanation. He sent the priest to a clinic for three months. The Vicar General of the diocese, Michael Fuchs, told the Treimers that no legal action should follow. “I feared that the children would have to testify in public. The boy was completely disturbed, slept badly, and had to cry a lot,”¹ Joanna later said. The family decided not to go to the police.

In July 1999, Joanna Treimer wrote to the diocese and demanded Kramer never again be allowed to work with children and youth: “I cannot sleep when [I] imagine that he could destroy the souls of more children and damage more families,” she wrote. But the diocese would not agree to this and insisted that it alone would make decisions about Kramer’s future.²

In November, the Treimers, Kramer, and diocesan officials came to an agreement: Kramer paid the children 5000 marks (then about \$3,000) in damages (*Schmerzensgeld*). The parents asked that there be no publicity for the sake of the children and signed an agreement not to speak of the affair.

The boys’ father, a deeply devout Catholic, was distraught about the abuse. He had a nervous breakdown and was sent to a clinic. In early 2000, he told a fellow patient about the abuse, and she told the police.³ Kramer was arrested, tried, and found guilty. A court-appointed forensic expert, Dr. Bernd Ottermann of the District Clinic Straubing, declared Kramer a homosexual pedophile. Of his report to the court, Ottermann later said, “I had

¹ Jörg Klotzek, “Kaplan missbraucht Buben – und wird Pfarrer,” *Passauer Neue Presse*, July 26, 2007.

All translations are mine. I have quoted the German when there is a question of tone or of legal and medical terminology.

² “Doch der Justitiar des Bistums verweigerte die Versicherung, der gleichen könne ‘vom Bischöflichen Ordinariat nicht gutgeheißen werden,’ schrieb er an die Familie. Die Kirche könne nur versprechen, ‘dass die künftige Einsatz des Herrn K. erst aufgrund einer sorgfältigen Entscheidung erfolgen wird’” (Conny Neumann and Peter Wensierski, “Schweigen gegen Geld,” *Der Spiegel*, September 17, 2007).

then clearly and distinctly stated that employment of Mr. K. in the spiritual care of youth was completely out of the question.”⁴

On July 7, 2000, a judge sentenced Kramer to three years probation on two conditions: that he undergo therapy and that he not work with children during the probation. The judge explained that she imposed the latter condition because of the diagnosis of pedophilia.⁵ However, she informed the diocese of this report via phone and only in general terms; for legal reasons she could not send the report to them.⁶ Additionally, the judge could have appointed a probation officer (*Bewährungshelfer*), but did not. As a result, no one was monitoring Kramer except his therapist and officials of the diocese of Regensburg. A priest had to send the court reports about Kramer every three months and, depending on their content, the probation period could have been extended.

A diocesan consultant found a therapist for Kramer, who was assigned as chaplain of a retirement home in the town of Sünching. While there, the mothers of a children’s group from the nearby town of Riekhofen asked Kramer to help with worship services for small children. He was not officially assigned to the parish at Riekhofen, although he often worked there.

The diocese claimed he worked only as a supply priest (that is, saying mass) and did this with the permission of his therapist.⁷ But after the death of the pastor of Riekhofen in February 2001, Kramer took over all duties at the parish, including work with children. On May 10, 2001, the *Mittelbayerische Zeitung* published a photograph of Kramer with sixteen children receiving their first communion. This ministry was a direct violation of the court order.

From February 2001 to August 2004, records show the administrator of the parish was the pastor in neighboring Schönach, Helmut Grüneisl. Though the diocese must have known that Kramer was the only priest working in the parish, it did not inform Grüneisl of Kramer’s past. As Grüneisl approached retirement, he asked the diocese several times whether Kramer could be his successor. He was informed that Kramer had a history of heart and lung problems, and his health was questionable. Though Grüneisl thought

³ Jörg Klotzek, “Kaplan missbraucht Buben – and wird Pfarrer,” *Passauer Neue Presse*, July 26, 2007.

⁴ “Ich habe damals klar und deutlich gemacht, dass ein Einsatz in der Jugendseelsorge für Herrn K. auf keinen Fall in Frage kommen darf” (“Widersprüche zwischen Gericht und Bistum,” *Regensburger Wochenblatt*, n.d.).

⁵ This 1999 report diagnosed Kramer as having “a disturbance of sexual preference in the sense of homoerotic pedophilia” and that “he manipulatively used his position as confessor to keep the child silent” (“Störung der Sexualpräferenz im Sinne einer homoerotischen Pädophilie” and “Manipulativ nutzte er seine Position als Beichtvater, um das Kind zum Schwiegen zu bringen” [“Pfarrgemeinderat weist Kampagnen-Vorwurf zurück” *Bayerischen Rundfunks*, October 10, 2007]).

⁶ The diocese later claimed: “Über ganz wenige Punkte wurde der Justiciar des Ordinariates in groben Zügen informiert; das 50-seitige Gutachten selbst wurde dem Ordinariat, da es nicht Prozessbeteiligter war – nicht ausgehändigt – und konnte logischer Weise später bei der Entscheidung der Diözese über den Wiedereinsatz von Peter K. in der Seelsorge auch nicht berücksichtigt wurden” (Dr. Franz Frühmorgen, “Chronologie Peter K., Viechtach / Riekhofen-Schönach,” <http://www.bistum-regensburg.de/borPage002700.asp>).

⁷ “Pfarrgemeinderat weist Kampagnen-Vorwurf zurück,” *Bayerische Rundfunk*, October 10, 2007.

Kramer's intense interest in the youth of the parish was "strange" (*komisch*), he had no reason to suspect anything wrong.

The priest who was dean of the area, Hans Bock, heard nothing of Kramer's problems until 2003, when Kramer's probation was nearly over. Diocesan officials told him only that "something had happened in Viechtach" and mentioned, vaguely, that Bock should "keep an eye on things." Bock was not told of the conviction or any of the conditions under which Kramer worked.⁸

In January 2002, Bishop Manfred Müller retired from the diocese of Regensburg.

After a deluge of news about abusive priests in the United States, in September 2002 German bishops issued a series of guidelines, one of which specified that no priest convicted of sexual abuse of children could be assigned to work with children: "Clerics who have been guilty of the sexual abuse of minors, after they have served their sentence, will never again be put in an area that brings them into contact with children and young people."⁹

A New Era

Gerhard Ludwig Müller was a professor of theology at Munich and friend of the Peruvian liberation theologian Gustavo Gutierrez. Together, they co-authored a book titled *An der Seite der Armen (On the Side of the Poor)*. Müller also is an editor of the collected works of German theologian Dietrich Bonhoeffer. Müller opined that divorced and remarried Catholics can, under some conditions, be readmitted to communion without a formal annulment. Müller is therefore not a reactionary, but he has defended the limitation of ordination to men as theologically-based. His work attracted the Vatican's eye, and in October 2002, Pope John Paul II appointed him bishop of Regensburg.

Müller soon came into conflict with elements in his diocese, particularly the movement *Wir sind die Kirche* (We are the Church). Disagreements were mostly over who should exercise authority in the Church and how. The substantive issue was the ordination of women. Müller dissolved the diocesan council, fired a key theologian, withdrew permission to teach Catholic theology from August Jilek, and suspended pastors who disagreed with him.¹⁰

⁸ Grüneisl was told "in Viechtach hat es was gegeben" and "er möge ein bisschen aufpassen" ("Fall Riekhofen: Bistum ließ Dekan über Vorstrafen von Peter K. im Unklaren," *Mittelbayerische Zeitung*, October 13, 2007).

⁹ "Zum Vorgehen bei sexuellen Missbrauch Minderjähriger durch Geistliche im Bereich der Deutschen Bischofskonferenz: Leitlinien mit Erläuterungen," September 27, 2002. Article 12: "Nach Verbüßung seiner Strafe werden dem Täter keine Aufgaben mehr übertragen, die ihn in Verbindung mit Kindern und Jugendlichen bringen. Geistliche, die sich des sexuellen Missbrauch Minderjähriger schuldig gemacht haben, werden nach Verbüßung ihrer Strafe nicht mehr in Bereichen eingesetzt, die sie mit Kindern und Jugendlichen in Verbindung bringen." The document has no mention that a statement from an expert pronouncing the criminal "healed" creates an exception to this guideline.

¹⁰ Christopher Wenzel, "Sexueller Missbrauch: Regensburger Bischof in Kreuzfeuer," *Die Welt*, September 15, 2007.

Additionally, Müller fined retired pastor Siegfried Felber 600 euros for preaching at an ecumenical wedding.¹¹

A Second Chance, A Cruel Experiment

Peter Kramer completed his probation in July 2003. The judge must have been satisfied with the therapist's report (and certainly she did not know about Kramer's work with children in the parish) – she did not extend the probation period. On August 19, 2003, the diocese received the final report from Kramer's therapist, which showed that the therapist reported to Regensburg district court that he did not foresee any further conditions for Kramer. The report stated that Kramer "with certainty" was "not a fixated pedophile;" that the one-time "regressive behavior" in Viechtach had been worked through; that a "stabilization and production of his personality" had been reached; and that "a relapse was unlikely and no longer to be expected." From a therapeutic point of view, there were "no hesitations about appointing him as a pastor in a parish."¹²

Wunibald Müller, a Benedictine, a psychologist, and leader of a therapy center for priests at Münsterschwarzach Abbey, later said "I always become wary when a report is made by the attending therapist and not by a neutral person."¹³

He continued, "It is scientifically recognized that reports and therapy should be carried out by separate experts," because "a therapist requires an emotional closeness to the patient; a report, on the contrary, professional distance from the offender."¹⁴

On February 20, 2004, diocese legal advisor Hans Schuierer called the judge who sentenced Kramer to ask what she thought of putting Kramer back in a parish. Here the two parties have divergent memories:

- The chancery said she saw no reason not to put Kramer back in a parish; this also is what the memo of the telephone conversation indicated.¹⁵ She said she added two conditions: that he be supervised and that he not work with children.¹⁶

¹¹ Christian Eckl, "Widersprüche zwischen Gericht und Bistum," *Wochenblatt*, n.d.

¹² "Peter K. 'mit Sicherheit' 'kein fixierter Pädophiler' ist, das einmalige 'regressive Verhalten' in Viechtach therapeutisch aufgearbeitet sei, eine 'Stabilisierung und Festigung seiner Persönlichkeit erreicht' worden sei und ein 'Rückfall sehr unwahrscheinlich und nicht mehr zu erwarten' sei. Aus therapeutischer Sicht gebe es 'keine Denenken ihn als Seelsorger in einer Gemeinde einzusetzen'" (Dr. Franz Frühmorgen, "Chronologie Peter K., Viechtach / Rieckofen-Schönach").

¹³ Dietmar Bruckner, "Einfach nichts gesagt," *Die Zeit*, September 20, 2007.

¹⁴ Jörg Klotzekm "Bistum vertraute aufs Gutachten," *Passauer Neue Presse*, September 22, 2007.

¹⁵ According to the diocese, the memo read: "Fr. [Name der RichterIn] RiAG [Tel. nr.] Viechtach, Tel. am 20.2.04, Frau RichterIn [Name der RichterIn] hat aufgrund der Gutachtenlage und des Umstands, dass kein 'Kontaktverbot' ausgesprochen wurde, keine Bedenken, Herrn Kramer in der Seelsorge einzusetzen" ("Diözese bekräftigt: Gerichte sahen keine Einschränkungen vor," Bistum-Regensburg.de, September 30, 2007).

¹⁶ According to the diocese, it was not until September 2007 that she wrote that she had said "dass aus ihrer Sicht eine Gemeindegarbeit unter Aufsicht denkbar sei, dabei aber eine Arbeit mit Jugendlichen unter keinen Umständen in Betracht kommen könne" (Dr. Franz Frühmorgen, "Chronologie Peter K., Viechtach / Rieckofen-Schönach"). Dr. Andreas Quentin of the regional court in Nuremberg insisted that the judge, relying on

- The diocese denies she said this until her letter of September 11, 2007.

While deciding whether to put Kramer back into a parish, Müller said officials called Kramer twelve times and asked whether he had any relapses.¹⁷ Kramer said no, and Müller said that he had to believe him. Müller later said that Jesus had forgiven the worst sinners, so he had to forgive Kramer. Müller also pointed out that rehabilitation and reintegration, not punishment, was the goal of modern society's treatment of criminals.

Gerhard Müller then appointed Kramer as pastor of Riekhofen, whose parishioners had been delighted by Kramer's prior work there (some of which was contrary to his probation order). When Kramer arrived in September 2004, the grateful parish greeted him with a searchlight and built him a new 590,000 euro (about \$750,000) priest's house. At the blessing of this house Kramer spoke of the patron of the parish, John the Baptist, and preached: "Today also must the Church say what is false and unjust."¹⁸

Kramer told the parish he did not want a housekeeper. The diocese told no one in Riekhofen of Kramer's past; it sent the parish a letter about Kramer's life, in which all mention of his years at Viechtach were silently excised.¹⁹ The diocese did not inform the dean of the area about the details of Kramer's past,²⁰ nor did it say anything to his successor Anton Schober or the regional dean, Johann Strunz.²¹ No one from the chancery ever asked anyone in the village any questions about Kramer's behavior.²²

Immediately, Kramer began cultivating the parish. He paid much attention to the elderly and earned their support. Kramer taught religion in the school in Sünching, and there recruited 100 altar servers. He said he would hear the confessions only of boys; another priest came in to hear the confession of girls. Kramer took boys to the movies, to the swimming pool, on overnight trips, and had his favorites (always boys, only boys) over to the priest's house, where he had delights for them. He smoked a water pipe and drank

Ottermann's report, told Schuierer in response to his question about whether Kramer could be appointed to a pastoral position, that it was "Under supervision thinkable, that he would again be employed in a parish, but work with youth must be completely ruled out," "Unter Aufsicht denkbar, dass er wieder in einer Gemeinde tätig ist, aber eine Jugendarbeit darf dabei keinesfalls in Betracht kommen" (Christian Eckl, "Widersprüche zwischen Gericht and Bistum," *Wochenblatt*, n.d.).

¹⁷ "Bischof Müller betonte, der Priester sie mehrfach bei Gesprächen im Ordinariat gefragt worden, ob er sich etwas habe zu Schulden kommen lassen. 'Es gab ein zwölfmaliges Befragen, er hat immer nein gesagt'" (Karl Birkenseer, "Bischof sieht sich als Ziel einer Kampagne," *Passauer Neue Presse*, September 10, 2007).

¹⁸ "Kirchlicher Segen für neues Pfarrhaus," *Mittelbayerische Zeitung*, June 26, 2006.

¹⁹ Conny Neumann and Peter Wensierski, "Schweigen gegen Geld," *Der Spiegel*, September 17, 2007.

²⁰ Jörg Klotzek, "Kaplan missbraucht Buben – and wird Pfarrer" (*Passauer Neue Presse*, July 26, 2007).

²¹ "Der zuständige Dekan von Alteglofsheim-Schierling, Anton Schober, der seit Anfang 2006 im Amt ist, wusste nach eigenem Bekunden ebenso wenig vom Gefahrenpotenzial des Priesters wie der übergeordnete Regional Dekan, der zu einer Visitation in J.s Pfarrei kam. Vielmehr was Regionaldekan Johann Strunz 'sehr überrascht von dem Fall, Pfarrer K. war ja beliebt'" ("Pädophiler Pfarrer – ein Geheimnis des Ordinariats," *Passauer Neue Presse*, September 11, 2007).

²² "In Riekhofen fragt niemand aus dem Ordinariat nach dem Verhalten des Pfarrers" (Rudolf Neumaier, "Das Geheimnis des Beichtvaters" [*Süddeutsche Zeitung*, September 13, 2007]).

wine with them. When parents complained, Kramer was a master-manipulator of the unsuspecting. One parishioner later remembered:

“He spoke to parents, who were wary and had said: ‘Father Kramer, it is not OK that they smoke at your house and drink alcohol when they are thirteen.’ He had brilliantly explained – I know it from these parents – he reassured them, my, what did they want, that they [the boys] were going to do it anyway, and if I am there I can control it and so they do it secretly and so it is better if adults have it under control and so they [the parents] let themselves be reassured.”²³

In July 2007, the father of the two victims in Viechtach learned that Kramer was pastor in Riekhofen, and sent e-mails to the villagers, to Regensburg, and to the media to inform them of Kramer’s past.²⁴ The people of Riekhofen, having been assured by the chancery in Regensburg that Kramer had an excellent prognosis, initially supported Kramer: “We would like Father Kramer to stay with us,”²⁵ wrote the altar servers in a petition. Kramer had a nervous breakdown and was taken in an ambulance to a clinic.

A few days later, a boy from Riekhofen accused Kramer of abusing him between 2003 and 2006. Kramer was arrested and taken into custody. One local family asked a child psychologist to come to the village. The children began to talk:

“Since 2003, said the children, the pastor had abused more children. First on trips, later allegedly in his rectory, in which he lived without a housekeeper. K[ramer] was supposed to have invited the boys alone and to have read a sexual advice book to them, said a father, who had heard it from the altar servers. Then the priest had frequently asked the boys if they had already had sex one time. Later he was said to have become forceful. The attacks, said the father, were supposed to have been substantially worse than the events in Viechtach.”²⁶

In Kramer’s place, Nigerian priest and professor of theology Innocent Nwokenna said mass and, despite his imperfect German, had to read Bishop Müller’s letter of explanation—not an apology—to the unhappy parishioners of Riekhofen (Müller later accused the parishioners of racism because they objected to the Nigerian’s reading the

²³ “Er hat Eltern gegeben, die hellhörig geworden sind und gesagt haben: Hr PK, das ist nicht okay, dass die bei ihnen rachen und mit 13 Alkohol trinken. Er hat es meisterhaft verstanden – weiß ich von diesen Eltern – dass er beschwichtigt hat Mei, was wollt ihr, die machen das so auch, wenn ich dabei bin, kann ich das kontrollieren und so machen sie das heimlich und so ist es besser, wenn Erwachsene das unter Kontrolle haben und die haben sich beschwichtigen lassen” (“Riekhofen? Wo liegt das?” *Deutsche Radio*, October 15, 2007).

²⁴ “Bürger von Riekhofen fühlen sich getäuscht,” *Süddeutsche Zeitung*, September 3, 2007.

²⁵ “Wir möchten dass Herr Pfarrer Kramer bei uns bleibt,” *Mittelbayerische Zeitung*, August 3, 2007).

²⁶ “Seit 2003 soll der Pfarrer, so erzählen es zumindest Kinder, erneut Jungen missbraucht haben. Zunächst auf Ausflügen, später angeblich in seinem Pfarrhaus, in dem er ohne Haushälterin lebte. K. soll die Buben einzeln eingeladen und aus einem Sexualkundebuch vorgelesen haben, sagt ein Vater, der es von Ministranten erfahren hat. Dann habe der Priester die Jungs oft gefragt, ob sie schon einmal Sex hatten. Anschließend soll er zudringlich geworden sein. ‘Die Übergriffe,’ mutmaßt der Vater, ‘waren wohl wesentlich schlimmer als das Geschehen in Viechtach’” (Conny Neumann and Peter Wensierski, “Schweigen gegen Geld,” *Der Spiegel*, September 17, 2007).

letter.²⁷). The parishioners wrote to Müller that whether or not there was a positive report (*Gutachten*) about Kramer, anyone should have known there was still risk and that Müller should not have performed “a cruel experiment (*grausame Experiment*) with the souls of our children.” The Catholics of Riekhofen demanded that he take “full responsibility” for sending a convicted abuser to their parish.²⁸

Placing Blame

Müller repeatedly refused to take any responsibility. “The culprit bears the responsibility for the offense. I am not responsible for everything that our clerics and coworkers do.”²⁹ he said.

Though he expressed sympathy for the victims, Müller maintained that he did not make a mistake, and in fact did what Jesus would have done: “If Jesus forgave even the worst sinners, how could one deny the pastor a second chance?”³⁰

Müller did not like being criticized, and also said, “We will not let us be slandered and if that doesn’t stop, we will also take a legal action.”³¹ (Müller previously asked Catholics not to take intra-Church disputes into the secular courts.³²) He maintained that he could not control his priests: “I have the spiritual authority, but I cannot control everyone,”³³ he said. A parishioner of Riekhofen, however, familiar with the way Müller treated those who disagreed with him, said, “We have seen in past years that Müller can control things.”³⁴

Müller insisted that he “had not made a mistake. Müller ruled out any apology for the appointment of the pedophile-priest without the knowledge of the faithful in

²⁷ Müller said that the letter read to the parish was “badly received, in part with racist undertones, because an black African and not a German read out the letter,” “schief angenommen, teils mit rassistischen Untertönen, weil nicht ein Deutscher, sondern ein Schwarzafrikaner den Brief vorlesen habe” (Karl Birkensee, “Wir sind keine Staatskirche,” *Passauer Neue Presse*, December 29, 2007).

²⁸ Isabel Metzger, “Regensburger Bischof immer starker unter Druck,” *Passauer Neue Presse*, September 7, 2007.

²⁹ “Die Verantwortung für eine Straftat trägt der Täter. Ich bin nicht verantwortlich für alles, was unsere Geistlichen und Mitarbeiter tun” (“Regensburger Bischof wäscht seine Hände in Unschuld,” *Der Spiegel*, September 21, 2007).

³⁰ “Wenn Jesus auch den schlimmsten Sündern verziehen hat, wir konnte man dem Pfarrer da eine zweite Chance versagen” (“Regensburger Bischof wäscht seine Hände in Unschuld,” *Der Spiegel*, September 21, 2007).

³¹ “Wir lassen uns nicht verleumden und wenn das nicht aufhört, werden wir rechtlich dagegen vorgehen” (Karl Birkensee, “Bischof sieht sich als Ziel einer Kampagne,” *Passauer Neue Presse*, September 10, 2007).

³² “Er vor nicht allzu langer Zeit selbst ein Dekret erlassen hatte, in dem er den Katholiken seines Bistums untersagte, bei kircheninternen Streitigkeiten weltliche Gerichte anzurufen” (Rudolf Neumaier, Pädophiler Pfarrer – ein Geheimnis des Ordinariats,” *Süddeutsche Zeitung*, September 11, 2007).

³³ “Ich habe die geistliche Autorität, aber kann nicht alles kontrollieren” (Birgit Fürst, “Riekhofen? Wo liegt das?” *Deutsche Radio*, October 15, 2007).

³⁴ Christopher Wenzel, “Sexueller Missbrauch: Regensburger Bischof in Kreuzfeuer,” *Die Welt*, September 15, 2007.

Riekhofen.”³⁵ Though German court guidelines said that no convicted abuser would work with children, Müller maintained his actions did not violate the guidelines because the convicted abuser had been pronounced healed by his therapist.

The guidelines, the diocese said, did not absolve the diocese from making its own decisions – which it would continue to do.³⁶ Müller claimed that he was the victim of a campaign to discredit him, and that he did not need “any lectures from people who have nothing at all to do with pastoral care.”³⁷

The bishop of Fulda, Heinz Joseph Algermissen, said that an offender can be given a second chance, but with such an offense, the new beginning must be somewhere there are no children.³⁸ Bishop Müller countered, “There is no space free of children and youth. Even in a home for the elderly, children visit their grandmother, and in a prison, one can encounter the children of the employees.”³⁹ At a conference of the German bishops in Fulda, the bishops emphasized the “binding character”⁴⁰ (*Verbindlichkeit*) of the guidelines. Cardinal Lehmann insisted that when someone is “guilty, in no way can he be employed in the normal care of souls.”⁴¹ But Lehmann “ruled out an intervention of the bishops conference in the current case. The bishop’s conference in this situation has no legal authority.”⁴²

The Aftermath

In Bavaria, all political parties condemned the diocese’s conduct. Kramer was employed by the state to teach religion in the school at Schönach, where he recruited his altar servers. The church did not inform the school of his conviction.⁴³

³⁵ “Der Regensburger Bischof Gerhard Ludwig Müller hat mehrfach erklärt, dass die Bistumsleitung keinen Fehler gemacht habe. Eine Entschuldigung dafür, dass der pädophile Priester ohne Wissen der Gläubigen in Riekhofen eingesetzt wird, lehnt Müller ab” (*Mittelbayerische Zeitung*, October 1, 2007).

³⁶ Müller maintained that “the guidelines did not absolve the diocese from the responsibility of making its own decisions. They would rely in the future on reports in assessing dangers,” “Die Leitlinien würden die Diözesan nicht von der Verantwortung entbinden, eigene Entscheidung zu treffen. Bei der Beurteilung von Gefährdungen werde man auch in Zukunft auf Gutachten verlassen müssen” (Karl Birkenseer, “Bischof sieht sich als Ziel einer Kampagne,” *Passauer Neue Presse*, September 9, 2007).

³⁷ “Belehrungen von Leuten, die in der Pastore gar nichts zu tun haben” (“Bischof Müller: Brauche keine Belehrungen,” *Bayerische Rundfunk*, October 26, 2007).

³⁸ Martin Gehlen, “Bischöfe diskutieren Missbrauchsfall,” *Tagespiegel*, September 24, 2007.

³⁹ “Es gibt keine kinder- und jugendfreie Räume. Auch in Altersheim besuchen die Enkel ihre Oma und in Gefängnis kann man den Kindern der Angestellten begegnen” (“Missbrauchsfall überschattet Bischofskonferenz,” *netzzeitung.de*, September 24, 2007).

⁴⁰ Daniel Deckers, “Ein grausames Experiment,” *Frankfurter Allgemeine Zeitung*, October 1, 2007.

⁴¹ “Wenn jemand ‘schuldig geworden ist, darf er auf gar keinen Fall un der normalen Seelsorge beschäftigt werden” (Christian Gressner, “Missbrauch durch Pfarrer: Hohe Kirchenpolitik und tiefer Schmerz,” *Der Stern*, September 28, 2007).

⁴² “Ein Eingreifen der Bischofskonferenz in den aktuellen Fall lehnte Lehmann aber ab. Die Bischofskonferenz habe hierzu keine rechtliche Befugnis” (*Bayerische Rundfunk*, September 28, 2007).

⁴³ “Kirchen sollen Staat über Vorstrafen informieren,” *Die Welt*, November 29, 2007.

Today, police continue their questioning of children in the village to find out whether there are more victims. Kramer is in police custody and on suicide watch.⁴⁴ He was then transferred to a psychiatric institution and awaits trial on charges that between the beginning of August 2004 and August 2006 he abused a 14-year-old boy twenty-two times. Kramer faces up to fifteen years in prison.⁴⁵

The father of the boys whom Kramer abused in Viechtach is divorced and wanders the Way of St. James in Spain, railing about the priest who abused his sons. No one takes him seriously.⁴⁶ Joanna Treimer has raised three children alone. One son, now twenty-one, has difficulties with relationships.

Müller still refuses to listen to criticism, because “the only superior of a bishop is the pope,” and “from that quarter I have heard no criticism.”⁴⁷ In December 2007, Pope Benedict XVI sent Bishop Müller congratulations on his sixtieth birthday, having just appointed him to the Congregation for the Doctrine of the Faith⁴⁸ which, among other duties, oversees the trials of clerics accused of sexual abuse.

Negligence

The case is important because it occurred after German bishops read the news from the United States and saw what happened when bishops reassigned abusers who were diagnosed as “cured.”

Negligence is clear on all sides, among officials of both the church and the state:

The judge failed:

- The sentence was light.
- She should have sent to the diocese the 50-page report in which Kramer was diagnosed as a pedophile, instead of giving the diocese a general verbal report. If it could not be sent for legal reasons, its severity should have been made known to the diocese.
- She should have appointed a probation officer to monitor Kramer. She would then have discovered that Kramer was violating his conditions of probation by serving in a parish and working with children.
- She should have noticed the disparity between the diagnosis of pedophilia in the 1999 report and the diagnosis of a one-time regressive behavior in the 2003 report, and sought further opinion.

⁴⁴ Jörg Klotzek, “Missbrauchsfälle: Pfarrer K. sitzt und schweigt,” *Passauer Neue Presse*, October 22, 2007.

⁴⁵ Press Release, Oberlandsgericht Nürnberg, January 31, 2008.

⁴⁶ Jörg Klotzek, “Kaplan missbraucht Buben – and wird Pfarrer,” *Passauer Neue Presse*, July 26, 2007.

⁴⁷ “denn der einzige Vorgesetzte eines Bischofs sei der Pabst. ‘Und von dieser Seite habe ich noch keine Kritik gehört’” (“Bischof Müller: Brauche keine Belehrungen,” *Bayerische Rundfunk*, October 26, 2007).

⁴⁸ “Pabst Benedict lobt Bischof Gerhard Ludwig Müller,” *kath.net*, December 29, 2007.

- In 2004, she should have followed up her telephone conversation with a written report stating she thought that Kramer could work in a parish only if he was supervised and did not work with children. Although not legally binding, it would have carried weight because she saw both the 1999 report and the 2003 report.

The therapist failed:

- He was taken in by a con man.
- He was aware that Kramer was working in a parish with children, contrary to the conditions of probation.
- He should have been aware of the dangers of developing a relationship with a patient and of hoping that the therapy was working.
- He should have suggested an independent evaluation by a psychotherapist who had worked with abusers.

Bishop Manfred Müller, Bishop Gerhard Müller, and the diocesan officials all failed:

- Bishop Manfred Müller should not have let Kramer work with children in the parish of Riekhofen, because this violated his conditions of probation.
- He let Kramer work in this parish even before it received the report from his therapist.
- The diocese should have informed the deans who supervised the parish of Riekhofen about Kramer's conviction and trained them about how to spot danger signs.
- The diocese should have let a responsible person in Riekhofen, such as the mayor, know about Kramer, and trained him on how to spot danger signs.
- Bishop Gerhard Müller should have followed the 2002 guidelines of the German bishops and not appointed a convicted abuser to a position working with children.
- If he chose not to follow the guidelines, Müller should have announced that decision to the diocese, so that everyone would be aware there might be convicted abusers in parishes.
- The diocese should have asked the judge to convey in writing the opinions she expressed in the 2004 telephone conversation.
- The diocese should have asked for a second opinion about Kramer from someone who was independent and an expert in pedophilia.
- Having made a disastrous decision, Bishop Müller should have learned that the infallibility of the Church does not extend to the administrative decisions of bishops. He should have solicited advice from as many people as possible, including those with whom he disagreed. Humility is a virtue, even in bishops.

Pope Benedict failed:

- Müller's failure did not hurt his standing with the pope. Benedict appointed him to a position of great trust at the Congregation for the Doctrine of the Faith. Benedict should at least have reprimanded him publicly as a warning to other bishops not to take chances with children's souls.