

**LIGHT YEARS FROM 1984: WHERE ARE WE
GOING FROM HERE?**



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In the original presentation I followed the basic format suggested for speakers at Alcoholics Anonymous and other Twelve Step meetings: *What it was like before. What Happened. What it is like now.* I have revised the original and expanded it to article length and have retained to this format.

WHAT IT WAS LIKE BEFORE

The present era of awareness of sexual violation by Catholic clerics began in 1983 in two Catholic dioceses: the Archdiocese of St. Paul and Minneapolis and the Diocese of Lafayette in Louisiana. This was not the start date of the problem of sexual violation but the beginning of widespread public awareness.

The reality of sexually dysfunctional clerics preying on minors and adults goes back through the centuries. In our lifetime it had been covered with a thick blanket of secrecy. It was unknown to the vast majority of lay persons and clerics as well. Many bishops knew about it but when they had to confront real cases they did so in secret with only a very small number of their closest advisors, all clerics, involved. Although they knew about sexual violation of minors in general, they were incapable of comprehending both its deeply pathological nature and its disastrous effects on victims.

Few knew about such abuse in the Church and even fewer believed it existed and this was due to the nature of the Catholic Church at the time. Back in the forties and fifties there was only *one* Catholic Church and it was the visible monarchical structure, a stratified society with a clerical aristocracy that was made up of celibate men and the vast ocean of lay commoners. The wall between the clerical caste and the “faithful” as the commoners are known, was steep and almost totally impenetrable.

Catholics were programmed either from birth or from the process of conversion to believe that the bishops and priests were exalted, privileged beings because of their ordination and the fact that God had chosen them to be his representatives on earth. They were taught that priests were “ontologically different” and “conjoined to Jesus Christ,” thanks in great part to the largely incomprehensible theology of Pope John Paul II.

The Church we knew was often referred to as the “Church Triumphant.” The Vatican II definition of the Church as “The People of God” was an unknown and alien concept... alien because it could be construed to lead people to believe there was some degree of equality with the sacred clerics, a threat not to be tolerated. The Church was totally identified with the external structures and the clerical establishment.

Bishops, priests and religious were an aristocracy within a vast monarchy with the pope presiding over all as an absolute ruler, answerable to no earthly power. Priests and bishops lived behind the mists of the clerical citadel. Their private lives were shrouded in mystery but one thing was certain and it was the presumption that these private lives, like their public lives, were clearly marked by holiness, virtue and knowledge. We took this all for granted because for most of us it was simply inconceivable to think of it in any other way.

In this pre-Vatican II Church there were victims of sexual predation and violence by clerics just as there had been throughout the centuries. They were emotionally isolated and spiritually adrift. They were trapped in a dismal, hopeless state of fear, guilt and shame. Many were chronically unhappy, depressed, aimless and lonely. They lived without hope of support, recognition or therapy successful enough to help them find a strand of hope that they could find a path that would lead to a normal life.

In some instances, the sexual violation became known to Church authorities. These were a small minority. Sometimes parents would report it and somehow it would reach the bishop. Occasionally a particularly compulsive perpetrator would be careless enough to get caught by law enforcement and usually this generally ended by turning the priest over to the bishop who in turn would assure the authorities it would not happen again. Father was chastised and then quietly transferred to a new parish either within the same diocese or in more problematic cases, to the diocese of one of the bishop’s sympathetic friends. The victim and his or her parents were assured it would be taken care of and encouraged, coerced or threatened to bury the incident and speak of it to no one. Devout, obedient and anguished Catholic parents believed this was the only possible outcome.

The bishop sent the errant priest off, hopeful that this was the last of Father’s transgressions. The victim was an irritant and a minor source of worry but not a source of pastoral concern. He, or she, went home and life would never be the same. Most would experience a variety of seriously debilitating emotional and psychological problems for the rest of their lives. In some cases, the victim would

be able to make the connection between the sexual violation and the pain and trauma that had captured his or her life. In others the victim might never make the connection. The majority would never be able to disclose the sexual violation to anyone but in a minority of cases the person would, after many years or even decades, find the motivation to reveal the source of his or her life's pain.

Nothing that had been hidden by this 20th century blanket of secrecy was new. Documents from the Church's own archives have revealed that sexual violation of minors (and adults) by clerics has been occurring since the early years of the primitive Church. The Didache, a teaching document that dates from the first century, included an admonition that forbade adult men from engaging in sex with minor boys. The earliest actual laws, or *canons* that criminalized sex between adult males and minors as well as between ordained clerics and either minors or adults, were enacted at the 4th century Synod of Elvira (309 A.D.) There is ample documentation of edicts, condemnations and regulations passed by individual bishops and abbots, gatherings of bishops, popes and general councils. All acknowledge the problem of sexual misconduct by clerics and seek to find some way to either eliminate it or at least control it.

The historical documentation, including several unofficial yet crucial writings such as the Book of Gomorrah of St. Peter Damian (11th century), shows that Church leadership from popes down to bishops and abbots, all knew that inappropriate sexual activity between clerics, monks and minors took place and was seemingly impossible to eradicate.

Through the centuries the official literature was uniformly legal and prescriptive in nature. Its purpose was to publish laws that would discourage sexual acting out or decrees that imposed punishments on offenders. There is no evidence of any research into why sexual abuse happened nor is there any evidence of any writings, official or not, that treated the pastoral response to the victims. In fact, the victims of clergy sexual abuse appear to have been invisible from the first century through the middle of the twentieth century.

There is documentary evidence from the early renaissance period (14th to 16th centuries) that in some areas in Europe the Church officials collaborated with secular officials in dealing with clerics accused of sexually abusing minors. The accused clerics were first tried before an ecclesiastical court and if convicted, were then "defrocked" or removed from the clerical state. They were then turned over to the secular authorities for trial and subsequent punishment. Punishments included imprisonment and in some locales, death.

In the late 17th century the Church became rightly concerned with the widespread phenomenon of priests who solicited some form of sex from penitents during the process of sacramental confession. The Church authorities were more concerned about the sacrilegious abuse of the sacrament than they were about the sexual violation of those victimized in confession. Catholics were most vulnerable in the context of confession and thus the sexual abuse or even unsuccessful solicitation was all the more loathsome. Accused priests were tried before ecclesiastical courts, many of which were administered by the Roman, Spanish and Portuguese Inquisitions.

Sexual abuse was not consistently covered in deep secrecy throughout since there is ample documentary evidence of widely publicized papal and episcopal edicts issued against offenders. Since the 19th century however, it has been deeply buried in a heavy vault of ecclesiastical secrecy. This secrecy was more than a custom or an unwritten mandate. It appears to have become a canonical obligation with a papal instruction issued by Pope Pius IX on Feb. 20, 1866. The decree required that any cleric involved in processing cases of solicitation take an oath of absolute secrecy about all matters connected with the case.

Sexual abuse of minors as well as solicitation for sex in the confessional were included as specific crimes in the first Code of Canon Law, issued in 1917. In 1922 the Holy See (Congregation of the Holy Office) issued a special set of instructions for the judicial processing of cases of solicitation. The instruction specifically stated that cases involving the sexual abuse of minors were also to be processed according to this instruction. All who took part in a case were required to take an oath of absolute secrecy. The penalty for violating the oath was immediate excommunication the removal of which was reserved to the pope. The 1922 decree, commonly known as *Crimen sollicitationis*, was reissued in 1962 with no substantial change.

For the first eight decades of the twentieth century the sexual abuse of anyone, minor or adult, by a Catholic cleric, was almost universally unheard of by the laity and by most clerics. Those instances of abuse that came to the attention of bishops or religious superiors, and these were a minority, were buried in deep secrecy. Bishops rarely employed the processes for investigation and prosecution required by Church law. The common solution was to secretly transfer the accused cleric, obtain an assurance that the victim and his or her family would never disclose what had happened and then quietly banish the event to the mists of history.

Some have argued that the bishops' universal silence was a response to the canonical mandate of absolute secrecy. This explanation would be far more believable if the bishops had been observing the rest of the canonical requirements for responding to reports but they weren't. In reality the secrecy was due to a combination of factors, not the least of which was...and is... the obsession with avoiding any publicity that would in any way tarnish the image of the institutional Church, the bishops and the papacy and consequently threaten the powerful control the hierarchy had over all aspects of the Church as well as the deference and influence they enjoyed in secular society.

As far as most lay Catholics and the general population were concerned, sexual violation of minors by clerics simply did not happen. Those of us who recall the pre-Vatican II church with its monarchical culture would probably not have had the cognitive capability to even process a report of sexual abuse by a priest.

WHAT HAPPENED

The Catholic world changed in the summer of 1984. The change was imperceptible at first and its full force never really comprehended by the church hierarchy until the beginning of the second year of the new millennium. The change was not expressed in a single event but in a long, painful and at times, incomprehensible process. Whichever way one tries to label it, explain it, excuse it or minimize it, the public revelations of sexual abuse of young boys by Catholic priests in 1983 changed the institutional Church's course through history.

Although media focus had been almost exclusively on the sexual abuse and cover-up that took place in the Diocese of Lafayette, Louisiana, hundreds of miles to the north, in St. Paul, Minnesota, another revolting tale of widespread sexual violation of boys by a single priest was being revealed by an attorney who in time would define his life and his life's work by his advocacy for the victims of sexual abuse.

In heavily Catholic southern Louisiana, the diocese and the world learned that Fr. Gilbert Gauthe had been sexually violating pre-pubescent boys from the first week of his first priestly assignment in 1972 and continued to do so until

intense pressure from outraged parents finally prompted the bishop to remove him from public ministry twelve years later.

Up in Minnesota the parents of a lone victim of Fr. Tom Adamson approached attorney Jeff Anderson and told him about the abuse suffered by their son and how they had been treated by the Church officials. They learned that in 1981 Adamson had been required by the Church to seek psychological treatment, prompted by reports of sexual abuse of boys. They knew that Adamson's last sexual contact with their son had been in 1982!

Anderson took the case and soon learned that Adamson, originally from the diocese of Winona, south of St. Paul, had been sent by his bishop, Loras Watters, to St. Paul by agreement with Archbishop John Roach. He left behind a string of victims only to prey on even more young boys in the St. Paul Archdiocese.

The Adamson case did not get much, if any, coverage in the secular media but this was far from the case in Louisiana. The diocese had entered into a settlement with six families representing nine victims of Gauthé. The settlement included a confidentiality clause which would have kept the abuse and its cover-up secret and in time forgotten by all but the victims and their families.

The Vicar General of Lafayette, Msgr. Alex Larroque, had written Archbishop Pio Laghi, the papal nuncio, to inform him of the settlement with the six families. The letter explained that Fr. Gauthé had abused the little boys but that he was now in counselling and that the families were bound by confidentiality so there was really nothing to worry about. It was all under control.

A few days later Larroque sent another letter to Archbishop Laghi with far different news. One family, the Gastals, had pulled out of the agreement and were represented by an attorney who was filing a civil suit against the diocese. Now the Church had a problem.

When Minos Simon, the Gastal's attorney, filed the civil suit, it was clear that Gauthé's crimes were well within the statute of limitations. This left the District Attorney, Nathan Stansbury, with no alternative but to charge Gauthé in the criminal court. The diocese hired F. Ray Mouton, a young local attorney with a reputation for being flamboyant and tough, to represent Gauthé as his defense counsel.

In St. Paul and Lafayette, the victims and their families emerged from the shadows and did what had never been done in the centuries-long history of sexual abuse in the Catholic Church: they took control. These two families did the unthinkable. They not only stood up to the bishops but they took them to court. Whatever degree of piety, obedience and devotion they had to the institutional Church, it was trumped by their love of their children. This was a spiritual and emotional dynamic the bishops will never understand for the simple reason that none of them have ever been or ever will be parents. In each diocese the bishops acted more like risk managers than bishops or even chief executive officers. In Louisiana there was constant coverage in the secular media both on the local and national levels. The diocese's stance was totally defensive with no proactive moves to provide pastoral care for the victims or to deal with the other priests in the diocese who had been "outed."

The United States Catholic Conference, or the National Conference of Catholic Bishops, as it was known then, showed little interest in the matter until spring of 1985 as a result of media asking if the bishops had procedures to respond to reports of clergy sexual abuse. At one press conference in April 1985 the spokesperson for the NCCB informed the reporters that they had policies and procedures in place. When asked to produce written copies he informed them that they weren't written down.

The NCCB began to show interest, albeit defensive interest, as the civil suit filed by the Gastal family continued with no signs that it was going away. Fr. Michael Peterson, a psychiatrist who specialized in treating clergy with psychological or substance problems, was working directly with the diocese to evaluate and treat Gauthé and Ray Mouton was collaborating with Peterson and with me on the issue of confronting not just the Louisiana case but the possibility that such abuse existed on a much wider scale. I was in regular contact with bishops, many of whom were very interested in the Gauthé case. Some bishops had never encountered such a problem and others had dealt with cases in the past but knew that they would have to face clergy abuse in an entirely different way from then on. Based on the discussions with bishops that Mike Peterson and I were having and based on the frightening predictions of Ray Mouton (all of which proved accurate), the three of us decided to prepare a written document that we hoped would help bishops deal with individual cases. Some of the bishops we consulted were very responsive and encouraging and suggested a "question and answer" format. We joined together and created a document divided up into three main sections that included information on what we believed to be the main areas of concern: medical (psychological and psychiatric), civil law, insurance, canon

law and pastoral care. This document became known as “The Manual.” The main supporters from among the hierarchy were Cardinals Law and Krol and Bishops Bevilacqua and Keating. The papal nuncio was also supportive and encouraging.

Along with the manual we put together an action proposal. We suggested the creation of a “Crisis Intervention Team” which would consist of medical, legal, canonical and pastoral experts who would be available to any bishop should he wish their help. The “team” would actually consist of experts from different areas of the country who would help any bishop who asked for assistance. This endeavor would be coordinated by an office to be set up at the NCCB headquarters. Contrary to the distorted responses of the conference spokespersons when asked about this, it would definitely not be any form of “swat team” nor would its use be mandatory. It was simply a resource to be made available to bishops.

The NCCB leadership was presented with copies of the Manual. We had no specific recommendation for them but hoped that they would take it seriously and make it available to bishops who possibly would have wanted to use it as a resource. The conference leadership was obviously threatened by the fact that we had taken a proactive approach which was supported by the Nunciature. They not only showed no interest in even looking at the manual but claimed that there was nothing in it they did not already know.

During this time Ray, Mike and I realized that there was strong resistance from the bishops’ conference to any proactive responses to sexual abuse. Since the Gauthier trial and its attendant publicity, a significant number of other reports of clergy abuse went public in various dioceses. The NCCB issued a few statements and memos to the bishops, mostly through the office of their general counsel. Nothing they said or did made an iota of significant difference, as the ensuing years have clearly demonstrated.

The two lawsuits had a significance that went far deeper than the courtroom action. The Church’s vault of secrecy, where their files and records of the legacy of sexual abuse remained hidden, was slowly but surely being pried open as the plaintiff’s lawyers continued to succeed in their demands for discovery. This, more than anything else, including the prospects of heavy monetary losses, was the greatest source of threat and fear. If the secrets got out, as they did, it meant the gilded image of the hierarchy would be tarnished beyond repair. That was the fear back in 1986 and that is exactly what has happened.

From the beginning the dynamics of the sexual abuse phenomenon were steadily being redefined. Over the centuries there had been other historical episodes when clergy abuse was recognized as a serious and even grave problem and each time the hierarchical leadership had the upper hand. This time it was the other way around. The victims and their supporters and not the bishops exerted the primary and lasting influence on how the phenomenon was being played out in the institutional Church and in society.

The active participants were also being redefined. Prior to the eighties if a victim or victim's family disclosed an incident to a church official, it was dealt with by the bishop and one or two of his closest advisors. The first and most essential response was to avoid any disclosure beyond this tight circle which usually meant either convincing, intimidating or threatening the victim and family into silence. This blanket of secrecy remained intact even if the police were involved with the offending priest usually turned back over to the bishop and the issue buried, "for the good of the church." This was the way it was before LinkUp, SNAP, Road to Recovery and especially, before shocked Catholics who believed it could happen.

After the initial revelations in 1985 the secular media shifted its stance from protecting the church by very minimal reporting, to aggressive investigative reporting. After Jason Berry published his series in the Times of Acadiana in 1985, much of the media coverage, following Jason's heroic lead, focused not on the individual stories of sexual assault but on the systemic cover-up by the bishops. The bishops were clearly in a damage control mode and they remained that way. They badly fumbled the whole issue of sexual abuse which was a major reason why it was shifted into the civil law forum. Early attempts by victims and their families to make reports, receive pastoral care and assurances that the offending priest would be removed were either rebuffed outright or met with duplicitous responses. Those who first went to the civil courts felt they had no other choice. The motivating factor was not money or revenge but finding a way to assure that the offending priest was prevented from hurting other children.

As the lawsuits increased around the country the defense tactics became increasingly aggressive and brutal. Victims were subjected to harsh and even vicious deposition examinations by lawyers hired by the bishops. Witnesses for the victims, including expert witnesses, were also subjected to such tactics. The situation between the victims and the bishops was adversarial at the very beginning but could have been changed had the bishops acted pastorally and not defensively. The adversarial atmosphere only became worse, much worse, after the defense

lawyers decided that winning at all cost was the only value. In some cases, their clients, the bishops and religious superiors, may well have felt sympathy for the victims and wanted to help them but these intentions were regularly derailed by the lawyers who were concerned only with protecting the Church's assets. Although many tried to justify their tactics by claiming that this was the way litigation worked or by claiming they were trying to protect "the Church," in reality they often crossed the line and acted more like inquisitors than officers of the court.

Victims and in some cases even their families were sometimes counter-sued. In his book *Vows of Silence* (2004) Jason Berry recounts an incident from Chicago when the late Fr. Andy Greeley angrily confronted Cardinal Bernardin (also deceased) with legal papers he had obtained which showed that the archdiocesan attorneys were countersuing the family of a victim (p. 87). This was not the only instance of such despicable tactics nor were countersuits the only tactic employed. Church lawyers have regularly prolonged cases unnecessarily, lining their own pockets in the process, and subjecting the victims to needless stress and even victimization.

In Los Angeles the Church's lawyers protracted the negotiations between 500 victims and the archdiocese for years before reaching a \$660 million settlement in the process taking in millions of dollars in fees, dollars donated by the public and used primarily to try to protect the Cardinal (Mahony). After the settlement was finally reached in 2007, the plaintiffs expected that one of the non-monetary demands agreed upon, the release of the files of the accused priests, would quickly follow. That would have been too good to be true. Instead, lawyers paid by the archdiocese started a series of legal maneuvers to prolong the inevitable, maneuvers that would drag on for another five years. The agile counter-maneuvering of two of the plaintiff attorneys put an end to the highly expensive and hypocritical charade just a few days before the election of Pope Francis (March 13, 2013).

The Diocese of Kansas City-St. Joseph probably has the distinction of paying out millions for some of the most extensive and useless legal maneuvering in the country. In one case which was a wrongful death case brought by the parents of a 14 year old victim of predator-priest Tom O'Brien who committed suicide at 14, the Church's lawyers took 200 depositions and filed over 2000 motions. Plaintiffs' attorney Rebecca Randles had a photo taken of her beside the stack of legal documents filed by the defense which constituted *only* their motions to dismiss. The stack was taller than Rebecca.

The most disgusting and hypocritical example of a bishop colluding with his lawyers to deny justice to victims was the bankruptcy process in the Archdiocese of Milwaukee. Many of the plaintiffs were victims of Fr. Lawrence Murphy, the chaplain at St. John's School for the Deaf, who sexually violated at least 200 deaf boys. The archbishop (Listecki) invited all victims to come forward to receive the Church's help. Unbeknownst to them this was nothing more than a tactic to draw them out. His lawyers then proceeded to try to disqualify every one of the plaintiffs. The process dragged on for over four years during which the Church lawyers managed to rack up close to twenty million dollars in fees, even before a single dime was paid to a victim.

THE BLAST FROM BOSTON

On Sunday, January 6, 2002, the Feast of the Epiphany, the Boston Globe published the first of a series of articles about the systemic pattern of sexual abuse and cover-up by the Archbishops of Boston with a concentration on the incumbent at the time, Cardinal law. In the past there had been major eruptions such as the Jim Porter case in 1993, the revelations of widespread abuse at the Capuchin Seminary in Fond du Lac Wisconsin and at a Franciscan seminary in Santa Barbara, California, also in 1993 and the Rudy Kos trial in Dallas in 1997. After a flurry of publicity and elevated hopes of survivors, things usually went back to the previous state with clergy abuse on the Church's back burner and victims struggling to be heard. I expected a similar pattern after the Boston Globe story and was wrong, very wrong and happily so. The Globe continued to publish investigative stories about dozens of Boston priests but the real anger was triggered by the blatant cover-up and arrogant attitude projected by the cardinal and his assistants. The lawsuits very quickly multiplied all over the country as hundreds of victims found their voice and came forward. Grand juries were convened in New York and Boston with more to come in the ensuing years.

Survivor activity went into high gear and before long it was obvious that the victims, now survivors, had organized and were a force to be taken very seriously. The bishops realized they were in a completely new ball game. Incapable of responding and conjuring up effective strategies on their own, they hired expensive public relations firms to try to convince the public and the Catholic laity that they were acting as true pastors. Unfortunately, they were incapable of a genuinely pastoral response. All they could do was meet the rapidly expanding phenomenon with more administrative solutions: a general meeting in Dallas in June, a national policy, well-scripted expressions of regret interspersed with assurances of their

concern for victims and their promises of change. Their newly created National Review Board turned out to be more than the bishops bargained for. It undertook to write a report which ended up being both truthful and highly insightful. It did not paint a sympathetic picture of the U.S. hierarchy and remains one of the best general descriptions and analyses of the clergy abuse issue.

The Boston event began a new phase in the history of clergy sexual abuse not only in the U.S. but world-wide. The anger of Catholics, lay and clergy as well as that of the general population was unprecedented and was not assuaged by the bishops' collective or individual rhetoric.

Pope John Paul II had known about the issue in detail at least since 1985 but chose to say nothing publicly until 1993 when he sent a letter to the U.S. Bishops. After that he made statements at the World Youth Gatherings and to individual groups of bishops. He steadfastly refused to acknowledge the thousands of pleas from victims sent to him over the years and never addressed them directly. His attitude was that this was a sin and a problem caused mostly by the materialistic, sensationalist secular society as well as a few sinful priests. He never acknowledged the deadly role played by the bishops whom he continued to defend and support.

In an unprecedented move, the pope summoned all the American Cardinals to Rome for a meeting (April 23, 2002, probably with a view to putting a lid on this troublesome problem that was threatening the equilibrium of his view of the Church. The cardinals all gathered round the pope for two days of discussions, Vatican style. At the end of the event the pope responded by telling the cardinals and the world what we already knew: sexual abuse was a sin and a crime. The meeting itself was a complete waste of time because it did not even succeed as an effective public relations stunt.

The bishops never sponsored or even suggested that there be serious, in-depth research into the systemic causes of the overall phenomenon. In 2003 Dr. Leslie Lothstein reported that the medical professionals who had treated priests at some of the prominent treatment centers asked the Bishops' Conference to support an in-depth study based on the data they had gathered in treating several hundred priests. The bishops declined.

The immediate issue was dealing with the actual acts of sexual violation but the more pressing concern went much deeper. People wanted to know why the institutional Church, i.e., the bishops, had acted as they had, with no real regard for

the victims and an obsessive concern for themselves and their image. They wanted to know why the bishops had gone overboard in protecting priests but had treated victims as a nuisance. The two John Jay studies provided demographic information (2004) and contextual data (2011) but neither delved into the systemic causes because they were not allowed to by the bishops who had commissioned them. This posed far too great a threat. Although many of the bishops have claimed that the second study, "Causes and Context," has answered why it happened, any person with any knowledge of the problem knows that such a claim is ridiculous. Some of the study's findings were met with not only serious criticism but with derision.

The bishops have not wanted to look deeply or even superficially into their own structures, their role, their self-awareness and the often magical definitions of the priesthood. Scholars however have seen this phenomenon for what it really is: a paradigmatic shift in the meaning and perception of priests and bishops and their place in the institutional Church. There has been much serious and significant independent research by social scientists, theologians, psychologists, Church historians and legal historians over the past twenty-five years. Several doctoral dissertations have been written about various aspects of clergy sexual abuse. There have been investigations by at least fifty outside agencies such as American grand juries, the four Irish Commissions and the Australian Royal Commission to name just a few, and these have produced invaluable analyses and evaluations of the vast amount of data collected.

Pope Benedict visited with victims in five countries. The visits were very short and allowed no time for the dialogue that was needed. Nevertheless, he visited with them and apparently gained a greater degree of understanding and sympathy for what all victims have experienced. Benedict spoke out several times, far more directly, strongly and with more relevance than his predecessor. He directed bishops to extend care to victims and essentially, to "do the right thing." But Benedict's role was seriously flawed because, though he knew that hundreds of bishops were complicit in child abuse, he failed to discipline any. If anything will shine positive light on his historical place in the abuse saga it will be his involvement in the debacle of Marcial Maciel Degollado (1920-2008).

Pope John Paul II, y contrary to the fawning and completely erroneous responses of George Weigel and Joaquin Navarro-Valls at a press conference shortly before the canonization, did, in fact, have detailed knowledge of the sex abuse crisis at least by March of 1985. Thousands of letters were sent to the pope by victims, begging to at least be acknowledged. Not only did the pope fail to

respond to even one, he neglected to even acknowledge their receipt. Pope John Paul's exaggerated, mystical notion of the priesthood and his monarchical concept of the Church no doubt contributed greatly to his grossly negligent response to the victims. This pope had incontrovertible information confirming that hundreds of bishops had covered up countless cases of abuse, yet he chose to protect the priesthood. He had to shift the blame somewhere. His succession of targets, each of which proved irrelevant, made his response all the more outrageous. At first the blame was dumped on the United States which he saw as largely materialistic and secular. Another target was the secular media, which he accused of sensationalizing the problem. A common theme for John Paul was his assertion was that this was a very small number of priests who were *sinners*. He never referred to sex abuse as a crime nor the perpetrators as criminals.

Pope John Paul's relationship with Marcial Maciel Degollado and the Legion of Christ is the thin cover for something that is far worse than a scandal. The story of the Legion and its founder/leader/cult figure, Maciel, is the story of a phenomenon that invaded Catholicism like a silent but deadly virus. It is replete with contradictions, hypocrisy and behavior that is violently anti-Christian. The story is not only that of Maciel and the papacy's eventual admission that he was a psychopathic hypocrite: it is also the story of the Legion, a powerful and toxic cult that used orthodox and traditional Catholicism as the cover for its true identity, that of a ruthless multi-national corporation. Maciel's mission and therefore that of the Legion was the accumulation of more and more power, influence and wealth.

John Paul II knew that Maciel had been accused of sexual abuse by nine former members of the Legion. These men opted to use the Church's legal system which was both a mistake and a blessing. It was a mistake because the canonical system was rigged in favor of the pope but it was a blessing because his direct intervention to stop the process proved to be a fatal mistake because this led to the eventual revelation of the corruption directed by Maciel involving the highest authorities in the Vatican including the then-secretary of State, Angelo Sodano, and the pope's long-time secretary, Stanislaus Dziwisz, now the Cardinal Archbishop of Krakow.

Dziwisz was interviewed in 2013, after the sordid details of Maciel's real life came out. He said that it was a mistake for the pope to have met Maciel. He went on to claim the pope knew absolutely nothing and then blamed his so-called ignorance on the Vatican bureaucracy. He tried to exonerate his late boss by claiming that he and Ratzinger were of one mind on dealing with the problem. This statement is completely irrelevant. What is important however is the in spite

of Dziwisz' after-the-fact regret that John Paul had gotten tangled up with Maciel, during this relationship he had no problems accepting hundreds of thousands of dollars in bribes from the Legion in exchange for preferential and privileged treatment.

John Paul died (April 2, 2005) and Josef Ratzinger succeeded him as Pope Benedict XVI. Ratzinger knew more about the extent of sexual abuse than anyone else in the curia because the cases that made it to the Vatican were sent to his department, the Congregation for the Doctrine of the Faith. Many of these cases contained detailed and extensive information of the predator's history, his victims and the way his bishop had handled (or mishandled) the situation. During Benedict's papacy (2005-2013) clergy sexual abuse was recognized to be a world-wide reality that was not causally connected to any culture or economic system. Verified reports of abuse came from European, Central and South American, Asian and African countries.

In 2010 the scandal, which had touched numerous bishops, archbishops and cardinals, finally reached Pope Benedict. In March it was revealed that as prefect of the CDF, Cardinal Ratzinger had refused to finalize the punitive laicization of Fr. Lawrence Murphy, credibly accused of having sexually violated 200 boys at St. John's School for the Deaf in Milwaukee. Within days the media reported that when Ratzinger was archbishop of Munich (1977-1982) he had approved the parochial assignment of a priest sent to Munich from a neighboring diocese because he had sexually abused minors.

As pope, Ratzinger spoke numerous times about the scandal, expressing concern for the victims and instructing bishops to treat them with care and understanding. During his pontificate the church's laws were again revised to facilitate the canonical prosecution of accused clerics. Benedict did something else that was extraordinary and historically unique: he laicized three bishops, all for some form of sexual abuse. Until Fernando Lugo, (former bishop of San Pedro, Paraguay), was laicized on June 30, 2008, such a drastic step was practically nonexistent. With the exception of Charles Maurice de Talleyrand, one-time bishop of Autun who was laicized by Pope Pius VII in 1801, there are no other laicizations of bishops known to have happened before or after until 2008.

The past thirty-two years have shown that the definition of this phenomenon cannot be limited to the sexual violation of thousands of vulnerable minors and adults by dysfunctional clerics accompanied by an organized, institutionalized, cover-up. The responses of the hierarchy have been, with a few individual

exceptions, fundamentally contradictory. This response to the widespread violation of the most vulnerable members of the Church by its clerics defies adequate description. It has shown there is something wrong with the institutional Church at its deepest and most fundamental level.

Jimmy Breslin came close to the answer with his 2002 book The Church that Forgot Christ. The popes and bishops have spoken eloquently about the Church's shame and about the need to care for the victims, but it seems clear from the behavior of many bishops through the decades, that this means care for the victims *on the bishops' terms*. All too often bishops or other church leaders have treated victims with what appeared to have been pastoral solicitude. Once the victims realized they were being taken advantage of and engaged an attorney, the attitude quickly changed. In 1993 several of the victims of the Capuchins at St. Lawrence Seminary realized they were getting nowhere and engaged an attorney. The Capuchin's attorney, an alumnus himself, at first told the fathers they had to remember they were priests in their treatment of the victims. The same lawyer then said, "Once they came in with lawyers they became the enemy."

The protective veneer of societal deference that once protected the bishops from criticism or from the exposure of their faults, was rapidly eroding. One searched in vain for evidence of a Christian spirit or motivation grounded in authentic Christian principles in the often vindictive treatment doled out to victims who committed the grievous "sin" of challenging the bishops and not backing down.

Pope John Paul enabled the enablers. His sympathies were with the bishops whom he believed were "suffering" because of the "cases of scandal given by certain members of the clergy." He ignored the victims and protected the bishops. The most blatant and disgusting example of his attitude was his covering of Maciel.

Pope Benedict met with victims and showed genuine sympathy for their pain. He admonished bishops but was unable to discipline any for negligence and complicity. He did however actually laicize three for sexual abuse. He had canon law revised, changing things in the only way he knew how, through the bureaucracy. Benedict was certainly a major step up from John Paul but the end of the nightmare was nowhere in sight.

Francis was elected on March 13, 2013. His kindly and informal demeanor and his initial un-papal actions such as living in the Vatican hotel and not the

palace, gave hope to many victims that things would finally turn around. Yet he has sent out mixed signals since his election. He met with victims on July 7, 2014 but unlike his predecessor, he did not limit the visits to three or four minute exchanges. He said all the right things and appointed a commission in late 2013. Then he appointed a bishop in Chile who had covered for a notorious Chilean pedophile and he ignored the protests of victims, lay persons from the diocese and even its clergy. He made things even worse for himself in September 2015 when, during his visit to the U.S. he praised the U.S. bishops for their handling of the issue saying *“I realize how much pain of recent years has weighed upon you and I have supported your generous commitment to bring healing to victims.”* Many who were listening, including myself, could not believe what they were hearing. Did the pope not know about the highly expensive and duplicitous efforts of so many in his audience to prevent victims from receiving any justice. Did he not know that the efforts of the U.S. bishops to provide healing were non-existent and that all of the programs they had conjured up for child protection had been forced on them?

The commission Francis appointed is formally known as the Pontifical Commission for the Protection of Children. They are consultative as is every other commission in the Catholic Church but, unlike other commissions in the Vatican government, they answer directly to the pope. Their mandate is the protection of children and NOT the care of present victims. Nevertheless, many members of the commission see the care of victims as being essential to the commission’s credibility. One of their major problems is the Vatican curia which not only persists in working at its own traditional pace, which rivals the speed of a glacier, but is also populated with clerics who are threatened by the commission and do their best to thwart its work.

The papal commission was responsible for the tribunal or court which the pope promised in June, 2015. The commission succeeded in getting the pope’s attention about the Vatican’s failure to ever punish, remove or even question a bishop who had knowingly covered for predators. The idea sounded like major progress at first but critics (including myself) pointed out that it was just another layer of bureaucracy that accused bishops could conceivably use to avoid accountability for years while in reality the pope didn’t need a tribunal to take action against a bishop. All any bishop needed to do was publicly or even privately question any of the Church’s antiquated rules of sex, marriage or ordination and he’d find out how unilateral removal (with no due process) works. The announcement from the Vatican was simply that: there will be a tribunal. No more information ever came forward. The concept was quietly dropped with no

announcement or reason. Instead of another structure which the Vatican bureaucracy certainly doesn't need, the pope issued a rather remarkable Apostolic Letter on June 4, 2016. It is remarkable in that it states that negligence by a bishop in relation to sexual abuse, is a canonical crime and can justify either forced resignation or removal from office.

This document is the most important statement issued by any pope to date because it cuts to the real problem which is the behavior of bishops in response to sexual abuse by clerics. Victims, their supporters and others have been screaming for years that the bishops are the real problem and all three popes heard it but only Francis listened and took the extraordinary step of naming it a crime. Now the question will be whether or not the pope actually acts on his new law. There are countless candidates from dioceses around the world. If every bishop, active or retired, who had ever committed what is now a crime were to be called to account and punished, the episcopal ranks would be seriously depleted.

To sum up "What Happened," one can say that the victims' persistence, with the help of the media, the civil courts and others, forced the clergy abuse reality front and center and refused to allow it to be minimized or pushed back into the mists. Over the thirty-two-year period the relationship between the victims as a group and the hierarchy, has remained adversarial and this is the fault of the bishops as a group. They have an underlying attitude that whatever happens with regard to improving the Church's response to clergy sexual abuse, it has to be *their way* and this is simply not going to happen.

WHAT IT'S LIKE NOW

The overall response of institutional Church leadership has been disappointing, scandalous and consistent. The creation of a variety of bureaucratic and administrative policies, protocols, committees and offices in response to immense pressure, is not evidence of an institutional Church that "Gets It." The last thirty years have made clear that the horrific problem of sexual violation by clerics has removed the protective cover from the very dark side of the institutional Church.

The investigations into individual cases and into dioceses and religious institutes have revealed deficiencies in the institutional understanding of the

priesthood, in the role of bishops, in the actual practice of pastoral ministry and into the governing structure that are toxic in nature. These deficiencies have aided perpetrators and supported the treatment of victims that is anything but Christian.

A fundamental deficiency that pervades every part of the Church to some degree is the understanding and living out of the authentic definition of “*Church*.” Vatican II broke through the domination of the notion of Church as monarchy when it referred to it as the “People of God.” This concept has been anything but active in the response to the plague of sexual abuse. The constantly repeated excuse for the destructive way things had been handled was that it was done that way “for the good of the Church,” assuming that obsessive secrecy, stiff-arming victims and transferring predators was somehow beneficial to the community of believers. The operative concept of Church had been and continues to be that of the Pre-Vatican era: Church is a stratified society with a divinely instituted hierarchical governmental system in which the bishops are essential not only to the existence of “church” but to the spiritual welfare of all members. The dominant value throughout the past three decades has been the protection of the image and the resources of the hierarchy.

The “People of God” is not a canonical construct nor is it a synonym for the ecclesiastical monarchy. Rather than describing a socio-political entity, it names “Church” as a way of life that is centered in the word and mission of Jesus Christ and only indirectly and secondarily with the visible structures of the institution. Following the gospel warning that the “last shall be first and the first shall be last” the “good of the Church” for the People of God means the good of those most in need of Christ’s compassion, love and support and not those in power or position.

The fundamental ignorance or outright rejection of the authentic meaning of “Church,” is the basis for the repeated accusations that victims are Catholic-bashing or doctrinal dissenters. Accusing victims and their supporters of being dissenters or of being exclusively motivated by the obsession to “stick it to the Church” is about the most moronic accusation levelled against the survivors and their supporters. The real dissenters are those who defend the systemic injustice and hypocrisy because their dissent is against the Christian values of love and compassion which are at the heart of the Church.

Pope Francis said in a letter to the world’s bishops “*Everything must be done to rid the Church of the scourge of sexual abuse of minors and to open pathways of reconciliation and healing for those who were abused.*” He also said “*They should also know that they have every right to turn to the Church with full confidence, for*

it is a safe and secure home. Consequently, priority must not be given to any other kind of concern, whatever its nature, such as the desire to avoid scandal...” And finally he said bishops’ duties were “... an expression of the Church’s duty to express the compassion of Jesus towards those who have suffered abuse...”

The pope has echoed what survivors, their supporters and countless believing Catholics have been saying for decades. Pope Benedict and various bishops have made similar statements though perhaps not as unequivocal and direct. Thirty years ago when the sordid revelations began, what Pope Francis said in his statement is what Catholics at that time expected would happen.

It did not happen and some survivors are still waiting for these words to be a prelude to action that is consistent and effective. I say “some” because many survivors have understandably given up on the institutional Church and on the pope no matter how clear and convincing his words may be.

Last June I had the opportunity to meet with several members of the Papal Commission at a meeting held in London. I was most impressed with their commitment, their insight and above all their courage to forge ahead in spite of the challenges they faced with the Vatican curia. The one statement I made that I hoped would be remembered more than anything else: *“I know I am speaking for countless victims when I say: no more apologies, no more explanations, no more compassionate-sounding speeches, no more policies, procedures or protocols...in short, no more words. We have been drowning in words for thirty years. We are sick of them. The only acceptable step at this junction is action. Do something decisive to show the survivors that the Church really is the Church.”*

After thirty-two years of being faced with a publicly known problem of epic proportions, a problem that consists of the most despicable of human actions, the hierarchical institution is still on the defensive and still willing to use any tactics, no matter how dishonest or hypocritical, to protect their image, power and wealth. Contrast the pope’s admonition with the recent actions in just three American archdioceses: Milwaukee, New York and Philadelphia. In Milwaukee the archbishop paid out millions of the people’s dollars to prolong a vicious bankruptcy process for over four years. His intent was to disqualify every victim who had brought a claim, including many of the deaf men abused at St. John’s School. He began the process four years ago by welcoming the victims and asking them to come forward so they could be helped. Instead they were again traumatized and beaten down. The thin excuse was that it was all part of the legal process.

The archbishops of Philadelphia and New York each mobilized their respective suffragan bishops to convince the state legislatures of Pennsylvania and New York that proposed changes in civil laws that were beneficial to victims of child sex abuse were unfairly targeting the Catholic Church and if passed, would inflict grave financial harm on the Church. They each expended millions of Church dollars to conduct lobbying campaigns against the legislation. The bishops pushed aside the fact that such laws would help all victims, to jam their own self-serving agenda down the throats of legislators. They liberally used erroneous information, empty-threats and, as one news reporter called them, “mafia-like tactics,” to get their way. Their basic claim was that the legislation unfairly targeted the Catholic Church, would cause the Church to have to close parishes and ministries, would open up old claims that are impossible to defend and is basically unconstitutional.

They have tried to argue the intrinsic value of the Statute of Limitations in our legal system. All of their claims are either factually empty or outright lies and their concern for the statute of limitations is laughable because most of the bishops probably didn’t even know what it meant until they were told to oppose it.

Chaput went so far as to threaten certain Catholic legislators who voted for the bill. He also allowed pastors to “expose” Catholic legislators who voted for it in parish bulletins, likening them to enemies of the Church.

These tactics have been used by Catholic bishops to try and block legislative change in every State where it has been proposed. Is this an honest response to the pope’s call to see that priority is not given to any other kind of concern? Hardly. But it is clear evidence of the sad and harsh reality that the disgraceful ranting of Chaput and the serpentine machinations of Dolan are reminders that the days of two-faced hypocritical public expressions of concern for victims paired with destructive actions, are still entrenched.

Summarizing *what it’s like now* is not easy. In spite of buffoons like Charles Chaput in the hierarchy there are bishops and priests who are standing with survivors and who honestly place Christian values before the survival of the clerical culture.

Thirty-two years ago we thought this was a problem limited to a minute number of priests in a few dioceses. The efforts of survivors the world over have shown it to be a world-wide scourge. In spite of the scandalous reaction to this knowledge, it is no longer buried in deep secrecy and countless victims, once

doomed to life-long incarceration in prisons of shame and silence, now have the opportunity for healing.

People were stunned when “Spotlight” won the Academy Award for best picture of the year. This had an awakening and rejuvenating impact among Catholics in general but also among the bishops. Some went so far as to say that every bishop ought to see the movie. Fifteen or twenty years ago documentaries about clergy sex abuse were regularly railed against by official church sources and some of their fanatical cheerleaders, as anti-Catholic propaganda.

In spite of the many positives underlying “*What It’s Like Now,*” it cannot be said that the official Church truly “gets it.” There is just too much evidence of victims and survivors still treated as an enemy if they speak up to any degree. There remains significant hostility towards victims on the part of clerics including bishops. There appears to be an unfortunate degree of mistrust and suspicion of older victims who have only disclosed abuse after years or even decades. Far too many clerics do not understand the emotional and psychological dynamics of the aftermath of child sexual abuse and consequently either do not comprehend or accept the fact that most victims are incapable of disclosing the abuse until many years have passed and even then, studies have estimated that only 35 to 37 percent of such victims ever disclose.

The United States Bishops’ Conference (USCCB) continues to respond in a self-serving, unenlightened manner. Last year it sent out a memo to all bishops suggesting how they could respond to the movie “*Spotlight.*” The tone was to highlight the progress the Church claims it has made in preventing and responding to reports of abuse. In it they say “*Do not let past events discourage you. This is an opportunity to raise awareness of all that has been done to prevent child sexual abuse in the Church.*” There is no mention of progress made in the bishops’ compassionate, pastoral response to victims and their families because there has been none. What they “don’t get” is that their response over the years has been administrative and bureaucratic but it has not reflected the essence of the message of Christ.

WHERE DO WE GO FROM HERE?

It's only natural for victims to want revenge but that's not only unrealistic but it's also self-destructive. The non-stop anger only gets more toxic over the years and harms only the victim. The main goal has always been healing rather than obsessing about what the Church is or is not doing. Many have looked to Pope Francis for help and for hope. He is one man surrounded by a Vatican bureaucracy that is basically hostile to the victims of the Church's mistreatment and abuse on any level. We can hope that the promise many see in him will become real, but we must live with the reality that future change and progress depends not on the ecclesiastical bureaucracy but on the survivors and their supporters.

The safety of today's and tomorrow's children and the compassionate response to victims by the Church's leaders will be uniformly assured only when the system that allowed this nightmare to happen has been fundamentally changed, and replaced with a way of life that truly IS the People of God.

This is happening now and will continue to happen because those whom this institution has harmed so deeply are making it happen.