

6-08 - "THE U.S. BISHOPS AWARENESS OF THE SEXUAL PROBLEMS OF THE CLERGY IN THE CONTEMPORARY ERA" by Thomas Doyle

One of the common defenses employed by bishops as a way of excusing their response to clergy sex abuse has been their assertion that they knew nothing about this issue until the eighties. Pope Benedict and his predecessor have even parroted the same excuse. The claims that they were unaware of clergy sexual abuse or the serious nature of such abuse prior to the 1980's are empty and contrived in light of information that has been uncovered in the various civil and criminal trials since 1985, which includes documents issued by church authorities and various studies conducted under church auspices over the past 50 years.

Among the more revelatory documentary sources are letters and reports authored by Fr. Gerald Fitzgerald, S.P. Father Fitzgerald founded a religious community known as the Servants of the Paraclete in 1946. With the support of several U.S. bishops he purchased properties in New Mexico where he set up his original foundation, commonly known as "Via Coeli" located near Jemez Springs. The mission of this religious community and of Fr. Gerald was to provide special assistance to priests with serious spiritual and emotional problems. The very first "guests" as they were called, suffered from severe emotional issues and from alcoholism. Fr. Gerald's therapeutic approach was heavily spiritual based on his conviction that intense prayer could bring about the changes needed in the priest's behavior.

It was not long after the foundations opened that bishops were sending priests with serious sexual problems to Fr. Gerald. Chief among these problems was sexual contact with minors, especially minor boys. By 1948, Fr. Fitzgerald had set a policy whereby he refused to take priests who were sexually attracted to young people. In a letter he sent to a priest in 1948 Fr. Gerald said "It is now a fixed policy of our house to refuse problem cases that involve abnormalities of sex." (Name of recipient redacted, signed by Fr. Gerald on Sept. 27, 1948).

The policy was changed, probably at the insistence of bishops, because Fr. Gerald's letters reveal that he had indeed offered help to several priests with such sexual problems in the years between 1948 and his death in 1969. Nevertheless, Fr. Gerald was convinced even then that such priests could not be cured, could not be trusted to maintain celibacy and should be laicized even against their will. His letters to several bishops make his findings and his opinions clear:

1952:

Letter to Bishop Robert Dwyer of Reno, NV, (later archbishop of Portland, OR) about priests afflicted with sexual disorders that cause them to abuse young boys. This letter indicates that Fr. Fitzgerald had already treated a "handful" of men charged with such abuse. He shared his recommendation that such men be laicized since they would never be free of the temptation to act out. This letter is remarkable in that it clearly assesses both the disorder and the risks. He warns against the very solutions that many bishops resorted to in the ensuing years:

Hence, leaving them on duty or wandering from diocese to diocese is contributing to scandal or at least to the approximate danger of scandal....We find it quite common, almost universal with the handful of men we have seen in the past five years who have been under similar charges - we find it quite universal that they seem to be lacking in appreciation of the serious situation. As a class they expect to bound back like tennis balls on the court of priestly activity. I myself would be inclined to favor laicization for any priest, upon objective evidence, for tampering with the virtue of the young, my argument being, from this point onward the charity to the Mystical Body should take precedence over charity to the individual and when a man has so far fallen away from the purpose of the priesthood the very best that should be offered him is his Mass in the seclusion of a monastery. Moreover, in practice, real conversions will be found to be extremely rare. Many bishops believe men are never free from the approximate danger once they have begun. Hence, leaving them on duty or wandering from diocese to diocese is contributing to scandal or at least to the approximate danger of scandal." (Sept. 12, 1952,).

1957:

Fr. Fitzgerald wrote to Bishop Matthew Brady of Manchester NH on September 26, 1957: 'From our long experience with characters of this type, and without passing judgment on the individual, most of these men would be clinically classified as schizophrenic. Their repentance and amendment is superficial and, if not formally at least sub-consciously, is motivated by desire to be again in a position where they can continue their wonted activity. A new diocese means only green pastures.'

1957:

Fr. Fitzgerald wrote to Archbishop Edwin Byrne (Santa Fe) that he thought it unwise to "offer hospitality to men who have seduced or attempted to seduce little boys or girls." He went on to utter an eerie prophecy of the future: If I were a bishop I would tremble when I failed to report them to Rome for involuntary laicization. Experience has taught us these men are

too dangerous to the children of the parish and the neighborhood for us to be justified in receiving them here....They should ipso facto be reduced to lay men when they act thus.

1957: Fr. Fitzgerald again wrote to Bishop Matthew Brady of Manchester NH about a priest who repeatedly sexually abused young teen-aged girls. In his letter he says: "We feel that the protection of our glorious priesthood will demand, in time, the establishment of a uniform code of discipline and of penalties. We are amazed to find how often a man who would be behind bars if he were not a priest is entrusted with the cura animarum. Whereas a more positive position, such as Your Excellency is taking in this case, would seem to add up to the prevention of these weak and irresponsible men from trailing their unlvely interpretation of the priesthood here and there throughout the country." Fr. Fitzgerald stated that such men should not be allowed to function in any ministry in any diocese.

1959:

Pope John XXIII addressed a letter to Fr. Fitzgerald in which he commended the members of the Paraclete Fathers for the work they were doing with offending priests.

1960:

In a letter to the superior of a religious order, Fr. wrote: "Father, in God's name, get this man laicized as quickly as possible. This extreme type will never be converted...Men who sin with little children certainly fall under the classification of those who "it were better had they not been born." (Aug. 11, 1960) (Note: The 1960 letter is scanned in at City of Angels 11.)

1961:

Fr. Fitzgerald wrote to Bishop Ernest Primeau of Manchester, NH, who was attending the Vatican Council. His letter urged involuntary laicization for priests with sexual problems: I am in hopes that this matter will be given serious consideration by the proper committee in the Ecumenical Council. My argument would run like this: obviously this priest has not the capacity for priestly chastity. Therefore not because he wishes it but to protect the good name of the Church, he should be reduced involuntarily to the lay state. (June 30, 1961)

1962:

Fr. Gerald had been in communication with the Congregation of the Holy Office, now known as the Congregation for the Doctrine of the Faith. At the request of the prefect, Cardinal Alfredo Ottaviani, he prepared a report dated April 11, 1962. In this report he discussed the various types of sexual problems of priests, including sexual abuse of minors: "On the other hand, where a priest for many years has fallen into repeated sins which are considered, generally speaking, as abnormal (abuse of nature) such as homosexuality and most especially the abuse of children, we feel strongly that such unfortunate priests should be given the alternative of a retired life within the protection of monastery walls or complete laicization."

1963:

Fr. Fitzgerald addressed a letter to Bishop Vincent Hines of Norwich, Connecticut concerning a priest in his care. He said in reference to bishops who have allowed sexually abusive priests to continue in ministry: "Personally I would want to spend the rest of my life on my knees asking God's mercy, for I know no more terrible threat than the words of Our Lord: 'those who tamper with the innocence of the innocents - it were better if they had never been born.'" (May 7, 1963.)

1963:

Fr. Gerald had a private audience with Pope Paul VI (1963-1978) and on August 27, 1963 submitted a report to the pope at the pope's request. Concerning priests who sexually abuse minors he said to the pope: "Problems that arise from abnormal, homosexual tendencies are going to call for, not only spiritual, but understanding psychiatric counseling. Personally I am not sanguine of the return of priests to active duty who have been addicted to abnormal practices, especially sins with the young....Where there is indication of incorrigibility, because of the tremendous scandal given, I would most earnestly recommend total laicization."

1964:

In 1964 Fr. Fitzgerald wrote to Bishop Joseph Durick of Nashville, who was attending the Vatican Council at the time. Fr. Gerald was trying to alert the Vatican authorities and the Council itself about the problem of sexually abusive priests. In this letter he draws attention to the growing numbers of such problems: "May I take this occasion to bring to your attention what is a growing concern to many of us here in the States. When I was ordained, forty three years ago, homosexuality was a practically unknown rarity. Today it is rampant among men. And whereas seventeen years ago eight out of ten problems here [at the Paraclete facility, Via Coeli] would represent the alcoholic, now in the last year or so our admission ratio would be approximately 5-2-3: five being alcoholic, two would be what we call "heart cases" (natural affection towards women) and three representing aberrations involving homosexuality. More alarming still is that among these of the 3 out of 10 class, 2 out of 3 have been young priests.

Fr. Gerald retained his opposition to providing hospitality and help to priests who sexually abused minors. Although the documentation clearly points to the fact that he attempted to treat such priests sent by bishops, he also continued his search for a solution to these problems. In addition to his constant commitment to laicization, even if against the priest's will, he also had a plan to set up a retreat on a remote island in the Caribbean in which he would house such priests for the remainder of their lives. He mentioned this idea in a letter written in 1957 to Archbishop Byrne, his ecclesiastical sponsor and co-founder of the Paracletes: "May I beg your Excellency to concur and approve of what I consider a very vital decision on our part - that we will not offer hospitality to men who have seduced or attempted to seduce little boys or girls. These men Your Excellency are devils and the wrath of God is upon them and if I were a bishop I would tremble when I failed to report them to Rome for involuntary laicization....It is for this class of rattlesnake I have always wished the island retreat - but even an island is too good for these vipers of whom the Gentle master said - it were better they had not been born - this is an indirect way of saying damned, is it not? When I see the Holy Father I am going to speak of this class to his Holiness." (The 1957 letter is scanned in at City of Angels 11.)

The Paraclete Fathers provided the most widely used resource to bishops for treatment of priests with problems for many years. By his own admission Fr. Gerald had encountered many priests accused of sexually abusing children very early on in his career. In addition to his letters to bishops and Vatican officials, there are other sources that demonstrate that the problem was not unknown or non-existent to the Catholic hierarchy from the mid-forties to the present.

1959:

The Oblate Fathers (OMI) sponsored a one day seminar at the Oblate College in Washington D.C., attended by about 50 seminary rectors and clergy staff members. The presenter was Dr. Norman T. Bowes, a psychiatrist and consultant to religious communities and dioceses. According to the bulletin of the National Catholic Educational Association, January 1960, "Dr. Bowes based his lecture on psychological assessments made over a twelve year period on approximately 3000 seminarians, priests and religious.

Areas of conflict found among those examined were reported in their order of frequency:

- 1) sexual maladjustments;
- 2) three types of scrupulosity;
- 3) problems in interpersonal relationships;
- 4) mother-fixation complex;
- 5) obsessive-compulsive personalities;
- 6) depressive components;
- 7) affect-laden individuals."

1960:

Dr. Norman Bowes published (through St. Paul Publications, a Catholic publisher), a book titled Professional Evaluation of Religious Aspirants. The book contained much of the information that grew out of his findings in examining 3000 aspirants to priesthood and religious life.

1961:

The Sacred Congregation for Religious issued an official document entitled, "Careful Selection and Training of Candidates for the States of Perfection and Sacred Orders," 2 Feb. 1961. The document states that one of the common causes of "defection' or departure from the priesthood is "...sexual tendencies of a pathological nature..." which refers to homosexual tendencies. Later in the document reasons for dismissal are listed. The following statement is found: "Advancement to religious vows and ordination should be barred to those who are afflicted with evil tendencies to homosexuality or pederasty, since for them the common life and the priestly ministry would constitute serious dangers."

1966:

Bishop Schenk of Duluth wrote an open letter to all bishops asking if anyone would be interested in the priestly services of a priest of his diocese who had been treated at the Paraclete facility in New Mexico for "psychosexual problems." He admitted in the letter that he had taken in some former patients of the Paraclete Fathers but that the ventures had turned out miserably.

1967:

The first public discussion of priest sexual abuse of minors took place at a meeting sponsored by the National Association for Pastoral Renewal held on the campus of Notre Dame University in 1967. All U.S. Catholic bishops were invited to attend that meeting.

1967:

A priest named Fr. (George Neville) Rucker of Los Angeles was arrested in El Segundo CA for alleged sexual molestation of a nine year old girl in January of that year. He was arrested again in April and another complaint was filed by the parents of another nine year old girl. The arrest records were not sealed and the information was known to the priest's bishop and other bishops in the region.

1972:

Dr. Eugene Kennedy, Dr. Victor Heckler published a psychological study of U.S. priests commissioned by the U.S. Bishops' Conference. His findings concurred with those of Baars and Terruwe and concluded that American priests were:
7% psychologically and emotionally developed
18% psychologically and emotionally developing
66% underdeveloped
8% maldeveloped.

Kennedy and Heckler stated that the underdeveloped and maldeveloped priests (74%) had not resolved psychosexual problems and issues usually worked through in adolescence. "Sexuality is, in other words, non-integrated into the lives of underdeveloped priests and many of them function at a pre-adolescent or adolescent level of psychosexual growth."

1975:

The Archdiocese of Los Angeles received the first of a series of complaints about sexual misconduct with minors by Fr. Eleutario (Al) Ramos who died in 2004.

1981:

Fr. Michael Andre Moody, a priest of the Archdiocese of Los Angeles, was convicted (1-9-81) of "lewd conduct" for sexually abusing a minor male on June 30, 1980.

1981:

Fr. Donald Roemer of the Archdiocese of Los Angeles was charged with a felony and pleaded guilty to sexual abuse of a minor. The case received widespread media coverage.

1981:

The summer edition of *The Catholic Lawyer*, the official publication of the Association of Diocesan Attorneys, published an article by Edward D. Holtz, General Counsel of the Archdiocese of Omaha, entitled "Diocesan Liability for Negligence of a Priest."

1982:

Bishop Joseph Madera held a mandatory educational meeting for all of the clergy of the Diocese of Fresno, CA at which legal, psychological and pastoral experts discussed clergy sexual abuse. This workshop followed upon the arrest of a priest in the diocese for sexual abuse.

1983:

The revised Code of Canon Law was promulgated, which included a canon (1395, 2) which explicitly named sex with a minor by clerics as a canonical crime.

1984:

"Respondeat Superior - Diocesan Liability for the Torts of its priests," was presented as a paper by Bob Gibbons at the annual meeting of the Texas Catholic Conference (September, 1984). The paper discussed cases of clergy sexual abuse of minors.

1984:

The Times of Acadiana published a series of articles by Jason Berry exposing the mishandling of the case of Fr. Gilbert Gauthe in Lafayette Louisiana.

1985:

In January Rev. Mel Balthazar was sentenced to seven years for child molestation in a Boise, Idaho court. The presiding judge said at sentencing: "I think the church has its own atonement to make as well. They helped create you and hopefully will help to rehabilitate you."

1985:

February, 1985 - Fr. John Salazar of Los Angeles sexually abused a minor boy. He was later charged with other similar counts for actions he perpetrated during the ensuing months. On July 30, 1987, Salazar was sentenced to prison following conviction. Following his release from prison (1991) he was hired by the Catholic bishop of Amarillo, Texas and assigned as pastor to a remote parish. He again abused young boys, was tried, convicted and sentenced to life in prison in 2004.

1985:

In May a comprehensive report entitled *The Problem of Sexual Molestation by Roman Catholic Clergy: Meeting the Problem in a Comprehensive and Responsible Manner*, commonly known as "The Manual" was written by Michael Peterson, Thomas Doyle and F. Ray Mouton.

The 100 page detailed handbook was prepared in on the initiative of the three authors with the support and input of a number of influential bishops. The U.S. Catholic Bishops Conference, though aware of the manual, dismissed it as unnecessary claiming that it already possessed all the data contained in it and had policies and procedures in place by 1985.

1986:

Dr. Jay Feierman, a psychiatrist formerly associated with the Paraclete Fathers, testified that he had treated over 600 priests for sexual problems over the previous ten years at the Paraclete facility (1976-1986).

1986:

The Conference of Major Superiors of Men (CMSM) sponsored a conference in Ohio called *A Consultation on Male Sexuality in Men's Religious Orders*. One of the talks was entitled "When sexual problems become crises; Incidents of Sexual Misconduct and Church personnel - A Legal Perspective." (October 29, 1986).

1993:

Pope John Paul II (1978-2005) issued the first of eleven public statements on clergy sexual abuse in a letter directed to the Bishops of the United States. The bishops formed the first ad hoc committee to study the sexual abuse issue. The committee published a three-part manual in 1994, 1995 and 1996 successively.

1994:

The Vatican published the official Catechism of the Catholic Church which contains a remarkable paragraph about child sexual abuse: "Connected to incest is any sexual abuse perpetrated by adults on children or adolescents entrusted to their care. The offense is compounded by the scandalous harm done to the physical and moral integrity of the young, who will remain scarred by it all their lives; and the violation of responsibility for their upbringing."

1995:

The late Bishop Bernard Flanagan, former bishop of Worcester MA, stated in a deposition (June 6, 1995) that in 1971 he had heard of clergy sexual abuse in dioceses other than his own and that bishops were privately discussing this issue. In spite of claims to the contrary, the canonical history of the Catholic Church clearly reflects a consistent pattern of awareness that celibate clergy regularly violated their obligations in a variety of ways but especially by sexually harassing and abusing minors and even vulnerable adults. The fact of clergy abuse with members of the same sex, with young people and with women has been extensively documented for centuries. At certain periods of church history, clergy sexual abuse was publicly known and publicly acknowledged by church leaders. From the late 19th century into the early 21st century, the church's leadership has adopted a position of secrecy and silence. This obligation of secrecy, explicitly mandated by the official documents issued in 1922, 1962 and 2001 (mentioned above in par. 19) was promulgated as official policy in 1866 in a Vatican document issued by the Congregation of the Holy Office. Any attempt, official or otherwise, to deny the predictability of clergy sexual abuse in one form or another and claim that this is a phenomenon new to the post-Vatican II era is defeated by the above-cited documentation but also by the recent findings of the officially commissioned studies. The recently published reports of the Bishops' National Review Board and John Jay College Survey (February 2004) have confirmed the existence of known clergy sexual abuse since the 1950's and the church leadership's consistent mishandling of individual cases.

The John Jay report stated that there had been 4392 known clergy sexual abusers among U.S. priests between 1950 and 2004. The actual numbers are no doubt much higher in light of the fact that only about 30% of sexual abuse is ever reported. Also, these are the numbers provided by the bishops themselves and do not include all of the known cases from the religious orders and congregations.

The bishops have, at various times, claimed that they were unaware of the serious nature of clergy sexual abuse and unaware of the impact on victims. This claim is easily offset by the historical evidence. Through the centuries the church has

repeatedly condemned clergy sexual abuse, particularly same-sex abuse. The very texts of many of the laws and official statements show that this form of sexual activity was considered harmful to the victims, to society and to the Catholic community. Church leaders may not have been aware of the scientific nature of the different sexual disorders nor the clinical descriptions of the emotional and psychological impact on victims, but they cannot claim ignorance of the fact that such behavior was destructive in effect and criminal in nature. The fact of clergy abuse with members of the same sex, with young people and with women is fully documented. At certain periods of church history clergy sexual abuse was publicly known and publicly acknowledged by church leaders.

From the late 19th century into the early 21st century the papacy and the bishops have adopted a position of secrecy and silence. They have denied the predictability of clergy sexual abuse in one form or another and have claimed that this is a phenomenon new to the post-Vatican II era. Such claims are dishonest and without any historical basis. The institutional Church has consistently hidden the fact of clergy sexual abuse and ignored the plight of victims. With the revelations of the 1980's and the surge after 2002, the bishops maintained their defensive and self-serving posture. Pope John Paul II not only provided no leadership but by his passivity actually enabled the bishops to continue their non-responsive policies. Pope Benedict XVI has responded with words and with some actions but what he has done, though highly significant symbolically, is hardly the response needed to stem the problem that will not go away.

-- Fr. Thomas Doyle, June 2008