

**Voice of the Faithful's Conclusions
About the John Jay College Report,
*The Causes and Context of Sexual Abuse
of Minors by Catholic Priests
in the United States,
1950-2010***



October 11, 2011

1. Overview

In May 2011, the United States Conference of Catholic Bishops published the John Jay College's Report, *The Causes and Context of the Sexual Abuse of Minors by Catholic Priests in the United States, 1950-2011*. Much of the media coverage and responses by a variety of observers focused on the Report's seeming attribution of clergy sexual abuse of minors to the societal freedoms that emerged in the 1960s and 1970s, quickly dubbed by some as "The Woodstock Defense." Voice of the Faithful undertook a comprehensive review of the Report and publishes here our assessment of the Report's findings and conclusions. We add our own conclusions and recommendations at the end of this document.

The principal objective of the John Jay College's *Causes and Context* report is to explain why Catholic priests in the U.S. sexually abused minors in the 60-year period 1950-2010. Despite the John Jay researchers' reliance on non-independently-verified data supplied by diocesan leaders, VOTF believes that they compiled a highly credible study that is based on exhaustive research and analysis, and that the report provides an invaluable resource for anyone who attempts to understand the phenomenon of clergy sexual abuse of minors in the U.S.

VOTF agrees that the report's "findings support a consistent set of conclusions." However, VOTF also believes that the findings support some valid alternative conclusions, particularly with regard to hierarchical officials' roles in the occurrence and persistence of clergy sexual abuse during this extended period. Too often the report seems to attribute client-friendly characterizations of the bishops' behavior, or lack thereof, when other characterizations might equally apply.

2. Findings Regarding Victims/Survivors

The *Causes and Context* report focuses on the priest offenders and the bishops who covered up the abuse. It refers to the first John Jay report (*Nature and Scope, 2004*) for much of its findings about victims/survivors. VOTF agrees that the *Causes and Context* analysis supports the following conclusions¹:

Page 95: "Whether they report it or not, sexual abuse victims may experience a **range of negative psychological reactions to the abuse**. These include fear, anxiety and depression, emotional deprivation, and anxiety-related disorders, such as phobias, panic disorders, obsessive-compulsive disorders, eating disorders or other weight-regulation

¹ In the quotes from the *Causes and Context* study, all underlines and boldface formats are inserted by Voice of the Faithful for emphasis.

practices and sleep disturbances. Many victims experience low self-esteem and self-blame, and they may withdraw from social interaction. Sexual abuse has a variety of effects on children depending on developmental factors such as their particular physical and cognitive growth, socialization and other such factors.”

Page 98: “The [bishops’] focus paralleled that of the current research, which was primarily on sexual offenders and their treatment. Sadly, this **lack of recognition of victim harm is one factor that likely led to the continued perpetration of offenses.**”

Page 107: Some of the priests interviewed justified their actions by diminishing the wrongfulness of the behavior, deflecting the harmfulness of their actions, or placing the responsibility of the deviance on others.... These **practices were often interwoven with blaming the victim.**”

Page 117: “Based on responses by survivors, it seems as though the **victims played a key role in the desistance from abuse** by removing themselves from the situations in which the abuse was occurring.”

Page 89: “[V]ictims and their advocates were kept **“at a distance”** and, in many dioceses, not given a constructive role in the response to reports of abuse. Persistence by victims and advocates in their attempts to participate in diocesan efforts were **not welcome.**”

3. Findings Regarding Abusers

The following are some of the useful generalizations about abuse of minors by Catholic clergy which VOTF agrees are revealed by the data, including:

- There was no single cause of sexual abuse of minors by priests.
- The crisis was not caused primarily by pedophiles or by homosexuals.
- Few of the priest abusers exhibited serious pathological, developmental or psychological characteristics that could have led to prior identification.
- Most sexual abuse of minors was crimes of opportunity since there was little or no supervision of priests who were pretty much left to their own devices.

Page 2: “Organizational, psychological and situational factors contributed to the vulnerability of priests”.

Page 55: “Priests who were in treatment for the sexual abuse of a child, or who had revealed such behavior during treatment, were not significantly more likely than those without allegations to be diagnosed with an affective disorder, anxiety disorder, or psychotic disturbance.”

Page 3: “**Less than 5%** of priests with allegations of abuse exhibited behavior consistent with a diagnosis of **pedophilia...**”

Page 64: “The data do **not support** a finding that **homosexual identity** and/or pre-ordination same-sex sexual behavior are **significant risk factors for the sexual abuse** of minors.”

Page 62: “Priests with pre-ordination same-sex sexual behavior were significantly more likely to participate in sexual activity with adults.”

Pages 34-35: An all-male **celibate priesthood was not the cause** of sexual abuse of children and youth, on the grounds that the majority of celibate priests were not involved in sexual abuse of minors.

Pages 41-43: Few, if any, of the seminaries before the 1990s prepared seminarians for a life committed to celibacy. Also, there has been **little follow-up professional training**, especially in ‘human formation’ after ordination.

Page 93: “**Priests have little supervision** in their daily lives, and therefore have ample opportunity to commit deviant sexual behavior.”

Page 120: “Priests who abused minors at the peak of the crisis exhibited characteristics consistent with ‘**situational**’ **child abusers.**”

Page 98: “[F]inkelhor’s model of the **preconditions of sexual abuse** include: (1) the motivation to sexually abuse (for example, emotional congruence, sexual arousal, or blockage to “normal” sexual relationships); (2) the ability to overcome external inhibitions; (3) the ability to overcome external factors that may prevent the abuse; and (4) the ability to overcome the child’s resistance to the abuse.”

Pages 112-113: “Many priest-abusers...viewed sexual behavior as consensual, not harmful...[that] any behavior short of intercourse as not wrong because it was not sex...[and] that the harm should be forgotten because there was a temporal distance between the incident(s) and the accusation... Accused priests noted that the Catholic practice of **forgiveness should outweigh the sins**, and their interpretation of forgiveness was that no one should take action against them in response to the allegations...”

Page 116: “The abusive priests were able to persist with their behavior by excusing or justifying their actions...”

Page 120: “[a]buse is most likely to occur at times of stress, loneliness and isolation.”

It should be noted that the study does not address “clericalism” and “clerical culture”—a pattern of behavior in which clergy view themselves as different, separate and exempt from the norms, rules and the consequences that apply to everyone else in society. VOTF believes that this clerical culture was a great contributor to the abuse by priests and

especially of the cover-up and transferring of abusive priests by the hierarchy.
[See Section 6 below.]

4. Findings Regarding Hierarchical Leaders

“The most significant conclusion drawn from the data” is that no single cause can explain the nearly 11,000 allegations of child sexual abuse against nearly 4,400 clergy that were reported to hierarchical leaders between 1950-2002. Nevertheless, the report gives great weight to social and cultural changes in the 1960s and 1970s when there was an increased level of deviant behavior in society and when sexual abuse of minors by clergy peaked (**See Figure 1.1 at the conclusion of this report**). This finding dominated media coverage and responses in the weeks following the study’s release.

Although VOTF believes the study makes a credible case for a peak period and its influences, VOTF also believes that it misses the mark in two critical aspects. One is its overemphasis on the peak of the sexual abuse of minors by clergy in order to explain the causes of abusive behavior. The second is its underemphasis on the mindset and behavior of bishops that allowed and enabled abusive behavior to thrive during the entire period.

By concentrating on the peak period of sexual abuse (approximately 1965-1985), the report relies too heavily on the tip of the iceberg and undervalues other influences throughout the entire 60-year period, especially the constant influence of hierarchical action or non-action in response to incidences of sexual abuse of minors by clergy. Although the report documents some evolution of hierarchical beliefs and responses over time, it also documents how the mindset and behavior of bishops allowed and enabled the sexual abuse of minors by clergy during this whole period of review.

The report’s data and findings indicate that bishops collectively mismanaged the persistent evidence of sexual abuse of minors by clergy, the corporate response to it, and the treatment of victims, their families and the faith communities for which they bore pastoral responsibility. In particular, the report contains the following observations and conclusions about hierarchical leadership:

Page 85: “[T]he hierarchy was slow to act on the [sexual abuse] problem, possibly out of concern about **damaging press coverage or fear of parishioners being confused** and troubled over the situation”...

Page 86: “The **unassailable authority of the church** and the **permanency of a vocation** as a priest limited the bishops’ understanding of their choices in response to a priest whose ability was impaired—whether by abuse of alcohol, sexual behavior, or other vice.”

Page 92: “Until the extent of sexual abuse by priests became known after 2002, the Catholic Church’s response to the sexual abuse crisis paralleled the **“rotten apple”**”

assertions often made by police chiefs in the wake of a scandal—that the deviance resulted from a single rogue [priest] who operated alone without organizational knowledge or support.”

Page 86: “[T]he act of abuse was perceived as a **sin**, and the appropriate response was **confession and prayer.**”

Page 76: “Bishops who held positions through the early 1990s pointed to actions they had attempted but that did not succeed as causes of the 2002 crisis; such attempted actions included **ineffective psychological treatment**, inadequate processes to help priests leave the priesthood, and **complex canon law processes** for suspension. The bishops who were not in position in the late 1990s were far more likely ... to point to **faulty** seminary teaching and **formation** programs as contributors to the crisis of sexual abuse.”

Page 86: “In many, if not most, dioceses, there was a **failure to grasp** what should be done in response to the **harm** to victims.”

Page 98: “Sadly, this lack of recognition of the victim harm is one factor that likely led to the **continued perpetration of offenses.**”

Page 119: “Although this lack of understanding was consistent with the overall lack of understanding of victimization at the time, the absence of acknowledgement of harm was a **significant ethical lapse** on the part of leadership in some dioceses.”

Page 77: “[A] resource paper and proposal for action on the issue, entitled “***The Problem of Sexual Molestation by Roman Catholic Clergy: Meeting the Problem in a Comprehensive and Responsible Manner,***” was written in 1985 by Father Michael Peterson, a psychiatrist at the Saint Luke Institute; Father Thomas Doyle, a canon lawyer on the staff of the Apostolic Delegation (“Vatican Embassy”) in Washington, D.C.; and Raymond Mouton, Esq., the attorney who had represented Gilbert Gauthé. They also proposed an action plan that would designate a response team, track all cases, and work from a uniform strategy in all dioceses... Though the document and proposal ... was **distributed to all bishops in the United States, the proposed action plan was not adopted.**”

Page 82: “[A] public statement made in 1988 defined “affirmative activities” for dioceses to undertake as a proactive response to the issue of sexual abuse of minors by Catholic clergy ... [and] were codified into **five formal principles** to guide the response of a diocese ... at the Bishops’ meeting in June of 1992.”

Page 87: “The **failure** of a significant number of diocesan leaders **to carry out the Five Principles** or comply with their own policies is evident in a variety of documentary records”...

Page 89: “The **failure** of some diocesan leaders to take responsibility for the harms of the abuse by priests was **egregious in some cases**...in direct opposition to expectations outlined in the Five Principles. Examples of some of the most egregious actions of some bishops and dioceses [but] not representative of all diocesan leaders [include]”:

- “**Transfer[ing] known abusers** to other parishes, and occasionally to other dioceses, where their reputations were not known.”
- “[**Not telling or misleading**] parishioners about the reason for the abuser’s transfer.”
- “[**Rarely providing**] information to local civil authorities and sometimes mak[ing] concerted efforts to prevent reports of sexual abuse by priests from reaching law enforcement, even before the statute of limitation expired.”
- “[Exercising] episcopal prerogative to maintain “**secret archives**”...at odds with the advice of counsel and the guidelines of the Five Principles.”
- “[Deflecting] personal liability for retaining abusers by relying on **therapists’ recommendations** or by employing **legalistic arguments** about the status of priests.”
- “[Responding] to **civil litigation** by victims often vigorous[ly] [which was] perceived as **aggressive and intimidating**.”

Page 93: “In sexual abuse cases, the abuse is generally preceded by establishing a relationship of trust [which] involves...the violation of professional standards of boundaries and the social frames of behavior that govern how organizational agents manage trust and dependent relationships. Betrayal of these norms of behavior indicates an **institutional breakdown**”...

5. Findings About the Peak and Decline of Sexual Abuses

VOTF believes that the report makes a credible connection between a peak period of abuse (approximately 1965-1985, see Figure 1.1 at the end) and the significant societal changes during that same period. However, VOTF views any interpretation that this connection “caused” the sexual abuse crisis to be without foundation or merit.

First, these same changes affected all priests and most of them did not sexually abuse minors, even if some number of them did engage in sexual behavior with adults or misused alcohol or drugs, as regimentation of priestly (and seminary) life moderated considerably during this period.

Second, a more compelling explanation for an increase of any behavior inconsistent with priestly commitments is the flawed action of hierarchical leaders who too often

enabled such behavior to continue by treating it as a moral lapse rather than, in cases at least of sexual abuse of children, a crime that warranted legal as well as moral accountability.

VOTF believes that the report makes a credible case for the following findings:

Pages 27-29: The data show clearly that there was a **true spike** in the sexual abuse of minors by priests from the **late 1960s through the early 1980s**. Although the authors admit that there has always been and probably always will be sexual abuse of minors by priests, it is clear that this centuries-long pattern did not cause the spike. It does appear that a significant “context” of the spike was a culture of sexual freedom in the U.S. at that time.

Page 118: “Data from multiple sources show that the incidence of abuse behavior was highest between the mid-1960s and the mid-1980s.”

Page 27: “[T]he number of priests accused of sexual abuse of children for each 100 priests in service, was 1.3 in 1960, increased to 8.65 in 1980, and then fell sharply to 2.2 in 1990.”

Page 118: “94% of reported abuses that occurred between 1950-2009 occurred before 1990.

Page 37: “[T]he **social indicators** found to be most relevant to the modeling of the change in incidence of sexual abuse are **divorce, use of illegal drugs, and crime**... The recorded or reported incidence of each of these factors increased by 50 percent between 1960-1980 ... [t]he rates increase sharply to a peak at or soon after 1980 and then begin to fall.”

Page 37: “**Resignations from the priesthood** rose dramatically from a level of 200 per year in 1966 to a peak of 750 in 1969 and then declined consistently to 258 in 1976, leveling off in the 1980s at less than 200.”

The data also show a **significant decline** in the number of **reported abuse cases after 1985**, although it is still possible that some victims will come forward in the years ahead.

Page 5: “The **causes of desistance are complex** and include a combination of factors, such as increased understanding by the victim that the behavior of the priest was wrong, others (often peers) finding out about the abuse, the victim removing him- or herself from the situation in which the abuse was occurring, and in some cases self-correction by the abusing priests.”

Page 38: “[T]he impact of the events within the Catholic Church and the shift toward a reduced tolerance for behavioral deviance in society in general is a likely explanation for the sharp declines in incidence for all three cohorts” [priests ordained in the 3 decades of the 1960s, 1970s, and 1980s].

Whether an explanation for the sharp decline in reported cases of sexual abuse of minors after 1985 is attributable to an actual decline in abuses (as the study concludes) or to a

predictable lag in reporting abuses decades after it occurred (as survivors conclude) remains to be seen. As of the publication date of the report, either explanation is speculative and cannot be substantiated by hard data. However, VOTF believes that the **same factors** that led to abuses and cover-up prior to the peak period remain largely in place in the clerical culture today, as evidenced by recent revelations in the **Archdiocese of Philadelphia, the Diocese of Kansas City and multiple dioceses in Ireland.**

6. VOTF'S Conclusions

Clericalism

Conspicuously absent from the researchers' analysis and conclusions is any clear reference to clericalism (the lived belief that clergy are different, separate and exempt from the norms, rules, and consequences that apply to everyone else) as an influence, much less a major one, in explaining why priests sexually abused minors and the hierarchy enabled it to continue. The report comes close to identifying the clerical culture in a couple of places but assiduously avoids calling it "clericalism." On page 85, for example, the study states, "Thus four of the factors Rogers identifies as conducive to 'innovation' may have been attenuated by the **culture and social structure** of the Catholic Church in the United States."

On page 92, the report further states that "[t]he framework of 'opportunity structure' can be applied to the Catholic Church sexual abuse crisis" ... in particular through four factors: "[t]he **authority of the priests**, the **public perception** of them, the **isolation** of their positions, and the high level of discretion and **lack of supervision** in their positions."

Can there be a clearer description of a clerical culture without using the term?

And finally, when comparing the actions of the Catholic Church to those of the police on Page 91, the report does not hesitate from naming the 'police subculture' as a cause of abuse and cover-up in its ranks, but it continues to avoid a similar term as a cause of abuse and cover-up in the Church.

The report, however, does cite J. Keenan (co-author of another work on the sex abuse scandal in the Catholic Church) in which he states that "published works [on the scandal] fail to address the problem in all its complexity ... in particular ... the organizational and institutional contributions to the root of the problem." The report notes that Keenan "calls for discussion of the crisis of authority, **the clerical subculture**, the declining and aging clerical population, the lack of the role of lay people and women in the Church, the relationship between bishops and priests, and the lack of hierarchical or democratic accountability."

VOTF believes that the patterns of clerical and hierarchical behavior cited in the study, along with the indicators noted by Keenan, describe the clerical culture that enabled sexual abuse of minors to continue throughout the period under study, as well as prior to and subsequent to the study period.

Unless there is a substantive modification of the clerical culture, VOTF believes that the **harm to victims and their families, to the members of faith communities, and to clergy** who remain faithful to their commitments and ministries will remain **unresolved**. Recent revelations of familiar patterns of clericalism patterns in the Archdiocese of Philadelphia, the Diocese of Kansas City, and multiple dioceses in Ireland bear out this conclusion.

Celibacy

Although the report seems to absolve celibacy from being a cause of sexual abuse of minors, it fails to trace the connection between loneliness and celibacy. In several places the report cites loneliness as a contributing factor, and even once notes that the absence of spouse and children contributed to that loneliness. The report also mentions that the major reason given by resigning priests was loneliness and a desire to marry. Of course, loneliness is not alien to the human experience, and most celibate priests who experience loneliness are not led to sexually abusing minors, but an exploration of loneliness in a celibate culture could have led to some further insights on the connection between celibacy and the clerical culture.

VOTF believes that the existence of married clergy with families alongside a celibate clergy would help to diminish the clerical culture and reduce the abuse of minors. The VOTF Board of Trustees passed the following resolution in October 2010: “Mandatory celibacy is a contributing factor impacting clericalism and therefore VOTF endorses optional celibacy as a step to reduce clericalism for diocesan priests in the Latin Rite.”

Comparison to Societal Institutions

The report makes clear that organizations and institutions in society (both secular and religious) failed to recognize the harm of physical or sexual abuse of children until the late 1970s and 1980s when the rights of women and children became more fully developed. At the same time, state legislatures and courts throughout the U.S. instituted protections for children in response to individuals who abused their positions of authority and trust.

In turn, secular institutions began to modify their patterns of response to embarrassing or illegal actions by their employees out of vulnerability to media exposure, lawsuits and liability. VOTF believes that religious institutions, particularly Catholic Church officials, largely maintained their patterns of trying to keep comparable failures of priests and hierarchy secret as much as possible and favoring canon law provisions over criminal or

civil requirements. Even after the highly publicized commitments made by bishops in the *Charter to Protect Children and Young People*, bishops often ignored or violated them in face of incidences of sexual abuse of children. In sum, the patterns embedded in the clerical culture continue to trump requirements of law or voluntary commitments.

Steps Needed for Change

VOTF agrees with the report's conclusion on Page 93 that "[t]o fully achieve change in the Catholic Church, all diocesan leaders must be committed to transparency about their actions, ensure that the immediate and appropriate responses to abuse become routine, and ensure that such actions are adopted on a national level by all church leaders".

However, benign interpretations of the study and assurances by bishops that they are out front on child protection and accountability of priests and bishops for crimes and failures, (such as claimed by Bishop Blaise J. Cupich, Bishop of Spokane, Washington, and Chair of the USCCB Committee on Protection of Children and Young People in an article in *America Magazine* on May 30, 2011: "The Bishops' Priorities, Responding to the New John Jay Report on Sexual Abuse"), are an illusion exposed by the most recent evidence revealed in the Archdiocese of Philadelphia and the Diocese of Kansas City. Why anyone would trust the bishops' capacity and commitment to true accountability in light of their behavior since 2002 when they passed the *Charter* is beyond comprehension. No one would rely on such commitments and contradictions from any leaders of American public or private institutions.

As indications of a serious set of steps towards substantial change, VOTF reiterates the concrete actions that it sent to Archbishop Dolan, President of the United States Conference of Catholic Bishops, in a letter dated June 23, 2011. The letter followed the bishops' failure to make any serious modifications to the *Charter to Protect Children and Young People* in light of the John Jay study when they met at their semi-annual meeting in June 2011. VOTF calls on the bishops to adopt the following substantial actions:

- Fully independent audits, with no restrictions on access to individuals or records, that are completed in full compliance with professional auditing standards.
- Diocesan Review Boards that are completely independent of a bishop's influence and that review all allegations about which the Diocese becomes aware.
- Victim Assistance Programs that are insulated from chancery officials, diocesan law firms and insurance companies in carrying out their responsibilities while in the service of the diocese.
- Restriction on participation in USCCB activities, after notice and an opportunity for corrective action, by any bishop that publicly opposes or fails to carry out the principles or actions required by the Charter.

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- Formal support for Statute of Limitation reform in state legislatures in order to provide victims/survivors with civil redress opportunities.
 - Listening sessions around the U.S. to hear lay Catholic reactions to the abuse and cover-up revelations and their expectations for resolving them.
 - Grant independent investigators' access to clergy personnel records in all U.S. dioceses comparable to what the German bishops voluntarily decided to do in July 2011 for its 27 dioceses.

Figure 1.1 Nature and Scope: Incidents of Sexual Abuse by Year of Occurrence, 1950-2002

