

August 5, 2007 - Tackle the problems that created church sex scandal

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BY RAYMOND A. SCHROTH

The ranks of America's millionaires gained several hundred new members last month because they had been exploited by priests years ago, had not forgotten it -- and had demanded justice. Specifically, on July 16, the Catholic Church's Los Angeles diocese agreed to a \$600 million settlement with 508 victims of sexual abuse.

By the year 2050 or 3000, the church's child abuse scandal may have joined the Inquisition and its weak response to the Holocaust as three eras of shame that forever undermine its moral authority.

It doesn't have to be this way. If we address the structural issues that made this scandal possible, we may still be able to dig our way out of this pit.

As in other civil suits, there is often no clear correspondence between the payment and the damage done; a lost life, lost leg or lost innocence can never be regained. Some victims will never fully get over their abuse, and many offending priests will never say public Mass again.

The bishops who over 50 years supervised the cover-up -- moving over 5,000 offenders in and out of therapy and from one parish to another, sometimes convinced the priest was cured -- have met various fates. A few who were themselves offenders were removed from office. Recently in Rome I ran into Boston's Cardinal Bernard Law leading prayers in his magnificent Renaissance basilica Santa Maria Maggiore where Pope John Paul II made him pastor. The rest still lead the American church, facing lawsuits that drive some to bankruptcy and others, like Los Angeles, to settle with a combination of insurance, payment from the religious orders involved, and the sale of properties, including churches and buildings of closed parishes.

Lawyers take 30 percent to 40 percent of the award. But, had it not been for the lawyers, the church's stonewall would not have been breached. Although Los Angeles' Cardinal Roger Mahoney has escaped -- at least for now -- a series of trials where he would have to testify, complainants still demand the release of clergy files and his resignation.

The \$3 billion that will eventually be paid out nationwide will punish the laity as well. A friend told me that because of the scandal he had stopped supporting his parish. I asked what he would do if the parish priest, after too many wines at dinner, went over to the church, accidentally knocked over the vigil lights and burned down the building. Should the parishioners pay to rebuild it?

To some, the church has taken a deserved beating. But two studies, in the July 21 issue of The Economist and Robert J. McClory's "Battle Fatigue" in the August issue of U.S. Catholic, offer hope. In some ways, says The Economist, the scandal "has improved the church." Catholics are still 25 percent of the population, about the same number go to Mass, and, although diocesan fundraising is down, Catholics have stuck in general with their parishes. Mary Gautier of Georgetown's Center for Applied Research in the Apostolate says the Catholic faith is "stronger than the tornado" created by the scandal.

There have been structural adjustments. The National Review Board of laypersons has been set up to deal with the crisis. Every diocese should now have a tribunal to hear cases, with a "zero tolerance" policy where one "credible accusation" can exile a priest for life. But the definition of "credible accusation" and the administration of justice are uneven.

Christopher Ruddy, theology professor at the University of St. Thomas in St. Paul, Minn., told the Catholic Theological Society, "Priests have been removed from ministry over a single unproven charge of abuse, while bishops remain in office despite strong evidence that they knowingly transferred abusing priests or mistreated victims and their advocates."

Religious orders have undergone a process of accreditation. Professional consultants examine their procedures and lifestyle, present workshops, lectures and films, and, for example, advise them to put windows in the office doors where priests may meet with young

people. As a result, there is less ambiguity about how priests and seminarians may express themselves with young people.

At the same time, as one priest told McClory, something basic to pastoral work may have been lost. "A priest took me to my first ball game. That can't happen anymore."

Meanwhile, for progressive Catholics, families who keep going to Mass, theologians, and the 35,000-member lay group, Voice of the Faithful, who saw the scandal as an opportunity to reform the structures of the church, little has changed. Five obstacles remain.

First is clericalism, which Ruddy defines as "a system of thought and practice -- often unconscious and unwilling -- that holds that clergy are a superior class and therefore virtually unanswerable to the laity." That the new generation of seminarians demonstrate this trait is not a good sign. If trained on university campuses rather than secluded in a seminary on the hill, clerical tendencies might be undermined.

Second is the role and selection of bishops. A diocese should be small enough for the bishop to be a pastor to both his priests and people, who should both have a major say in naming who will lead them. In the current system, the bishops see themselves as answerable only to their superiors in Rome, and so tend to be team players short on creativity, listening skills and courage.

Third is priests' morale. Diocesan clerical culture, unlike religious orders, is not structured to give either emotional support or fraternal correction to fellow priests. Furthermore, as the National Catholic Reporter documented in an April article, morale has been battered by the lack of due process for the accused. Sometimes he is presumed guilty, not even told the name of his accuser or his alleged offense, removed from circulation, humiliated by a public announcement, and forced to wait and wait for a delayed resolution.

Even the long-dead "credibly accused" are exposed. Recently, Mark A. Sargent, dean of Villa Nova University Law School, warned in a Commonweal essay that a vigilante attitude on the part of victims' groups in their desire to punish offending priests has led to injustices. The advocates tend to treat every diocese as if it were as bad as the worst ones, suggesting "that they want not only to be compensated, but to burn down the house."

Fourth is the church's moral authority as a teacher of sexual morality. We never recovered from the 1968 publication of "Humanae Vitae," the papal encyclical that condemned artificial contraception, soon rejected by theologians and laity alike. Priests simply stopped talking about sex. In many ways, the church's traditional teaching on marriage, fidelity and the relationship between sexuality and love has been one of its treasures; but who will listen to the message when the messenger has been compromised?

Because of celibacy and the ban on women's ordination, women, whose experience and wisdom on these matters are indispensable, have been excluded from leadership in the church. Women will probably not be ordained in this generation. But the pope, with a stroke of the pen, could change canon law and appoint 20 to 40 lay men and women to the College of Cardinals. They would advise the pope, run Vatican congregations and help elect the next pope.

Finally, there is penance and forgiveness. For this "long Lent" to end, the church must show its penitence not just by apologizing but by adopting major reforms. And the victims must learn to forgive, for their own good. The refusal to forgive is a self-inflicted prison that cripples one's ability to love.

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