

CHURCH RESPONSES TO PEDOPHILIA

When the first edition of *The American Heritage Dictionary of the English Language* was published a quarter of a century ago,¹ the key word in the title of this note was not in its lexicon. Nor was it listed even in the revision of the mid-1970s. But in the third edition of the dictionary, from the early 1990s, "pedophilia" finally appears and is defined as a sexual attraction felt by an adult toward a child or children.²

The late entry of "pedophilia" into an American dictionary is indicative of recent social change in North America and elsewhere. In the last decade or so, much has been learned about the sexual abuse of children. There have emerged an awareness of its far higher incidence than had hitherto been generally presupposed³ and heightened understanding of both its perpetrators' aberration and the trauma and lasting damage caused to its victims.⁴ After a brief, introductory reflection on the problem's coming into public view in society and the Church, this note reviews official responses to the problem on the part of the Church in Canada and the United States.

¹ Boston: Houghton Mifflin, 1969; 2d college ed., 1976; 3d ed., 1992.

² According to the *American Psychiatric Association: Diagnostic and Statistical Manual of Mental Disorders*, 3d ed., rev. (Washington: American Psychiatric Association, 1987), the essential feature of pedophilia is recurrent, intense, sexual urges and sexually arousing fantasies, over at least six months, involving sexual activity with a prepubescent child. Attraction to girls is twice as common as attraction to boys; and isolated sexual acts with children, which can occur in circumstances such as marital discord or intense loneliness, do not warrant a diagnosis of pedophilia (284–85). Ephebophilia, sexual orientation of an adult toward older adolescents, is not listed as a paraphilia (8, 280). Jason Berry notes that "pedophilia" is sometimes used as a catchall term to designate child molesters, many of whom do not fit the strict clinical classification of a pedophile (*Lead Us Not into Temptation: Catholic Priests and the Sexual Abuse of Children* [New York: Doubleday, 1992] 75).

³ In *Reaching for Solutions: The Report of the Special Adviser to the Minister of National Health and Welfare on Child Sexual Abuse in Canada* (Ottawa: Minister of Supply and Services, Canada, 1990) 12, the special adviser, Rix Rogers, wonders how it was that, despite thirty years of work in a major child-serving organization, the serious problem of child sexual abuse escaped his attention until he accepted the assignment of special adviser (cited in *From Pain to Hope: Report from the CCCB Ad Hoc Committee on Child Sexual Abuse* [Ottawa: Canadian Conference of Catholic Bishops, 1990] 25).

⁴ Until the middle 1980s, John R. Quinn, Archbishop of San Francisco, points out, the subject of child abuse was not part of the required training of mental health professionals and not one question in the national qualifying examinations dealt with the topic ("Scandals in the Church: Reflections at Paschaltide," *America* 168/12 [10 April 1993] 5). Patrick Carnes, writing about child molestation and other compulsive sexual behaviors, describes the late 1970s as a time when there was still insufficient documentation to support the concept of sexual compulsiveness as an addiction and when networks of help programs were not yet available (*Out of the Shadows: Understanding Sexual Addiction* [Minneapolis: CompCare Publishers, 1983] i). Regarding the evolution of the treatment centers of the Servants of the Paraclete, particularly as dealing with pedophilia, see their "Statement on Therapy for Pedophilia," *Origins* 22 (1992) 284.

The Emergence of the Problem

Lois Gehr Livezey suggests that the coming to light of the sexual abuse of children is linked with another social development, the feminist movement.⁵ Relying on studies that show rape to be on the increase and coercive sex to be considered acceptable behavior by a high percentage of male high school and college students, Livezey argues that the sexual revolution was neither a revolution against coercive sexual activity nor a revolution for equality in male-female relations. It is the feminist revolution that broke the silence about sexual and family violence by exposing, first of all, the plight of battered wives.

A decade after a 1974 magazine article told of the founding of a shelter for battered women in England,⁶ 500 shelters had been established in the United States. Society, Livezey adds, has gone on to acknowledge that "family violence" includes not only spouse abuse but also the abuse of children by parents and other relatives, abuse in other family relations and, more recently, coercive sexual relations in the form of marital rape and the sexual abuse of children. Even more unsecured in androcentric culture than women's rights, children's rights could become a matter of concern, Livezey suggests, only after the former had turned into a public issue. While Livezey's focus remains pretty much within the family, there is only one step between social concern about sexual abuse of children within the family and social concern about it outside the family.

As attention has been drawn increasingly in recent years to the sexual abuse of children, officials of the Catholic Church in both Canada and the United States have had to deal publicly with abuse committed by priests or male religious.⁷ In this country the Church and society as a whole were made aware of the problem by the *National Catholic Reporter*, whereas the Canadian Church's problem surfaced in the secular press of Canada.⁸

⁵ "Sexual and Family Violence: A Growing Issue for the Churches," *Christian Century* 104/31 (28 October 1987) 938-42.

⁶ Gay Search, "Notes from Abroad: London—Battered Wives," *Ms.* 2/12 (June 1974) 24-28.

⁷ Extrapolating from information about the Archdiocese of Chicago and from statistics in the medical literature, Andrew Greeley estimates that between 2000 and 4000 U.S. priests are guilty of sexual abuse of children or minors and that their victim population may be well in excess of 100,000 ("How Serious Is the Problem of Sexual Abuse by Clergy?" *America* 168/10 [20 March 1993] 7). Philip Murnion believes that Greeley's figures are too high, but he substitutes for them the still-considerable numbers of 1,060 priest abusers and 10,600 victims (Letter to the editor, *America* 168/13 [17 April 1993] 21).

⁸ On June 7, 1985 the *National Catholic Reporter* (4-6, 19-21) published a lengthy report on cases of child abuse by priests in the United States. Chief investigative reporter for the story was Jason Berry, who subsequently published *Lead Us Not into Temptation*, updating and expanding the report and providing a great deal of back-

Official Church Responses in Canada

As the problem of child sexual abuse in the Church began to lose its invisibility in Canada, the Canadian bishops established guidelines for themselves in 1987. But these were not enough. After public disclosures and accusations concerning brothers at Mount Cashel Orphanage and priests of the archdiocese, the Archdiocese of St. John's, Newfoundland, established a commission of inquiry in 1989. Since a government commission had been set up to investigate matters at the orphanage, the archdiocesan commission focused on accusations concerning the priests and, more than a year later, submitted its long report on them.⁹

Among its findings the commission reported that because the archbishop had not acted vigorously on complaints and concerns brought to him, children continued to be abused by priests, even while the latter were under criminal investigation. Aligned with the accused, the report continued, church officials showed little compassion toward victims and thereby compounded the victims' initial sense of betrayal by the Church.¹⁰ The commission softened its criticism somewhat, however, by noting that the poor handling of the early accusations may be understandable in the context of the time, when most people were still unaware of the prevalence of child sexual abuse, its dynamics, and the damage it causes.¹¹

"From Pain to Hope"

Between the time of the public disclosures in St. John's and the completion of the archdiocesan inquiry commission's report, the Canadian bishops established, in October 1989, an Ad Hoc Committee on Child Sexual Abuse to study such abuse by priests or male religious.¹²

ground material. Berry's book also briefly discusses the child sexual abuse cases of priests and brothers in Canada (301–322). Michael Harris, editor-in-chief of St. John's, Newfoundland, *Sunday Express* at the time (26 March 1989) it disclosed allegations of pedophile crime against religious brothers in a local orphanage, recounts the story that resulted in the closure of the Irish Christian Brothers' Mount Cashel Orphanage in *Unholy Orders: Tragedy at Mount Cashel* (New York: Viking Penguin, 1990).

⁹ *The Report of the Archdiocesan Commission of Enquiry into the Sexual Abuse of Children by Members of the Clergy* (Archdiocese of St. John's, 1990). The commission was headed by Gordon Winter, a former lieutenant governor of Newfoundland and an Anglican, and included four other members: Frances O'Flaherty, social worker; Nuala P. Kenny, nun-physician; Everett MacNeil, priest-canonist; and John A. Scott, philosopher.

¹⁰ *Ibid.*, vol. 1, 108; cited in *Lead Us Not into Temptation* 315.

¹¹ *Report of the Archdiocesan Commission*, vol. 1, 136 (cited in *From Pain to Hope* 23).

¹² The commission members were Roger Ebacher, Adam Exner, and James MacDon-

In June 1992 the committee issued its report, *From Pain to Hope*, which culminated in a final chapter of fifty recommendations.¹³ The recommendations differ from the 1987 guidelines, first of all, in that while the latter were guidelines for only the Canadian bishops, the new recommendations are directed to the whole Church of Canada. This broader scope of guidelines reflects the committee's repeatedly expressed desire to see church reform lead to a more communal Church in which authority is truly a form of service (38) and its conviction that the internal dynamics of the Church are relevant to the problem of sexual abuse of children in the Church (37).

Regarding the relationship between internal church dynamics and child sexual abuse by priests, the committee notes that the sexual abuse of a child by an adult represents an assertion of power over the child to make him or her the adult's "object."¹⁴ Because of their ministry and status, priests in Canada have sometimes been able to wield excessive power, beyond the reach of legitimate questioning and social control. Moreover, the placing of the priest on a pedestal isolated him from the people he was meant to serve and impeded his developing healthy relationships of simple friendship—relationships necessary for a balanced life. Such a situation, the report judged, is conducive to perverting priestly authority from an expression of service and availability into a relationship of power and domination (37-38).

The Church should be guided by a spirit of openness and truth when responding to allegations of child sexual abuse by a priest or religious and should cooperate fully with child-protection agencies and the judiciary, not claiming preferential treatment for any of its ministers. Its concern about child sexual abuse should not be limited to cases in which a priest or a religious is suspected or accused; on the contrary, it should cooperate closely in governmental and community-based programs, particularly those directed toward abuse prevention (40). Moreover, the Church should recognize and act upon the knowledge that child sexual abuse can more readily occur within certain kinds of social structures: a society based on competition and power and marked by

ald (archbishops); Gerard Copeman (priest); Nuala P. Kenny (nun-pediatrician); André Boyer and Rita Cadieux (social workers).

¹³ The fifty recommendations with other material from the report appear in *Origins* 22 (1992) 97, 99–107. What is noted in these excerpts, however, is that "child sexual abuse" refers to both pedophilic and ephebophilic behavior; for the report defines a child, in a section not excerpted here, as a person under eighteen years of age (*From Pain to Hope* 18).

¹⁴ On sexual abuse as abusive power and civil law, see Donald C. Clark, Jr., "Sexual Abuse in the Church: The Law Steps In," *Christian Century* 110/12 (14 April 1993) 396–98.

sexual exploitation of and violence against women, and a Church that shelters its ministers from accountability, deals with moral problems affecting society behind a veil of secrecy, and fails to attend sufficiently to the need for internal reform based on values of familial communion (40–41).

Although concern for internal church reform emerges repeatedly in the report, it does not directly shape any of its fifty recommendations. These are divided according to five groups of persons to whom they are directed: all Catholics of Canada, the bishops, those responsible for priestly formation, those pastorally responsible for priests in a diocese (diocesan clergy offices), and the Canadian bishops conference. To all Catholics the committee recommends, in line with its pervasive stress on the need for openness and truth in the Church, that, overcoming fear or shame, they free themselves for discovering the truth about adult sexual abuse of children and for promoting frank dialogue about it within the Christian community. They should also give support to victims and those who suffer with them, to persons who struggle against a conspiracy of silence to make the truth heard, and to priests whose lives are negatively affected by the wrongdoing of a small minority of their colleagues (45).

Recommendations to Bishops. Among recommendations to bishops is that they appoint in their respective dioceses a delegate (and a deputy delegate) to whom issues or allegations of sexual abuse by priests are to be referred. They should also have an advisory committee of men and women, of parents and professionals to study any such issue or allegation; the committee to be made up of at least five persons: the delegate, the deputy delegate, a canonist, a civil lawyer, and a professional person experienced in dealing with victims of sexual abuse or with persons suffering sexual integration disorders (46).

Reflecting new sensitivity to the enduring harm done to victims are three recommendations: that the bishop set up a committee for victims to give individualized support, while the validity of the allegation is being investigated, to any minor who alleges to have been sexually abused by a priest; that, after sentence has been pronounced against a priest, the bishop provide a victim with the services of resource persons for pastoral support, counseling, or therapy; and that, since victims often need to express their sufferings and conflicted feelings, he provide also a sympathetic hearing within the Church to each victim of sexual abuse by a priest or a religious. Similarly, new sensitivity is discernible in both the acknowledgment of the public's right to information and the desire for better mutual collaboration between the Church and the media that underlie the committee's recommendation

that the bishop make one person responsible for dealing with the media and for responding to questions concerning sexual abuse (47–48).

To deal with the problem in its many (legal, psychological, sociological, spiritual, moral, and pedagogical) aspects, bishops should identify in their dioceses experts in the many disciplines involved. To parishes in which a priest is accused or convicted of child sexual abuse particular pastoral care should be shown. With regard to a convicted priest who after incarceration desires to resume active ministry, a bishop's first concern must be the protection of the child; but if he should not promote the re-entry of the priest into ministry at all costs, the bishop also should not reject it in principle. In this matter he should carefully attend to the informed opinion of the diocesan presbyterium and possibly of a re-entry committee, composed of people who already know about the case and people in the parish in which the priest would be reintegrated or in neighboring parishes (49–51).

Recommendations to Persons in Other Church Roles. Recommendations to those responsible for priestly formation, the committee notes, are aimed at effecting “the psycho-affective development” of candidates for priesthood; and they reflect “a particular movement in psycho-education” even though other approaches also may be valid (53). From this overly particularized committee perspective comes a set of proposals that are both too particular and too general to be of much use as formal recommendations in an official national report. It is proposed that in the process of discerning a priestly vocation a candidate be accompanied by a spiritual guide-mentor; that a seminary applicant be judged according to the harmony or disharmony between his chronological age and his “life-style” and on his personal fundamental strengths as these relate to his stage of human growth; that the selection process focus more on the applicant's personal fundamental strengths than on vulnerabilities; that the whole process of formation be “personalized,” with special attention paid to a candidate's personal strengths, history, age, progress in achievement, and development toward maturity (53–54); that the formation of priests take place within the context of integral human development (56); and that seminarians be presented with current information about family violence and child sexual abuse, especially such abuse by priests and the position of the Church with regard to it (57).

Several of the committee's recommendations to those responsible for priests in a diocese are focused on providing guidance and support for newly ordained priests and opportunities of continuing education and help in time of crisis for all priests (58–59). With regard to a priest accused of child sexual abuse, he should be placed on administrative

leave with pay from the time that there are reasonable and probable grounds to believe that abuse has occurred until completion of the investigative or judicial process (59). When a priest is reentering pastoral ministry after incarceration, the parish council or representatives of the parish where the appointment is to be made should be clearly informed to ensure that the appointment of the priest will be supported (60).

To the bishops conference the committee recommends that it investigate the possibility of a telephone service for troubled youth and that it promote research in human sexuality. Again manifesting concern for a more communal Church, the committee maintains that a model of church life in which priests live their ministry as if it were "an undebatable power" is an environment favorable to the committing of child sexual abuse and urges the conference to promote an ecclesial communion in which the ministerial priesthood serves the priesthood of all the faithful (61–62).

Official Church Responses in the United States

As in Canada, the episcopal conference in the United States has had to deal in recent years with the sexual abuse of children by priests. For some time after the *National Catholic Reporter* disclosures in 1985 the National Conference of Catholic Bishops said nothing publicly, but it is reported to have discussed the problem in executive session during plenary meetings in the years 1987–1992. It had been more than two and a half years since the disclosures when, on February 9, 1988, the problem was first addressed openly by the conference—in a public statement from the USCC general counsel, Mark Chopko.¹⁵

The USCC Statement

The genre of the USCC document is not pastoral message but damage-control press release: in tone and substance the statement is much more an attorney's protection of church officials than an exercise of episcopal ministry. Indeed, the 750-word statement never explicitly mentions sexual abuse of children by priests. For that matter, it does not even mention priests or clergy at all. Instead, establishing as its context the alarming increase in reported cases of sexual abuse of children, it notes that pedophilia affects both men and women without regard to their status as married, single, or celibate and has tragically

¹⁵ "USCC Pedophilia Statement," *Origins* 17 (1988) 624.

“occurred in persons who are leaders of the community and others who have been placed in positions of great trust.”

Even while drawing attention to steps recently taken by individual dioceses to confront the problem of sexual abuse of children by priests, the statement is able to sustain the tour de force of avoiding throughout any use of the word “priest.” Instead, it employs expressions such as “diocesan personnel policies” and “guidelines governing the reporting of instances of abuse and the diocese’s response to specific complaints, including suspension from employment and active ministry whenever appropriate.” The mention of pedophilia’s “lasting impact on the victims” leads not to realistic assessment of victims’ rights in the present but to distracting speculation about society’s health in the future: “child molestation constitutes a direct threat to the future well-being and stability of our society.”¹⁶

If the USCC statement fails to exhibit the spirit of openness and truth so highly stressed in the report of the CCCB ad hoc committee, the general counsel cannot be faulted for the document’s orientation toward protecting and serving the interests of the national bishops conference. That, after all, is what a general counsel is employed to do. What is highly questionable, however, is that the conference’s general counsel was placed in the position of conference spokesperson in the first place.

It is one thing for an episcopal conference to have its general counsel check a pastoral statement for possible legal implications before it is published; it is quite another to relegate to the general counsel the duty of an episcopal conference spokesperson to address an extraordinarily serious pastoral crisis. After its public silence of two and a half years about what Andrew Greeley has referred to as perhaps the greatest scandal in the history of religion in America and the most serious crisis Catholicism has faced since the Reformation,¹⁷ the conference’s misbegotten statement leaves very much to be desired.

The Administrative Committee Statement

Nevertheless, a year and a half after its publication the episcopal conference apparently had still not recognized the highly inappropriate character of its USCC statement. On November 5, 1989, after allegations of sexually abusing a young man as a youth were made

¹⁶ Regarding victims and their treatment by church officials, see Jason Berry, “Listening to the Survivors: Voices of the People of God,” *America* 169/15 (13 November 1993) 4–9.

¹⁷ In *Lead Us Not into Temptation* xiii.

publicly against a U.S. bishop earlier that day, the Administrative Committee of the NCCB reissued the USCC document, accompanied by a brief statement of its own.¹⁸

Since the allegations against the bishop had been made before by the same individuals and, on investigation by church authorities, been judged to lack substance, the committee's statement is less concerned with the allegations than with taking the opportunity to give public assurance that church officials are regarding the sexual abuse of children with the seriousness it deserves. However cases may have been handled in past decades, when psychology was less sophisticated and this abuse "was viewed as simply a moral failing for which one should be repentant, rather than a psychological addiction for which treatment was mandatory—today things are different."¹⁹ Explaining how things are different, the committee statement points out that church leaders are now advised to investigate an allegation immediately, to remove a priest at once if the evidence warrants it, to find appropriate treatment for the offender, and to give pastoral help to the victim and the victim's family.

The NCCB President's Statement

After the appearance of the brief Administrative Committee statement in late 1989 it was still another two and a half years before the problem of sexual abuse of children by priests was finally addressed publicly by an NCCB president, the president for that year, Archbishop Daniel Pilarczyk of Cincinnati.²⁰ Mistakes had been made in the past, the president said, by treating sexual abuse as a moral fault; today it is known that sexual abuse is caused by a disorder, and in some cases an addiction, for which treatment is necessary. For the lack of understanding and mistakes that added to the suffering of victims and their families the president apologized before going on to point out what in recent years the conference had done to deal with the problem.

In addition to discussing on five occasions at national meetings how to treat and to prevent the problem, the conference, the president said, had made its working policy on the national level clear by issuing the 1988 statement of its general counsel and the 1989 administrative committee statement. That policy had been for the past five years one of strongly recommending to all dioceses the following course of action: respond promptly to any allegation that has a reasonable foundation; relieve the alleged perpetrator immediately of his ministerial duties if

¹⁸ "Statement on Priests and Child Abuse," *Origins* 19 (1989) 394–95.

¹⁹ *Ibid.* 395.

²⁰ "Painful Pastoral Question: Sexual Abuse of Minors," *Origins* 22 (1992) 177–78.

the allegation is supported by sufficient evidence, and refer him to medical evaluation; comply with civil laws in reporting incidents and cooperating with investigations; reach out to victims with care for their spiritual and emotional well-being; deal as openly as possible with members of the community within the limits of respect for an individual's privacy.

Of these five concerns identified as consistent NCCB policy over the previous five years, only three, in fact, had previously been expressed publicly by the NCCB—in their administrative committee's statement. The two NCCB concerns made public here for the first time in 1992 are that church officials should cooperate with civil authority in the reporting and investigating of cases and should deal openly with the public. The open expression of these concerns together with the apology for past mistakes and lack of understanding make the president's statement a notable step toward a spirit of openness and truth in the Church.

Nevertheless, with regard to identifying the problem in the Church, the statement remains quite wide of the mark. While the NCCB administrative committee statement had categorized the sexual abuse of children as a "psychological addiction," the president does speak of it somewhat more carefully as "caused by a disorder (in some cases, an addiction) for which treatment is essential."²¹ Still, this classifying of the problem as the effect of a mental disorder in contrast to a past, allegedly mistaken understanding of it as a moral fault is far from adequate in naming the Church's problem.

The *Diagnostic and Statistical Manual*, as noted above, neither characterizes all sexual abuse of prepubertal children as pedophilia nor classifies ephebophilia—and, of course, homosexuality—among the paraphilias. In the Chicago Archdiocese, however, the great majority of cases from 1963 to 1992 studied by the Cardinal's Commission on Clerical Sexual Misconduct with Minors involved homosexual ephebophiles.²² In light of this, an either-or approach that simply replaces understanding clerical sexual misconduct with minors as moral lapses of individual priests with understanding it as the effect of their mental disorders or addictions appears to be continued oversimplification and reverse distortion of the problem.

In reviewing together the Chicago commission's *Report to Joseph Cardinal Bernardin* and *From Faith to Hope*, André Guindon finds in both a tendency to "unduly medicalize ephebophilic activity" of

²¹ Ibid. 177.

²² *Report to Joseph Cardinal Bernardin, Archbishop of Chicago: The Cardinal's Commission on Clerical Sexual Misconduct with Minors* (June 1992) 21.

priests.²³ The overwhelming majority of sex offenses by North American priests with legally underage males, Guindon says, involve post-pubertal minors; and the two reports' "medicalization" of the current problem reduces it to one of individuals' troubles instead of allowing it to be seen as a problem of public church issues such as mandatory celibacy, all-male clergy, and the failure of seminaries to deal with the sexuality of seminarians.

It seems, however, that it is not only an avoidance of ecclesial issues that lies behind the recent not-moral-fault-but-sickness approach to clerical sexual misconduct. The attitude appears to derive also from contemporary uncertainty in the science of human sexuality, an uncertainty reflected in the Chicago report. After defining ephebophilia, in accord with the *Diagnostic and Statistical Manual*, as not a sexual disorder or paraphilia while allowing that it may have harmful effects on teenagers,²⁴ this report only pages later explicitly categorizes ephebophilia as disease, paraphilia, and sexual disorder, and states that such phenomena are called diseases or disorders because they cause suffering or damage.²⁵

This self-contradiction in the report derives from the commission's relying in one place on the *Manual* and in another, apparently, on testimony of the Director of the Sexual Disorders Clinic of The Johns Hopkins University School of Medicine. According to the summary of his testimony, Dr. Fred Berlin views pedophilia and ephebophilia in the same light and believes sexual orientation that causes suffering or damage to be a disease. The impression is given that, unlike the *Manual*, the doctor regards ephebophilia, at least for all practical purposes as a disease.²⁶ With this mode of defining disease, however, Guindon takes strong exception: It "so thoroughly medicalizes all evil-doing that there is no room left for either morality or criminality."²⁷ Guindon, however, understands the doctor's opinion as if it were about acts rather than sexual orientation.

Diocesan Policy Statements

By 1990 individual dioceses had begun making public their own newly developed policy statements about the sexual abuse of minors by

²³ "The Need To Move from a 'Personal Troubles' to a 'Public Issues' Perspective," unpublished paper presented at the 1993 convention of the Catholic Theological Society of America, 5; cf. the special report of Arthur Jones to the *National Catholic Reporter*, 2 July 1993, 4.

²⁴ *Report to Cardinal Bernardin* 8.

²⁵ *Ibid.* 15.

²⁶ See summary of Berlin's interview in the report's *Appendices* 10-16, at 13-14.

²⁷ "The Need to Move" 5.

priests.²⁸ Because of their common rootedness in the NCCB recommendations, the policies of the individual dioceses have much of substance in common and, in some cases, evidence a direct borrowing of material by one diocese from another. Like the CCCB recommendations in *From Pain to Hope*, the U.S. diocesan policies deal with the crisis in its immediate context of the individual persons affected by the problem rather than in a broader context of a more global view of church life. All the diocesan policies, accordingly, are directly concerned with how to respond to allegations or complaints of child sexual abuse by priests or clerics²⁹ and with steps to be taken when an accusation is judged well founded and when it is finally resolved.

The policies provide for the appointment of a bishop's delegate to receive complaints or accusations and the establishment of an assessment committee to review them³⁰ as well as for the procedures to be followed in carrying out these offices. While the chief responsibility of the assessment board is to review accusations against a priest and to make recommendations regarding him to the bishop, the responsibilities of a bishop's delegate include, besides the receiving of complaints or accusations, seeing that a victim receives pastoral care, counseling, and therapy as needed.

Considerably longer and more detailed than other diocesan state-

²⁸ For policies of some dioceses and archdioceses: Salt Lake City, *Origins* 20 (1990) 42-44; Davenport, *ibid.* 93-94; Sioux City, *ibid.* 22 (1992) 178-79; Chicago, *ibid.* 273, 275-81; Boston, *ibid.* 22 (1993) 580-82. The Salt Lake City policy is not limited to sexual abuse; it covers physical abuse in general as well as mental abuse. With regard to terminology there is no unanimity. Like the Canadian report, *From Pain to Hope*, Salt Lake City understands a child as a person under the age of 18. To the distinguishing by Davenport and Sioux City between pedophilia and sexually exploitative behavior with a minor, Davenport adds an explicit distinction between a child (under 14) and a minor (between 14 and 17 inclusively). Chicago and Boston speak only of sexual misconduct with a minor, apparently understanding a minor as any person under legal age.

²⁹ The Davenport, Sioux City, and Boston policies are framed in terms of clerics. Despite the word "clerical" in its title ("Clerical Sexual Misconduct with Minors: Policies for Education, Prevention, Assistance to Victims and Procedures for Determination of Fitness for Ministry") the Chicago policy statement is framed in terms of priests. As the Salt Lake City statement extends beyond sexual abuse to any abuse of a child, so it extends also beyond clerics to all persons employed by or volunteering services to the diocese.

³⁰ The review committee is composed of a religious woman, a priest, a therapist, a medical doctor, and an attorney (Salt Lake City); of three priests, a psychiatrist or psychologist, and an attorney (Davenport, Sioux City); of three priests and six lay Catholics not employed by the archdiocese: a psychiatrist, a psychologist or social worker, an attorney, a parish council member, a parent, and a victim or parent of a victim of child sexual abuse (Chicago); of two diocesan priests, a deacon, a canon lawyer, a civil lawyer, a psychiatrist or psychologist, a social worker, and two other persons who bring a particular sensitivity to the role (Boston).

ments, the Chicago policy originated in circumstances somewhat different from those in which others were produced. Archdiocesan policy and procedure regarding sexual abuse of minors by priests were already in place when, on October 25, 1991, Cardinal Joseph Bernardin set in motion a laudably open and direct approach to the problem by announcing the appointment of a commission to study the matter anew.³¹ What had occasioned the need of further study was the recent occurrence of new allegations of sexual abuse by Chicago priests, causing the cardinal to judge current policy and procedure insufficient in preventing administrative mistakes. Accordingly, the commission was to examine immediately four areas of concern: situations involving clergy assignments that could put people at risk; existing policies and procedures regarding sexual misconduct by clergy; the question of whether and under what circumstances a priest accused of sexual misconduct could engage in parish ministry; and how laypersons could be brought into the review process. In June of the following year the findings and recommendations of the commission were presented in the *Report to Joseph Cardinal Bernardin*; and on the basis of this report and the cardinal's consultations about it with archdiocesan advisory bodies, the archdiocese formulated its present policy statement.

The policy is divided into six articles, the fourth and longest of which is concerned with the most urgent aspect of the commission's mandate. The articles deal in turn with (1) providing seminarians and priests with educational programs about sexual misconduct with minors, (2) assisting victims and others affected by sexual misconduct of priests with minors, (3) screening candidates for the priesthood, (4) determining promptly and credibly the fitness for ministry of a priest accused of sexual misconduct with a minor, (5) setting conditions for the return to ministry of a priest withdrawn as the result of an allegation of sexual misconduct with a minor, and (6) instituting a unified system of priest personnel records from the time of entry into seminary.

The Spring 1993 NCCB Meeting

At the spring 1993 meeting of the episcopal conference there was made public a letter of Pope John Paul II to the U.S. bishops, responding to their requests that ways be found to facilitate the suspension or dismissal of pedophile priests.³² The letter announced that a joint committee of the Holy See and the bishops conference had just been established to study the matter.

³¹ Cardinal's letter to the archdiocese, *Origins* 21 (1991) 354–55. Commission members were Judge Julia Quinn Dempsey, of Juvenile Court; John Madden, past chairman of the advisory council of the Department of Children and Family Services; and Bishop John Gorman, vicar general of the archdiocese.

³² Letter of John Paul II to U.S. bishops, *Origins* 23 (1993) 102–3.

At the same time the creation of an Ad Hoc Committee on Sexual Abuse, composed of seven bishops and headed by Bishop John Kinney of Bismarck,³³ was announced by the episcopal conference. The committee's broad mandate, according to a statement of its head,³⁴ is to study how victims and their families can be helped; how bishops can be assisted in working with priests who have been abusers; how the screening of priesthood candidates can be improved; how risks and possibilities of a priest's return to ministry after perpetrating abuse can be assessed; how sexual abuse by church employees or volunteers is to be dealt with; how society as a whole might benefit from what the Church has learned from its own experience; and how the morale of dispirited priests and bishops can be elevated.

The conference also received at its meeting, for review by the new ad hoc committee, the recommendations of a think tank on the sexual abuse of children that had been convened a few months earlier by the NCCB Priestly Life and Ministry Committee.³⁵ Presenting the recommendations, Canice Connors, president of the St. Luke Institute in Suitland, Maryland, stressed a need to define national minimal standards for seminary candidates to prevent seminary "hopping" and called for making available to science the important archival data on the evaluation and treatment of pedophiles at major treatment centers for clergy in North America.³⁶

The Think Tank Report. The think tank's recommendations are grouped into three parts: care of victims, prevention, and reassignment to ministry. Among their proposals are that bishops deal with the problem of sexual abuse of children in the Church in a more open manner and settle civil suits in public (108); that future deliberations at NCCB meetings on sexual abuse of children be held in public; that the bishops set up a task force to put forth a pastoral plan to guide the American Church in facing the problem; that diocesan review boards be composed mainly of local lay professionals, be outside normal diocesan structures and make recommendations directly to ordinaries or their delegates (109); and that the Church promote research centers on sexual abuse of children that would deal with national statistical information about clergy involvement (110).

Reflecting concern for greater openness and truth in the Church, the

³³ Other members are Cardinal Roger Mahony, Archbishop John Roach, and Bishops John Favalora, David Fellhauer, Harry Flynn, and Terry Steib.

³⁴ See *Origins* 23 (1993) 104–5.

³⁵ "Child Sexual Abuse: Think Tank Recommendations," *ibid.* 108–11. The group was composed of 31 participants, including a bishop, priests, priests in recovery, a victim, the parent of a victim, doctors, psychologists, women religious, a religious brother, theologians, attorneys, communicators, and others.

³⁶ Connor's presentation, *ibid.* 105–7, at 107.

report begins and ends by noting the grave negative effect on the Church of the perceived inability of the hierarchy to deal adequately with the problem of sexual abuse of children (108, 111). Nevertheless, despite some worthwhile recommendations to the bishops, the think tank contributes nothing to the process of identifying the problem in the Church. In this respect its voice is only one more in an expanding chorus of a priori pronouncements on the nature of the Church's problem: "We believe the sexual abuse of children is a result of mental dysfunctions" (111). This time, however, the a priori medicalization of the problem adds an element of obfuscation.

Sexual abuse of children, the think tank says, is the result of "mental dysfunctions" or "sexual disorders" or "sexual dysfunctions" (110–111). Although the report defines none of its terms, it seems to regard "disorders" and "dysfunctions" as synonyms. According to the *Diagnostic and Statistical Manual of Mental Disorders*, however, a disorder is not the same as a dysfunction, and pedophilia—not to mention ephophilia—is not a mental or sexual dysfunction. Rather, some mental disorders are sexual disorders, and sexual disorders are of two main classes: either paraphilias, such as pedophilia, or sexual dysfunctions.³⁷ For the think tank to lead bishops now to regard the Church's problem as the result of sexual or mental dysfunctions is to compound confusion with the oversimplification and distortion of the not-moral-fault-but-sickness approach that has already been presented to them.

The document's failure to define any of its terms leaves a vagueness surrounding even "sexual abuse of children." Does the category include such different things as sexual misconduct with a five-year-old girl and sexual misconduct with a seventeen-year-old male? In the statement that priests "who have offended against children should never return to any ministry that includes minors" (110–111), are "children" and "minors" synonyms? If so, what is the point of the abrupt change of terminology in the statement—especially within a conversation in which those terms, as noted earlier, have had different meanings? If they are not synonymous, i.e. if not all minors are children, there seems to be an inexplicable logic at work here: priests who have abused children are to be kept away not only from children but from all minors, but priests who have abused minors who are not children do not (apparently) have to be kept away from any minors. Such confusion is not the only result of vagueness about the kind of misconduct being discussed. It is this vagueness that also makes it easy to name in a single, a priori step the cause of the misconduct as "mental dysfunctions."

³⁷ *Diagnostic and Statistical Manual* 279–96.

It is clear, the think tank says, that neither celibacy nor priesthood causes sexual abuse (110). Indeed it is; and no one, of course, suggests otherwise. The problem with the platitude, however, is that it can serve to remove celibacy and priesthood altogether from the conversation, leaving behind nothing to discuss but "mental dysfunctions" and how to guard against them or deal with their effects.

While no one believes that celibacy or priesthood causes sexual abuse, much less pedophilia, there are questions about seminary life, mandatory celibacy, and an all-male priesthood in relation to the sexual abuse of minors by priests. This sexual abuse, as the Chicago report shows, is only in part a problem of pedophilia; and unless Chicago is completely atypical of the Church elsewhere in the country, pedophilia is a very small part and ephebophilia a much larger part of the problem.

That the Church's problem involves homosexual ephebophilia raises many questions, and in her interview with Cardinal Bernardin's commission Dr. Judith Becker, professor of psychiatry at the University of Arizona, formulated a number of them. Does the ephebophilic character of the problem indicate that it is related to priests' earlier seminary life, when male bonding took place in an all-male environment? How much of the problem might involve "repressed" homosexuality: men involved with teenage boys while preferring adult males? What kind of ephebophile is involved in a given case: (1) a preferential ephebophile, (2) an ephebophile who is also an adult homosexual, or (3) an ephebophile who is also an adult heterosexual?³⁸

These and many other questions will have to be answered before the Church can finally name its complex problem and trace its sources. Reflection on the Church's conversation thus far about the problem, however, suggests certain rules for the rest of the discussion. (1) Free-floating, undefined terms and vague generalities—especially with regard to key concepts such as "child," "sexual abuse," "disorder," "addiction," etc.—must be replaced with language responsibly backed up by precise definitions. (2) A priori declarations (whether medicalization, moralization or anything else) about the nature of the problem and its sources must become a thing of the past. (3) The entire conversation must be based, as in the Chicago report, on the facts of the problem, facts brought into the open, rather than on vague concepts and generalities in place of facts. If the conversation can become a search for the meaning of facts, the Church will have come far toward becoming a home of openness and truth.

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³⁸ Summary of Becker interview, *Appendices 6–10*, at 6–7.