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Roman Catholic Clericalism, Religious Duress, and Clergy Sexual Abuse

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Since 1984, sexual abuse by Catholic clergy has captured public attention and resulted in a stream of criminal and civil lawsuits. The hierarchy has been defensive in the face of constant accusations and criticism. This study examines selected key aspects of the clergy sex abuse phenomenon including historical precedents and the impact of clericalism on the development of psychological and emotional duress in victims and others closely associated with sexual abuse.

KEY WORDS: sexual abuse; clergy abuse; pedophilia; ephebophilia; Catholic Church.

THE CATHOLIC CHURCH OF THE PRE-VATICAN II ERA

Today's victims of clergy sexual abuse complain that Church leadership does not believe their claims and that it has failed to deal effectively with perpetrators. These contemporary complaints lead to the assumption that through the centuries the Catholic Church has always reacted to clergy sex abuse in the same manner. Rather, there have been times when Church leadership has been much more open and forthright about its internal problems.

In the pre-Vatican II era and in the years immediately following the Second Vatican Council the Roman Catholic Church was vastly different than it is today. Priests and bishops were held in the highest esteem. The Catholic population and the public in general placed great trust in religious leaders, ministers and priests. Catholic society had not yet witnessed the changes that would come with the Second Vatican Council. These changes included a demythologizing of the Church, its clergy and its rituals. This process began with the Second Vatican Council and continues into the present day. Although the exalted role of clerical

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personages has diminished, the feeling of elitism among the clergy and in particular the hierarchy remains. Belief in this elitism also persists among many of the laity and may be considered an enabling force for clericalism.

After the Second Vatican Council ended, the Catholic Church throughout the world experienced profound changes. These changes impacted every aspect of the Church from its worship style and rituals to the deportment of the clergy to the basic rules that all Catholics lived by. The form that these changes took and the response to them has varied somewhat from country to country and culture to culture, but the changes themselves were the same.

Sexual abuse of people of any age and either sex by clergy has existed throughout the history of the Catholic Church as well as other Christian churches. In our era, widespread public knowledge and concern emerged with the media attention given to a celebrated case from Lafayette, Louisiana in 1984–85. Since then thousands of other cases have been recorded in the U.S., Canada and Europe. The cases have certain common aspects:

- the victims are generally from families closely involved in the life of the Catholic Church.
- the victims often allowed the abuse to take place many times over a prolonged period of time.
- parents and others alerted to the abuse often did not believe the report.
- when alerted to the abuse, Church leaders first tried to silence the victims so as to avoid scandal.
- many victims did not disclose their experiences until they reached adulthood.
- many victims experienced significant trauma and dysfunction after the abuse took place.

These common elements invoke a series of questions:

- (a) Why have members of the clergy engaged in the sexual abuse of minors?
- (b) Why have practicing Catholic children or young adolescents allowed such abuse to happen not once but often many times?
- (c) Why did parents and other adults tend to disbelieve stories of sexual abuse reported by young children?
- (d) Why did many victims fail to come forward until many years after the abuse took place?
- (e) Why have Church leaders tried to cover up clergy sexual abuse?

SEXUAL ABUSE BY THE CLERGY

When Church leaders are informed of incidents of sexual abuse the immediate reaction has been to minimize both the incident itself and the extent of abuse among the clergy population. Attempts are made to convince the victims that silence

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would be best for all concerned: themselves, their families, the perpetrators and the institutional Catholic Church.

Abuse is minimized in a general way by the statements that initially deny its occurrence. When this fails the next step is to admit the abuse but with the qualifier that it occurs in a very minuscule percentage of the clergy and/or happens to a lesser degree among the clergy than in the general population. Such statements reflect the secrecy and denial that have consistently marked the Church.

Over the past fifteen years there have been approximately 1800 civil suits and approximately 200 civil and criminal trials involving various forms of sexual abuse by Catholic clergy in the United States. The civil suits are initiated by aggrieved persons such as victims and/or their parents against religious communities or dioceses and bishops. The vast majority have ended in monetary settlements paid to plaintiffs rather than in trials. A very small number have gone to trial. There have also been criminal proceedings against the perpetrators themselves, often resulting in prison sentences.

The institutional church, through its bishops, has attempted to defend and explain its behavior through a number of assertions. These have become standardized and are regularly repeated by Church spokespersons. Most of these can be countered by historical, canonical or psychological data.

The first such assertion is this: Catholic Church leadership (bishops, etc.) never fully understood the destructive nature of sexual abuse of minors until very recently when the spate of lawsuits and widespread publicity forced their education on the issue. Many bishops have admitted to thinking of sexual abuse solely in terms of *moral fault* and *sin*. The appropriate remedy was admission of guilt, penance and the will not to sin again. Bishops looked at the priests' sense of religious commitment but not at their psychological motivation. Since the alleged perpetrators were priests, bishops tended to minimize the impact on victims and thought instead of the possible consequences for the institutional church. The institutional church leadership made every effort to control the problem as tightly as possible. Although the celebrated Lafayette, Louisiana case served as a catalyst for the present *crisis* of clergy sexual abuse, this 1984–85 case did not signal the beginning of the *problem* of clergy sexual abuse.

To counter this assertion, we need only to look at a nonrevisionist version of Church history. There is historical evidence that very early on the abuse of minors was considered a heinous crime, so much so that guilty clerics have been, at various times, excommunicated, removed from the clerical state and/or cut off from all financial assistance. In short, the destructive nature of child sexual abuse is *not* a new issue for the Church.

The second assertion frequently provides Church lawyers a basis for trying to short-circuit lawsuits through motions for summary judgment, namely, that the civil law doctrine of "respondeat superior" does not apply *because the institutional church (the bishop, diocese or religious order) has no fiduciary responsibility to the victims nor control over a cleric's actions while he is not performing official duties.*

By contrast, the history of Canon law reveals a consistent pattern of ecclesiastical legislation in which the Church accepted responsibility for the moral and spiritual welfare of its congregants and took great pains to enact laws that would protect them from harmful actions perpetrated by clerics.

Both versions of the *Code of Canon Law* (1917 and 1983) contain canons that criminalize several examples of illicit or immoral clergy behavior. These include punishing the illegal disposal of Church property (Canon 1377); profiting from offerings for Masses (Canon 1385); solicitation for sexual favors by priests hearing confession (Canon 1387); violation of the seal of the confessional (Canon 1388); abuse of authority by clerics (Canon 1389) and the sexual exploitation of minors (Canon 1395). All of these canons are grounded in ecclesiastical legal or disciplinary documents that reach back to the Middle Ages.

Canon law history also clearly shows that the bishops have always laid claim to total control over the clergy and in turn, demanded total and unquestioned obedience. This history is summarized by the legislation found in the code. The canon that describes the functions of the bishop leaves no doubt about the locus of ecclesiastical power (Canon 375):

1. Through the Holy Spirit who has been given to them, bishops are the successors of the apostles by divine institution; they are constituted pastors within the Church so that they are teachers of doctrine, priests of sacred worship and ministers of governance.
2. By the fact of their episcopal consecration bishops receive along with the function of sanctifying also the functions of teaching and ruling, which by their very nature, however, can be exercised only when they are in hierarchical communion with the head of the college and its members.

For those unfamiliar with ecclesiastical jargon, the above canon states that through a divine act—an act of God—bishops are direct successors of the twelve Apostles. Furthermore, they have a special infusion of the Holy Spirit which is the spirit of God. By virtue of this same divine will, bishops possess the fullness of power in the Church, i.e., governmental, legislative, liturgical, executive. They are also the primary teachers. The only qualification is that they exercise this immense power *only* in communion with the pope. It follows that clerics (priests and deacons) are expected to be reverent and obedient to the bishops. This obligation is set forth in Canon 273 which says that clerics are *bound* to show reverence and obedience to the pope and to their own bishop.

Historical Data

The present *Code of Canon Law* contains a canon (c. 1395) that specifically names sexual contact with a minor by a cleric as an ecclesiastical crime. This canon is a repeat of a similar law in the 1917 code. The prior code included sexual

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abuse of minors as a specific canon or law because the problem existed at the time the code was being compiled (1903–1917). Not only was it a problem at the time, evidenced by the simple fact that it was included as a specific crime in the code, but it had been officially acknowledged as a problem for centuries.

First we must consider medieval and premedieval terminology in order to properly appreciate the historical situation. Most clergy sexual abuse under contemporary scrutiny is *homosexual* in nature. This means that it involves male clerics engaging in some form of sexual interaction with children, youths or adults who are the same gender. The early and medieval Church leaders were also concerned with clergy abuse that was homosexual in nature but also with inappropriate or abusive behavior that involved women. Let us first consider the homosexual issues.

The word “homosexual” did not exist and is consequently not found in any medieval or premedieval literature. “Homosexual” was first used in 1869 and the word “gay” is even more recent as descriptive of persons sexually attracted to members of their own gender.

The term used in the medieval period was “sodomy” and its variants. Ecclesiastical literature used the Latin word *sodomia* to signify homosexual behavior. It was also known as *luxuria* meaning “lust” or “lechery” and as a *peccatum contra naturam*, or a “sin against nature.”

The ecclesiastical and secular literature of the time did not distinguish between pederastic homosexual behavior and that between adults. In fact, there is reason to believe that the presumptive form of homosexual behavior was what we would today call “ephebophilic” that is, behavior between adults and young adolescents of the same gender. This is based on the fact that same-sex interplay in the ancient world was largely adult-adolescent or *pederastic* as opposed to adult-infant, or *pedophilic*. This trend probably continued into the late middle ages or even beyond (Johansson & Percy, 1996, pp. 158–59). Consequently, when the medieval ecclesiastical literature refers to clerics committing *sodomia* it is most probable that the reference is to sexual relations with young adolescent boys. There is no reference in the literature reviewed to sex with infants or “pedophilia” as we call it today.

Information on the development of the Church’s approach to clergy sexual misconduct comes from a variety of sources. These include church laws (canons) which have been enacted by popes, individual bishops, bishops’ assemblies called synods or councils, and general councils of the Church. Information is also obtained from the theological writings of various Church leaders. The only “official” sources derived from Church authority, are the legal/canonical texts.

The negative attitude towards homosexual or sodomitic acts reaches back to the earliest days of organized Christianity. In part this is grounded in the Hellenistic Judaic tradition of rating homosexual acts on a level with murder, possibly in reaction to the Greek cultural acceptance of pederastic sexuality (Johansson & Percy, 1996, p. 160). The first Christians came primarily from a Jewish religious and secular culture. Although Christianity quickly embraced converts from other

ethnic and religious traditions, it was, at the outset, primarily Judaic in origin. The early Christians clearly adopted Judaic homophobia. From the second century onward, ecclesiastical sources contain examples of the condemnation of *sodomia*.

As early as 177 (Bishop) Athenagoras characterized adulterers and pederasts as foes of Christianity, subjected them to excommunication, then the harshest penalty the church could inflict. The Council of Elvira (305) severely condemned pederasts. Canons 16 and 17 of the Council of Ancyra (314) inflicted lengthy penances and excommunication for male homosex. (*Johansson & Percy, 1996, p. 162*)

An important source of information is the body of penitential literature dating from the 7th century. The Penitential Books were handbooks compiled by priests and used to assist them in hearing individual confessions of members of the Church. It was in this period that individual confession of sins replaced the general or group confession of sins that had been in place since the earliest years. The handbooks contained descriptions of particular sins and the recommended penances and related prayers. Their popularity resulted in a widespread use throughout Europe. They continued in popularity until the late medieval period (13th century) and remained in evidence until the 16th century. Although the Penitential Books lacked uniformity and never achieved officially approved status, they are a valuable source of factual information on the problems of the time.

Several of the more prominent Penitential Books refer to sexual crimes committed by clerics against young boys and girls (Payer, 1984, p. 40–44). The *Penitential of Bede*, dating from England in the 8th century, advises that clerics who commit sodomy with children be given increasingly severe penances commensurate with their rank. Laymen who committed such crimes were excommunicated and made to fast for 3 years; clerics not in holy orders, 5 years; deacons and priests 7 and 10 years respectively and bishops who sexually abused children were given 12 years of penance (*Penitential of Columban (AD 600)*, *Penitential of Theodore (AD 690)*, *Penitential of Cummean (AD 650)*).

The Church's legal texts serve as the primary source for learning about the ecclesiastical and secular attitude toward homosexuality. Canonical texts regularly speak of penalties levied against men accused of sex with other males. It seems as though the role of the clerics was not as protected then as it is now. The legal texts do not omit or hide clergy offenses but include them with other instances of *sodomia*. The earliest laws, the Visigothic laws of Spain (7th and 8th centuries) contain legislation against homosexuality with a specific canon providing for the degradation of clergy guilty of sodomy (Bullough, 1982, p. 59). By the turn of the millennium, canon law was becoming less scattered and more systematically articulated. Consequently there is more information available on the Church's treatment of erring clerics.

Sexual crimes against nature brought double liability for clerics. First, the crime itself was considered grave. The fact that the perpetrator was a cleric amounted to the added offense of "sacrilege" because the cleric's body was

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considered specially dedicated to God. The Third Lateran Council (1179), a medieval equivalent to Vatican Council II, decreed that clerics who commit sins against nature be confined to a monastery for life or made to leave the Church. After 1250 the penalties became much harsher with sodomy often linked to heresy (Johansson & Percy, 1996, p. 168). There is even some indication that sodomy was commonly identified with clerics in the popular mind. The sacril offense entered secular law and offenders were subjected to severe punishments including fines, castration, exile and even death. The Church added an additional penalty, "infamy of fact." This amounted to perpetual exclusion of the offender and even his family from the Christian community. In effect this amounted to a civil death with complete ostracization and economic boycott (Johansson & Percy). This penalty was imposed on clerics as well as on lay men.

That sexual abuse by clerics was a problem in the early medieval Church is evident from the scattered legislation of the period. One of the most dramatic indicators of the extent of the problem is found in the *Liber Gomorrhianus* or *Book of Gomorrah* composed by St. Peter Damian in about 1051. This work decries the extent of homosexual practices among the clergy of the time and urges the pope to take decisive measures. Although the author is considered to have been a stringent moralist and harsh critic of the clergy of his time, his work is nevertheless deemed credible by scholars (Payer, 1982, p. 5). He was a priest who in time became a bishop and later a cardinal. He was a Church reformer and one of his consistent themes was the sexual immorality of the clergy and the laxness of superiors who refused to take a strong stand against it. Although he condemned all forms of homosexual practice, priests' sexual contact with adolescent boys particularly angered and scandalized him (Payer, 1982, p. 13; Isely, p. 281).

Peter Damian's book and its contents are clear and to the point. He begins by singling out superiors who, prompted by excessive and misplaced piety, fail to exclude sodomites (chapter 2). He asserts that those given to "unclean acts" not be ordained or, if they are already ordained, be dismissed from Holy Orders (chapter 3). He holds special contempt for those who defile men or boys who come to them for confession (chapter 6). Likewise, he condemns clerics who administer the sacrament of penance through confession to their victims (chapter 7). The author also provides a refutation of the canonical sources used by offending clerics to justify their proclivities (chapters 11, 12). He also provides chapters which assess the damage done to the church by offending clerics (chapters 19, 20, 21). His final chapter is an appeal to the reigning pope (Leo IX) to take action. The pope's response, included in the cited edition, is an example of inaction and appears to be a prophetic indicator of contemporary responses. Pope Leo praised Peter Damian and verified the truth of his findings and recommendations. Yet he considerably softened the reformer's urgent suggestions that decisive action be taken to root offending clerics from the ranks of the clergy. The pope decided to exclude only those who had offended repeatedly and over a long period of time. Although Peter

Damian had paid significant attention to the impact of the offending clerics on their victims, the pope made no mention of this and focused only on the sinfulness of the clerics and their need to repent (Bullough, 1982, p. 61).

The *Corpus Iuris Canonici* (*Body of Canon Law*) is the most extensive and single most important source of Canon Law history. This collection of canonical texts was published in 1234. Although as a collection it is unofficial, it contains a wealth of official and unofficial legal source texts. The most important component is the *Decretum Gratiani* (*The Decree of Gratian*), published in 1140. This mammoth work contains legislative texts from a wide variety of sources, dating back to the first century. As a source for the Church's legal and political history, it is unparalleled.

The *Corpus* contains several references to legislation on the sexual abuse of minors in general and sexual abuse by clerics in particular. Gratian included a specific reference to sexual violation of boys, probably meaning young adolescents, under the heading *De Stuprum Pueri*. In the section on penance (*De Poenitentia*), Gratian offers the opinion that clerics guilty of pederasty should suffer the same penalties as lay men, including the death penalty. In another section he states that clerics who commit sexual crimes against children should be excommunicated (a particularly harsh punishment at the time since it amounted to total shunning.)

In the centuries prior to the compilation of the *Corpus*, most legislation on sexual abuse took the form of canons or laws enacted by groups of bishops in various areas. There was no single official collection or source book for the law of the Catholic Church at the time. Also, the papacy had not yet reached the level of centralized authority it did in later years. The primary source of legislation and the most accurate reflection of the problems of the time was the legislative pronouncements of the various groupings of bishops.

The Council of Trent (1545–1563) took place after the Protestant Reformation had rocked Catholicism to its core. This Council faced even more profound challenges than Vatican II. It enacted legislation that was far more revolutionary and made changes that were more fundamental. Corruption among priests and bishops was rampant. Among the many reform canons passed there were several that dealt head-on with sexually active clerics. One urged bishops to admonish and punish priests whose lives were “depraved and scandalous” (Schroeder, 1941, p. 139). If this failed, such priests were to be deprived of their benefice which meant that they were totally cut off from all financial support. Members of religious orders who committed publicly known crimes were to be severely punished by their superiors and a report on the action referred back to the local bishop (Schroeder, 1941, p. 247).

Although the two canons do not explicitly refer to the sexual abuse of minors by the clergy, this was in fact the primary sexual crime that the Council participants were concerned about. The background information on the development of these canons reveals that this was a major concern of the bishops at the Council. Also, the fact that these two canons are included as primary sources for the specific

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canon forbidding sexual contact with minors by the clergy in both the 1917 and 1984 codes indicates that this was the intent.

Five years after the close of the Council of Trent, the reigning pontiff, Pope Pius V, issued a papal decree in yet another attempt to curb this terrible abuse. Entitled *Horrendum* (dated 30 Aug., 1568), it declared that "Priests who abuse are deprived of all offices, benefices, privileges, degraded and turned over to secular courts for additional punishment" (Gasparri, ed., 1926, Vol. 1, n. 128).

The historical development of legislation concerning clergy sexual abuse verifies that it has been a serious problem from the earliest years of the Church. The documentation also shows that the official Church has repeatedly attempted to deal effectively with the problem. Church leaders, especially certain popes, had acknowledged the terrible impact of sexual abuse on children and on Church membership in general. What is remarkable about these attempts is that they were made openly and memorialized in official Church documents. Such official mention of sexual abuse is clearly an indicator of the existence of the problem. There is no sense of the extent of clergy sexual abuse but one can surmise that the official notification betrays a problem of significant proportion.

The condemnation of homosexuality has been consistent from early Church times. Singling out erring clerics has been sporadic, yet the canonical documentation clearly shows that sexual immaturity of the clergy has been a consistent problem. How the Church's leadership has treated the problem and the degree of public acknowledgment has varied over time. The pattern has been consistent however, and past trends are reflected in contemporary practice.

Problems With the Priesthood

The end of the Second Vatican Council (1965) ushered in a period of profound and often violent change for the international Roman Catholic Church. A mass exodus from the priesthood and religious life began in which tens of thousands of priests left the priesthood. At the same time the numbers of seminarians rapidly dwindled due to both departures from seminaries and lack of new candidates beginning seminary studies. This prompted Church leaders to study the priesthood itself in search of reasons. In the United States there were several studies from a variety of disciplines. These include the following:

Baars, Conrad (1971). *The Role of the Church in the Causation, Treatment and Prevention of the Crisis in the Priesthood*. Unpublished. Private.

Fichter, Joseph, S.J. (1965). *Priest and People*. New York: Sheed and Ward.

Fichter, Joseph, S.J. (1968). *America's Forgotten Priests*. New York: Harper and Row.

Kennedy, Eugene & Heckler, Victor, (1972). *The Catholic Priest in the United States: Psychological Investigations*. Washington DC: U.S. Catholic Conference.

The work by Dr. Baars was presented as a scholarly paper to the 1971 Synod of Bishops at the Vatican, an assembly of representative bishops from throughout the world. The two works cited above by Eugene Kennedy and by Everett Hughes are particularly significant because they were both commissioned by the National Conference of Catholic Bishops of the United States. These three works, as well as the others cited, all pointed to significant psychological and emotional problems among the priests of the United States.

Baars and his collaborator on the paper, Dr. Anna Terruwe, cited 40 years of psychiatric practice in which they treated about 1,500 priests. They concluded that 20–25% of the priests in North America had serious psychiatric difficulties while 60–70% suffered from emotional immaturity. They commonly came to the finding that the psychosexual immaturity of the priests manifested itself in heterosexual or homosexual activity. Towards the end of the paper Baars states:

Our clinical observations over many years have convinced us that priests in general and some to an extreme degree, possess an insufficiently developed or distorted emotional life while at the same time they must be considered to belong to a group of men whom nature has endowed with superior intelligence and sensitivity. In some, the causes . . . go back to childhood and remained unrecognized during the seminary years. Others enjoyed a fairly normal childhood but became emotionally disturbed through misguided ascetical practices in the seminary. (Baars, 1971, p. 10)

He concluded with ten specific recommendations which included detailed suggestions on the screening of candidates for the priesthood. He urged that bishops, religious superiors, rectors of seminaries and others have an adequate working knowledge of neurotic psychopathology.

Equally important to discretion in the admission and training of future priests was the manner of dealing with afflicted or offending clerics. Rather than using disciplinary approaches Dr. Baars advised that clinical assessment and professional treatment be employed: "Already existing neuroses . . . with or without chronic alcoholism . . . in priests should be speedily diagnosed and treated in the shortest and most effective manner" (Baars, 1971, p. 15).

Eugene Kennedy's study (*The Catholic Priest in the United States: Psychological Investigations, 1972*) provided the disturbing information that American priests are:

Psychologically and emotionally developed	7%
Developing	18%
Underdeveloped	66%
Maldeveloped	8%

The findings on the underdeveloped priests concur with those of Baars and Terruwe. They are of interest because they closely resemble the profile of priests who have sexually abused children and adolescents (Balboni, 1998, p. 86).

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Their problems are emotional in character. They do not confront their lack of growth or deal with it directly. Rather, they resort to the skilled use of intellectual defense. The lack of development manifests itself in a variety of ways. Chief among them is the lack of psychological growth in relationships with other persons and a failure to achieve an integrated psychosexual identity. Here, the authors state that the underdeveloped priests have not resolved psychosexual problems and issues which are usually worked through during 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. (Kennedy and Heckler, 1972, p. 11)

The underdeveloped priests are more comfortable with teenagers, have few if any close friends among their own age group, and are quite successful at covering up their deficiencies through intellectualization. They usually have problems dealing with authority and often came from family backgrounds that failed to provide proper emotional and spiritual nourishment. The almost total lack of adequate and effective guidance and supervision for younger priests (such as assistant pastors) has fostered a lack of healthy emotional and spiritual development, and it has often "allowed" a priest to continue inappropriate or even destructive behavior patterns and lifestyles.

Kennedy's conclusions were clearly disturbing. The high percentage of maldeveloped and underdeveloped priests was itself a clarion call for a close examination of the seminary system and the clerical world in general. Officially there was no action taken in response to the study, nor were there any official proposals. According to another study by Dr. Balboni:

The most distressing aspect of this study is that the signs of crisis, or distress, of immaturity, of human and spiritual need were ignored. Few if any steps were taken to assist the American priests. In individual dioceses bishops surely did make some changes. . . . But I could find no evidence that the NCCB initiated discussions on the findings. . . . made any attempts to follow through on suggestions made, to respond to the needs of their struggling priests, to address the questions raised by the study or to urge bishops to attempt diocesan responses to the institutional call for setting priorities. One cannot help but think that perhaps the abuse crisis might have been identified earlier if more had been done to assist priests who were crying out for attention and help. (Balboni, 1998, pp. 87-88)

Many of the recent civil suits alleging sexual abuse pertain to incidents that took place during the era when the Kennedy and Baars reports were being written. It is ironic that these reports were published and addressed the Catholic Church's inner circle of leadership at the very time when priests were leaving the active ministry in unprecedented numbers. Between 1965 and 1990 approximately 100,000 Catholic priests left the active ministry. Sociologist Richard Schoenherr estimates that 42% of U.S. priests have left or will leave before they have completed 25 years of priesthood (Rice, 1990, p. 3). This was also a time of intense criticism of clerical lifestyle particularly with regards to celibacy. Although the sexual abuse issues did not reach widespread public attention until the mid-eighties, many of the symptoms

of priest abusers such as underdeveloped sexuality and emotional immaturity had become obvious at least a decade prior to the first notorious clergy sex abuse case. As Dr. Balboni noted, individual bishops tried to deal with the problems but the American episcopate as a whole did little, if anything. Rather, it defended the status quo of its own political structure while growing increasingly critical in areas of secular or civil public policy, social action and economic structures.

The Catholic clergy as a group continued to approach sexual issues, particularly sexual dysfunction, from the same moralistic mind set as had their counterparts in the Middle Ages. This deep-seated resistance to a nontraditional view of human sexuality was especially true of the hierarchy. Priests and bishops commonly believed that problem and solution were both rooted in the will. The temptation to act out, to sin, is either resisted or succumbed to. In either case there are no acceptable mitigating factors provided by the behavioral sciences. Consequently the average Catholic cleric remained significantly immature and emotionally underdeveloped. Authentic human maturity was frowned upon by the institutional church. It posed a threat to the complex and intricate web that had been constructed over the centuries as a way to understand the human person.

Sexual dysfunction of any kind is evaluated and judged by a generalized negative concept of human sexuality (Doherty, 1966). Illicit sexual acts are presumed immoral and have been historically linked directly to the will. The perpetrator is considered a sinner and his actions evil. The solution is repentance and conversion. This outlook has begun to change only within the past ten years due to consistent pressure on Church leadership to seek a more enlightened understanding of why sexual abusers act as they do.

Even at the highest levels, Catholic Church leaders thus far have not accepted the assertion that the dysfunctional clerical system itself bears a significant share of the responsibility for the problems. The pope has publicly addressed the clergy sex abuse issue on five occasions: in a letter to the American bishops, June 11, 1993; in an address at the World Youth Day in Denver, August, 1993; in an address to the Irish bishops, June 26, 1999; in an Apostolic letter to the Catholic Church in Oceania, November 22, 2001 and in his Letter to Priests, March 28, 2002. In the letter to the U.S. Catholic hierarchy on June 11, 1993, acts of sexual abuse are categorized as "sin" but a significant portion of the letter dwells on the pope's belief that the secular media sensationalizes the scandals and therefore is partially responsible for them:

Public opinion often feeds on sensationalism and the mass media play a particular role therein. . . . So then venerable brothers, you are faced with two levels of serious responsibility: in relation to the clerics through whom scandal comes to their innocent victims, but also in relation to the whole of society systematically threatened by scandal and responsible for it. (*Origins*, July 1, 1993, n. 7)

In Denver the pope acknowledged the problem of sexual exploitation but essentially blamed it on American social disorganization and moral decay, which

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had finally contaminated even the clergy. This view had been common among Vatican bureaucrats who, when questioned publicly or privately, often sidestepped the issue by claiming that clergy sex abuse is a uniquely American problem aggravated by the American materialistic lifestyle. This particular argument crashed and burned shortly thereafter with the public exposure of numerous scandals in a number of European countries including the downfall of the Cardinal-Archbishop of Vienna for sexual exploitation of young boys in his younger years (Cardinal Hans Hermann Groer, O.S.B., born in 1913, resigned as Archbishop of Vienna on September 14, 1995. He then became prior of a Benedictine monastery while continuing to exercise episcopal functions. He was forced to resign this position in January, 1998 when new accusations were made. He was also asked by his successor, Cardinal Christoph Schönborn, to cease performing all public functions). It was no longer a problem that could be attributed to the American culture or for which America could be blamed.

Sexual abuse and sexual dysfunction remain stuck in the realm of sin. The official Church continues to isolate the issue, refusing to believe that to understand it one must place it in a broader and more complex context. Solutions are restricted to theological concepts: penance, absolution, forgiveness.

In spite of the growing number of recorded clergy sex abuse cases throughout the world, the official Church refuses or is unable to make any connection between the clerical sexual abuse crisis and the internal structural dynamics of the Catholic Church. The pope's address to the Irish bishops repeated the same themes. Rather than call for a deep and multidisciplinary examination of a pathetic phenomenon that had turned Irish Catholicism upside-down and in 1994 caused the fall of the Irish government (Prime Minister Albert Reynolds resigned November 17, 1994, after having been accused of failing to extradite accused pedophile priest Brendan Smyth), the pope scolded the perpetrators saying that the celibacy rule will not be changed: "We must also pray that those who have been guilty of this wrong will recognize the evil nature of their actions and seek forgiveness. . . . These scandals, and a sociological rather than a theological concept of the Church, sometimes lead to calls for a change in the discipline of celibacy" (Vatican website, June 26, 1999).

The politically correct general apology finally came in the papal letter to the Catholic Church in Oceania: "The Synod Fathers wished to apologize unreservedly to the victims for the pain and disillusionment caused to them. The Church in Oceania is seeking open and just procedures to respond to complaints in this area, and is unequivocally committed to compassionate and effective care for the victims, their families, the whole community, and the offenders themselves" (Vatican website, November 2001).

The unprecedented media exposure of clergy sexual abuse beginning in Boston, January 2002 resulted in, among other things, strong criticism of the Holy See for its failure to speak out strongly on the issue. The response was twofold: a decree from the Congregation for the Doctrine of the Faith outlining a new and secret process for investigating clergy abuse accusations (Vatican

website, January, 2002) and a short paragraph inserted into the pope's annual Holy Thursday letter to priests (New York Times website, March 21, 2002).

The new investigative approach unveiled by the Congregation for the Doctrine of the Faith, though praised by institutional church leadership, has been widely criticized because it continued to enshroud the problem in secrecy.

The Holy Thursday statement is also deemed inadequate by many. It concentrates on one dimension of the problem, namely the sexual abuse, and attributes this to sinfulness and evil. The pope goes on to commiserate with honest and good priests but gives only passing mention to the actual victims of sexual abuse: "As the church shows concern for the victims and strives to respond in truth and justice to each of these painful situations, all of us, conscious of human weakness, but trusting in the healing power of divine grace, are called to embrace the mystery of the cross and commit ourselves more fully to the search for holiness." The pope does not mention the allegations of cover-up by bishops.

Catholic bishops throughout the United States and Europe have responded to the 2002 meltdown with predictable uniformity. Several have issued public apologies to victims and, in press releases and public letters, have zeroed in on clerical abuse as an evil, a result of sin and something that will be rooted out. None of the ecclesiastical leaders, from the pope on down, have either acknowledged or accepted any responsibility for the mishandling of past cases.

This century's sexual abuse was handled in a highly secretive manner until 1984. Complaints were generally not believed. If an accusation actually made it through and reached the bishop's office, it was handled by the bishop himself along with a very small group of the most trusted advisors. Most often this group consisted of only three or four clerics. Civil authorities were never notified as required by reporting statutes. If law enforcement agencies became involved, every effort was made to use influence and persuasion at all levels in order to maintain silence on the matter. There were no trials. There was no press coverage. Serious offenders were generally transferred quickly and quietly with little or no explanation for the action.

Beginning in the fall of 1984 this pattern changed radically due to the widespread publicity that followed the case of Fr. Gilbert Gauthe in Lafayette, Louisiana. Victims are now believed but the ecclesiastical governmental system continues to resist full acceptance of its share of the responsibility.

In general it appears that the present generation of ecclesiastical leadership continues to struggle with the proper way to handle abuse cases. Known abusers have been repeatedly transferred from one place to another, though this is far less frequent than it was before 1985. Official churchdom has denied, stonewalled, claimed ignorance of the problem and its effects and sought to shift the burden of guilt from the perpetrators, the ecclesiastical system and its leadership, to the victims, to their own lack of full understanding of the impact of sexual abuse and to contemporary secular society. Although priests and bishops are aware of the general terms of church teaching on homosexuality and child sexual abuse, few if

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any are aware of the historical dimensions of the Church's teaching on sexuality, homosexuality and clergy sexual practices. The consistent denial mechanisms which come into play whenever churchmen are confronted with internal corruption are the result of the Church's understanding of itself and the clergy's understanding of its place in the Church. There are individual bishops with an enlightened view of sexuality, a realistic appraisal of the problems of the clerical culture and a commendable sense of compassion for both victim and perpetrator alike. This is not sufficient to bring about the systemic change that is needed to create an ecclesiastical milieu capable of effectively assessing the complex nature of the various issues which have been surfaced due to the public airing of the sexual abuse crisis. The corporate body of bishops itself has thus far failed to conjure up the visionary approach needed.

The bishops see their primary responsibility as preserving the visible institutional structures of the Roman Catholic Church. They are selected and named as bishops not because of their potential for revolutionary change but because of the assurance that they will preserve the institutional church as it is known. They are "organizational men" whose identity is dependent on this institutional church. Furthermore, the bishops themselves teach that their office is directly connected to God Himself.

In order to shepherd the people of God and increase its numbers without cease, Christ the Lord set up in his church a variety of offices which aim at the good of the whole body. The holders of office who are invested with a sacred power, are, in fact, dedicated to promoting the interests of the brethren . . . This sacred synod teaches and declares that Jesus Christ, the eternal pastor, set up the holy church by entrusting the apostles with their mission as he himself had been sent by the Father. He willed that their successors the bishops namely, should be the shepherds in his church until the end of the world . . . In the person of the bishops then, to whom the priests render assistance, the Lord Jesus Christ is present in the midst of the faithful . . . Thus bishops, in an eminent and visible way, undertake Christ's own role as Teacher, Shepherd and High Priest and . . . they act in his person. (*Dogmatic Constitution on the Church*, November 21, 1964, par 18–21 in Flannery, 1975, pp. 369–374).

In her doctoral dissertation, Dr. Balboni cites several bishop-respondents from her survey who stated that scandal was uppermost in the minds and concerns of many bishops (Balboni, 1998, pp. 161–163). The bishops feared that if the public knew about the sexual abuse cases, that they would be scandalized and the faith of the people damaged. In fact, the true scandal was not the fact of the sexual abuse but the inappropriate and inadequate manner with which it has been handled by the bishops. The bishops feared that dealing openly with the sexual abuse phenomenon would cause "scandal" meaning that it would result in a less than exalted perception of the institutional church.

With exposure, the power, position and prestige of the bishops would be threatened and weakened. Any public discussion of the issue with subsequent in-depth study of the complex reasons for the sexual problems of this minority of clergy was unthought of because it posed a tremendous threat to the security of the

bishops (Balboni, 1998, p. 170). The accusations from various quarters that the bishops had engaged in a concerted “cover-up” are rooted in this fear that public knowledge, widespread or otherwise, would seriously damage the public image of the Church. The bishops themselves have often claimed that they were unaware that sexual abuse was a psychological problem. They were primarily motivated, or so it seems, by their focus on the “Church” as the institution they are destined to uphold.

One of the findings of this study is that most attempts to “cover-up” the incidences of clergy abuse were to protect the institution of the Church, and not, as many might have assumed, to protect the priests. (Balboni, 1998, p. 153)

Dr. Balboni goes on to quote one of the bishop-respondents who said:

But we didn't know it was a psychological problem. And we didn't know that it was treatable. And we thought it was moral . . . It wasn't so much what everyone says, a cover-up. (Balboni, 1998, p. 164)

The bishops' concern for the institutional church has, in nearly every instance, prevented them from acting in a forthright manner when faced with clergy abuse cases. It has also prevented them from offering adequate pastoral care to the victims and their families, or from even realizing the extreme depth of the damage that sexual abuse can cause. Church leadership was distracted by their concern to protect the institution's image. Thus, the sexual abuse crisis was not a pastoral problem but a public relations problem. Dr. Balboni quotes another bishop-respondent who was candid in his appraisal and description of the general response of bishops to the crisis in 1984 and 1985:

Around 1984 and 1985 the Bishops' Conference became aware that we had a growing problem, and it was in a sense a public relations problem. We didn't know what we were dealing with and we certainly didn't know how to deal with the media. (Balboni, 1998, p. 190)

The true victims were displaced by the institutional leaders who saw themselves as the suffering victims of dysfunctional clerics. This feeling is underscored by the pope himself who first expressed his sympathy to the bishops in his public communications to the US bishops in 1993, and the Irish bishops in 1998. If individual bishops have realized the mistake in not reaching out to victims from the outset, then this realization has been driven, or even forced, by outside forces and not from a sense of sympathy originating from within the hierarchy itself. The secular press coverage, the victims' attorneys and the victim/survivor support groups have all focused on lack of care for victims as the single greatest failing of the Catholic Church's leadership. Victim/survivors have all experienced intense anger towards the perpetrators of the sexual abuse. In time, however, this anger has been replaced by a sense of pity and sense of betrayal. The deepest and most abiding sense of anger and frustration voiced by victims has been toward the ecclesiastical leadership: bishops, religious superiors and the pope.

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It is focused on their apparent lack of compassion and the inadequate handling of reports.

It is ironic that the Catholic bishops, in spite of their claims to be representatives of Christ and official teachers in the Church, are so far behind secular society in their understanding of human sexuality, sexual dysfunction, sexual disorders and the impact of sexual abuse on children and adolescents. The claims of some bishops, that they didn't realize the seriousness of the issue, or that they felt it was isolated to a few cases here and there, are very hard to accept. Sexual abuse of children is a felony in all civil jurisdictions in the United States, no matter who commits it. It has also been condemned by religious bodies, including the Catholic Church, for centuries. The secular press in the United States has carried several hundred stories of clergy abuse starting in 1984. Some bishops might have been able to claim they didn't know the extent of the abuse prior to 1984, but after that date such claims are difficult to justify.

The Meaning of "Church"

The concept of "church" has a several meanings. Although the Catholic Church traces its foundation to the actions and words of Jesus Christ, the definition of "church" and its meaning for the people has been anything but consistent through history. "Church" has meaning on a variety of levels: intellectual, emotional, spiritual and psychological. Often, the commonly expressed theological understanding of the Catholic Church can be at odds with the functional meaning as it is lived out by Church leaders (bishops) and faithful lay members. All of this is important because the official and commonly held meaning of the Catholic Church has a radical impact on the actions of both the leadership (bishops, hierarchy) and believing lay people, especially in crisis situations.

It is important to understand the definition of "church" being used by the various parties in discussions of clergy sexual abuse. For example, if a bishop or other Church leader urges that sexual misconduct by the clergy be hidden and kept from the public *for the good of the Church*, it is crucial to have a precise understanding of what *church* means to those using the term. In other words, the concept "church" may well have a meaning for the Church leadership that is radically different from that of the victim, survivors or others.

The definition of "church" and the Church's understanding of itself has evolved over the centuries. The dominant understanding is often influenced by the interplay of various sociocultural, political and economic factors.

After the reign of Emperor Constantine (d. 337) the position of the Church in society changed significantly. The son of Helena, a devout Christian woman later recognized as a saint by the Catholic Church, Constantine favored Christianity even before his personal conversion. His goal was to unite the Christian church and secular State through the closest possible ties. Of course this radically changed

Christianity from what was basically a religious way of life to an established sociological and political entity. Nevertheless the ecclesiastical leaders and scholars of the time retained their view of a transcendent church threatened primarily by heresy. As the Church establishment or organizational level became more and more involved in secular economic and political life, scandals and abuses increased. Several centuries later a pope came to power whose reforms brought about a far reaching and multilevel change in the way the Church saw itself. Known as the Gregorian Reform, after initiator Pope Gregory VII, this movement had numerous beneficial results. Among other things, reformers sought to bring order and moral revival through structural changes. The clergy became a dominant force in the Church.

Augustine's transcendent church, his "City of God" which might be threatened by heresy or schism but not by occult sin, was abandoned for the Gregorian reformers conception of a visible elite community of clerics, a community which, like the human body, was injured by the wounds inflicted upon it. (Fraher, 1989, p. 216)

The Catholic Church of the high Middle Ages defined itself as the "Perfect Society," meaning that as an institution it possessed all that it needed to achieve its end (Rahner, 1975, p. 207). The primary value was the visible institution with its variety of social and governmental levels. The Church was visible to the world through its buildings and material holdings and through those who were its full-time functionaries. "Church" was not seen primarily as a movement, way of life, or as a transcendent reality. To fortify the image of the perfect society, law and theology emphasized the exalted nature of those in leadership positions and the immutable nature of Church structures. The belief that bishops were the direct successors of the apostles and that the pope was the vicar or representative of Christ was emphasized and expanded upon through this period. The papal title "Vicar of Christ" was first used in the 8th century but only became common in the 13th century, coinciding with the centralization of power by several medieval popes (*The Oxford Dictionary of the Christian Church*, 1984, p. 1436). The clerical society made up of priests, bishops and religious order members grew in numbers and in power. The Church was identified with the clergy. The "good" of the Church equaled the "good" of the clergy, especially the hierarchy. This was the only church for the overwhelming majority of Catholics in the 1960's and 1970's. It is still the church that many identify with and long for. This church did not change, for it was "perfect." Changes, slight or fundamental, posed a serious threat to the institution because it was proposed as such by God and protected by Him through his representatives, the pope, bishops and priests.

Favored by the canon law which was worked out to serve the papal authority and so promote the liberation of the church from lay control . . . there emerged, at least in germ, the conception of the church as a "societas perfecta": this meant that the unity of the church was now conceived as being like that of a city or kingdom, and in this way juridical and sociological categories. (Rahner, 1975, p. 207)

The vision of the Catholic Church that emerged from the Second Vatican Council was and remains radically different from the triumphant image of the "Perfect Society." Key theologians stressed that the institutional model of the Church which dominated for centuries was inadequate as the primary model because institutions are subordinate to persons, and structures are subordinate to life. The clergy in general saw the institutional church as an end in itself, while the visionaries saw it as a means to a higher end. There was a clash between those who sought to preserve the age-old structures and those who urged the development of new structures that would serve the people. The former saw the Church as institution while the latter saw the institution as *for* the Church.

The assembled bishops at Vatican II provided a new definition of the Church. This definition, set forth in the document on the Church called *Lumen Gentium* (*Light to the Nations*), remains radical. It may have been accepted on the intellectual level but has yet to be fully accepted on the emotional and psychological level by the majority of clergy, and certainly by those in key leadership positions. Essentially, Vatican II defined the Church as the "People of God" which is both an institution and a spiritual reality. It spoke of a church always in need of reform, a church of sinners. In the decades since the Council ended it has been obvious that reforms are needed on a variety of levels in order to make the institutional church truly a pilgrim people. Some of the reforms envisioned necessitated radical rethinking of the positions of authority and use of power. The needed reforms could not be accomplished by superficial changes, nor could they be controlled by the clergy. Clerical control was itself a major stumbling block on the road to ecclesiastical revivification.

Although the Catholic Church has been defined by Vatican II as "The People of God" (*Lumen Gentium*, 1965), the very concept of the "Church" continues to be overly identified with the visible institution, its structures and its clerics. It would take decades for these implications and the implications of the other conciliar documents to be understood and accepted. This is due in part to the pre-Vatican II theological model which focused almost totally on the visible church as the extension of God's kingdom on earth. The notion of "Perfect Society" enabled clerics to join the concept of church as a "spiritual movement and way of life" to church as "Perfect Society" with a total and immutable bond. Most clerics in leadership positions had been intimately involved with the institutional church since early adolescence, many having attended junior seminaries (high school level). Thus the Church was everything. The institutional level defined itself to identify with bishops and clergy. Consequently, while the compulsion to protect the institutional church at all costs reached pathological levels with the sex abuse scandals, this tendency is at least understandable given the background of the clergy.

The meaning of "church" that had been adopted and internalized by the clergy and hierarchy had much to do with how clerical sex abuse was handled in the past.

It also helps to explain much of the present-day reaction to stories of abuse. Seen as an immutable institution, sex abuse from within posed a grave threat to the Church's image. The institutional church was the Church for the bishops because it is the institution within which they had spent their entire adult lives and for many, their adolescence as well. This institution provided them their livelihood, their identity, their source of self-worth, and job satisfaction. It provided security and it gave answers for all problems posed by life's difficulties. In many ways the bishops defined the Church as themselves. Consequently when faced with threats to institutional stability such as the sex abuse phenomenon, the bishops' instinctive response was to protect "the Church" as they knew it.

The Church stresses forgiveness. Victims are urged to forgive their perpetrators and families are urged to forgive the leaders who failed to take timely corrective action. Forgiveness is urged "for the good of the Church." This tactic is certainly self-serving in the case of many ecclesiastical leaders, but it also reflects a sincere, yet misguided notion of honest loyalty on the part of some. For some, "forgiveness" means burying the abuse and avoiding all responsibility and accountability for it. For a minority, "forgiveness" means reconciliation and healing, but avoiding the confrontational approach of the civil courts. On the other side, victims' advocates have urged a more *Christian* response, with the reputation of the institution's governmental level placed second after concern for the aggrieved persons. Fr. Stephen Rossetti's response is in the clerical minority:

The Church's response has been . . . excessively negative, legal, focused on offenders and limited. A fully Christian perspective and response should be positive, pastoral, pro-victim and proactive. (*Rossetti, 1996, p. 103*)

Forgiveness is joined to healing. A study of the public responses of Church leaders to numerous cases indicates a concern for healing parishes hurt when their priest was accused, healing dioceses hurt when their bishop had been accused of negligence, or healing the hierarchy in general from the hurt inflicted by accusations of cover-up (Pope, 2000, pp. 17–20). All of this serves to insult and further alienate the actual victims. By shifting the focus of concern from the real victims to the Church as victim, the institution reveals itself as still in denial. In doing so the system again fails to act responsibly and continues the pattern of abuse and corporate negligence. This is manifested by certain reactive strategies: accusing victims of greed, accusing the secular press of anti-Catholic bias, appealing to the number of false accusations made against priests, and subjecting victim-plaintiffs to endless legal entanglements through a series of maneuvers aimed at avoiding accountability.

One significant conclusion reached from studies of the responses to the clergy abuse crisis over the past fifteen years is that the bishops' primary goal has been the protection of the institutional church. They identified themselves as essential to the life of the Church and consequently present the impression that protecting the hierarchy was tantamount to protecting the Church. Although concern for the

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priest-perpetrators and the sexual abuse victims has increased, the facts simply show that this has happened because of intense pressure from outside the Church.

At the risk of overstating, the bishops' lack of attention to their presbyterate seems wantonly neglectful. Contrary to the opinion that the bishops were protecting the clergy in clergy abuse cases, it seems that they were protecting themselves. (*Balboni*, 1998, p. 235)

THE POWER OF CLERICALISM

To fully comprehend what happens to people, especially young people, who are sexually abused by Catholic clergy, and to understand the profound impact this has on their lives, one must be cognizant of some of the more subtle yet powerful inner workings of Roman Catholicism. One must also understand the impact clericalism has on sexual abuse victims and their families.

Catholicism is a religious force and way of life. It is also a complex socio-cultural reality and a world-wide political entity. It touches the spiritual, moral, emotional, psychic and economic aspects of the lives of its members. It even impacts the lives of nonmembers. Catholics and non-Catholics identify the Church with the clergy. The clergy holds all important positions of power in the Church. The mistaken belief that the members of the clergy are a spiritual elite, superior to the average lay person and in closer touch with the Almighty leads to clericalism. Clericalism has always had a pejorative connotation and has been a negative force in the Church and in society. Even the dictionary definitions of the word create a negative impression.

Webster's Ninth New Collegiate Dictionary defines clericalism thus: "A policy of maintaining or increasing the power of a religious hierarchy." The *American Heritage Dictionary of the English Language*, Fourth Edition, has a slightly different version: "A policy of supporting the power and influence of the clergy in political or secular matters." There are numerous variations on the essential theme. *Clericalism* is a radical misunderstanding of the place of clerics in the Church. It is an *ism* that describes the erroneous belief that clerics form a special elite within the Church and that because of their powers as sacramental ministers, they are superior to the laity, are deserving of special and preferential treatment and finally, have a closer relationship to God.

Official Catholic teaching states that within the Catholic Church there are two classes of people: clerics and lay people. Clerics are men. All officially functioning ordained persons are clerics. A man becomes a cleric when he is ordained a deacon. Prior to the Second Vatican Council, a man went through a special liturgical ritual to become a cleric. The rite was known as *tonsure* and involved the symbolic cutting of the candidate's hair. The word *cleric* is derived from the old English word *clerk*. Clerics were so-called in the early years of the Church because they often functioned as clerks for the masses.

To be ordained to holy orders a man *must* be a cleric, and to continue to exercise the ministry and function as a priest, a man must remain a member of the clerical state. When a man is dismissed from or leaves the active ministry by choice he does not cease to be a priest. Rather, his canonical/legal status is changed from the clerical state to the lay state. He is always a priest, for the Church teaches that the character received at ordination is never lost. However, being a member of the clerical state is a matter of church law. A man can be dismissed from it or can be released from it at his request. As a member of the lay state, a man is forbidden to exercise any of the functions or powers of a priest.

The official canonical terminology for the change in status is *reduction to the lay state*. One widely used canon law text refers to such reduction as “degradation” when it is imposed as a penalty (Bousaren, Ellis, Korth, 1963, p. 148). This clearly implies that the man is being moved from a higher to a lower position in the Church. In spite of the Vatican II teaching that the Church is the “People of God,” the official institution still holds fast to the concept of the clergy being the “higher” state.

Not all Catholic priests are bound to celibacy. The Oriental or Eastern churches permit married priests. The Latin church is the most common and most numerous part of the Catholic Church. There are two classes of exceptions: permanent deacons and former Protestant clergymen. Permanent deacons are married men who are ordained deacons but without the possibility of becoming priests. The second exception is comprised of Protestant clergymen who took advantage of a special *Pastoral provision* which was legislated by Pope John Paul II in 1980. This allowed certain Anglican or Episcopal priests who converted to Catholicism to be reordained as Catholic priests. A very small number of clergymen from other denominations have also been accepted through this provision. Most are married men who have retained their wives and families.

All important Church governmental positions are reserved for priests or bishops who profess celibacy. The permanent deacons, though technically clerics, are neither *in fact nor in practice* part of the clerical world. In some dioceses the deacons are forbidden to wear the usual clerical dress.

Clerics obliged to celibacy constitute a clearly defined subgroup or elite within the Catholic Church. As a group it is much more pronounced than the clergy of other denominations primarily because of the added aspect of celibacy. The claim of personal celibacy by members of this elite has significantly added to the mystery and separateness of the Roman Catholic clergy.

The new *Code of Canon Law* makes a subtle distinction between sacred ministers and clerics in Canon 207. It says that “Among the Christian faithful by divine institution there exist in the church sacred ministers, who are also called clerics in law, and other Christian faithful, who are also called laity.” It is easy to assume that the clerical state is part of the essence of holy orders and therefore of divine institution. However, this is clearly not the case for the clergy, as a state that includes the “sacred” ministers of the Church, is a man-made structure.

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Clericalism is a term used to describe an attitude about the clergy that they themselves have caused by fostering the false assumption that the clerical state is of divine origin. It is easiest to understand clericalism by seeing what defines it. Much of it is about power. Power seeking, power sharing and power keeping are part of the clerical mind set but they are not part of the Gospel understanding of authority (Cullinane, 1997, p. 187). The other commodities that have high value in the clerical world are the prestigious autocratic social status that accompanies the priesthood and/or the bishopric and the money or funding for the comfortable lifestyle enjoyed by many high ranking clerics.

Clericalism was deeply entrenched in the pre-Vatican II church and in secular culture as well. The mind set assumes that clerics should be the dominant elite in the Church, responsible for all aspects of governance and direction. Laity are meant to be a subservient mass. Clerics were the essence of the pre-Vatican II Church defined as a "Perfect Society." Although certain manifestations of clericalism have changed over the years, as a religious and social phenomenon it is still firmly entrenched.

Most clerics progressed from early adolescence to adulthood within an ecclesiastical milieu. The seminary system began at the high school level and progressed through ordination. Seminaries at all levels were isolated. Academic instruction and personal formation took place within this culture. Future priests had minimal contact with the secular world and their understanding of common human problems, especially marriage and family problems, came from textbooks.

The Church was the clerical world and this was *their* world. They were raised in the all-male, unmarried clerical subculture that unofficially defined itself as "the Church." It is still difficult for most clerics and many lay persons to move away from such a concrete, clearly defined notion of "church" to one that is much more spiritual and much less identified with traditional political structures.

The Catholic laity may now be more clericalized than their clergy . . . By a kind of dialectical process, the distorted views of the church, clerics and laymen that helped spawn the classic clericalism of the past are today giving rise to another set of confusions about priesthood and the lay condition that are the mirror image of clerical elitism. (Shaw, 1993, p. 9)

Anticlericalism is the rejection of a belief in the power of the clergy to direct the lives of the laity and their claim to special privileges. Ironically, anticlericalism has occurred primarily in the so-called "Catholic" countries of Europe and Latin America. Although it has been a primarily Roman Catholic phenomenon, it has nevertheless surfaced in other cultures wherein a religious elite claimed a disproportionate share in secular power. The Bolshevik reaction against the Russian Orthodox Church and the post revolutionary attitude toward organized religion in Russia serve as a classic example of extreme anticlericalism.

Throughout the history of the Catholic Church in the West there have been recurring periods of anticlericalism, usually in response to the excessive influence

of clerics in many areas of secular life, and to the abuses that came with such influence and control. At times the anti-clerical sentiment reached such a high level of intensity that it resulted in widespread and sometimes violent reactions as well as anti-clerical legislation against churches, priests and bishops. Such legislation often included severe restrictions on the power, property rights and privileges of the clergy, and in some countries (e.g., Mexico) even the prohibition of wearing clerical garb in public.

The United States experienced a wave of anticlericalism in the second half of the 19th century. The effects of this wave diminished with the turn of the century and had all but disappeared by the advent of World War II. The Catholic culture of the pre-Vatican II era had buried the anticlericalism of the previous century. In fact, the institutional Catholic Church and its clergy enjoyed an unparalleled degree of respect, privilege and power in the years immediately prior to the Second Vatican Council and for several years thereafter. However, within the past 2 decades, public revelations about sexual abuse by clergy and other abuses of power have demythologized the secure image of the clerical state.

Clericalism has been studied by scholars from a variety of disciplines. The well known author Russell Shaw, quoted above, opines that directly responsible for the death of Christ was that He (Christ) had challenged the authority of the clerical elite of his time. He also claims that clericalism is responsible for many contemporary Church problems:

In the Catholic church today clericalism is not literally responsible for anybody's death. Although its victims are very numerous, they suffer mainly a psychological and spiritual martyrdom of which, very often, they are not even themselves fully aware. Yet the clericalist mind set does fundamentally distort, disrupt, and poison the Christian lives of members of the church, clergy and laity alike, and weakens the church in her mission to the world. Clericalism is not the cause of every problem in the church, but it causes many and is a factor in many more. Time and again . . . it plays a role in the debilitating controversies that today afflict the Catholic community in the United States and other countries. (*Shaw*, 1993, p. 13)

To understand the complex dynamics of clergy sexual abuse one must also understand clericalism, because clericalism is directly related to why victims/plaintiffs remain silent about their abuse at the time it occurs and often many years thereafter. It also helps to explain why the contemporary institutional church reacts to reports of abuse with denial, scape-goating and blame-shifting. Clericalism helps us to understand why secular institutions such as law enforcement agencies, the press or the judiciary sometimes defer to the institutional church when dealing with sex abuse cases, protecting the image of the Church and its leaders at the expense of true justice for the victims.

Clericalism depends on the presumption that clerics, especially those professing celibacy, are superior to the laity and are therefore entitled to special privileges and respect. The effects of clericalism are found in clerics and laity alike. One symptom commonly seen in the laity is the attitude that it is sinful to make any kind of accusation against a priest or a bishop. Among some the belief persists

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that priests and bishops cannot and would not do anything considered to be evil or wrong. In matters of sexual abuse there have been several instances when the victims themselves were blamed for the priests' sexual acting out.

In the past, Catholics were consistently taught to have the highest respect for a priest and an even higher respect for a bishop. This attitude has effected public life as well as private attitudes. In civil government and among civic leaders it is common to find deference toward the Church, especially the Catholic Church. This deference is at least partly responsible for the hesitation or even refusal to prosecute churchmen accused of crimes.

The governmental structure of the Catholic Church is *hierarchical*. Power descends from the top down and is held by persons rather than groups. Positions of power are, for the most part, attained through appointment by a person higher in authority. The only major exception is the papacy which is attained by election. The College of Cardinals can elect any baptized male but have always chosen one of their own to be pope. (There is no *earthly* power higher than the pope according to Catholic teaching, hence the belief that God works through the cardinals to choose a pope).

The hierarchical form of government, though claimed to be of *divine origin* by some Church sources, appears as a man-made social construct that was superimposed on the gospel framework of the Church in the earliest centuries. That the hierarchical governmental system is divinely inspired and constructed is a claim made by the incumbent hierarchical office holders to justify both absolute power retention and exemption from accountability for abuses of power. The basic claim of the divine origin of episcopal power is defended through authentication by interpretations of scripture and events in Church history.

Clericalism is not a myth nor is it a pejorative epithet invented by antireligious forces. It is an historical and cultural reality. In the early Middle Ages monks controlled the major centers of learning and culture since these were centered in the monasteries. In time the monasteries also grew into major economic and political forces. At the crux of the monastic power was the belief that the monks, or clergy, enjoyed special powers given by God.

Throughout western history, there has been ample evidence of abuse of clerical power. This abuse gave rise to anti-clerical sentiment in several countries where the Catholic Church had accumulated economic, political and social power. Although clericalism and anticlericalism have certainly existed since the earliest years of the Christian church, the scholarly study of the theological and social dimensions of these twin phenomena tend to focus on the late medieval and Reformation periods of Europe. There are also several studies done of anticlericalism in the Spanish colonies of the New World and in 19th and early 20th century Mexico (Dykema, Oberman & Hejko, 1993, vol. 51).

Some of the most vocal critics of medieval and pre-Reformation clerical abuses were themselves members of the clerical estate, including Martin Luther, a one-time Augustinian Monk whose reaction to rampant clerical abuse led to his

involvement with the Protestant Reformation. Martin Luther was not an isolated voice of criticism, though he was perhaps the most prominent critic of his time. A review of some of Luther's writings, especially his sermons, points to significant parallels with today's Church (Bast, 1993 in Dykema and Oberman, pp. 367–378).

The Second Vatican Council attempted to revivify the theological concept of the Church as the "People of God." Such revolutionary thinking understandably posed a serious threat to many in the clerical world, who argued that the clerical state was instituted by God Himself and was essential for the existence of His Church. At stake of course, was not the purity of God's presence in the world but the power, prestige, control and economic benefits that accrued to the clerics, especially to those in positions of power.

The Second Vatican Council clearly rejected clericalism without, perhaps, fully understanding how such a rejection would threaten the clerical establishment for decades to come. It referred to the "secular" as the proper realm of the lay person, implying of course that "secular" was good and not a world to be vilified by arrogant and threatened clerics. The Council took decisive steps against the passive role of the laity in ecclesiastical life by opening up roles in the administration and judicial systems of the institutional church. It also made the revolutionary step of welcoming the laity into the sacred realm of liturgical worship. Lay people could not only read at Mass, but they could now do what had formerly been unthinkable: they could touch the consecrated host and distribute communion.

Twenty years after the Second Vatican Council ended, reformers were still arguing about the detrimental presence of clericalism in the Church. In spite of the far-reaching changes brought about by the Council, clericalism has remained alive. In 1983 for example, the United States Conference of Major Superiors of Men conducted a serious study of clericalism and published a report on their findings. The study affirmed the existence of clericalism among those in holy orders, and also found that persons *other than clerics* exhibit traits of clericalism. Yet the chief manifestations are found in the clergy themselves. These include an authoritarian style of ministerial leadership; a rigidly hierarchical world view; a virtual identification of the holiness and grace of the Church with the clerical state.

The report went on to acknowledge the fact that oppressive forms of clerical domination and privilege breed anticlericalism. This has been especially true when clerical domination and influence has spilled over into civil life (Conference of Major Superiors of Men, April 1983). This influence in civil life has taken many faces: from free dinners for clerics, to bishops who influence the justice system when their particular interests are involved.

Significant voices among faithful Catholics have looked at the contemporary ecclesiastical landscape wondering if the momentum initiated by Vatican II has not only dwindled, but has been urged along in a slow death by the centralizing influence of the totally clericalized Roman curia. Perhaps the most significant call has come from Franz Cardinal Koenig, retired Archbishop of Vienna who was a

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key figure at the Second Vatican Council. In an essay published in the *London Tablet* (January, 1999), the Cardinal sums up the problem by accusing the present-day Roman curia of undermining the vision and direction of the Second Vatican Council with its present style of centralized leadership.

A gradual de-centralization is needed. . . What is often felt to be defective is the present style of leadership practiced by the authorities in the Roman curia in dealing with the diverse and multiple dioceses throughout the world. (Koenig, 1999, p. 1)

The centralizing and controlling tendencies of the Vatican curia over the past ten years have been alarming to those who had hoped for a visible church structure envisioned by the Second Vatican Council.

From the Perspective of Sociology

How is it that the Roman Catholic Church came to be identified with its clergy? Numerically the combined membership of the clergy (pope, cardinals, bishops, priests, brothers and nuns) constitutes *less than 1% of the total membership of the Church*. According to the 2001 edition of the Official Catholic Directory, the total Catholic population in the U.S. was 61,563,769. The total number of cardinals, bishops, priests, brothers, deacons and nuns in the U.S. was 151,793 of which 85,412 were religious women. The total number of clerics, including permanent deacons, the most numerous group at 12,247 and most of whom are married, was 60,266. There are several possible reasons. The historical, theological and legal aspects all lead to a behavioral or sociological explanation.

As the institutional dimension of the Catholic Church grew it reached into all essential aspects of personal, social and economic life. The clerical leaders, especially the bishops and abbots, assumed increasing control. The Church was the primary source of education, research and culture. High powered clerics became deeply involved in the political life of the medieval world, so much so that for many, their ecclesiastical office was merely a stepping stone to secular power. The Church was perhaps the single wealthiest entity for centuries and the most extensive land owner in western civilization:

In 1791 the papal territories situated in France were lost to the new republic and by 1861 the Papacy was left with Rome alone, all the rest having been absorbed into the Kingdom of Italy. In 1870 Rome itself was lost and the Pope withdrew into the Vatican. (*Oxford Dictionary of the Catholic Church, 1974, p. 1306*)

The institutional Catholic Church remained a major European land owner until the Italian social revolution, or *Risorgimento*, of the 19th century. When the old monarchical order of Europe, of which the Catholic Church was an integral part, began to crumble in the mid-19th century the papacy responded by attempting to shore up the heretofore exalted powers of the clergy in general but the hierarchy and papacy in particular. The two most famous and far-reaching attempts were engineered by Pope Pius IX, the Church's longest reigning pope. The first was

the *Syllabus of Errors* (1864) and the second, the doctrine of *Infallibility* was proclaimed in 1870 (Wills, 2000, chapter 16).

The triumphalism and power of the Church was manifest in its elaborate liturgical ceremonies. The Catholic Mass is descended from Christ's Last Supper and therefore essentially a simple meal. Over the centuries it became ritualized in response to the beliefs of the faithful and the theological teachings of the Church. The Church teaches that the Holy Eucharist is the center of its existence and its reason for being. The format for the Eucharist has ranged from simple worship services at which the *communio* of the believers is obvious, to grandiose spectacles reminiscent of the medieval courts.

The constant tradition and theology of the Church has held that the action of a priest or bishop is essential to the validity of the Mass and several other sacraments. The only minister for the sacraments of confirmation, penance, sacrament of the sick and holy orders is a priest or bishop. In extraordinary circumstances baptism may be administered by any lay person. The ministers of the sacrament of marriage are the spouses themselves, yet even here the Church demands that ordinarily the official and essential witness be a man in Holy Orders. The scholastic influence led to a preponderance of legalism in the Church's sacramental theology. The concept of validity was paramount in importance, and it hinged on the correct execution of the ritual with its essential elements of matter and form.

In all of the liturgical celebrations of the Church, the priest or bishop is the central figure. The Eucharist no longer even remotely resembles Christ's Last Supper. In the pre-conciliar era the liturgy was dominated by clerics. The role of the priest was described in terms of his *power* to make the Eucharist and the other sacraments happen, as if he were a kind of Christian magician. The liturgical ceremonies were essential for the salvation of the laity, yet the laity were merely passive observers whose role was simply to attend in silence.

The clergy's domination of the laity has been enabled by a concentration on the priestly role as one that is primarily sacramental, defined in terms of power. This clericalism was painfully obvious in the pre-Vatican II era with the privatization of the Mass, and the isolation of the Eucharist from worshiping communities. Mass was celebrated to satisfy personal priestly spirituality, or to satisfy stipends offered by donors.

The major ceremonies presided over by bishops, cardinals or the pope were clearly spectacles that visually elevated the clerical state to dizzying heights. In the pre-Vatican II era the celebrant of a pontifical or papal Mass appeared *royal* as the ceremony unfolded.

The Second Vatican Council brought far-reaching liturgical changes that somewhat demystified the celebrant and introduced the laity to a number of nonessential liturgical roles. In spite of these changes, the cleric remains the center of the ritual with the laity acting as observers, though much less passive than in pre-Vatican II days.

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The liturgy is the most visible expression of the institutional church. Most recently the Vatican has issued certain edicts which appear to be attempts at reducing the role and influence of the laity, while at the same time reemphasizing the traditional role of the priest as “special” because he has the “power.” (Pope John Paul II, *Instruction on Certain Questions Regarding the Collaboration of the Non-ordained Faithful in the Sacred Ministry of the Priest*. Vatican City, August 13, 1997 and *Institutio Generalis Missalis Romani*, April 9, 2000).

The Catholic Church’s legal system has consistently protected the clerics. The 1917 *Code of Canon Law*, the first such codification in the Church’s history, contained several canons that outlined the many privileges of the clergy. These canons were not new but were compiled from already existing legislation. In addition to the privileges, clerics were protected against any kind of harm inflicted by the laity. Canon 119, for example, stated that “All the faithful owe reverence to clerics according to their various grades and offices, and they commit a sacrilege if they do a real injury to a cleric” (Bouscaren, Ellis & Korth, 1963, p. 105).

Clerics were *not* to be hauled before the civil courts. To summon a cleric before a civil court without the required permission was to invite excommunication (canon 2341). The permission was only granted by ecclesiastical superiors. For cardinals, papal legates, bishops and abbots this permission came only from the pope. To hail a deacon or priest as a defendant required the permission of his bishop or religious superior.

The Code enshrined the basic tenets of clerical privilege. This Code was promulgated in 1917 after a preparation process that began in 1903. It was comprised of legislation based on a clericalist mindset that dated back to the early Middle Ages. Commenting on the philosophy of this first Code, James Provost, one of the authors of the 1984 commentary on the revised Code states:

Underlying the 1917 Code is an understanding of the Church as composed of two fundamentally distinct and unequal groups—clergy and laity. The roots of clerical domination are ancient, ranging from reform efforts and practical necessity to defense of Church interests against the encroachment of lay investiture and state domination. (Coriden, Green, Heintschel, 1985, p. 131)

The sum of the historical, theological and legal supports for clericalism constitute the *sociological tendency* known as *group bias*. This is the tendency where by a specialized group within an organization equates its specialized interests with the interests and needs of the organization as a whole. Political scientists point to the same kind of tendency, referring to such groups as *elites*. The primary elite in the Catholic Church has been the clergy. Within the clergy there are different levels of elitism, where the priests are at the bottom of the sociological ladder. The bishops form the most powerful and influential elite within the Church with the College of Cardinals constituting the highest level of this elite body.

One general conclusion of this group bias is the impression that holiness and closeness to God is closely associated with the clergy. The higher the cleric’s rank or office, the greater the degree of holiness and influence with the Almighty.

An errant cleric's misdeeds are too often hidden by societal denial: "A priest or bishop *couldn't* do such a thing!"

Religious Duress

Traditionally, Catholics have been taught that clerics (priests, deacons and bishops) represent Jesus Christ. In part this belief is grounded in the theological teaching that the priest takes the place of Jesus Christ during the celebration of the Mass. Ordained clerics are the ordinary ministers of all but one of the sacraments. The Church teaches that the sacraments are the source of holiness and the means to salvation for Catholics. Sacraments are also the key moments in the life path of Catholics. Sacramental power and efficacy is grounded in the same source of power as that of the fundamental authority of the bishops.

Plaintiffs in sexual abuse lawsuits have often stated that they believed what they had been taught: that priests and bishops are representatives of God, take God's place on earth and are deserving of the highest respect and obedience. While priests are believed to be representatives of Christ, bishops hold even higher positions. It has been traditionally taught that bishops are individually selected by the Holy Spirit who in turn inspires the pope to appoint them. It is similarly taught that bishops are direct descendants of the twelve Apostles who were originally commissioned by Jesus Christ to lead the Church. Since priests and bishops hold such high positions, it is commonly believed that to offend or otherwise harm them is a special type of sin. The common perception of the exalted state of bishops and priests is not simply "folk" theology. It is grounded in the Catholic Church's official theological teaching as well as its legal (canonical) discipline. It is enmeshed in an age-old heritage that has been initiated by the clerical elite, but nurtured by clergy and laity alike. An account of the famous Mount Cashel (Newfoundland, Canada) case contains a statement that aptly sums this up:

The most eloquent insight into how men of the cloth had been able to perpetrate such monstrous crimes against their parishioners' children and get away with it for so long came from a woman whose cultural eyesight was 20/20. She laid the blame for the tragedy on the traditional role of the priest in Outport Newfoundland, which she said was as close to God as you could get without playing a harp. Expressing a feeling shared by many of Newfoundland's 205,000 Catholics, she told the meeting: If a child was born without an arm, people said it was because the mother said something against a priest. That was nonsense, but a priest with that kind of shield could get away with anything. We are victims of our heritage. (Harris, 1990, p. 19)

The Catechism of the Council of Trent contains statements that basically summarize the Church's understanding of the priesthood as it was taught up to the era of Vatican Council II (1963–65). The present official understanding is much akin to that found in this document, although couched in terms that are less triumphalistic.

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In the first place, then, the faithful should be shown how great is the dignity and excellence of this sacrament considered in its highest degree, the priesthood.

Bishops and priests being, as they are, God's interpreters and ambassadors, empowered in His name to teach mankind the divine law and the rules of conduct and holding, as they do, His place on earth, it is evident that no nobler function than theirs can be imagined. Justly therefore are they called not only Angels, but even gods, because of the fact that they exercise in our midst the power and prerogatives of the immortal God.

In all ages priests have been held in the highest honor; yet the priests of the New Testament far exceed all others. For the power of consecrating and offering the body and blood of our Lord and of forgiving sins, which has been conferred on them, not only has nothing equal or like it on earth, but even surpasses human reason and understanding. (McHugh and Callan, 1923, p. 318)

The 1917 Code of Canon Law put into legislation the practical application of traditional teaching on the priesthood. In the first place, only clerics could hold the power of jurisdiction or actual power in the Church. Only clerics could hold ecclesiastical offices. In general this is repeated in the revised Code. In addition, several other canons or sections of canons point to this exalted position.

All the faithful owe reverence to clerics according to their various grades and offices; and they commit a sacrilege if they do real injury to a cleric (Canon 119).

Clerics could not be summoned before civil courts unless special permission was obtained to do so. (Canon 120)

Certain occupations, activities and entertainments were considered unbecoming for clerics because of their state. (i.e., fox hunting, unbecoming shows, practicing a trade or doing business (Bousacarn, Ellis & Korth, 1963, p. 118–121). Persons who laid violent hands on a cleric (from the pope down to simple priests) were punished by excommunication (c. 2343). Those who made injurious attacks against the pope or bishops in the press, in speech or in writing were subject to a variety of ecclesiastical censures (c. 2344).

The Vatican II Era

The mood of the Church after Vatican Council II was such that the exalted phrases of the pre-Vatican era were not included in Vatican II documents nor in the revised Code of Canon Law. The attitude or conviction of the superiority of the priests and bishops is still present, though couched in less flamboyant terms.

Pope John XXIII, who summoned the Second Vatican Council and initiated the process of revising the Church's legal system, issued an encyclical letter on the priesthood in 1959. In it he repeated sentiments of his predecessors:

Through the character of sacred orders, God willed to ratify that eternal covenant of love by which He loves his priests above all others; and they are obliged to repay God for his special love with holiness of life . . . So a cleric should be considered a man chosen and set apart from the midst of people, and blessed in a very special way with heavenly gifts—a sharer in divine power, and, to put it briefly, another Christ. (Pope John XXIII, August 1, 1959, par. 6, Vatican website).

The Second Vatican Council issued an entire document on the priesthood. Although the Council stressed the “priesthood of the faithful,” it reenforced the sacred and special concept of the ordained priesthood and changed little of the underlying theology of bishops and priests as special emissaries of God (Vatican Council II, *Decree on the Ministry and Life of Priests*, December 7, 1965 in Flannery, 1962), pp. 863–902). The revised *Code of Canon Law* carries on the ancient tradition by including canons about priests and other “sacred” ministers.

The Christian faithful, conscious of their own responsibilities, are bound by Christian obedience to follow what the sacred pastors, as representatives of Christ, declare as teachers of the faith or determine as leaders of the Church. (Canon 212, 1, revised Code)

Through the Holy Spirit who has been given to them, bishops are the successors of the apostles by divine institution; they are constituted pastors in the Church so that they are the teachers of doctrine, priests of sacred worship and ministers of governance. (Canon 375, revised Code)

One who used physical force against a cleric or religious out of contempt for the faith, or for the Church, or ecclesiastical power, or ministry, is to be punished with a just penalty. (Canon 1369, revised Code)

Among the Christian faithful by divine institution there exist in the Church sacred ministers, who are called clerics by law, and other Christian faithful, who are called laity. (Canon 207, 1, revised Code)

The essential teaching on Holy Orders remained the same after the Second Vatican Council. Only members of the clerical state may exercise Holy Orders or the powers of the diaconate, priesthood and bishopric. If a man is removed from the clerical state, he is forbidden to exercise the powers of the Holy Order he holds. All of the sacred rituals required by Catholics are in the control of clerics in Holy Orders. Although the recipient of a sacramental rite participates in the ritual, the cleric (priest, deacon or bishop) is the *active* party while the recipient is *passive*. Also, Canon Law makes it clear that access to the sacraments is generally controlled by clerics who judge whether and when the person is qualified to receive it.

The “specialness” of the priesthood and especially the episcopacy is supported in other ways, such as the ceremonial reception of Holy Orders. People become Catholics through Baptism, a fairly simple ceremony that is usually attended by family and a few friends. By contrast, the ceremonies of ordination to the diaconate, priesthood and bishopric are richly ornate. In spite of the theological and liturgical assertions that the Mass and other ceremonies are community observances, the priest continues to be the centerpiece of the Mass. Bishops occupy an even more lavish role in the public life of the Church. They are often treated as royalty, a role apparently substantiated by their highly ornamental place in worship services. When the liturgical reforms were being worked out during and after Vatican II, the clerical world waged a mighty battle resisting the reformers’ attempts to include lay persons in liturgical roles.

Although the post-Vatican II era has witnessed a multitude of growth-producing changes in the Catholic Church and a significant reduction in the mysterious distance that existed between the minuscule minority of the clergy and the vast majority of lay people, there remain several destructive aspects of clericalism.

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The clerical world is shrouded in *secrecy*. The Catholic Church's governmental circles have always been obsessed with secrecy, an obsession that rapidly intensifies the higher one moves in the clerical world. Office holders and other functionaries in chanceries and in the Vatican are obliged to maintain a secrecy about their duties. Vatican functionaries are obliged to pronounce a solemn oath that they will always keep the "Pontifical secret". The ascendancy process whereby clerics are appointed to positions of power is marked by secrecy. Appointees, especially to the office of bishop, have no idea that they had been under consideration until they are notified of the appointment itself. This profound secrecy marks all levels of ecclesiastical business activity.

Hand in glove with the secrecy is a pervasive *fear* that any imperfections in the system or in its office holders will become publicly known. Honest mistakes, incompetence, negligence and intentional wrong-doing are all abhorrent to the higher leadership of the institutional church and to the clerical world. All are denied, covered up and rationalized with equal zeal. The clerical world truly believes that it has been established by God and that its members are singled out and favored by the Almighty. There is no room for mistakes.

This secrecy and fear enhance the sense of inferiority among the laity and the compulsion for control among the clerics. Higher authority figures are regarded with a mixture of fear and awe by all below them. The circles of power are closed, the tightest being those existing among bishops. Secrecy is required for a number of reasons, not the least of which is the fact there are no checks and balances in the exercise of clerical power. Secrecy provides a layer of insulation between the one in authority and anyone who might be tempted to question its exercise. The appeal to secrecy is generally accompanied by the excuse that it is necessary and should not be questioned. Furthermore, those who question the authority are often reminded that clerical power is intertwined with Divine Will. This is especially true of the exercise of the bishop's power.

Another supporting element for clericalism is the demand for *loyalty* found at all levels of the ecclesiastical power structure. Loyalty to the pope is almost obsessive in nature and is justified by the claim that he is the vicar or representative of Christ. Bishops are believed to be the vicars of Christ in their dioceses. Since this is so, the demand for unquestioned loyalty and deference is justified. In spite of post-Vatican II teaching that the bishops are *not* the emissaries of the pope but representatives of Christ in their own right, unquestioned loyalty to the pope is a nonnegotiable requirement for advancement. On the diocesan level, the bishop embodies the fullness of ecclesiastical power. He is the primary judge, executive and legislator for his diocese. He is subject only to the authority of the pope. Such a dictatorial style of governance is grounded in the teaching that the bishop is a direct descendant of the Apostles. His appointment has been prompted by the Holy Spirit. To infer that a bishop does *not* have the fullness of power and knowledge is an insult to God who appointed him.

Roman Catholicism has a long tradition, purportedly grounded in Divine will, of indoctrinating its members in the importance of the clergy. Added to this is the question of *power*. The reforms of Vatican II notwithstanding, the power imbalance, so obvious in the pre-conciliar Church, remains. The clergy can impose a variety of penalties on errant lay persons, but the laity have no way to reciprocate. They cannot excommunicate priests or bishops. They have little if any effective recourse in Church courts, since the canonical system is totally controlled by bishops. Sexual victimization by the clergy and subsequent mishandling by Church authorities is due in large part to their amassed power. This issue was carefully examined by University of Indiana sociologist Anson Shupe who said:

Almost everything written on the subject of clergy malfeasance—by whatever writer imaginable: journalist, theologian, feminist, academic, social worker, clinician, victim—fundamentally identifies the power inequity issue as being at the heart of the problem. It encompasses a fairly regular sequence: perpetration, victim denial and fear, recidivism of perpetration, organizational coverup, later disbelief among some believers, anger and disillusionment of others, and the entire chain of victimization and anguish. (Shupe, 1995, p. 29)

The nature of the Catholic clergy as a totally trusted body, empowered by God with absolute control over the means to sanctity and control over the institutional church as well as their exalted social status, creates a situation where abuse is likely to occur.

Thus, in the sociological sense, instances of abuse, exploitation and manipulation, whether by pedophilic Catholic priests, corrupt televangelists or extremist cult leaders, should not simply be regarded as the occasional outcomes of a few “bad apples” . . . Rather, the nature of trusted hierarchies systematically provides opportunities and rationales for such deviance and indeed, makes deviance likely to occur. (Shupe, 1995, p. 30)

The hierarchical structure and style of government supports a tendency towards victimization. Power is not shared, nor is there a separation of powers as in the United States government. Power resides in individuals. The laity have no role in the assignment of power, nor do they have any means of curbing abuse of power. On the other hand, a hierarchical structure also has a greater potential for effectively dealing with abuse among the clergy. The failure of the system to deal with deviance among its key members points to an abuse of power on a massive scale.

Religious Duress and the Trauma Bond

Many recent civil litigations against Catholic dioceses have been brought by adults who allege sexual abuse by clerics when they were young adolescents or children. Church officials have reacted to such cases by questioning the sincerity and motives of the victims since they had waited significant lengths of time, years in some cases, to come forward. A plausible reason for such delays is found in the interconnection of clericalism, religious duress and traumatic bonding. The

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victims are mentally and emotionally impeded whereby they are unable to protest or come forward because of the overpowering experience with the cleric: "The cognitive distortion of that abusive experience is an element of 'unsound mind' in that those distortions are a markedly abnormal condition and recognized elements of psychopathology" (Foote, 1998, n. 24).

Religious duress is an objective reality. In its extreme it causes people to react to abuse scenarios in an inappropriate and baffling manner. A *trauma bond* is forged by the attitude of the victim toward the cleric and by the power differential that exists between the two.

Catholic victims look at the clergy-abuser with a mixture of awe, respect and fear. There is an attitude of authority and power about the cleric that inspires a certain amount of emotional security in the unsuspecting victim. These strong feelings can impede victims from recognizing the seductive patterns of abusing clergy, from resisting sexual victimization once it has surfaced, and finally, from coming forward to expose the abuser after the fact. This mind set, tantamount to brainwashing, also explains why some victims have allowed themselves to be abused over prolonged periods of time. *Traumatic* bonding explains many of the mysterious and frustrating aspects of clergy sexual abuse. A *bond* is a strong, almost unbreakable, psychic and emotional chain linking abused and abuser.

Traumatic bonding is a term coined by Donald Dutton, a Canadian psychologist, who has done extensive research on domestic violence and on sexual abuse of children. He describes traumatic bonding as "the development of strong emotional ties between two persons, with one person intermittently harassing, beating, threatening, abusing or intimidating the other. Dr. Dutton notes that this phenomenon is based on the existence of a power imbalance wherein the maltreated person perceives him or herself to be subjugated, to be dominated by the other. (Foote, 1998, n. 11)

The existence of a trauma bond explains abuse is that often repeated in so many types of abusive relationships. It also explains the seemingly bizarre attachment that some victims develop to their abusers. The celebrated *Stockholm Syndrome* for example, is based on traumatic bonding. The phrase itself has become a common descriptor for the sympathetic relationship that can arise between captor and captive. How often we see highly abusive relationships or exploitive situations and wonder why they continue. The answer to these bizarre human phenomena defies logical understanding. It lies in the deep and mysterious recesses of the psyche. The trauma bond is essentially about survival. Consider some of the more common examples of traumatic bonding:

Abuse cycles such as those found in domestic violence are built around trauma bonds. So are the misplaced loyalties found in exploitive cults, incest families, or hostage and kidnaping situations. Co-dependents who live with alcoholics, compulsive gamblers or sex addicts, and who will not leave no matter what their partners do, may have suffered enough to have a traumatic bond. (Carnes, 1997, p. 29)

There are numerous examples of traumatic bonding, battered spouses being perhaps the most common. But there are others and prominent on the list are

victims of clergy abuse. Traumatic bonding is an implicit force used by a cleric to hold on to a victim and to shield himself from disclosure after the abuse has taken place. Usually there is already a bond between the cleric and his victim. This bond, based on the sacred and trusted image of the priest, is nurtured and strengthened over time by the implicit and explicit influence of the institutional church through its teaching and preaching. It is especially reenforced by the person's parents and by the environment experienced while growing up.

Victims are especially vulnerable if the abuser is a priest. First, the priest is an *adult* with automatic authority over a child. Second, the priest is in a position similar to a teacher in that he is a *familiar authority figure* for the child. Third, the priest's power is enhanced because of his *pastoral* role with its spiritual authority. Fourth, part of the seduction process involves the creation of a *secret and special relationship* that entraps the victim. Finally, the traumatic bonding is affirmed by the Church's apparent sanction or approval of the priest's behavior. Approval is perceived to be the case when the victim senses shame or feels harm, yet the clergy perpetrator carries on with his life with no one calling him on his abusive behavior (Foote, 1998, n. 14).

The trauma bond with the clergy-abuser provokes a variety of reactions that are easily misunderstood. One is the *Myth of Complicity* whereby the victim is somehow led to believe that the abuse is normal behavior and not a violation of his or her personhood. The institutional dimension of this myth is seen in the *reversal of blame* whereby the responsibility for the sexual activity is shifted from perpetrator to victim. When confronted with a cleric's sexual abuse, Church leaders may assign some of the responsibility to the victims or their families. In an article in his archdiocesan newspaper, Archbishop Rembert Weakland of Milwaukee wrote:

Sometimes not all adolescent victims are so innocent. Some can be sexually very active and aggressive and often quite street-wise. . . . Pastorally, such cases are difficult to treat: we must not imply that the abuser is not guilty of a serious crime but we could easily give a false impression that any adolescent who becomes sexually involved with an older person does so without any degree of personal responsibility. (Weakland, 1988)

Canadian Bishop Colin Campbell, in reaction to the Mount Cashel scandal in St. John's, Newfoundland noted "If the victims were adolescents, why did they go back to the same situation once there had been one pass or suggestion? Were they cooperating in the matter or were they true victims?" (Harris, 1990, p. 16)

More recently, Msgr. Robert Rehkemper, former Vicar General of the Dallas diocese, stated in an interview with the *Dallas Morning News* (August 8, 1997) that the victims and their parents share in the responsibility for the sexual abuse inflicted by Rudy Kos. Such statements infuriate the victims, their sympathizers and the general public. They betray ignorance of the complex impact of abuse on victims, and perpetuate the general misguided notion that victims somehow share in the blame.

A victim's reaction to abuse does not follow a logical, cognitively predictable pattern. The abuse causes trauma and trauma is irrational. Resistance to disclosing

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abuse is grounded in the intense shame the victim feels: shame based on the feeling of being flawed and largely responsible for the abuse. The sexual experience may have been accompanied by some physically pleasurable feelings which only intensifies the shame and self-blame. Intermingled with all of this is fear, or even terror, invoked by the abuser. The cleric is a powerful person with an uncanny ability to manipulate the victim's feelings. The complicity and blame-shifting tactics strengthen the trauma bond as does the fear that is often inspired by the clergy-abuser.

The profound trauma of the sexual abuse itself is further aggravated by the element of *betrayal* when the abuser is a cleric. A trusted, powerful person has betrayed the victim. The resistance to disclosure is only partially rooted in the sex abuse itself. The more powerful inhibitor is the reaction to the identity and the spiritual power of the abuser. Carnes refers to this as "betrayal by the spirit" and rightly identifies the victim's "no-win" situation.

Betrayal by the spirit means that the person who betrays the victims also plays a critical role in the resources the victim has for defining meaning. The victim's spiritual path is blocked. The fundamental question all victims have to answer to themselves is: "Why do bad things happen to good people?" It is a far more troubling question when the cause of the problem is supposed to be the resource for the answer. (Carnes, 1997, p. 68-69)

The exploitive betrayal bond is strengthened by several factors that are intensified by the abuser's clerical identity and religious connection. The first of these is the *repetition* of the abuse. The victim keeps returning for the irrational reasons already mentioned. Second, the victim and victimizer believe in their own *uniqueness*. Clergy abuse victims often believe that they are the only one. Clergy abusers often underscore this by convincing the victims of their specialness in being singled out for attention. A third factor is the fear inspired by the abuser. This fear is interwoven with the other aspects of this complex web, such as repetition and self-blame. A fourth, and very important aspect is the fact that the abuser is a *trusted person*. The trust placed in the cleric does not spring up overnight. It is nurtured over years of participation in the many aspects of church life. When abuse happens, the trust is jolted but it does not vaporize. Rather, the bond created by the trust is perverted because it feeds the trauma (Carnes, 1997, p. 98).

A fifth and final element is especially relevant in the clergy abuse context and that is the extreme reaction of the community. When someone from a community commits a crime, the community or organization normally reacts negatively towards the malfasant, condemns the illicit behavior and provides solace of some sort to the offended. With most criminal behavior this is the case. With sexual abuse of children or minors the response of the church community has often been quite the opposite. This reaction has been *extreme* precisely because it is so radically inappropriate given the gravity of sexual abuse. Identified clergy sexual abusers have been transferred from one geographic area to another. The institutional church has reacted to reports with denial, minimalization, blame-shifting and even harassment

of victims. Such an extreme response is not what unsuspecting victims expect from the Church.

Sexual abuse victims, like so many other people, define *church* by the visible institution and by the clergy and hierarchy. Abuse victims are often stunned into disbelief at first. The shock of having some form of sexual contact with a priest can be devastating. The Catholic Church has consistently taught that illicit sex is a most grave offense, and now one of the “teachers” leads an impressionable victim into that very realm of sin. When some of these same victims approached Church authorities to disclose the abuse the reaction was often not what they expected.

Many sexual abuse victims have mentally separated the abuser from the Church, thinking or feeling that something is dreadfully wrong and the “Church” will make it right. Those abuse victims who approached Church authorities in the past did so with expectations of compassion and understanding. They expected to be believed. Most did not seek revenge, but relief from the abuser and assurance that he would be provided help and prevented from ever abusing anyone again. The extreme reactions of the institutional church, so often experienced by victims, multiplied their trauma and fortified the traumatic bond.

The effects of such an extreme reaction are more devastating psychologically than in any other institutional setting because the abuser is a cleric and the community is the Church. This is precisely because of the *spiritual* betrayal that has taken place. Victims are often plunged into depression and hopelessness because the community in which they had placed their total trust has betrayed them and supported the abuser. Feelings of guilt and shame are galvanized. The hopelessness often paralyzes the victim from any form of disclosure (Carnes, 1997, pp. 99–100). One must never underestimate the fact that the institutional church represents an awesome source of immense power to victims of clergy sexual abuse. This power inspires a dreadful fear that deepens the traumatic attachment.

The emotional paralysis explains why victims remain silent for years after the abuse ceases. This can have a particular meaning to questions surrounding the application of a statute of limitations. Many victims have cognitive awareness of sexual abuse but are so traumatized by the fact that the abuser is a priest, and by the fear of attacking the Church that they remain in a state of emotional and psychological paralysis for long period of time. This paralysis is similar to the denial that enshrouds an alcoholic or drug addict. He or she experiences incredible mental and physical pain as a result of the substance abuse, but is prevented by denial from making the connection between substance addiction, the destructive results and recovery.

Two recent civil court decisions have addressed this issue. The first is an Illinois decision in a case of a young girl who was sexually abused by a priest from the Catholic Diocese of Belleville, Illinois. The abuse took place over a period of three years, between 1970 and 1973, beginning when the plaintiff was fifteen years old. Fifteen years after the abuse ended the plaintiff brought an action. The

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appeal court upheld the plaintiff's contention that her religious convictions had influenced her inability to bring her abuse into the open for so many years.

When the abuse was reported to the Bishop (Zuroweste) he promised action but did nothing. Another priest to whom the family turned urged the victim to forgive her abuser and forget the abuse. He also coerced her into a ceremonial reception of the sacrament of penance, ostensibly to cleanse the pain. According to the appeal court decision, all of this had a restraining effect on the plaintiff:

... All combined to render Gina psychologically incapable of pursuing her claims against defendants until she was contacted by a representative of the diocese. This contact occurred shortly prior to her filing of her complaint in February, 1995. . . . Bishop Zuroweste promised to discipline Father Kownacki and his failure to keep that promise combined with Father Braun's ritualistic ceremony and their combined failure to report Father Kownacki's criminal behavior, diverted Gina from pursuing her claims against Father Kownacki by psychologically preventing her from taking responsibility to care for herself and prevented her from having psychological closure with regard to the abuse to which she was subjected under the control of Father Kownacki and the diocese. Bishop Zuroweste and Father Kownacki psychologically restrained Gina from obtaining any remedies for the wrong she suffered at the hands of Father Kownacki. (Parke v Kownacki, No. 5-97-0900, 5th District, June 1, 1999, by Justice Chapman)

The second case is from New Jersey and concerns two sisters who were sexually abused by an uncle. The defendant uncle's contention was that the sisters were aware of the abuse in 1992 and that the statute had run its course by 1994. The case was filed in 1996. The appeal court cited a provision of the New Jersey statute:

What *N.J.S.A. 2A:61B-1c* adds in sexual abuse cases is a provision which tolls the running of the statute, if a mental state exists in the victim which, while it may not cognitively impair a victim's ability to know and understand the abuse/injury connection, does impair the victim's capacity to act on that knowledge or overwhelms the victim's will to act. (Cathleen Stinziano and Lyn Stinziano vs Gabriel Quarterbosh, Superior Court of New Jersey, Appellate Division. A-6496-98T3, pp. 3-4)

The judge acknowledged the expert opinion that both women had suffered from Posttraumatic Stress Disorder that was reinforced by family dynamics and behavior that, cognizant though it was of the uncle's abuse, prevented any action for many years.

CONCLUSION

The civil courts have begun to recognize the great power that religious belief can have over people. Clericalism has deluded Church members and non-members alike into thinking that deference to the clergy is both a sign of faith in God and an act pleasing to God. In truth, clericalism with all of its unpleasant manifestations, *uses* the good faith of individuals to manipulate and exploit them. The victim and family who fail to call attention to sexual abuse by a cleric, or the judge who allows a guilty priest abuser to get off lightly, or who massages the judicial system

to prevent a diocese from being sued for civil damages, responds to clericalism's manipulative power but *not* to an authentic respect for God.

Clergy sexual abuse cases are complex phenomena. The actual sexual abuse itself is the most visible and dramatic aspect of the case, but is far from the whole story. Sexual abuse by the clergy is not something isolated from the dynamics of Church power structures. Clericalist control and traumatic bonding are the most important aspects in cases of abuse perpetrated by the clergy. These two human dynamics explain why the clergy are able to seduce people and subject them to a pattern of debilitating sexual abuse. They explain why the clergy act as if they can get away with their actions, and why they feel justified in their attempts at the subsequent intimidation of their victims. They explain why the Church leaders have often done little or nothing to stop the abuse and why they persist in treating victims in an adversarial manner. This dynamic also explains why so many victims, abused in their childhood or early adolescence, remained silent for long periods of time before coming forward to demand justice for past events that often have seriously impacted their entire lives and the lives of other family members.

REFERENCES

- Allport, G. (1954). *The individual and his religion*. New York: The Macmillan Company.
- Anderson, J. (2000). Gods and monsters: Its time for the Catholic Church to reform its sexual abuse policies. *California Law Business*. Sept. 18, 2000.
- Baars, C., M.D. (1971) *The role of the Church in the causation, treatment and prevention of the crisis in the priesthood*. Private.
- Benyei, C.R. (1998). *Understanding clergy misconduct in religious systems: Scapegoating, family secrets, and the abuse of power*. New York: Haworth Pastoral Press.
- Berry, J. (1992). *Lead us not into temptation*. New York: Doubleday.
- Blankard, G.T. (1991). Sexually abusive clergymen: A conceptual framework for intervention and recovery. *Pastoral Psychology*. 39, 237-245.
- Booth, L. (1991). *When god becomes a drug*. New York: Putnam.
- Booth, L. (1998). *The god game: Its your move*. Long Beach, CA: SCP Press.
- Boswell, J. (1980). *Christianity, social tolerance and homosexuality: Gay people in western Europe from the beginning of the Christian era to the fourteenth century*. Chicago: University of Chicago Press.
- Boswell, J. (1994). *Same sex unions in premodern Europe*. New York: Villiard Books.
- Brundage, J. (1993). *Sex, law and marriage in the Middle Ages*. Aldershot, Hampshire, GB: Variorum.
- Brundage, J. (1987). *Law, sex and Christian society in medieval Europe*. Chicago: University of Chicago Press.
- Bullough, V. (1976). *Sexual variance in society and history*. Chicago: University of Chicago Press.
- Bullough, V. & Brundage, J. (Eds.) (1996) *Handbook of medieval sexuality*. New York: Garland Press.
- Bullough, V. (1976). *Sexual practices in the medieval church*. Buffalo, NY: Prometheus Books.
- Burkett, E. & Bruni, F. (1994). *A gospel of shame*. New York: Viking Press.
- Byrnes, T. (1993). The politics of the American Catholic hierarchy. *Political Science Quarterly*. 108.3, 497-514.
- Capps, D. (1992). Religion and child abuse: Perfect together. *Journal for the Scientific Study of Religion*. 31.1, 1-14.
- Carnes, P. (1997) *Sexual anorexia*. Center City, MN: Hazelden.
- Carnes, P. (1997) *The betrayal bond*. Deerfield Beach FL: Health Communications.

Roman Catholic Clericalism, Religious Duress, and Clergy Sexual Abuse**229**

- Chopko, M. & Stinski, B. (1992). Restoring trust and faith: Human rights abuses do happen. *Human Rights* 19, 22–26.
- Clark, D. (1993). Sexual abuse in church: The law steps in. *Christian Century*. 110/12, 396–98.
- Connors, C. (1992). Priests and pedophilia: A silence that needs breaking. *America*. 9 May 1992: 400–1.
- Collins, P. (1997). *Papal power*. London: Harper Collins.
- Committee on the Liturgy. (2000). *The 2000 revision of the Institutio Generalis Missalis Romani*. Washington DC: U.S. Catholic Conference. August 10, 2000.
- Cozzens, D. (2000). *The changing face of the priesthood*. Collegeville: Liturgical Press.
- Crowdson, J. (1988). *By silence betrayed: Sexual abuse of children in America*. Boston: Little, Brown and Company.
- Crosby, M. (1991). *The dysfunctional Church: Addiction and codependency in the family of Catholicism*. Notre Dame University: Ave Maria Press.
- Cruz, E. (1991). Comment: When the shepherd preys on the flock: Clergy sexual exploitation and the search for solutions. *Florida State University Law Review*. 19, 499–524.
- Cullinane, P. (1997). Clericalism: Avoidable damage to the Church. *Australasian Catholic Review*. 76, 181–191.
- Damien, P. (1051). Payer, P. (Trans.) (1982). *The book of Gomorrah: An eleventh century treatise against clerical homosexual practices*. Waterloo, Ont: Wilfred Laurier University Press.
- Deibel, D. (1998). Saving grace: Defending priests accused of sexual misconduct. *San Francisco Attorney*. 24, 14–17.
- Doerr, E. (1993). The political power of the Catholic Church. *The Humanist*. Sept-Oct. 1993, 16.
- Doerr, E. (1993). Vatican interests versus public interest. *The Humanist*. Sept-Oct. 1993, 33–37.
- Dreese, J.J. (1994). The other victims of priest pedophilia. *Commonweal*. 22 April, 11, 13.
- Duby, G. (1983). *The knight, the lady and the priest*. New York: Pantheon Books.
- Dykema, P. & Oberman, H. (1995). *Anticlericalism in late medieval and early modern Europe*. Koln: E.J. Brill.
- Ellens, J. H. (1997). Homosexuality in biblical perspective. *Pastoral Psychology*. 46, 35–53.
- Fain, C.F. (1991). Clergy malpractice: liability for negligent counseling and sexual misconduct. *Mississippi College Law Review*. 12, 97–141.
- Fedje, J. (1990). Liability for sexual abuse: The anomalous immunity of churches. *Law and Inequality*. 9, 133–161.
- Fichter, J. (1965). *Priest and people*. New York: Sheed and Ward.
- Fichter, J. (1968). *America's forgotten priests*. New York: Harper and Row.
- Fichter, J. (1974). *The organization man in the Church*. Cambridge, MA: Schenkman.
- Fichter, J. (1982). *The rehabilitation of clergy alcoholics*. New York: Human Sciences Press.
- Fortune, M. (1989). *Is nothing sacred?* San Francisco: Harper.
- Fortune, M. (2000). Spare us the false shepherds. *Siecus Report*. 28, 14–18.
- Francis, P.C. & Turner, N. R. (1995). Sexual misconduct within the Christian Church: Who are the perpetrators and those they victimize? *Counseling and Values*. 39, 218–227.
- Friberg, N. & Laaser, M. (1998). *Before the fall. Preventing pastoral sexual abuse*. Collegeville MN: The Liturgical Press.
- Gonsiorek, J. (1995). *Breach of trust*. Thousand Oaks, CA: Sage Publications.
- Gonsiorek, J. (1990). *Male sexual abuse*. Thousand Oaks, CA: Sage Publications.
- Grabowski, J.S. (1995). Clerical sexual misconduct and early Christian traditions regarding the Sixth Commandment. *Jurist*. 55, 527–591.
- Gramick, J. (Ed.) (1989). *Homosexuality in the priesthood and the religious life*. New York: Crossroads.
- Graziano, S.G. (1991). Clergy malpractice. *Whittier Law Review*. 12, 349–355.
- Hall, D. T. & Schneider, B. (1973). *Organizational climates and careers: The work lives of priests*. 1973.
- Hamm, J.P. (1995). In defense of the Church. *University of Louisville Journal of Family Law*. 33, 705–721.
- Harris, M. (1990). *Unholy order: Tragedy at Mount Cashel*. Ontario: Viking Press.
- Haywood, T., Kravitz, H. & Wasyliv, O. (1996). Cycle of abuse and psychopathology in cleric and noncleric molesters of children and adolescents. *Child Abuse and Neglect*. 20, 1233–1244.

- Haywood, T., Kravitz, H. & Wasyliv, O. (1996). Psychological aspects of sexual functioning among cleric and noncleric alleged sex offenders. *Child Abuse and Neglect*, 20, 527–537.
- Hill, A. D. (1990). A current church-state battleground: Requiring clergy to report child abuse. *Journal of Church and State*, 32, 795–811.
- Hopkins, N. and Laaser, M. (1995). *Restoring the soul of a church: Healing congregations wounded by clergy sexual misconduct*. Collegeville, MN: The Liturgical Press.
- Horst, E. (1998). *Recovering the lost self: Shame healing for victims of clergy sexual abuse*. Collegeville, MN: The Liturgical Press, 1998.
- Horton, A. & Williamson, J. (1988). *Abuse and religion: When praying isn't enough*. New York: Lexington, 1988.
- Hughes, E.C., Cassidy, S. W. & Donovan, J. D. (1972). *An evaluation of the Catholic priest in the United States: Sociological investigations*. Washington, D.C.: U.S. Catholic Conference.
- Instruction on certain questions regarding the collaboration of the non-ordained faithful in the sacred ministry of the priest*. August 13, 1997. Vatican City: Libreria Editrice Vaticana.
- Isley, P.J. (1997). Child sexual abuse and the Catholic Church: An historical and contemporary review. *Pastoral Psychology*, 45, 277–99.
- Isley, P.J. & Isley, P. (1990). The sexual abuse of male children by Church personnel: Intervention and prevention. *Pastoral Psychology*, 39, 85–99.
- Jenkins, P. (1996). *Pedophiles and priests*. New York: Oxford University Press.
- Jordan, M. (1997). *The invention of sodomy in Christian theology*. Chicago: The University of Chicago Press.
- Kaiser, H. (1996). Clergy sex abuse in U.S. mainline churches. *American Studies International*, 34, 30–43.
- Kempe, R. (1984). *The common secret: Sexual abuse of children and adolescents*. New York: W.H. Freeman.
- Kennedy, E. (1972). *The Catholic priest in the United States: Psychological investigations*. Washington D.C.: U.S. Catholic Conference.
- Kennedy, E. (2001). *The unhealed wound: The Church and human sexuality*. New York: St. Martin's Press.
- Laghi, P. (1998). *Vocations to the priesthood*. Vatican City: Libreria Editrice Vaticana.
- Lochrie, K., McCracken, P. & Schultz, J. (Eds). (1997). *Constructing medieval sexuality*. Minneapolis: University of Minnesota Press.
- Lasser, M. (1991). Sexual addiction and clergy. *Pastoral Psychology*, 39, 213–235.
- Loftus, J., and Carmago, R. (1993). Treating the clergy. *Annals of Sex Research*, 6, 287–303.
- MacNeil J. & Gamer H. (1938). *Medieval handbooks of penance*. New York: Columbia University Press.
- Mitchell, M.H. (1987). Must clergy tell? Child abuse reporting requirement versus clergy privilege. *Minnesota Law Review*, 71, 723–825.
- Moore, C. (1995). *The betrayal of trust. The Father Brendan Smyth affair and the Catholic Church*. Dublin: Marino Books.
- Moore, T.V. (1936). Insanity in priests and religious: I The rate of insanity in priests and religious. *American Ecclesiastical Review*, 95, 485–498.
- Moore, T.V. (1936). Insanity in priests and religious: II The detection of pre-psychotics who apply for admission to the priesthood or religious communities. *American Ecclesiastical Review*, 95, 601–13.
- O'Brien, R. (1988). Pedophilia: the legal predicament of clergy. *Journal of Contemporary Health Law and Policy*, 4, 91–154.
- O'Reilly, J.T. and Strasser, J.M. (1994). Clergy sexual misconduct: Confronting the difficult constitutional and institutional liability claims. *St. Thomas Law Review*, 7, 31–73.
- Payer, P. (1984). *Sex and the penitentials*. Toronto: University of Toronto Press.
- Payer, P. (1993). *The bridling of desire*. Toronto: University of Toronto Press.
- Plante, T.G. (Ed.) (1999). *Bless me Father for I have sinned: Perspectives on sexual abuse committed by Roman Catholic priests*. Westport, CT: Praeger.
- Plante, T.G. (1996). Catholic priests who sexually abuse minors: Why do we hear so much yet know so little? *Pastoral Psychology*, 44, 305–10.

Roman Catholic Clericalism, Religious Duress, and Clergy Sexual Abuse

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- Plante, T.G., & Bryant, C. (1996). Personality and cognitive functioning among hospitalized sexual offending Roman Catholic Priests. *Pastoral Psychology*, 45, 129–139.
- Poling, J.N. (1991). *The abuse of power: A theological problem*. Nashville: Abingdon Press.
- Provost, J. (1995). Offenses against the Sixth Commandment: Towards a canonical analysis of Canon 1395. *Jurist* 55, 632–663.
- Quade, V. & Simon, E. (1992). Unholy wars: Human rights interview. *Human Rights*, 19, 18–23.
- Quinn, P.A. (1989). *Better than the sons of kings*. New York: Peter Lang Publishing.
- Rigali, N. (1994). Church responses to pedophilia. *Theological Studies*, 55, 124–139.
- Schoenherr, R.A. (1955). Numbers don't lie: A priesthood in irreversible decline. *Commonweal*, 7 Apr 1995, 11–14.
- Rossetti, S. (1990). *Slayer of the soul*. Mystick, CT: Twenty-Third Publications.
- Rossetti, S. (1996). *A tragic grace*. Collegeville, MN: The Liturgical Press.
- Rutter, P. (1989). *Sex in the forbidden zone*. New York: Fawcett Columbine.
- Russell, D. (1992). Pedophilia: The criminal responsibility of Canada's churches. *Dalhousie Law Journal*, 15, 380–427.
- Ruzicka, M.F. (1997). Predictor variables in clergy pedophiles. *Psychological Reports*, 81, 589–590.
- Schoenherr, R. A. & Young, L. (1990). Quitting the clergy: Resignations in the Roman Catholic Priesthood. *Journal for the Scientific Study of Religion*, 29–4, 463–481.
- Shaw, R. (1993). *To hunt, to shoot, to entertain*. San Francisco: Ignatius Press.
- Sheer, R. (1991). A canon, a choirboy and homosexuality in late sixteenth century Italy: A case study. *Journal of Homosexuality*, 21, 1–22.
- Shupe, A. (1995). *In the name of all that's holy*. London: Praeger, 1995
- Shupe, A. (1998). *Wolves within the fold*. New Brunswick, NJ: Rutgers University Press.
- Shupe, A. (2000). *Bad pastors: Clergy misconduct in modern America*. New York: University Press.
- Sipe, A.W.R. (1990). *A secret world: Sexuality and the search for celibacy*. New York: Brunner-Mazel.
- Sipe, A.W.R. (1995). *Sex, priests and power*. New York: Brunner-Mazel.
- Sipe, A.W.R. (1996). *Celibacy*. Ligouri, MO: Triumph Press.
- Stauffer, I. R. & Hyde, C. B. (1993). The sins of the fathers: Vicarious liability of churches. *Ottawa Law Review*, 24, 561–577.
- Steinhauser, K. (1993). Legal issues in sexual abuse and domestic violence. *Pastoral Psychology*, 41, 321–336.
- Stiles, H. (1987). *The assault on innocence*. Albuquerque, NM: B & K Publishers.
- Tuohey, J. (1995). The correct interpretation of Canon 1395: The use of the Sixth Commandment in the moral tradition from Trent to the present day. *Jurist*, 55, 592–631.
- Vaughan, R. (1997). Adult effects of childhood sexual abuse. *Human Development*, 18, 38–42.
- Wagner, R. (1981). *Gay Catholic priests: A study of cognitive and dissonance*. San Francisco: Specific Press.
- Wallace, J. (1994). Case Comments: Tort Law—Fiduciary theory imposes higher duty and direct liability on Church for clergy sexual misconduct—Tenantry v. Diocese of Colorado. *Suffolk University Law Review*, 28, 331–342.
- Warberg, B., Abel, G. & Osborn, C. (1996). Cognitive-behavioral treatment for professional sexual misconduct among clergy. *Pastoral Psychology*, 45, 49–63.
- Wilkinson, A. P. (1990). Clergy malpractice: cloaked by the cloth? *Trial*, 26, 36–40.
- Wills, G. (2000). *Papal sin*. New York: Doubleday.
- Wolf, A. (1994). Sexual abuse issues: An annotated bibliography. *Theology Digest*, 41.4, 331–344.
- Wolf, J. (1989). *Gay priests*. San Francisco: Harper and Row.
- Young, J. L. & Griffith, E. (1995). Regulating pastoral counseling practice: The problem of sexual misconduct. *The Bulletin of the American Academy of Psychiatry and Law*, 23, 421–432.

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