# EXAMINING SCHOLARLY LITERATURE ON CLERICAL SEXUAL ABUSE IN THE CATHOLIC CHURCH

A VIEWPOINT FROM AND FOR US JESUIT INSTITUTIONS

FORDHAM UNIVERSITY, TAKING RESPONSIBILITY PROJECT

Current update: January 2023

# **INTRODUCTION**

Literature on Catholic clerical sexual abuse appears to be at multiple turning points as of early 2023, after approximately thirty-five years of gradual emergence. We see two key developments at this time. The first is the beginning of a turn to a global examination of sexual abuse in a global church, after a lengthy preliminary period focusing almost entirely on the United States and, to a lesser extent, Ireland and other Anglophone countries. The second is the emergence of a much larger body of academic work that examines clergy sexual abuse from

<sup>&</sup>lt;sup>1</sup> Since part of our overall argument agrees with literature that sees sexual abuse in the church—and its (non)management—as an ongoing structural problem over centuries, we generally avoid the term "crisis." See, e.g., Thomas Doyle, "The Sexual Abuse Crisis Is Not a Crisis," *Conscience*, April 3, 2019, https://www.catholicsforchoice.org/resource-library/the-sexual-abuse-crisis-is-not-a-crisis/. Robert Orsi makes a very similar point in forthcoming work with the Notre Dame Gender, Sex, and Power project.

disciplines beyond psychology, ethics, and ecclesiology.<sup>2</sup> University communities have both the resources and the obligation to explore this research and see what they can add to it.<sup>3</sup>

Perhaps unsurprisingly, the vast majority of earlier primary and secondary literature on sexual abuse within the Catholic Church was written with great urgency and an explicit agenda for change. Largely by Catholics or former Catholics, this literature investigated the causes and consequences of clergy abuse with a highly practical question in mind: how do we stop this from happening and deal with its immediate effects on victims, their families, and other affected parties? While for good reason there is much still-emerging literature also directly concerned with this question, scholars from fields like religious studies, history, law, and others are also attempting to take a wider view, placing the last several decades' revelations about the events of the 1960s–1990s in a far larger context.

Building on earlier studies as well as new primary research, this literature suggests a new level of maturity in understanding is beginning to be reached, even as basic diagnoses and recommendations for necessary church reforms remain strikingly similar. This reality suggests the great difficulty of creating structural reform in an immense institution with many moving parts and many individual agendas, a situation not unique to the Catholic Church but which the Church's reality—global reach, dozens of languages, tens of thousands of employees, and millions of ordinary members—certainly emphasizes. Nevertheless, the difficulty of the enterprise does not release us from trying. This survey seeks to, first, give a brief and decidedly not exhaustive look at developments in English-language research over the course of the period from the late 1980s through 2022, and second, to suggest topics that the Society of Jesus and its universities might be especially well-placed to develop as a service to the Church, given their specific resources.

# A VERY, VERY SHORT HISTORY OF WRITING ABOUT SCANDAL

<sup>&</sup>lt;sup>2</sup> Of course, earlier work exists in other fields, notably sociology and organizational theory. For one example of such collected work see Claire M. Renzetti and Sandra Yocum, eds., *Clergy Sexual Abuse: Social Science Perspectives* (Boston: Northeastern University Press, 2013).

<sup>&</sup>lt;sup>3</sup> Carl Procario-Foley, "Addressing the Sex Abuse Crisis in Communities of Faith and Learning," *Religious Education* 115, no. 3 (June 2020): 335–42, https://doi.org/10.1080/00344087.2020.1738133.

Beginning in the 1980s, a series of survivor memoirs and journalistic accounts began to alert the general public to the problem of child sexual abuse in the Roman Catholic Church.<sup>4</sup> Each wave of new publications followed a new major journalistic revelation; these first works (such as journalist Jason Berry's 1992 Lead Us Not Into Temptation: Catholic Priests and the Sexual Abuse of Children, Frank Bruni and Elinor Burkett's 1993 A Gospel of Shame: Children, Sexual Abuse, and the Catholic Church, and psychotherapist Richard Sipe's 1995 Sex, Priests, and Power: Anatomy of a Crisis) responded to the Gilbert Gauthe case in Louisiana and the James Porter case in Boston, among others.<sup>5</sup>

Following the 2001 Spotlight investigation by the Boston Globe, many more works appeared. Also, the "report" genre, half study/half primary source, emerged, as commissions and governmental bodies gained access to large bodies of church data either voluntarily (as with the John Jay Study) or in a legal setting (as in assorted grand jury reports.) All of these sources have a clear agenda, seeking specific remedies in terms of changes to Church policy and often in terms of recompense for victim-survivors. Alongside these developments, scholarship ramped up significantly in the post-2001 period as (especially) psychologists and ethicists began to study and write in a much greater volume. This literature depended largely on data obtained either through the reports, memoirs, and journalistic accounts just mentioned, as well as, for some, personal experience with victim-survivors and/or perpetrators. Major works appeared in bursts: a cluster of books clearly begun in the aftermath of the Spotlight

<sup>&</sup>lt;sup>4</sup> While it is sorted by type of media (book, article) rather than by genre (survivor memoir, etc), Thomas Doyle's frequently updated bibliography, currently available through 2020, is an essential resource for those looking for undercatalogued older work such as, for example, these survivor memoirs. See <a href="https://childusa.org/member-docs/Doyle%20Bibliography%2004">https://childusa.org/member-docs/Doyle%20Bibliography%2004</a> 29 2020.pdf.

<sup>&</sup>lt;sup>5</sup> Jason Berry, Lead Us Not Into Temptation: Catholic Priests and the Sexual Abuse of Children (University of Illinois Press, 1992); Elinor Burkett and Frank Bruni, A Gospel of Shame: Children, Sexual Abuse and the Catholic Church (Viking, 1993); A. W. Richard Sipe, Sex, Priests, And Power: Anatomy Of A Crisis (New York: Routledge, 1995).

<sup>&</sup>lt;sup>6</sup> https://archive.boston.com/globe/spotlight/abuse/documents.

<sup>&</sup>lt;sup>7</sup> John Jay College of Criminal Justice, The Nature and Scope of Sexual Abuse of Minors by Catholic Priests and Deacons in the United States 1950-2002 ("The John Jay Report") (Washington, DC: United States Conference of Catholic Bishops, 2004), <a href="http://www.usccb.org/issues-and-action/child-and-youth-protection/upload/The-Nature-and-Scope-of-Sexual-Abuse-of-Minors-by-Catholic-Priests-and-Deacons-in-the-United-States-1950-2002.pdf">http://www.usccb.org/issues-and-action/child-and-youth-protection/upload/The-Nature-and-Scope-of-Sexual-Abuse-of-Minors-by-Catholic-Priests-and-Deacons-in-the-United-States-1950-2002.pdf</a>. The earliest grand jury reports emerged in 2002 but the Philadelphia grand jury report, which became public in 2011, set a standard for future reports. For links to assorted reports (grand jury and otherwise) see <a href="https://www.bishop-accountability.org/AtAGlance/reports.htm">https://www.bishop-accountability.org/AtAGlance/reports.htm</a>.

reports was published in 2005, and another cluster followed the release of the Philadelphia Grand Jury Report in 2011.

This pattern still obtains, as a significant uptick in scholarly urgency has again followed a series of major events in 2018: a wave of scandal in Chile leading to the offered resignation of the entire episcopate; major reports from Germany and Australia; the so-called "McCarrick Report" and the Pennsylvania Grand Jury Report; and a new wave of journalism on abuse of women religious worldwide led to, in the words of Massimo Faggioli and Mary Catherine O'Reilly-Gindhart in their comprehensive overview of scholarship and other resources produced between 2018 and 2020, "the most extraordinary and unprecedented year in the history of the Catholic Church sex abuse crisis in terms of institutional response." While some of the more recent entries are books and articles that were clearly many years in development, a great deal of this new literature is the result of scholars deciding in greater numbers, en masse, as a result of the events of 2018 that they could not leave addressing the issue to others and that, whatever their field of expertise, they would have to turn their attention to this topic.

# AN ACTIVIST LITERATURE: LITERATURE REVIEWS, ARCHIVES, AND METHOD

From an early date, academic work about the issue of clerical sexual abuse has been driven by highly committed people whose publications emerge largely out of practical experience. Thomas Doyle is a paradigmatic example. Doyle, a Dominican priest and canon lawyer, was the co-author of perhaps the earliest entry in the "report" genre, a then-secret document compiled in 1985 in response to the Gilbert Gauthe case in Louisiana ("The Problem of Sexual Molestation by Roman Catholic Clergy: Meeting the Problem in a Comprehensive and Responsible Manner".) While working on this document, he began to compile a bibliography for his own use. But Doyle became dedicated to the cause of protecting children in the church, and over time more and more freely shared his growing bibliography with others. The advent of the internet, of course, made this ever more possible. As of April 2020, his bibliography stretched to 140 pages. Helpfully, Doyle has also included a number of works from other religious traditions dealing with the issue of clergy abuse; notably, in the wake of revelations about abuse by the major theologian John Howard Yoder, the latest version includes six pages of articles from Anabaptist and Mennonite

<sup>&</sup>lt;sup>8</sup> Massimo Faggioli and Mary Catherine O'Reilly-Gindhart, "A New Wave in the Modern History of the Abuse Crisis in the Catholic Church: Literature Overview, 2018–2020," *Theological Studies* 82, no. 1 (March 2021): 156–85

sources. Like all such resources, Doyle's is idiosyncratic, and since it does not include any editorial comment it's sometimes hard to tell why a particular work has ended up under the heading "Sexual Abuse by Clergy" rather than, say, under "Perpetrators," or vice versa. However, it has the tremendous virtue of not attempting to distinguish between sources based on criteria like the press, the credentials of the author(s), etc. It freely mixes memoirs, self-published responses by outraged Catholics, and academic research in a number of fields. This makes it an excellent starting point for beginning researchers who are getting to grips with the role played in the field by survivor testimony; this is an activist literature, and contributing to it requires grappling with this fact.

The same point is made by Brian Clites, who has done extensive ethnographic research with survivors, in his November 2020 "Primer for Research on Clergy Sexual Abuse," titled "Breaking Our Silence." This is a much shorter resource than Doyle's; as its title suggests, it is aimed at those who are joining the post-2018 wave of research. Clites organizes his suggestions according to the writers' role, and he begins, significantly, with memoirs and other work by survivors, followed by accounts by "whistleblowers" (such as Doyle), followed by theologians, psychologists, sociologists and cultural historians, legal scholars, priests, and historians of American Catholicism, whom he castigates for largely ignoring the crisis. Recounting in a short space several decades of writing on sexual abuse in the Catholic Church, Clites makes it clear that belonging, identity, and activist commitment are at least as, if not more, important than disciplinary method when it comes to how we approach clergy sexual abuse. Faggioli and O'Reilly-Gindhart might not exactly agree, but their recent review, too, begins with work from deeply committed people; in their case, survivor testimony comes second, after church documents, but both secure primary places over secondary literature and scholarship. And they also highlight the critical role played by the arts and documentaries, as well as social media and the internet generally, in bringing clergy abuse to public attention.9

Public discussion, prayers and artwork, legal testimony, and lament: these major literature reviews make it clear that these are not just "primary sources," but part of the scholarly discussion. And this is not just the case for those whose work focuses on the present, who must deal with the ethics of working with and writing about living people. Historians and others who want to look at earlier events have needed to do so by adopting techniques from those writing about other marginalized and victimized groups, ensuring that archival silences and gaps don't mean

<sup>&</sup>lt;sup>9</sup> Faggioli and O'Reilly-Gindhart.

decentering victims. This may be an especially important point in light of a number of recent accusations regarding prominent, charismatic, beloved priests with a lengthy archive testifying to their visible work. We are not the first people to grapple with the challenges of rethinking powerful people—and indeed in rethinking whose voices are the most important testimonials about those powerful people—in light of modern standards and research. We believe it's helpful to consider work on clerical sexual abuse in light of methods developed by, for example, scholars of race, colonialism, and gender. As Fabienne Doucet writes in a recent report titled "Centering the Margins:

(Re)defining Useful Research Evidence Through Critical Perspectives," these scholars have asked us to look openly and carefully at the goals, whether open or implicit, of all scholarship, and to ask what constitutes "useful" research: useful to whom? in what way? Many scholars working on clergy sexual abuse would resonate immediately with four of the five pillars of critical race theory as summarized by Doucet: a "challenge to dominant ideology...by refusing claims of objectivity and neutrality"; a "commitment to social justice...that seeks to eliminate oppression and emancipate and empower marginal groups"; "the centrality of experiential knowledge," the "legitimate expertise in the function of oppression and subordination" developed by victims; and "the utilization of transdisciplinary approaches."

As with research taking a critical approach to the study of race, studying sexual abuse in the Catholic Church means taking an omnivorous approach to a problem widely acknowledged, yet deeply submerged. As an earlier comprehensive review focused on research about perpetrators and structural factors pointed out, the literature we are examining "is not purely based on empirical research, as information on CSA [child sexual abuse] within the Catholic Church partly originates from external and internal inquiries into the issue, and institutional factors have been discussed from the perspectives of various disciplines."10 To rephrase: much of what we know comes not from disinterested research but from an archive built on survivor testimony and legal documents, and scholarship has been the work of a quite small number of researchers from a variety of disciplines, who have been drawn to this study by personal interest and commitment rather than by methodological similarity. Again, the issues raised—the centering of victim-survivors' experiential knowledge and expertise, the "transdisciplinary" approach, the commitment to justice, and the stress on power—echo those of scholars on race.

<sup>&</sup>lt;sup>10</sup> Bettina Böhm et al., "Child Sexual Abuse in the Context of the Roman Catholic Church: A Review of Literature from 1981-2013," Journal of Child Sexual Abuse 23 (2014): 635–56.

Meanwhile, Doucet's first pillar of CRT—"the intercentricity of race and racism with other forms of subordination"—is also adaptable to the study of the Catholic sexual abuse crisis on two counts. First, scholars have begun to acknowledge that it is literally true that race and racism is intertwined with the form of subordination that is sexual abuse within the church, as the first hints of understanding sexual abuse as part and parcel of Catholic participation in colonial and racialized structuers emerge in new journalism and scholarship. Second, however, we might adapt it in this sense: many scholars of clergy abuse see "the intercentricity of [sexual abuse] with other forms of subordination [in the Church]." That is, we continue to struggle over the abuse crisis both in scholarship and within the Church in part because of a basic disagreement about whether abuse and its coverup is incidental to or in some way imbricated with the operation of the Church itself.

Like all literature reviews, the present one is far from exhaustive. Rather than organizing by topic (as Doyle's bibliography does); by authorship (as in Clites' primer); or by methodology (which as Bohm et al. point out is essentially impossible), we will try to summarize and survey answers to some of the pressing questions already identified in this introduction, suggesting how these answers have changed over time—and how, in many cases, today's often bear a striking similarity to those in earlier work reaching back as far as the 1980s, raising the question: how much can the literature move on if the Church cannot move on? In response to the many people, at Jesuit institutions and elsewhere, wondering "Why do we still need to talk about this?,"11 this review suggests that we need to keep talking about it both because the issues of the past are very much alive and developing in new ways, and because Jesuit institutions (from parishes to universities to provinces) are well-positioned to play a role in both understanding and addressing clergy abuse going forward. The review is organized into three "questions" that literature on clergy sexual abuse has addressed; each section gives an overview of research and concludes with a suggestion for how Jesuit institutions might both learn from this literature and help fill some of its gaps. The questions are as follows:

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<sup>&</sup>lt;sup>11</sup> Sasha Kleinsorge, Therese Cirner, and Karen Klein Villa, "Clergy Sex Abuse: Why Do We Still Need to Talk About This?," Homiletic & Pastoral Review, 2021, https://www.hprweb.com/2021/01/clergy-sex-abuse-why-do-we-still-need-to-talk-about-this/.

- 1) How do we understand the targets of abuse? Who are we talking about when we talk about "victim/survivors," and what are the effects their experiences have most frequently had on them?
- 2) How do we understand abusers? Who are the perpetrators, and what are the characteristics and circumstances that led them to sexually abuse minors and/or adults?
- 3) What does it mean to "take responsibility" for this situation: as Catholics, as theologians, as human beings? In other words, what solutions and responses have been proposed?

Notably, this literature review does not attempt to assess Church response, seeing that as the business of academic research itself.

# QUESTION 1: HOW DO WE UNDERSTAND THE TARGETS OF ABUSE?

## PROBLEMS AND PARAMETERS

The first question this project brings to the literature on sexual abuse in the Catholic Church is: how do we define the targets or victims of clerical sexual abuse?<sup>12</sup>

Researchers' answers to this question have significant bearing on how they answer the other questions we suggest in this review. Wider and narrower definitions of the victimized are not necessarily better or worse, but they greatly affect, among other things, understandings of who perpetrators are and what drives them, as well as proposed responses to the situation. Narrower nets have the virtue of providing much more precision on these questions, while wider definitions are both likely more reflective of the overall situation, and simultaneously see victimization in such a wide variety of people and circumstances as to make a single solution or set of solutions impossible.

<sup>&</sup>lt;sup>12</sup> We recognize, of course, that many prefer the language of "survivor," and some, as Bryan Massingale suggests, might prefer "coper." We do occasionally use "survivor" here. However, the focus of this section is not on the survival process but on researchers' understanding of who suffers abuse; generally, we therefore retain the language of "victim."

Researchers' parameters for understanding victimhood are affected by a variety of factors. Access to sources combined with researchers' disciplines perhaps work most strongly here to create particular kinds of channels. Psychologists, for example, work with individual victims, often as therapists as well as researchers; their work is driven by the set of people who are willing and able to respond to quantitative and qualitative surveys, as well as to whom they gain access through their work or, often, through survivor groups like SNAP. This may create feedback loops as therapy or support groups help victims develop narratives using common language and concepts, and also narrows the net to a victim pool that is largely white and Anglophone. Historians and sociologists rely on records being both extent and accessible, both dicey propositions, but also on the researchers' creativity in seeking out unusual sources and reading silences. Theologians responding to clergy abuse often draw a fairly wide circle of victimhood, possibly because they are not doing primary research with victims or records but rather drawing on a range of others' disciplinary conclusions before responding from within their own ethics or ecclesiology.

It is not researchers' fault that there are so many serious difficulties with getting our heads around who and how many people constitute the class of victims or targets of clerical sexual abuse. As noted, gaining access to statistically significant samples is a major problem, and the contingent nature of available data has affected researchers' method. Böhm et al.—who review over twenty years of literature, mostly from the discipline of psychology, from 1981–2013—find that sample and method varies so widely that it's difficult to say anything conclusively about clerical sexual abuse other than that there is a problem, and a substantial one. And as they note, the "dark figure" of unreported offenses is assumed to be very high, making it difficult to say with certainty who and what we are talking about.

Data about abusive acts committed against those under 18 is, relatively speaking, more systematically available. The John Jay report, sponsored by the U.S. Conference of Catholic Bishops in the aftermath of the Spotlight reporting is still perhaps the best and most complete sampling of data on reported offenses, and is updated annually as part of the Dallas Charter's requirements.<sup>14</sup> This data nevertheless illustrates two major problems in

<sup>&</sup>lt;sup>13</sup> Böhm et al., "Child Sexual Abuse in the Context of the Roman Catholic Church: A Review of Literature from 1981-2013."

<sup>&</sup>lt;sup>14</sup> John Jay College of Criminal Justice, John Jay Report. One of the lead authors helpfully summarized its method and findings in Karen J. Terry, "Stained Glass: The Nature and Scope of Child Sexual Abuse in the Catholic

understanding a victim pool: it does not include reports of abusive practices against those over 18 at all, and required the researchers to extrapolate how many offenses against those under 18 might have gone unreported. The bright dividing line at age 18 is a particular challenge, as the recent example of former Cardinal Theodore McCarrick demonstrates. The McCarrick Report, released when we at Fordham were just beginning this project, makes excruciatingly clear that decades of offenses against seminarians remained hidden from researchers until a single account of abuse of a minor thrust McCarrick's entire history into visibility. What if McCarrick had confined his offenses entirely to those of legal age? Would this behavior, which both in itself and in the ecclesiastical responses to it is so revealing, ever have become available to scholarship? As Stephen Edward de Weger points out, the lack of data means that "there is an ignored, misunderstood, and complex reality within the broader clergy sexual abuse scandal within the Roman Catholic Church (RCC)—that of clergy sexual misconduct against adults (CSMAA)." <sup>16</sup>

Abusive act is in flux. The vast majority of reporting victims to date in the US are currently middle-aged or older men who were prepubescent or adolescent boys at the time of the abuse. Most incidents they reported to either the church, secular authorities, or both went well beyond what could have been a misunderstanding; a few incidents reviewed by the John Jay team involved only touching over clothing, but the overwhelming majority went much further. Yet as this project has unfolded in 2020–22, we are in the middle of a decades-long reassessment of what people with power can do to others without reproach, and we can only wonder how many women and men, adults, adolescents, and children, have never reported an incident that created decided discomfort, that may have damaged a psyche or changed the way the person approached the Church, but that did not seem significant enough to bother

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Church," Criminal Justice and Behavior 35, no. 5 (May 1, 2008): 549–69, https://doi.org/10.1177/0093854808314339.

<sup>&</sup>lt;sup>15</sup> Secretariat of State of the Holy See, Report on the Holy See's Institutional Knowledge and Decision-Making Related to Former Cardinal Theodore Edgar Mccarrick (1930 to 2017) (Vatican City State, 2020), https://www.vatican.va/resources/resources rapporto-card-mccarrick 20201110 en.pdf.

<sup>&</sup>lt;sup>16</sup> De Weger and Stephen Edward, "Unchaste Celibates: Clergy Sexual Misconduct against Adults—Expressions, Definitions, and Harms," *Religions* 13, no. 5 (May 2022): 393.

entering the labyrinthine and so often disappointing reporting process.<sup>17</sup> It is also worth noting here, as elsewhere, that many institutions (ecclesiastical, educational, and both) are very much stuck in the dilemma Jennifer Doyle describes, where they both want to reject actions that are not secular/legal crimes in the strict sense, but simultaneously shrink from taking any kind of punitive action toward those perceived as institutional insiders (students, faculty, priests).<sup>18</sup> Finally, many people both within and without the church dismiss the harms that can come from supposedly "consensual relationships" between clergy or religious superiors and other adults.<sup>19</sup>

The most we can probably say is that the spectrum of potentially abusive acts is very wide and, while we may now have a reasonable assessment of the extent of the furthest end of the spectrum (violent acts committed by serial abusers over the course of decades) and of what we could call the middle (men and less frequently women who committed what everyone agrees are acts of sexual abuse against those who were minors at the time), we probably need to accept that there is a much wider pool available that will remain unknown except anecdotally, in part because of access difficulties and in part because of the ambiguous nature of what we are talking about.

With these serious caveats in mind, it is nevertheless useful to review how existing literature has understood and portrayed the victims of clerical sexual abuse. Since most of this literature either explicitly or implicitly assumes a set of underage victims, we can begin there.

## CHILDREN AND ADOLESCENTS

# **GENDER**

The stereotypical media victim of clerical sexual abuse is a boy (whether child or adolescent), probably an altar server. Gender balance among victims can depend a lot on where you are looking and what kinds of questions you

<sup>&</sup>lt;sup>17</sup> De Weger and Stephen Edward, "Insincerity, Secrecy, Neutralisation, Harm: Reporting Clergy Sexual Misconduct against Adults—A Survivor-Based Analysis," *Religions* 13, no. 4 (April 2022): 309.

<sup>&</sup>lt;sup>18</sup> Jennifer Doyle, Campus Sex, Campus Security (Cambridge, MA: MIT Press, 2015).

<sup>&</sup>lt;sup>19</sup> Much of what we know about the prevalence and coding of post-Vatican II priests' sexual relationships comes from A. W. Richard Sipe, A Secret World: Sexuality And The Search For Celibacy, 1st edition (Routledge, 2014); Sipe, Sex, Priests, And Power; A. W. Richard Sipe and Reverend Richard P. McBrien, Celibacy in Crisis: A Secret World Revisited, 1 edition (New York: Routledge, 2003). This data is obviously tremendously out of date.

are asking. One very small early survey turns up 50/50 male/female victims.<sup>20</sup> Larger national reports, however, in the US, Germany, France, and Australia have found heavily male victim populations (ranging from 62 to 80 percent).<sup>21</sup> These kinds of numbers have given rise to a post-Spotlight literature that often echoes this theme—victims were "mostly male."<sup>22</sup> Even scholarship that undercuts this stereotype, such as Mary Gail Frawley O'Dea's book Perversions of Power (2007), which looks at many female victims, often comes with cover images that reinforce this idea, in this case a silhouetted bishop (identifiable by his zucchetto and pectoral cross) hovering behind a young boy in a cassock with his hands folded.<sup>23</sup>

It can be challenging to interpret this gendered data. It raises questions both about both prevalence of abuse and prevalence of reporting, which are very different questions. Among others: Are men more likely to make the kind of formal report that ends up in these large-scale studies, while women feel that they are less likely to be heard? Were boys simply more accessible (in boarding schools, as altar servers, etc.)? Were abusive priests more likely to see boys as potential future priests and therefore groom them into a system? Were they more likely to relate to boys as a result of their own arrested development (see next section) and therefore seek them out as companions? Perhaps the best we can say is that, while large data currently indicates that under-18 victims have been weighted male, we may never have great numbers even in countries with formal reporting systems, and there are many places without much data at all.

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<sup>&</sup>lt;sup>20</sup> Michael Bland, "Trusting the Clergy: A Response to Archbishop Harry J. Flynn," in Marie M. Fortune and Merle M. Longwood, eds., Sexual Abuse in the Catholic Church: Trusting the Clergy? (New York: Haworth Press, 2003).

<sup>&</sup>lt;sup>21</sup> US: John Jay College of Criminal Justice, John Jay Report. France: see both the French original and an English translation at Commission indépendante sur les abus sexuels dans l'Eglise, "Final Report," 2021, https://www.ciase.fr/rapport-final/. Australia: see commission report (on the Catholic church as well as other institutions) at Royal Commission into Institutional Responses to Child Sexual Abuse, "Final Report," Text, 2017, https://www.childabuseroyalcommission.gov.au/final-report. For a summary of the German report in English see Sexual Abuse of Minors by Catholic Priests, Deacons and Male Members of Orders in the Domain of the German Bishops' Conference, 2018, https://www.dbk.de/fileadmin/redaktion/diverse\_downloads/dossiers\_2018/MHG-Study-eng-Endbericht-Zusammenfassung.pdf.

<sup>&</sup>lt;sup>22</sup> William J. Bausch, Breaking Trust: A Priest Looks at the Scandal of Sexual Abuse (Mystic, CT: Twenty-Third Publications, 2002).

<sup>&</sup>lt;sup>23</sup> Mary Gail Frawley O'Dea, Perversion of Power: Sexual Abuse in the Catholic Church (Nashville: Vanderbilt University Press, 2007).

Defining "abuse" as these large-scale studies do, focused on victims under 18 and heavily influenced by which victims report, has other effects. Donald Cozzens (2002), for example, concentrates his chapter on "abuse" around boys and young men and therefore slides toward the conclusion that a disordered homosexuality bears a lot of blame and that the Vatican's silence on the matter is in part a reluctance to call attention to a large number of gay priests. (To anticipate the section of this literature review on assessments of abusers, Cozzens is clear that the issue is not gay priests per se but sexual and psychological immaturity that leads to seeking out young victims.) Yet Cozzens does report on the sexual abuse of adult women (nuns) in his book; the choice to situate this reporting in a chapter on women's voices being silenced rather than in his chapter on "abuse" turns "abuse" into a same-gender problem. Because the issue of "homosexuality" (disordered or otherwise) remains neuralgic in the literature on sexual abuse in the Catholic Church, how we conceptualize victims matters significantly.

# AGE

Although it's very hard to draw firm conclusions, it seems likely that while the abuse of young children is most shocking, and some of the worst recidivists have been focused on children under ten, the abuse of adolescents is likely far more typical. In 1999 Plante, for example, summarizing research to date, found that most abuse is directed at adolescent boys rather than girls or young boys.<sup>24</sup> The John Jay report more or less concurred, finding the vast majority of victims across its fifty-year range were 11-17 years old; 51% were 11-14, and 27% 15-17. Other large-scale longitudinal studies dice the ages differently but come to around the same conclusion; the German bishops' report found that over half of victims were boys under the age of 13, with a mean age around 12.<sup>25</sup> While no study to date has been able to examine Jesuit institutions specifically, news stories suggest that Jesuit high schools are indeed not immune from a problem that appears to be at least somewhat focused on adolescent boys.<sup>26</sup>

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<sup>&</sup>lt;sup>24</sup> Thomas Plante, ed., Bless Me Father for I Have Sinned (Westport, CT: Praeger, 1999), 2.

<sup>&</sup>lt;sup>25</sup> Sexual Abuse of Minors by Catholic Priests, Deacons and Male Members of Orders in the Domain of the German Bishops' Conference.

<sup>&</sup>lt;sup>26</sup> Dallas Prep, for example, settled a lawsuit in early 2022 that included copious documentation; see among other news stories, https://www.nbcdfw.com/news/local/dallas-diocese-and-jesuit-prep-school-settle-lawsuit-over-alleged-priest-sex-abuse/2927953/. For a relatively early case see that of Cheverus High School in Portland, ME, where a number of alumni came forward in the late 1990s: http://archive.boston.com/globe/spotlight/abuse/stories/031702 maine.htm.

# **EFFECTS**

The psychology literature tends to focus on those victimized in childhood, due perhaps to their particular vulnerability. For Jesuit safeguarding expert Hans Zollner, "the child [must be] at the center." As Hidalgo and others note, Catholic children appear to have been more vulnerable to clergy abuse in certain situations: if clergy is held in high esteem, or if there are large families or issues with parents—essentially, if openings are made for clergy to become substitute parental figures. (It's worth noting here that children in similar situations are also vulnerable to non-clerical predators, for similar reasons.) A representative post-2001 account is by Mary Gail Frawley O'Dea, who draws on the John Jay Report, the gusher of news stories prevalent between 2001 and 2004, and her own long experience treating adult survivors to offer this summary: "Usually, the victims of abusive priests were children or adolescents yearning for adults who saw them, heard them, understood them, made time for them, and enjoyed their company. Many were minors from families with a parent missing, or they were youngsters coping with alcoholism, spousal abuse, or other forms of violence or neglect in their environment...." Frawley O'Dea adds that other victims, from less troubled backgrounds, were abused by adults on whom they had developed typical late-childhood and early-adolescent crushes — adults who exploited these feelings for their own purposes.

Frawley O'Dea, as with other psychologists, focuses on the consequences for children and youth (both boys and girls) of these events, which twisted what could have been healthy relationships with adult mentors. She describes, among other consequences, PTSD, substance abuse, dissociation, depression or despair and associated self-harm, a tendency to lash out in anger at unrelated parties and other difficulties assessing and responding to situations in an emotionally controlled way, a sense of entitlement that replicates those of their abusers and makes it difficult to form relationships, sexual dysfunction, and a sense of deep mourning for a happy childhood and/or a church home that was taken from them and is impossible to regain.

<sup>&</sup>lt;sup>27</sup> Hans Zollner, "The Child at the Center: What Can Theology Say in the Face of the Scandals of Abuse?," Theological Studies 80, no. 3 (August 2019): 692–710, https://doi.org/10.1177/0040563919856867.

<sup>&</sup>lt;sup>28</sup> Myra Hidalgo, Sexual Abuse and the Culture of Catholicism: How Priests and Nuns Become Perpetrators (New York: Haworth, 2007).

<sup>&</sup>lt;sup>29</sup> Frawley O'Dea, *Perversion of Power*, 19. Emphasis mine.

These are by now well-documented conclusions dating back decades. Shortly after the Spotlight report,

Nanette de Fuentes, for example, was able to summarize the likely psychological impact of childhood sexual abuse:

"self-blame, shame and guilt, damaged self-esteem, lack of trust, social isolation, suppressed rage, ambivalence,
impaired ability for intimacy, sexual confusion or dysfunction, cognitive dysfunction, depression, anxiety, PTSD,
vulnerability to revictimization, increased suicidal risk or substance abuse, and in some cases, increased risk to cross
boundaries in others." She also mentions "spiritual injury" in clerical victims who can't go to their faith for
support.<sup>30</sup>

Effects on faith and spiritual life are, not surprisingly, especially substantial. In the mid-1990s McLaughlin and Rossetti both found deep plunges in measures of spirituality/"relationship to God."<sup>31</sup> These effects have continued to be documented to the present day. In 2003 psychiatrist Carolyn Moore Newberger summed up: "what is different about clergy abuse is that it shatters not only trust in the behavior and intentions of those who give care to children, but also trust in the systems of beliefs that give children a sense of meaning and community in their lives.... Levels of betrayal of that magnitude can make its victims feel and be pretty irrational."<sup>32</sup> Thomas Doyle calls this "spiritual trauma," pointing out that victims are of all ages and genders but at the time of abuse many were, almost by definition, linked closely to the church and have suffered intensely because of this betrayal.<sup>33</sup>

Moving forward from these late-90s/early-2000s studies, we find strikingly similar conclusions in newer literature. Reported effects continue to include difficulties in relationships, substance abuse, self-harm including

<sup>&</sup>lt;sup>30</sup> Nanette de Fuentes, "Hear Our Cries: Victim-Survivors of Clergy Sexual Misconduct," in Bless Me Father for I Have Sinned, ed. Thomas Plante (Westport, CT: Praeger, 1999), 139.

<sup>&</sup>lt;sup>31</sup> Barbara R. McLaughlin, "Devastated Spirituality: The Impact of Clergy Sexual Abuse on the Survivor's Relationship with God and the Church," Sexual Addiction & Compulsivity 1, no. 2 (1994): 145–58, https://doi.org/10.1080/10720169408400039; Stephen J. Rossetti, "The Impact of Child Sexual Abuse on Attitudes toward God and the Catholic Church," Child Abuse & Neglect 19 (1995): 1469–81, https://doi.org/10.1016/0145-2134(95)00100-1.

<sup>&</sup>lt;sup>32</sup> Carolyn Moore Newberger, "The Sexual Abuse Crisis: Issues We Still Have to Face," in Sexual Abuse in the Catholic Church: Trusting the Clergy?, ed. Marie M. Fortune and Merle M. Longwood (New York: Haworth Press, 2003), 39.

<sup>&</sup>lt;sup>33</sup> Thomas Doyle, "The Spiritual Trauma Experienced by Victims of Sexual Abuse by Catholic Clergy," Pastoral Psychology 58 (2009).

suicide/attempts, shame and guilt.<sup>34</sup> Easton et al. note the "pervasiveness and magnitude" of these effects among some.<sup>35</sup> They take a striking quotation from a clergy abuse victim as their title: "I will never know the person who I could have become." The effects of clergy sexual abuse are, in other words, all-encompassing and profound enough to reorient an entire life story. Brian Clites, a religious studies scholar who has done extensive work with survivors in Chicago, discusses the survivor-coined phrase "soul murder" as another way of thinking about this all-encompassing harm.<sup>36</sup>

# **RACE**

Psychology literature has been noticeably lacking in analyzing the potential racial dynamics of sexual abuse, both in the US and around the world, however. This has been a known issue for decades. In 1999, de Fuentes noted that subgroups probably have special issues: "minor victims, gender differences in adult victims, ethnic and racial considerations (Latinos, immigrants, African American, and Asian victims), those with physical disabilities, Church employees, seminarians, women religious, "cluster victims" with the same perpetrator," and individuals in vocational discernment.<sup>37</sup> Yet, little has been done to follow up on this observation. For example, the John Jay Report did not collect ethnic/racial data on victims. Even a book as comprehensive about its analysis of victims as Frawley O'Dea's 2007 work, which covers both male and female abuse victims of all ages and stages of recovery, does not mention race as a factor both in the accessibility of victims and in their experiences, although class does come up to an extent, as in the case of victims who came from unstable homes or even the streets.

Easton et al., already mentioned, did valuable work studying men who are survivors, noting that few empirical studies have been done to understand what happens to the self. They found markers of existential crisis, damaged sense of self, delayed identity formation. But their work, like a fair amount of earlier psychiatry literature,

<sup>&</sup>lt;sup>34</sup> These effects are pervasive in the literature. For more exploration of this among TR projects specifically see, for example, Marcus Mescher et al., "Measuring and Exploring Moral Injury Caused by Sexual Abuse," <a href="https://www.xavier.edu/moral-injury-report">https://www.xavier.edu/moral-injury-report</a>.

<sup>&</sup>lt;sup>35</sup> Scott Easton, Danielle Leone-Sheehan, and Patrick O'Leary, "I Will Never Know the Person Who I Could Have Become: Perceived Changes of Self-Identity Among Adult Survivors of Clergy-Perpetrated Sexual Abuse," Journal of Interpersonal Violence 34, no. 6 (2016): 1–24.

<sup>&</sup>lt;sup>36</sup> Brian J. Clites, "Soul Murder: Sketches of Survivor Imaginaries," Exchange 48, no. 3 (July 19, 2019): 268–79.

<sup>&</sup>lt;sup>37</sup> de Fuentes, "Hear Our Cries: Victim-Survivors of Clergy Sexual Misconduct," 142.

was based on the self-reporting of nearly exclusively (90%) white men who are members of a survivor organization, raising the question of whether there might be either dramatic or subtle differences in the kinds of issues raised by other demographics.<sup>38</sup> Meanwhile, what little has been written specifically about non-white victims is largely still confined to (very valuable) journalism and personal essays. There are a few exceptions worth mentioning: Denise Lajimodiere sheds some light on the nexus between Native American boarding schools and sexual abuse.<sup>39</sup> Emerging work by Kathleen Holscher and Jack Lee Downey keeps the focus on victims as boarding school students and mission residents.<sup>40</sup> Kevin O'Neill examines, among other things, the racial dynamics that appeared when a white American priest-abuser moved to a mission in Guatemala.<sup>41</sup> All these authors raise the obvious, yet understudied, points that racialization and colonial contexts both increase the likelihood of sexual abuse and most likely enhance its negative psychic effects on victims whose power is compromised across a wide range of fields. While historians appear to be digging into this reality to an extent, the issue cries out for focused data collection and psychological studies.

In this regard it's interesting to note that three of the four "global" essays in a December 2019 issue of Theological Studies do not particularly address race or colonialism in any depth, and it isn't a focus of the fourth either. Agbonkhianmeghe Orobator SJ focuses on the need for the church (in Africa and elsewhere) to promote the

<sup>&</sup>lt;sup>38</sup> For a similar example of research that is both phenomenally helpful and demographically limited see Paul Isely, Jim Freiburger, and Robert Mcmackin, "In Their Own Voices: A Qualitative Study of Men Abused as Children by Catholic Clergy," Journal of Child Sexual Abuse 17 (February 1, 2008): 201–15.

<sup>&</sup>lt;sup>39</sup> Denise K. Lajimodiere, Stringing Rosaries: The History, the Unforgivable, and the Healing of Northern Plains American Indian Boarding School Survivors (Fargo, ND: North Dakota State University Press, 2019).

<sup>&</sup>lt;sup>40</sup> Kathleen Holscher, "Priests That Moved: Catholicism, Colonized Peoples, and Sex Abuse in the U.S. Southwest," *The Revealer*, 2020, https://therevealer.org/priests-that-moved-catholicism-colonized-peoples-and-sex-abuse-in-the-u-s-southwest/; Jack Lee Downey, "Colonialism Is Abuse: Reconsidering Triumphalist Narratives in Catholic Studies," *American Catholic Studies* 130, no. 2 (2019): 16–20. Both Holscher and Downey participated in the University of Notre Dame project on the abuse crisis, https://cushwa.nd.edu/about/gendersexpower/, and their essays are forthcoming. Both also spoke at a Taking Responsibility conference organized by Gonzaga University

<sup>&</sup>lt;sup>41</sup> Kevin Lewis O'Neill, "The Unmaking of a Pedophilic Priest: Transnational Clerical Sexual Abuse in Guatemala," Comparative Studies in Society and History 62, no. 4 (2020): 745–69.

rights of children.<sup>42</sup> Mara Clara Bingemer Lucchetti, like Orobator, looks to the child's role in scripture and contrasts it with the actual treatment of children by church and society, invoking liberation theology's centering of victims to suggest centering the child.<sup>43</sup> Finally, Neil Ormerod's essay from Australia does not mention race, colonialism, or missionary work. Shaji George Kochuthara is more specific, writing from India; perhaps helped by trying to cover less ground than an "African" or "Latin American" perspective, he not only examines what is known about clergy abuse in India in much more detail, but also suggests some specific dimensions of it, including postcolonial developments and the abuse of adult women.<sup>44</sup>

#### WHAT ABOUT ADULT WOMEN?

As Kathleen Sands remarks in a short, provocative intervention from the immediate post-Spotlight era, "the abuse of women is the 'normal' sin of the Catholic priesthood."<sup>45</sup> Sands has in mind what is generally known, and yet oddly prone to disappearing. Predictions like "Adult women and some men whose pastoral relationships have been violated by priests...will be the next wave of the tsunami to hit the church"<sup>46</sup> are regularly made, and yet, as of 2022, we hear this prediction more than we see its realization either in the scholarship or in the media.<sup>47</sup> It is perhaps

<sup>&</sup>lt;sup>42</sup> Agbonkhianmeghe Emmanuel Orobator, "Between Ecclesiology and Ethics: Promoting a Culture of Protection and Care in Church and Society," *Theological Studies* 80, no. 4 (December 2019): 897–915, https://doi.org/10.1177/0040563919874521.

<sup>&</sup>lt;sup>43</sup> Maria Clara Lucchetti Bingemer, "Concerning Victims, Sexuality, and Power: A Reflection on Sexual Abuse from Latin America," Theological Studies 80, no. 4 (December 2019): 916–30, https://doi.org/10.1177/0040563919874518.

<sup>&</sup>lt;sup>44</sup> Shaji George Kochuthara, "The Sexual Abuse Scandal and a New Ethical Horizon: A Perspective from India," Theological Studies 80, no. 4 (December 2019): 931–49, https://doi.org/10.1177/0040563919874517. This. specificity may arise because Kochuthara, along with several other Indian moral theologians, have been deeply examining the local situation; Faggioli and O'Reilly cite two special issues of journals that we have not been able to review: M. B. Bijosh, ed., Jeevadhara: A Journal for Socio-Religious Research, special issue, "Sex Abuse Scandal in the Church," XLIX/294 (2019), and Asian Horizons. Dharmaram Journal of Theology, ed. Shaji George Kochuthara, special issue on the abuse crisis in the Church, 1 (2020), http://dvkjournals.in/index.php/ah/issue/view/228.

<sup>&</sup>lt;sup>45</sup> Kathleen M. Sands, "Speaking Out: Clergy Sexual Abuse: Where Are the Women?," Journal of Feminist Studies in Religion 19, no. 2 (Fall 2003): 79–83.

<sup>&</sup>lt;sup>46</sup> Fortune and Longwood, Sexual Abuse in the Catholic Church: Trusting the Clergy?, 55.

<sup>&</sup>lt;sup>47</sup> Some literature focuses on "clergy" more broadly than in the Catholic church. See, for example, Kathryn A. Flynn, The Sexual Abuse of Women by Members of the Clergy (McFarland, 2010).

telling that when footnoting the sentence "lay women and women religious alike have been the victims of clerical sexual abuse" in 2019, Susan Ross points to a note in an essay in a 2004 book, rather than to a (non-existent) large-scale study of abuse of women in the Catholic Church.<sup>48</sup>

The abuse of nuns by priests, for example, has routinely surfaced over centuries -- sometimes in the sensationalistic literature of the post-Reformation era, but often enough in court cases ranging from the early Middle Ages forward. And yet, it has a tendency to resurface and quickly fade. For example, in March 2001 the National Catholic Reporter published a blockbuster article on the abuse of nuns. 49 They based their work on a private mid-1990s report by Sister Maura O'Donohue, whose work investigated abuse in a variety of African countries, but also in Ireland, Italy, the Philippines and the United States. In 2002 this reporting merited several pages on African nuns in Donald Cozzens' book; as already mentioned, it appeared not in the chapter on abuse but in the chapter about the function of "silence" in the Catholic church. 50 Perhaps similar categorization, and the emergence of NCR's report in the early days of the Boston crisis, is why it took nearly twenty years for this topic to resurface in the media, driven this time by the #MeToo movement. Articles from this new round of visibility rather strangely suggest that this problem is available to study and analyze for the first time. Global Sisters Report, a National Catholic Reporter project, has published a series of articles on this issue in the last three years -- one of which, from early 2019, bears the headline "Women Religious Shatter the Silence About Clergy Abuse of Sisters" even while noting in the body of the article NCR's own reporting from 2001! Very limited scholarship so far rolls this into the broader topic of Catholic clerical sexual abuse. 52 Doris Reisinger's emerging work (thus far mostly in German) is a critical example

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<sup>&</sup>lt;sup>48</sup> Susan A. Ross, "Feminist Theology and the Clergy Sexual Abuse Crisis," Theological Studies 80, no. 3 (August 2019): 632–52, https://doi.org/10.1177/0040563919857186.

<sup>&</sup>lt;sup>49</sup> John L. Allen, Jr. and Pamela Schaeffer, "Reports of Abuse: AIDS Exacerbates Sexual Exploitation of Nuns, Reports Allege," National Catholic Reporter, March 16, 2001, https://natcath.org/NCR Online/archives2/2001a/031601/031601a.htm.

<sup>&</sup>lt;sup>50</sup> Donald B. Cozzens, Sacred Silence: Denial and the Crisis in the Church (Collegeville, MN: Liturgical Press, 2002), 59–63. As of now there is still a small collection of news reports from 1998-2001 about the abuse of nuns on the web here: http://www.mh2.dds.nl/en/abuse.htm.

<sup>&</sup>lt;sup>51</sup> https://www.globalsistersreport.org/gsr-series/abuse-of-sisters/stories

<sup>&</sup>lt;sup>52</sup> Two exceptions are Vivencio O. Ballano, Sociological Perspectives on Clerical Sexual Abuse in the Catholic Hierarchy: An Exploratory Structural Analysis of Social Disorganisation (Singapore: Springer, 2019). and

of bringing nuns into the conversation.<sup>53</sup> Work on the abuse of adult women also notes that nuns are sometimes victimized by other nuns—that is, male clergy are not the only perpetrators.<sup>54</sup>

Other sources do address the abuse of adult women, whether nuns or lay. Stephen de Weger's work in Australia is based on in-depth interviews with adult women survivors. One recent article discusses their experience attempting to report abuse, 55 while another addresses the harms that come from abusive experiences as adults, which are strikingly similar to those experienced by children, involving a mix of physical, spiritual, and practical (e.g., financial) consequences for victim/survivors, 56 Regina Heyder likewise focuses on women's narratives. 57 Another article in the same special issue, while not focused on women victims, describes the victims of "clerical sex offenses and abuses of power" as "mostly female adult." In a more extended passage than that found in most older work (several pages) Mary Gail Frawley O'Dea (2007) notes that the ostensibly consensual nature of many clerical liaisons with adult women should not disguise the power imbalances and incestuous qualities that define many of these relationships. 59 And even in the best case scenario, the adult lover of a priest must live a psychologically damaging secret life and is highly vulnerable to the consequences of the priest ending the affair--especially in the case of women who become pregnant. New research by Reisinger in collaboration with the University of Notre

Kochuthara, "The Sexual Abuse Scandal and a New Ethical Horizon." Given the focus in the press on the abuse of nuns in Global South contexts, it may not be coincidental that these authors are both from South Asia.

<sup>&</sup>lt;sup>53</sup> For some English commentary from Reisinger see https://www.globalsistersreport.org/news/qas/news/q-dorisreisinger-theologian-forefront-nunstoo-movement.

<sup>&</sup>lt;sup>54</sup> Hidalgo, Sexual Abuse and the Culture of Catholicism; Weger and Edward, "Unchaste Celibates."

<sup>55</sup> Weger and Edward, "Insincerity, Secrecy, Neutralisation, Harm."

<sup>&</sup>lt;sup>56</sup> Weger and Edward, "Unchaste Celibates."

<sup>&</sup>lt;sup>57</sup> Regina Heyder, "Narrating and Remembrance in the Face of Abuse in the Church," *Religions* 13, no. 4 (April 2022): 348.

<sup>&</sup>lt;sup>58</sup> Judith Hahn, "Sex Offenses—Offensive Sex: Some Observations on the Recent Reform of Ecclesiastical Penal Law," *Religions* 13, no. 4 (April 2022): 332.

<sup>&</sup>lt;sup>59</sup> For one journalistic account of a series of damaging events see J.D. Flynn, "Speaking out, Hopeful, and Waiting for Change," Catholic News Agency, May 3, 2019, https://www.catholicnewsagency.com/news/41178/speaking-out-hopeful-and-waiting-for-change.

situations have been pressured into having abortions by either the priest responsible, or his superiors, or hers (in the case of nuns).<sup>60</sup> As Frawley O'Dea notes, the accounts we have of these situations, dating back to antiquity, almost always give us the priest's point of view (whether he valued the relationship or saw it as a sinful detour from celibacy), and not the woman's or her children's, although that situation may now at last be beginning to change.<sup>61</sup> However, as Reisinger pointed out in a recent twitter thread, none of the major large statistical studies have asked questions about "reproductive abuse" -- ranging from forced pregnancy to coerced abortion -- suggesting both the need for much more data, and for study design to deliberately incorporate the experiences of adolescent and adult women.<sup>62</sup>

A topic which is just beginning to emerge is the abuse of adults (often women) in the context of spiritual direction and/or confession, sometimes known also as "spiritual abuse." Revelations about abuse committed by Jean Vanier and his circle, for example, appeared in 2020, and have likely strengthened interest in this topic, although peer-reviewed research is limited so far. It does seem likely that many more revelations of this sort are coming, especially given the stress on vulnerability in "new religious movements," many of which are currently

<sup>&</sup>lt;sup>60</sup> Doris Reisinger, "Reproductive Abuse in the Context of Clergy Sexual Abuse in the Catholic Church," *Religions* 13, no. 3 (March 2022): 198.

<sup>&</sup>lt;sup>61</sup> For example see Annie Murphy, Forbidden Fruit: The True Story of My Secret Love Affair With Ireland's Most Powerful Bishop (Boston: Little, Brown & Co., 1993); Mimi Bull, Celibacy, a Love Story: Memoir of a Catholic Priest's Daughter (Peterborough: Bauhan Publishing, 2019); Vincent Doyle, Our Fathers (self-published, 2020), https://www.feedaread.com/books/Our-Fathers-9781839455988.aspx.

<sup>62</sup> https://twitter.com/ReisingerWagner/status/1455484381183807489.

<sup>63</sup> For literature not in English on this topic from 2018-2022 see Faggioli and O'Reilly-Gindhart, "A New Wave in the Modern History of the Abuse Crisis in the Catholic Church," 177. In 2022 the open-access journal Religions published a special issue on "Sexual and Spiritual Violence against Adult Men and Women in the Catholic Church" which can be found at https://www.mdpi.com/journal/religions/special\_issues/ssv. See especially Karlijn Demasure, "The Loss of the Self—Spiritual Abuse of Adults in the Context of the Catholic Church," *Religions* 13, no. 509 (June 1, 2022): 509. See also Samuel Fernández, "Victims Are Not Guilty! Spiritual Abuse and Ecclesiastical Responsibility," *Religions* 13, no. 5 (May 2022): 427. On confession see Gunda Werner, "Asymmetry in Confession as a Cause of Sexual and Spiritual Violence—Dogma Historical Resources for Making Changes to Confession in Terms of Clerical and Sacramental Theology," *Religions* 13, no. 4 (April 2022): 307. See also (though in Protestant as well as Catholic contexts) Gordon L. Benson, "Sexual Behavior by Male Clergy with Adult Female Counselees: Systemic and Situational Themes," *Sexual Addiction & Compulsivity* 1, no. 2 (April 1, 1994): 103–18; Marie M. Fortune, "Is Nothing Sacred? The Betrayal of the Ministerial or Teaching Relationship," *Journal of Feminist Studies in Religion* 10, no. 1 (1994): 17–26; Margaret Kennedy, "Sexual Abuse of Women by Priests and Ministers to Whom They Go for Pastoral Care and Support," *Feminist Theology* 11, no. 2 (January 1, 2003): 226–35, https://doi.org/10.1177/096673500301100213.

under Vatican investigation.<sup>64</sup> In the context of #MeToo and the broadening understanding of how abusive sexuality operates in the workplace, we can also hope for more explorations of this topic.<sup>65</sup>

# WHAT ABOUT ADULT MEN?

This is a particularly important topic for Jesuit universities and seminaries/theologates struggling to deal with nonconsensual or borderline consensual sexual encounters between priests and young men over 18. As our project at Fordham was already underway, several of these scandals came to light at both participating and non-participating universities, and no doubt more will follow. But despite its importance, statistics are essentially nonexistent, and the entire topic is deeply charged by the political and emotional stakes of a separate argument over homosexuality more generally, a topic I will take up in the section on how the literature on clerical sexual abuse assesses abusers. For now, I will note that because of a combination of the usual issues with reporting, generally, which are almost certainly exacerbated when the target is an adult male; the fuzzier lines around legality; and the special nature of seminaries, this is a topic that has been much more shrouded in mystery than either priests' sexual encounters with adult women or with minors. Despite the lack of detail, seminarians do appear frequently as targets of abuse in the literature (Frawley O'Dea 2007, for example). The McCarrick case has focused some attention on the particular power already ordained priests may have over seminarians; Notre Dame's McGrath Center and CARA have recently collaborated on perhaps the first ever academic research into sexual harassment and US seminarians, who are generally in their mid-20s; somewhere between 6 and 10% reported experiencing either harassment or something that they were not sure about.<sup>66</sup>

# CONCENTRIC CIRCLES: VICTIMIZATION BEYOND VICTIMS

<sup>&</sup>lt;sup>64</sup> Hildegund Keul, "Vulnerability, Vulnerance and Resilience—Spiritual Abuse and Sexual Violence in New Spiritual Communities," Religions 13, no. 5 (May 2022): 425, https://doi.org/10.3390/rel13050425.

<sup>&</sup>lt;sup>65</sup> Julie Rubio, "#MeToo, #ChurchToo: A Catholic Social Ethics Response to Sexual Violence," Journal of Catholic Social Thought 16, no. 2 (August 19, 2019): 137–54, https://doi.org/10.5840/jcathsoc201916212.

<sup>66 &</sup>lt;a href="https://news.nd.edu/assets/335261/micl\_cara\_report\_1">https://news.nd.edu/assets/335261/micl\_cara\_report\_1</a> .pdf. Because both alleged perpetrator and victim were underage, the recent case involving the Vatican minor seminary (the Gabriele Martinelli case) is not strictly relevant to this section, but certainly flags some major potential issues.

While clearly direct victims of abuse must be "at the center" of our concern, most of the literature on clergy sexual abuse also notes that victimization has a tendency to spread outwards, reaching into families and communities far distant from the original situation. This is a particularly salient point for institutions like parishes, colleges, schools, etc., which need to be aware of the vast universe of potentially affected people as they address specific incidents. The effects are not minor: we know that incidents of clerical sexual abuse can fracture families and communities, and drive people away from institutional affiliation.

The literature to date notes, though it rarely closely examines, many possible categories of "secondary victimization." In the mid-90s Rossetti diagrammed concentric circles of victims: beyond the victim him/herself is their family, the parish community, the diocese, and the Catholic Church as a whole.<sup>67</sup> De Fuentes notes the families of both abused and abuser and the church community.<sup>68</sup> Paul Lakeland cites parochial clergy, laity, society, and the bishops/the Vatican.<sup>69</sup> Recently, Hans Zollner reframes the matter as the "ripple effect" or "secondary survivorship."<sup>70</sup> For Zollner, these expanding circles of secondary survivorship include the family, the parish or school, and "all other indirectly involved members of the church--the laity as well as clergy."

Studies of the spiritual and psychological effects of secondary victimization are urgently needed, but researchers must define their interests carefully. Do we want to know about the effects of clergy sexual abuse on people close to victims, like friends or family? About the effects on a wider parish community of an accusation and/or removal? Or about the impact of clergy abuse and its coverup as a whole on millions of Catholics and ex-Catholics? There are also questions about the mixture of potential victimization and culpability to be found in these concentric circles, and studies should be careful to note this. Structural racism again offers a compelling analogy here: many, even most, clergy and laity who are genuinely secondary victims of the clergy abuse crisis have likely

<sup>67</sup> Stephen J. Rossetti, A Tragic Grace: The Catholic Church and Child Sexual Abuse (Collegeville, MN: Liturgical Press, 1996), 55.

<sup>&</sup>lt;sup>68</sup> de Fuentes, "Hear Our Cries: Victim-Survivors of Clergy Sexual Misconduct," 156–57.

<sup>&</sup>lt;sup>69</sup> Paul Lakeland, "Understanding the Crisis in the Church," in Church Ethics and Its Organizational Context, ed. Jean Bartunek, Mary Ann Hinsdale, and James F. Keenan (Lanham, MD: Sheed & Ward, 2006), 3–16.

<sup>&</sup>lt;sup>70</sup> Zollner, "The Child at the Center.", citing Rory Remer and Robert A. Ferguson, "Becoming a Secondary Survivor of Sexual Assault," Journal of Counseling and Development 73 (1995): 407–13.

also contributed to it as an ongoing event in various ways, suggesting the salience of frameworks like "moral injury," borrowed from studies of the military, that two of our studies have engaged. Finally, we might ask about how to deal with the concentric-circles model in overabundant situations like those of Indian boarding schools, Catholic orphanages, or missions in the US and abroad, where people not directly targeted for sexual assault might nevertheless still be considered "primary victims."

# SPECIAL NOTE: "CENTERING CHILDREN" IN THEOLOGY LITERATURE?

As is clear even from this very rapid survey, the vast majority of early literature on victims comes from psychology. As theologians begin to address clergy sexual abuse, they draw to varying extents on this literature, and an interesting theme is emerging. As of late 2022, Theological Studies had published fifteen of its twenty total articles addressing sexual abuse only since late 2019. Of these, six make "childhood" and the "theology of childhood" either the sole or a major subject of their essays. Others are less explicit but seem to assume that "children" are the primary victims of abuse. While we certainly affirm the desire to center victims, we note some slipperiness here in the category of "childhood." Psychological studies, no matter how small, and large-scale studies all make some effort to differentiate between the youngest victims, those who have entered adolescence, and (when studied) those who are adults. When theologians sit down to write about clergy abuse, which group do they have in mind and what are the effects (pro and con) of this choice?

<sup>&</sup>lt;sup>71</sup> Massimo Faggioli, "The Catholic Sexual Abuse Crisis as a Theological Crisis: Emerging Issues," *Theological Studies* 80, no. 3 (September 2019): 572–89; Orobator, "Between Ecclesiology and Ethics"; Bingemer, "Concerning Victims, Sexuality, and Power"; James Gerard McEvoy, "Towards a Theology of Childhood: Children's Agency and the Reign of God," *Theological Studies* 80, no. 3 (August 2019): 673–91, https://doi.org/10.1177/0040563919856368; Zollner, "The Child at the Center"; Jennifer Erin Beste, "Envisioning a Just Response to the Catholic Clergy Sexual Abuse Crisis," *Theological Studies* 82, no. 1 (March 2021): 29–54, https://doi.org/10.1177/0040563921996044.

<sup>&</sup>lt;sup>72</sup> Richard Lennan, "Beyond Scandal and Shame? Ecclesiology and the Longing for a Transformed Church," Theological Studies 80, no. 3 (August 2019): 590–610, https://doi.org/10.1177/0040563919856370.

<sup>&</sup>lt;sup>73</sup> Ross, "Feminist Theology and the Clergy Sexual Abuse Crisis"; Kochuthara, "The Sexual Abuse Scandal and a New Ethical Horizon."

<sup>&</sup>lt;sup>74</sup> While this is a review of academic literature, as noted in Faggioli and O'Reilly-Gindhart, "A New Wave in the Modern History of the Abuse Crisis in the Catholic Church.", some online databases -- like Pro Publica's very

#### LESSONS AND OPPORTUNITIES FOR FURTHER RESEARCH BY JESUIT INSTITUTIONS

Above we have identified both areas where there is substantial consensus (largely regarding harms done to victim/survivors) and areas where either there is substantial disagreement (about the scope of "victimhood") or very little data (regarding race and regarding adult survivors).

# **LESSONS**

Jesuit institutional leaders should be aware of the depth of harm caused to the targets of sexual abuse. They should also be increasingly aware of the broad possible spectrum of abuse and of the fact that their communities feel themselves to be fallout from the clergy abuse crisis as well. Administrators, faculty, and staff at Jesuit educational institutions who seek to understand the relationship of their own institutions to clerical sexual abuse will have to decide who constitutes their particular community of concern as they plunge into this literature. This community should certainly include students and staff who are/were victims of clerical sexual abuse at the particular institution. But it is probably also necessary to take particular account of the literature that suggests a much wider circle of victimhood: other students and employees, most notably, as well as wider communities that have been affected by abuse (as in the case of Gonzaga University, for example, which has to consider its history with clerical sexual abuse in concert with its close association with Jesuit missionaries in Alaska and the Pacific Northwest, and thus with Native communities.) And because of the close emotional, if not always administrative, linkage between Jesuit institutions, it is critical to understand that, for example, those at Santa Clara are likely to feel betrayed by revelations of events at Georgetown, while Jesuit university employees who hear of abuse occurring at a Jesuit prep school thousands of miles away might similarly feel more closely connected to these events than they would if they heard of abuse at a secular university next door. Finally, it is worth pointing out that an over-emphasis on childhood and child victims might lead Jesuit educational institutions into a false sense of complacency, since most work with adolescents and young adults. As we continue to reassess our sense of what acts are abusive and how complex power relations work between older victims and abusers, it is critical to take into account the possible spectrum of "clergy abuse victims."

useful "Credibly Abused" -- do not distinguish between those who victimized adults and children. See https://projects.propublica.org/credibly-accused.

# **OPPORTUNITIES**

If collaboration is available and open, Jesuits are well-positioned to help fill some of the major gaps in data on victims because their institutions are so diverse. Consider a Jesuit province that is interested in assisting a major research study. Anonymized data on victim reporting to the province by demographics (age, gender, race) could be shared with researchers at a Jesuit university located within the province. Victims could be invited to participate in interviews and/or surveys regarding their experiences, harms suffered, etc. Since across a province and over time victims are likely to have been abused as children, adolescents, and adults; to be both male and female; and to be racially diverse, this kind of collaboration could assist in producing comparative studies that ask, for example, about degree of harm by age at victimization, or about similarities and differences between men's and women's experience.

## **QUESTION 2: HOW DO WE UNDERSTAND ABUSERS?**

Who are the perpetrators of abuse, and what are the characteristics and circumstances that led/lead them to sexually abuse minors and/or adults? Who else is responsible for clergy sexual abuse and its effects?

If the stereotypical victim is a young white male altar server, then the stereotypical abuser is a shadowy older man, a classic pedophile who seeks out dozens of very young victims. Two major notes of caution are in order, however. First, as a number of researchers have pointed out, research on abusive priests depends largely on studying those who have had contact with "the mental health or criminal justice systems," creating a possibly unrepresentative sample. Second, as we have seen by looking at definitions of victimhood, the population of abusers is potentially very broad indeed, ranging far beyond those who have been reported to state or Church, and including those who have committed a very wide variety of physical acts, even those who have never touched a victim, but instead intimidated or harassed them in other ways. Literature that creates a narrow category of abuser

<sup>&</sup>lt;sup>75</sup> Mary Gail Frawley O'Dea and Virginia Goldner, "Abusive Priests: Who They Were and Were Not," in Predatory Priests, Silenced Victims: The Sexual Abuse Crisis and the Catholic Church, ed. Mary Gail Frawley O'Dea and Virginia Goldner (Mahwah, NJ: The Analytic Press, 2007), 21–34.

(generally centered in the psychology and focusing on those who abuse young children and adolescents) can be much more precise—and yet also not capture anything like the full range of the problem.

With these issues firmly in mind, this section looks at a variety of questions that researchers have attempted to answer about abusers. Earlier research tends to concentrate on the characteristics of individual priests who abuse minors, while increasingly after the Spotlight investigations and the avalanche of grand jury reports, country reports, etc., attention has turned to systemic factors in the Church, and in particular to the role of power (human, and human appropriation of divine) in clergy sexual abuse and its coverup. Still absent is much analysis of priests who abuse adults and the factors that enable them to do so.

## BEYOND BOSTON: CASTING AN EVER-WIDER NET

This section follows research as it has spread out from the initial reaction to the Spotlight reports. These initial reactions often focused on what was perceived to be the novelty, perhaps even uniqueness, of the case, and so this section uses a q&a format to discuss the much broader picture that represents the reality that has come into focus with further study.

ARE SEXUAL ABUSERS A NEW PHENOMENON IN THE CHURCH? This sometimes seems to be suggested, especially by those who blame "Vatican II" or the sexual revolution for the sexual abuse crisis. <sup>76</sup> Faggioli points out the deep investment many have in attributing clergy sexual abuse to the effects of modernity. <sup>77</sup> While the John Jay Report authors are far more careful than this, their data on reports made to the Church did find a pattern of rising offenses during the 1960-1980 period, after which offenses began to fall. Much subsequent discussion has asked about risk factors in that period, and it does seem possible that the much greater public attention paid to sexual fulfillment during the period of the sexual revolution led some priests who might otherwise not have abused to take

<sup>&</sup>lt;sup>76</sup> Notable recently, of course, is emeritus Pope Benedict XVI; see "Full Text of Benedict XVI Essay: 'The Church and the Scandal of Sexual Abuse,'" Catholic News Agency, April 10, 2019, https://www.catholicnewsagency.com/news/41013/full-text-of-benedict-xvi-essay-the-church-and-the-scandal-of-sexual-abuse. For earlier gestures in this direction see Bausch, Breaking Trust; Philip Jenkins, Pedophiles and Priests: Anatomy of a Contemporary Crisis, paperback (New York: Oxford University Press, 1996).

<sup>&</sup>lt;sup>77</sup> Faggioli, "The Catholic Sexual Abuse Crisis as a Theological Crisis."

opportunities newly opened to them by loosening restrictions. That said, the increase in worldwide reports -- many of which, as in Canada, Australia, and Ireland, investigate incidents going back far into the early twentieth century -should definitely broaden our focus beyond the decades and places highlighted by the John Jay Report.

It is also abundantly clear that this is a problem dating back to the earliest days of the church, although given how much data is based on modern systems of reporting, collecting, and classifying that date to the 19th century at best, and often to the late twentieth and early twenty-first, we need to temper our expectations around what we can learn.

Faggioli points out the role of church historians in counteracting ideological antimodern commitments by looking to far earlier eras -- and not just pre-Vatican II, but all the way back, to surviving texts that tell us that already in its first centuries the Christian community was wrestling with what we would now call the sexual abuse of children. Limited explorations into canon law and ecclesiastical courts indicate clearly that clerics have been having sex with boys, young men under their supervision, and women and girls for a very long time indeed—although at many points in church history the person we now regard as the victim was typically blamed for the situation, as Dyan Elliott heartbreakingly documents for multiple cases of abuse against boys and young men in the long middle ages. 78 Martens discusses the emergence of a specifically Christian term, "paidophthoros" (to corrupt/seduce/destroy children) as a polemic directed against Greco-Roman practices of the sexual use of inferiors (often boy children, but also girl children, women in general, and both male and female slaves).<sup>79</sup> The emergence of this language points both to a radical theological anthropology that elevated all members of the community to the same status as made in

<sup>&</sup>lt;sup>78</sup> Dyan Elliott, *The Corrupter of Boys: Sodomy, Scandal, and the Medieval Clergy* (Philadelphia: University of Pennsylvania Press, 2020); Faisal Rashid and Ian Barron, "The Roman Catholic Church: A Centuries Old History of Awareness of Clerical Child Sexual Abuse (from the First to the 19th Century)," Journal of Child Sexual Abuse 27, no. 7 (October 2018): 778-92. Others mention a long history of abuse within monastic communities without going into detail (for example, William Harmless, Desert Christians: An Introduction to the Literature of Early Monasticism (Oxford: Oxford University Press, 2004), 233-34; Diarmuid MacCulloch, Silence: A Christian History (London: Penguin, 2014), 206. For an extended look at a case in 16th century Italy see R. Sherr, "A Canon, a Choirboy, and Homosexuality in Late Sixteenth-Century Italy: A Case Study," Journal of Homosexuality 21, no. 3 (1991): 1–22, https://doi.org/10.1300/J082v21n03 01.

<sup>&</sup>lt;sup>79</sup> John W. Martens, "'Do Not Sexually Abuse Children': The Language of Early Christian Sexual Ethics," in Children in Late Ancient Christianity, ed. Cornelia B. Horn and Robert R. Phenix (Tubingen: Mohr Siebeck, 2009), 227-54.

the image of God, and to the persistence of Greco-Roman sexual practices based in power imbalances that plagued the early church as well.

IS THIS MOSTLY AN AMERICAN PROBLEM? It is now difficult to remember, but it was "news" when the John Jay study reported that abuse was not limited to large urban dioceses but was an institution-wide phenomenon with relatively stable rates and trajectories of reporting everywhere. <sup>80</sup> It is further startling to recall that in easy living memory many people did say in all seriousness that this was an American or at least an Anglophone (Irish, Australian) or at least a European (German) problem, mistaking journalistic happenstance for reality. As journalist Jason Berry, a clergy abuse reporting veteran, notes, this was a very convenient belief for those who wanted to overlook, e.g., the notorious activities of Marciel Macial; John Paul II's championing of him; or both. <sup>81</sup> As we know from an increasing variety of country reports, however, it is clearly untrue. <sup>82</sup> As a Washington Post reporter wrote in a July 2022 investigation of a case in the Congo, "clerical abuse has proved to be widespread in country after country, when someone looks for it." <sup>83</sup> A particular sub-question here has to do with the handling of priests who cross international borders, typically on mission. Scattered work hints that sending priests out of the

<sup>&</sup>lt;sup>80</sup> Margaret Leland Smith, Andres F. Rengifo, and Brenda K. Vollman, "Trajectories of Abuse and Disclosure: Child Sexual Abuse by Catholic Priests," Criminal Justice and Behavior 35, no. 5 (May 1, 2008): 570–82, https://doi.org/10.1177/0093854808314340. Senator Rick Santorum (R-PA) famously blamed the abuse scandal on Boston's urban liberalism in 2002; see Alan Cooperman, "Kennedy Rebukes Santorum for Comments," Washington Post, July 14, 2005, https://www.washingtonpost.com/archive/politics/2005/07/14/kennedy-rebukes-santorum-for-comments/dbb76175-ae87-4653-bbbc-43b64730d74c/.

<sup>&</sup>lt;sup>81</sup> Jason Berry and Gerald Renner, Vows of Silence: The Abuse of Power in the Papacy of John Paul II (New York: Free Press, 2004).

<sup>82</sup> In English see for example, Ballano, Sociological Perspectives on Clerical Sexual Abuse in the Catholic Hierarchy: An Exploratory Structural Analysis of Social Disorganisation; Karen Terry, "Child Sexual Abuse Within the Catholic Church: A Review of Global Perspectives," International Journal of Comparative and Applied Criminal Justice 39, no. 2 (2015): 139–54; Tracy J. Trothen, Shattering the Illusion: Child Sexual Abuse and Canadian Religious Institutions (Waterloo, Ontario: Wilfrid Laurier, 2012); Helen Goode, Hannah McGee, and Ciaran O'Boyle, Time to Listen: Confronting Child Sexual Abuse by Catholic Clergy in Ireland (Dublin: The Liffey Press, 2003); Kochuthara, "The Sexual Abuse Scandal and a New Ethical Horizon"; Cristián Pinto-Cortez et al., "Victimization and Poly-Victimization in a National Representative Sample of Children and Youth: The Case of Chile," Journal of Aggression, Maltreatment & Trauma 31, no. 1 (2022): 3–21, https://doi.org/10.1080/10926771.2020.1796873. (Pinto-Cortez et al are not focused on Catholic-context abuse particularly.) For literature in Spanish and German, including country reports, from 2018-2020, see Faggioli and O'Reilly-Gindhart, "A New Wave in the Modern History of the Abuse Crisis in the Catholic Church."

<sup>&</sup>lt;sup>83</sup> "A Congo Teen Alleged Rape by a Priest. She Had to Flee. He Can Still Say Mass.," Washington Post, July 15, 2022, https://www.washingtonpost.com/world/2022/07/15/congo-catholic-priest-sex-abuse/.

United States to missions in countries that did not have an infrastructure or vocabulary to police sexual abuse may have been a tactic used by some religious orders.<sup>84</sup> Priests from other countries in the US for study and/or mission might also be pulled home to avoid scandal or charges, although again there has been no systematic investigation of this potential practice.<sup>85</sup>

ARE CATHOLIC PRIESTS ESPECIALLY LIKELY TO ABUSE? This is a question to be answered with a great deal of caution. On the face of it, the answer is probably "no." In In 1992/2000, Jason Berry was primarily able to cite Richard Sipe's numbers of 2-3% clergy pedophiles, a similar number to a study done on Protestant clergy at about the same time. Frothen's work on Canada includes chapters on Catholics, UCC, Anglicans, Mennonites, Muslims, and Unitarians. The Royal Australian Commission, likewise, took a comprehensive approach and documented abuse in. many secular and religious institutions. Scandals in the Boy Scouts and in a wide range of schools, religious institutions, etc., in the US are well known. A significant amount of sexual abuse against children under 18 is perpetrated by a male relative (fathers to an extent, but uncles, cousins, stepfathers, and mothers' boyfriends more frequently) or by a close family friend. Rashid and Barron, among others, have noted that a combination of media narrative and the organized and hierarchical nature of the Catholic church have meant that literature on clergy sexual abuse has over-sampled and over-focused on Catholic offenders.

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<sup>&</sup>lt;sup>84</sup> Tim Sullivan, "A US Priest, a Philippine Village, and Decades of Secrecy," Associated Press, September 10, 2019, sec. AP Top News, https://apnews.com/article/e8c2209aa8144b6c9bc637cb264dcf79.; O'Neill, "The Unmaking of a Pedophilic Priest: Transnational Clerical Sexual Abuse in Guatemala."

<sup>85</sup> For a single case see Flynn, "Speaking out, Hopeful, and Waiting for Change."

<sup>&</sup>lt;sup>86</sup> Berry, Lead Us Not Into Temptation; Sipe, Sex, Priests, And Power.

<sup>&</sup>lt;sup>87</sup> Trothen, *Shattering the Illusion*.

<sup>&</sup>lt;sup>88</sup> See Neil Ormerod, "Sexual Abuse, a Royal Commission, and the Australian Church," Theological Studies 80, no. 4 (December 2019): 950–66, https://doi.org/10.1177/0040563919874514.

<sup>&</sup>lt;sup>89</sup> Dominica Pradere, Blanche J. Glimps, and Theron N. Ford, *Beyond the Catholic Church: Child Sexual Abuse in Selected Other Religious Organizations*, #MeToo Issues in Religious-Based Institutions and Organizations, 2020.

<sup>&</sup>lt;sup>90</sup> Faisal Rashid and Ian Barron, "Why the Focus of Clerical Child Sexual Abuse Has Largely Remained on the Catholic Church amongst Other Non-Catholic Christian Denominations and Religions," *Journal of Child Sexual Abuse: Research, Treatment, & Program Innovations for Victims, Survivors, & Offenders* 28, no. 5 (July 2019):

At the same time, this answer should not be used to evade or minimize Catholic responsibility in this matter, as some literature still does. An early example of this approach is Jenkins, writing in the late 1990s. <sup>91</sup> This is a particularly interesting book because his overall argument—that the media has created a "crisis" about priest "pedophilia" based on a few incidents and linked to an ongoing series of child-abuse panics and a long history of anti-Catholic polemic—is fairly convincing. Indeed, more recent research has borne out the idea that relatively few abusers (Catholic or otherwise) fit a pedophiliac profile, although these men tend to do disproportionate damage. But as a result, the text ends up being rather dismissive about the problem of abuse in the church. Reading Jenkins's book in concert with Marie Keenan's later work, which makes many similar points about the non-prevalence of pedophilia and the effect of a media narrative and yet does not dismiss the very real, widespread damage caused by priest-abusers, is instructive about how to avoid minimizing the problem while at the same time contextualizing it.<sup>92</sup>

A second problem that might be caused by beginning with the statement that Catholic clergy are far from the only perpetrators of sexual abuse is that we might avoid studying the ways in which abuse in Catholic contexts takes on particular contours. <sup>93</sup> For three reasons, however, this is an important type of study. First, we create a far more accurate picture of historical memory when we understand how priests have used liturgical settings like confession, or have used their mystique and power within the Catholic community, to perpetrate abuse, and how Catholic theologies might have shaped particular acts and experiences of abuse. <sup>94</sup> Also in this category fall studies that indicate how Catholic theology, like the teaching on the avoidance of scandal, combined with Catholic

<sup>564–85.</sup> The second point has to do with the Catholic Church's record-keeping habits and its economic and legal organization, both of which make it relatively vulnerable to lawsuits targeted at the organizational level.

<sup>&</sup>lt;sup>91</sup> Jenkins, Pedophiles and Priests.

<sup>&</sup>lt;sup>92</sup> Marie Keenan, Child Sexual Abuse and the Catholic Church: Gender, Power, and Organizational Culture (New York: Oxford University Press, 2011).

<sup>&</sup>lt;sup>93</sup> Robert A Orsi, "What Is Catholic about the Clergy Sex Abuse Crisis?," in The Anthropology of Catholicism, ed. Kristin Norget, Valentina Napolitano, and Maya Mayblin (Oakland, CA: University of California Press, 2017), 282–92; Robert A. Orsi, History and Presence (Cambridge, MA: Belknap Press of Harvard University Press, 2016). In the latter see chapter 7, "Events of Abundant Evil."

<sup>&</sup>lt;sup>94</sup> Frawley O'Dea, *Perversion of Power*.

organizational techniques to cover up abuse by moving perpetrators across jurisdictional lines, whether this meant sending them out of the diocese or simply to a new parish.<sup>95</sup>

The second reason is that when studying Catholic clergy as abusers we need to be sensitive to the traumatic use of religious authority/"closeness to God" to perpetrate abuse. Research on Catholic clergy abuse indicates that, for example, the confessional has been a popular location for this kind of abuse of power for hundreds of years. As Hildalgo sums up based on pre-existing research, "offenders often use their religious roles and perceived relationships with God...to minimize internal inhibitions before and after offending." They "[gave] themselves permission to offend as something they deserved after working so hard, [denied] the likelihood of getting caught because of their privileged status, [reduced] their feelings of guilt based on God's acceptance and forgiveness of them, and [maintained] a positive self-image as special caregivers for their victims." Further, the tendency of both laity and clergy to excuse offenders as "otherwise a good priest" based on the perception of his hard work and success, thus minimizing the harm done to his victim(s), makes it essential to focus on this point.

Finally, the third reason is that awareness of how Catholic abusers have consistently used the liturgical setting and the powerful image of the priesthood is key for safeguarding going forward. As seminaries seem to be

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<sup>&</sup>lt;sup>95</sup> At this point the technique of moving priests to new parishes to avoid scandal is very well known. Less studied, but clearly an issue, is the movement of priests out of the diocese, and of particular interest here is the question of how many and how intentionally were moved to (racialized and colonized) mission territory. For the long history of movement see Elliott, The Corrupter of Boys. For mission territory see O'Neill, "The Unmaking of a Pedophilic Priest: Transnational Clerical Sexual Abuse in Guatemala"; Holscher, "Priests That Moved."

<sup>&</sup>lt;sup>96</sup> Wietse de Boer, "The Catholic Church and Sexual Abuse, Then and Now," Origins: Current Events in Historical Perspective, March 2019, https://origins.osu.edu/article/catholic-church-sexual-abuse-pope-confession-priests-nuns?language\_content\_entity=en., draws on (among other resources) research into Inquisition records collected in Stephen Haliczer, Sexuality in the Confessional: A Sacrament Profaned (New York: Oxford University Press, 1996). Terence McKiernan's forthcoming article with Notre Dame's Gender and Power project examines the use of the confessional in more recent cases, including some chilling accounts of the use of First Reconciliation to assault second-graders.

<sup>&</sup>lt;sup>97</sup> Hidalgo, Sexual Abuse and the Culture of Catholicism, 107. This comment builds on research by, for example, A. Saradjian and D. Nobus, "Cognitive Distortions of Religious Professionals Who Sexually Abuse Children," Journal of Interpersonal Violence 18 (2003): 905–23. Keenan, Child Sexual Abuse and the Catholic Church., had similar findings. Forthcoming studies from the Notre Dame group, especially by Pete Cajka, emphasize the operation of this kind of denial as well.

moving once more in a direction of understanding clergy as set apart and more holy or heroic than laity, this may create a particular danger zone.

ARE ABUSERS WITHIN THE CHURCH ENTIRELY CLERGY? ENTIRELY MALE? Although it is almost never discussed in a systematic way, nuns are regularly reported as abusers, especially of younger members of their own orders or of children in residential settings (orphanages, schools, missions.) Hidalgo had a rare focus on women religious as abusers in her 2007 book. 98 Outside of the Catholic context, Murdock Smith and Everhart both discuss cases of abusive women priests and ministers. 99 Finally, given the data on sexual abuse in secular contexts, it's unsurprising to find it among lay leaders within the Catholic Church as well. The recent case of David Haas is worth looking at in depth as it demonstrates many "clerical" dynamics—possibly in part because Haas was being mentored by priests who were well-practiced both in sexual abuse and in covering up cases of clergy abuse. 100 Eamonn Fitzgibbon notes that with a plunge in vocations, laypeople are increasingly taking on roles formerly reserved to priests -- but warns that if our understanding of these roles does not change, the new personnel will be just as clericalized as the old. 101

# **PRIEST-ABUSERS**

What does the literature say about the characteristics or demographics of sexually abusive priests? Our only reasonably reliable large-scale statistics concern those accused of abusing minors. The John Jay study found that late 20s through early 40s were the peak years of abuse for this group, although allegations were leveled against men from age 18 to 90. About 6% had files indicating that they had also been abused (almost certainly an undercount)

<sup>&</sup>lt;sup>98</sup> Hidalgo, Sexual Abuse and the Culture of Catholicism. See also the survivor memoir by Ashley Hill, Habits of Sin: An Expose of Nuns Who Sexually Abuse Children and Each Other (Philadelphia: N.P., 1995).

<sup>&</sup>lt;sup>99</sup> Rev. L. Murdock Smith, "Women Priests and Clergy Sexual Misconduct," in Predatory Priests, Silenced Victims: The Sexual Abuse Crisis and the Catholic Church, ed. Mary Gail Frawley O'Dea and Virginia Goldner (Mahwah, NJ: The Analytic Press, 2007), 195–202; Ruth Everhart, The #MeToo Reckoning: Facing the Church's Complicity in Sexual Abuse and Misconduct (Downers Grove, IL: IVP, 2020).

<sup>&</sup>lt;sup>100</sup> See Stephanie Krehbiel et al., "David Haas Report" (Into Account, 2019), https://intoaccount.org/reports/.

<sup>&</sup>lt;sup>101</sup> Éamonn Fitzgibbon, "Clericalization of the Laity: A Prescient Warning of Pope Francis for the Catholic Church in Ireland," *Irish Theological Quarterly* 85, no. 1 (February 1, 2020): 16–34.

and about 17% had problems with alcohol and drugs (also almost certainly an undercount). A small number of accused priests (3.5% to 5.8% of the sample of 4372, or 153-249) had more than ten allegations against them, and were responsible collectively for just over 25% of reported victims. Over half of accused priests had only one allegation, and these were more likely to have a victim who was older (age 15-17) and female (33%). They were also more likely to admit the abusive nature of their acts. Generally speaking, then, even when limiting ourselves to those under 18, we can see (1) that a relatively small group of priests was/is responsible for a great deal of damage; (2) that a much larger group of priests was/is also responsible for suffering; and (3) that clergy sexual abuse not infrequently goes hand in hand with other problems, as is also true of sexual abuse in the larger population.

## **PSYCHOLOGICAL EXPLANATIONS**

Margaret Smith, one of the John Jay Report's authors, points out that the question "why did individuals with a disposition to prey sexually upon minors gain admission to the priesthood?" contains the assumption that abusive priests had a "predisposition" that might have been discerned at the time of seminary admission or ordination. In other words, it presumes a psychological-illness explanation. But to the John Jay researchers, the temporal pattern suggests larger cultural waves. This point is backed up by the study's finding that the great majority of reported priests (nearly 80 percent) had 1-3 allegations against them, suggesting that in many cases this may not be a persistent problem but could be more situational. (That said, some of these men may have had other victims who did not report, and some of the "single victim" situations recurred or even went on for years; only 29 percent of victims reported having been abused one time only.) Furthermore, the average time between ordination and first offense was eleven years, suggesting that pre-ordination screening might be of limited (though not zero) value.

Psychologists, perhaps unsurprisingly, have looked for particular psychological issues to understand abuse. As Keenan pointed out, the earlier literature on sexual abusers (clerical or not) was almost entirely at the level of the individual, focusing on what "vulnerabilities and personalities" might have contributed to his actions. Stephen

<sup>&</sup>lt;sup>102</sup> Smith, Rengifo, and Vollman, "Trajectories of Abuse and Disclosure."

<sup>&</sup>lt;sup>103</sup> Keenan, Child Sexual Abuse and the Catholic Church, 75.

Rossetti, for example, a psychologist at the St. Luke Institute (which treats abusive clergy), wrote in the mid-1990s that "a priest who sexually molests children has a mental illness. He needs to confront his illness and accept assistance." <sup>104</sup> He saw the problem as the "perversion of the natural impulses of sexuality and oppression" but also "abuse of power." "Red flags" included "confusion about sexual orientation...childish interests and behavior...lack of peer relationships...extremes in developmental [i.e., childhood/young adulthood] sexual experiences...personal history of childhood sexual abuse and/or deviant sexual experiences...an excessively passive, dependent, conforming personality." <sup>105</sup>

Jesuit psychologist Curtis Bryant, writing in 1999, claims that the St. Luke Institute had found that "most priest pedophiles were 'groomers."<sup>106</sup> That is, for these men who had been sent for treatment, it was not a matter of poor impulse control; more careful planning suggested either psychopathy or compulsion. As the final revision of this review was concluded in January 2023, a very large study based in part on the John Jay data became available, backing up the contention that most priest abusers did/do engage in grooming behavior, and relatively few differences seem to be available between those with single and those with multiple victims.<sup>107</sup>

Some earlier studies focused on priests who abused children found that these priests had a likelihood of having been abused themselves. Jason Berry wrote that this kind of history was "common." Psychologist Thomas Plante wrote in 2004 that "most" priest-abusers "experienced child sexual abuse when they were young and currently suffer from a variety of comorbid psychiatric problems." Both may in part have based their statements

<sup>&</sup>lt;sup>104</sup> Rossetti, A Tragic Grace.

<sup>&</sup>lt;sup>105</sup> Rossetti, 68–79.

<sup>&</sup>lt;sup>106</sup> Curtis Bryant, "Psychological Treatment of Priest Sex Offenders," in Bless Me Father for I Have Sinned, ed. Thomas Plante (Westport, CT: Praeger, 1999), 87–110.

<sup>&</sup>lt;sup>107</sup> Georgia M. Winters et al., "Child Sexual Grooming of Catholic Clergy: A Comparison between Victims Allegedly Abused by Clergy with Single versus Multiple Victims," Journal of Child Sexual Abuse 0, no. 0 (January 5, 2023): 1–25, https://doi.org/10.1080/10538712.2022.2163020.

<sup>&</sup>lt;sup>108</sup> Berry, Lead Us Not Into Temptation, 269.

<sup>&</sup>lt;sup>109</sup> Thomas Plante, ed., Sin Against the Innocents: Sexual Abuse by Priests and the Role of the Catholic Church (Westport, CT: Praeger, 2004), 185.

on Richard Sipe's conclusion that as many as 80% of abusive priests had themselves been abused. 110 However, Sipe's estimates are an outlier. Keenan, in 2011, cited her own work and four other studies with much lower estimates and concluded that while this kind of history might be a factor, it was not the abuse itself but "rather that they entered the seminaries with feelings of shame" that became "corrosive" and caused "emotional isolation." 111 The John Jay study found only 6.8% of accused abusers reported abuse themselves, although this estimate is likely an outlier on the other end. Frawley O'Dea and Goldner, attempting to sort out extant data, note one 2001 study that found that men accused of sexual abuse reported a history of abuse at around half the rate (approximately 30%) while using a polygraph as they did (approximately 66%) while not using a polygraph. This is one small study, and polygraphs have their own issues; I mention it here primarily to emphasize their note that "many sexual predators are adept at eliciting sympathy from others, and may realize that they will receive more consideration...if they are viewed as sexual victims as well as victimizers."112 This conclusion goes beyond this particular point, reaching into the wider problem within the Church that huge numbers of letters, reports, etc., indicate that offending priests have in fact often been viewed with much more sympathy than their victims. 113 The John Jay study did find that multiple offenders tended to begin abusing earlier, to have younger victims, and to have a history of victimization themselves. 114 However, they found that far more offenders had problems with alcohol and substance abuse than reported having been abused themselves.

Some studies, moving beyond the question of the abuser's own direct history with sexual abuse, see a "pattern of instability, chaotic family environments, abandonments, separations and losses, and immature and

<sup>110</sup> Sipe, Sex, Priests, And Power.

<sup>&</sup>lt;sup>111</sup> Keenan, Child Sexual Abuse and the Catholic Church, 133.

<sup>&</sup>lt;sup>112</sup> Frawley O'Dea and Goldner, "Abusive Priests: Who They Were and Were Not," 30.

<sup>&</sup>lt;sup>113</sup> Forthcoming case studies in the Notre Dame project Gender, Sex, and Power make this excruciatingly clear, quoting extensively from superiors' and psychologists' letters and reports and from letters written by parishioners after a case became public, many of which note the stress a priest has been under, the immense amount of good work he does, etc, etc.

<sup>&</sup>lt;sup>114</sup> Anthony D. Perillo, Cynthia Calkins Mercado, and Karen J. Terry, "Repeat Offending, Victim Gender, and Extent of Victim Relationship in Catholic Church Sexual Abusers: Implications for Risk Assessment," Criminal Justice and Behavior 35, no. 5 (May 1, 2008): 600–614, https://doi.org/10.1177/0093854808314368.

impoverished social relationships."<sup>115</sup> Leslie Lothstein, who during the 1990s worked directly as a psychologist with offending priests at a treatment center, suggests evidence of brain abnormalities and sexually deviant behavior. Plante, in 1999, noted multiple "comorbidities" along with substance abuse; "preliminary personality research suggests that sexually abusing priests may experience more depression, more defensiveness, authority conflicts, and addition...they may also be more naive, entitled, and fearful of emotional intimacy."<sup>116</sup> Hestasusilo's recent small sample of Asian clergy notes also notes childhood abuse (sexual or otherwise), substance abuse, and "loneliness and stress" as key factors.<sup>117</sup>

However, as Keenan's single-chapter review of literature on child sexual abuse (not only regarding priests) dating back to the 1960s concludes, it actually seems that the long-standing focus on sexual abuse as a result of personal psychopathies (especially disordered sexual attraction) itself became a part of the problem in the 1970s-90s, as the focus began to be on individual level treatment aimed at changing sexual attraction in offenders, and not on the many situational factors that shaped repeat offenses. Sometimes, in fact, offenders begin to rationalize and justify their actions in a way shaped by this kind of treatment, as in Hestasusilo's sample of Southeast Asian priests who cite their diagnosed "sex addictions" as exculpating evidence. A significant amount of disturbing evidence suggests that many abusers simply do not see what they have done as wrong, or find ways to rationalize and justify their actions.

One less noted issue in the psychology literature, but relevant to a number of high-profile cases, is a problem with, as Faggioli puts it, "charismatic personalities and their communities in the church." The problem of

<sup>115</sup> Leslie Lothstein, "Neuropsychological Findings in Clergy Who Sexually Abuse.," in Bless Me Father for I Have Sinned, ed. Thomas Plante (Westport, CT: Praeger, 1999), 59–86.

<sup>&</sup>lt;sup>116</sup> Plante, Bless Me Father for I Have Sinned.

<sup>&</sup>lt;sup>117</sup> Antonius Hestasusilo, "Sexual Misconduct Among Asian Catholic Clergy," Japan Mission Journal 74 (Summer 2020): 87–97.

<sup>&</sup>lt;sup>118</sup> Keenan, Child Sexual Abuse and the Catholic Church, 91.

<sup>&</sup>lt;sup>119</sup> Hestasusilo, "Sexual Misconduct Among Asian Catholic Clergy."

<sup>&</sup>lt;sup>120</sup> Faggioli, "The Catholic Sexual Abuse Crisis as a Theological Crisis."

charisma has little to do with whether communities are traditionalist or liberal, but rather seems linked to the tendency of humans to cluster around and elevate particular people into roles where their subsequent abuse of trust is then excused or defended by those around them.<sup>121</sup> We can also see the self-focus in far more common cases like those of the small group of Brazilian priests and ex-priests studied by anthropologist Maya Mayblin, who had more or less consensual relationships with adult women. These priests seem more accepting of what they term their failures of celibacy than do those in Hestasusilo's sample of clergy in therapy for abuse, but they still see the issue much more as one of whether or not they can manage to live just enough celibacy to serve the church they love, rather than of the effects of their behavior on the human people with whom they have committed sexual acts.<sup>122</sup>

At the end of the day, while it may be possible to spot some trends—substance abuse, notably—given the broad spectrum of kinds of abuse possible within the church, it seems quite difficult to pin down a particular personality type. Summarizing risk factors found in multiple studies as of 2013, Bohm et al. separated repeat offenders from the general sample of offenders. Page at offenders tended to be much younger at age of first offense, more likely to have substance abuse problems, and were much more likely to have been abused themselves. Surprisingly little investigation has been done on offenders' sexual interests, considering the common attribution of the problem to "pedophiliac" priests. But what has been done suggests that deviant sexual interests in the very young only applies to a minority of offenders against those under 18. While a few "red flags" for offenders exist (especially lack of relationships with peers, excessive interest in children/young people, and uncertainty about one's own sexuality), "creating a 'profile' of a potential abuser is difficult." Bohm et al. therefore also turn to

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<sup>&</sup>lt;sup>121</sup> For recent examples along the ideological spectrum from Marciel Maciel to David Haas see Faggioli and O'Reilly-Gindhart, "A New Wave in the Modern History of the Abuse Crisis in the Catholic Church."

<sup>&</sup>lt;sup>122</sup> Maya Mayblin, "A Brilliant Jewel: Sex, Celibacy, and the Roman Catholic Church," Religion 49, no. 4 (October 2, 2019): 517–38, https://doi.org/10.1080/0048721X.2018.1525774.

<sup>&</sup>lt;sup>123</sup> Böhm et al., "Child Sexual Abuse in the Context of the Roman Catholic Church: A Review of Literature from 1981-2013."

<sup>&</sup>lt;sup>124</sup> Linda Hogan, "Clerical and Religious Child Abuse: Ireland and Beyond," Theological Studies 72, no. 1 (March 2011): 170–86; Keenan, Child Sexual Abuse and the Catholic Church; Böhm et al., "Child Sexual Abuse in the Context of the Roman Catholic Church: A Review of Literature from 1981-2013."

<sup>&</sup>lt;sup>125</sup> Böhm et al., "Child Sexual Abuse in the Context of the Roman Catholic Church: A Review of Literature from 1981-2013," 644.

institutional factors, among which "opportunity" broadly defined is key. This includes both offenders' creation of opportunity as well as what has been often remarked on: the respect and trust given to clergy which enabled them to spend significant time alone with vulnerable children and adolescents and the lack of institutional oversight, in particular. Many safeguarding and preventions strategies therefore focus on decreasing opportunity. 126

## "CULTURAL" EXPLANATIONS

The John Jay study's conclusions are worth quoting at length regarding pedophilia and general assumptions about it. As summarized by Margaret Smith, "The...data do not support the findings that most of these acts of child sexual abuse were predicated by paraphilic behavior. There were a small number of priests who initiated sexual abuse of children very soon after ordination and continued to be active abusers. These 152 men might indeed have been identified in advance of ordination, but they represent only 3.5% of those with abuse allegations." Accordingly, the John Jay researchers suggest that, given the pattern of rising and falling abuse reports across the time frame from 1960-1990, especially, we should look to larger societal factors. But the John Jay authors and other observers have also looked to factors internal to Church culture. "At root," the back cover of Jason Berry's Lead Us Not into Temptation proclaimed, "this is a story about politics, how sexual conflicts within clerical culture have compromised the power structure of the church." We could also say, along with many, many researchers, that the key factor in clergy abuse is less an underlying psychiatric disorder and more about the placing of clergy in particular kinds of positions and operations of power. 128

<sup>&</sup>lt;sup>126</sup> Karen J. Terry and Alissa Ackerman, "Child Sexual Abuse in the Catholic Church: How Situational Crime Prevention Strategies Can Help Create Safe Environments," *Criminal Justice and Behavior* 35, no. 5 (May 1, 2008): 643–57, https://doi.org/10.1177/0093854808314469.

<sup>&</sup>lt;sup>127</sup> Smith, Rengifo, and Vollman, "Trajectories of Abuse and Disclosure," 580.

<sup>&</sup>lt;sup>128</sup> A quick glance through the notes will provide many titles dealing with power. Besides those cited elsewhere, two additional discussions are: Martin Reynaert, "Sexual Abuse of Children as a Form of Power Abuse and Abuse of the Body," *Acta Theologica* 35 (2015): 189–200; Virginia Goldner, "Introduction: The Catholic Sexual Abuse Crisis: Gender, Sex, Power, and Discourse," in *Predatory Priests, Silenced Victims: The Sexual Abuse Crisis and the Catholic Church*, ed. Mary Gail Frawley O'Dea and Virginia Goldner (Mahwah, NJ: The Analytic Press, 2007), 1–17.

Of course, many observers who prefer cultural explanations also acknowledge underlying psychological problems, especially for repeat offenders. Former Australian bishop Geoffrey Robinson, for example, cites a mix of causes: existing psychological problems; "unhealthy ideas concerning power and sexuality" ("mystique" of priesthood, "inability to accept failure and vulnerability," denial or repression of eros but also "attitude of 'anything goes'" in response to bad past repression); "unhealthy environment or community" that sees intimacy as a threat.

Obligatory celibacy contributes to all of this, being "far from the sole cause" but "mak[ing[ a contribution." 129]

Keenan, writing in 2011, noted that most media and scholarly commentary still tends to "individualize" the problem, focusing on particular priests' pathologies and "ignoring the political and cultural context in which the abuse and its management take place and the professional and political discourses in which the subject is discussed." 130 But those who have looked closely at the issue see cultural or structural factors as significant when looking at abusive behavior, not just in general, but in the Catholic Church specifically.

Keenan describes the long-standing church culture of Catholic Ireland, for example, under the striking heading "organized irresponsibility." A culture of fear and obedience kept many priests "like children in an institution that rewarded compliance." "Emotional loneliness" was both created by rules around not making particular friendships, but perhaps more importantly by a culture that signaled that priests, as special people set apart by God, should not have problems that required sharing with other people. This both prevented priests from disclosing their struggles and also created a sense of entitlement to whatever relief they could get, especially from their inferiors within the church (i.e., laity). Structurally, the church also made confession available as an arena for disclosure of feelings of guilt that would not, and in fact could not, come with further punishment. Finally, she turns to the power that these men held as Catholic clergy in Irish society, power conferred on them as adult men, as Catholic priests, as an elite—which included the privilege not to be supervised, including in many settings with children.<sup>131</sup>

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<sup>&</sup>lt;sup>129</sup> Geoffrey Robinson, Confronting Sex and Power in the Catholic Church: Reclaiming the Spirit of Jesus (Collegeville, MN: Liturgical Press, 2008)., 18-19.

<sup>&</sup>lt;sup>130</sup> Keenan, Child Sexual Abuse and the Catholic Church, 95.

<sup>&</sup>lt;sup>131</sup> Keenan, 154–79.

## CELIBACY, HOMOSEXUALITY, AND SECRECY.

Probably the most commonly heard cultural explanation was floated by Jason Berry in 1992: "I had come to see pedophilia as part of a deeper ailment within a culture premised on celibacy." Writing in 1992, at the peak of the AIDS crisis and the beginning of the emergence of gay rights as a mainstream issue, Berry was careful not to "equate" gay men and pedophiles, but he did see "the dynamics of a gay clergy culture that shrouds reality from the public" as a major part of the issue. 133

Generally speaking, those who see structural or cultural problems with celibacy and sexuality (either homosexual or heterosexual) as a major factor cite long-standing clerical patterns of secrecy.<sup>134</sup> Richard Sipe, a major pioneer of this explanation, identified two major systemic issues:

- (1) Moral teaching condemning all sexuality outside of marriage is unconvincing; people don't abide by it; therefore, they don't take church's teachings seriously.
- (2) A system of routine violation of celibacy within the clerical system creates a permission structure for don't-ask-don't-tell sexual behavior.

Dyan Elliot's recent exploration of sexual abuse against boys in the European Middle Ages supports the finding that fear of "scandal" has driven action with respect to sexually abusive priests for centuries. Marie Keenan's in-depth study with Irish priests (published 2011) concludes in part that "a cultural of secrecy and denial"

<sup>&</sup>lt;sup>132</sup> Berry, Lead Us Not Into Temptation, 191.

<sup>&</sup>lt;sup>133</sup> Berry, Lead Us Not Into Temptation., xii.

<sup>&</sup>lt;sup>134</sup> This includes Berry, who relied on Doyle and Sipe, in Lead Us Not Into Temptation, but who I also quote here because his assessment was so influential for a generation of public commentary. Driven by a "sexual secrecy...honeycombed through the rungs of ecclesiastical governance" (ix), the crisis is inflamed by a deep desire to "rehabilitate the offender whenever possible" rather than laicizing him (280), by a society-wide problem of believing and supporting adult colleagues over against the voices of their child victims. Berry returns often to the pattern of hiding church knowledge, for legal reasons (to avoid liability) but also as "a strategem in a psychology of power rooted in fear" (291).

<sup>&</sup>lt;sup>135</sup> Elliott, The Corrupter of Boys. On scandal see further (for example) Gerald E Kochansky and Frank Herrmann, "Shame and Scandal: Clinical and Canon Law Perspectives on the Crisis in the Priesthood," International Journal of Law and Psychiatry 27, no. 4 (July 1, 2004): 299–319, https://doi.org/10.1016/j.ijlp.2004.01.010. Herrmann, a Jesuit, is a professor at Boston College Law School.

catapulted some priests into situations they were not equipped either (a) to navigate with an appropriate sense of "personal and professional boundaries within a celibate commitment" or, crucially (b) to share their feelings and struggles with other adults. Andre Armbruster analyzes the undisclosed transfer of offenders as part of a wider field of sexual repression in which the language available to priests was heavily coded and silenced; he posits that changes in seminary culture that provided a more open language were the precursors to practical changes made beginning in the 1980s. 137

"Celibacy" is frequently raised as an issue by those on the more progressive end of the church, but too often in a sloppy way that suggests it is impossible for men to control their behavior, with the implication that it is the job of potential wives (and husbands?) to prevent their partners from wreaking havoc. More careful authors note that the issue vis a vis abusive behavior is less with celibacy itself, and more with, as Goldner put it in 2007, "the Catholic idealization of celibacy as a heroic sacrifice inoculating against sexuality." \*\*138\* Keenan worked toward a theory that sees abusive priests as "trapped in a particular model of clerical masculinity in which they became captives of choices that ultimately were not satisfying them." She names this model "perfect celibate clerical masculinity," a model that sees priests as gifted by God with perfect chastity and that sees others—women, girls, men, boys—as "a threat to the celibate commitment" rather than as people in and of themselves. When these men do not in fact achieve perfection, they see this as "personal failure" that "must be covered up." \*\*139\* While Keenan's specific research, as with much research, focused on those who offended against children, she points out that many priests with this model turn to "vulnerable women, religious women, 'consenting' adults, Internet technologies" instead, with all the same problems of centering the priest and his imperfect performance of perfect priesthood rather than considering the other people caught in his orbit.

<sup>&</sup>lt;sup>136</sup> Keenan, Child Sexual Abuse and the Catholic Church, 145–46.

<sup>&</sup>lt;sup>137</sup> André Armbruster, "On the Undisclosed Transfer of Abusive Catholic Priests: A Field Theoretical Analysis of the Sexual Repression within the Catholic Church and the Use of Legitimate Language," Critical Research on Religion 10, no. 1 (April 1, 2022): 61–77, https://doi.org/10.1177/20503032211015282.

<sup>&</sup>lt;sup>138</sup> Goldner, "Introduction: The Catholic Sexual Abuse Crisis: Gender, Sex, Power, and Discourse," 14.

<sup>&</sup>lt;sup>139</sup> Keenan, Child Sexual Abuse and the Catholic Church, 245.

On the right, "homosexuality" has played a similar role to the one played by "celibacy" on the left. Immediately post-Spotlight, there was a significant amount of verbal sliding between "pedophiles," "abusers," and "gay priests." These initial reactions often conflated and collapsed categories based on the pre-existing views of the reactor and on the media focus on the gender of abusers and victims (in the initial set of reports, nearly all male on both counts). Experts on sexual abuse, however, were quick to counter and criticize this kind of discussion, both in the media and in academic fora, firmly rejecting any equivalence between gay men and "pederasty" or "pedophilia." Frawley O'Dea and Goldner summarize the debate, concluding that "Vatican officials, in their search to blame the sexual abuse scandal on someone or something external to institutional and doctrinal failings of the church itself, conflated sexual orientation with psychosexual maturation and with criminal behavior." <sup>141</sup>

It is worth noting that it is not only those who regard same-sex attraction as in itself disordered or sinful, but those who are sympathetic, who see part of the clergy abuse problem as "gay priests." This group concludes instead, like those cited above concerned with celibacy more generally, that repression and secrecy are driving major problems among gay clergy. Richard Sipe's work on secrecy and sexuality remains the major framework for this discussion. However, as suggested in the section on victims, there is significant reason to question the premise that same-sex attraction is a major issue in clergy sexual abuse in the first place. While some offending priests and brothers were no doubt specifically attracted to boys or young men, Bohm et al. point to evidence from Germany that among religious brothers, who offended in a school context, nearly all victims were male, while in a parish setting male and female victims were nearly balanced in numbers. Frawley O'Dea and Goldner also cite a number of studies indicating that many men who have abused male children and adolescents (Catholic priests and not)

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<sup>&</sup>lt;sup>140</sup> For two examples from 2002 see Bausch, Breaking Trust; Paul Thigpen, ed., Shaken By Scandals: Catholics Speak Out About Priests' Sexual Abuse (Ann Arbor, MI: Charis Books, 2002). Thigpen also identifies Protestant theology in seminaries as a cause.

<sup>&</sup>lt;sup>141</sup> Frawley O'Dea and Goldner, "Abusive Priests: Who They Were and Were Not," 24.

<sup>&</sup>lt;sup>142</sup> Sipe, A Secret World.

<sup>&</sup>lt;sup>143</sup> Böhm et al., "Child Sexual Abuse in the Context of the Roman Catholic Church: A Review of Literature from 1981-2013."

identify as heterosexual; these men may have a range of motivations, including simple opportunity, for selecting male victims.<sup>144</sup>

And, again, the definition of an abusive act is very much in play here. If we add nuns, women in spiritual direction, housekeepers, parishioners, etc., etc., to the problem of clergy sexual abuse, the issue very quickly ceases to have much to do with same-sex sexual activity. 145 Movement beyond seeing children and adolescents as the sole victims of sexual abuse, then, should have complicated the narrative around homosexuality considerably. Adult victims of priests certainly include men (see, e.g., the McCarrick case, or the encounters with a novice master recently described by Griffen Oleynick in Commonweal). 146 But thinking about victimization within the context of all kinds of pastoral relationships would lead us to focus on priests' sexual relationships with women as the more normative case. Shifting church focus from seeing priests' relationships with both men and women as sins against celibacy to seeing them as sins of abuse of power both broadens the scope of victimization and reduces "homosexuality" to a non-issue—or at least it should. The abuse crisis of the twenty-first century has coincided, of course, with battles around the world over our understanding of gender and sexuality. Catholic Church officials have taken prominent roles speaking out against the acceptance of gay relationships, parenthood, etc., while at the same time research and journalism both suggest a fairly high percentage of men sexually active with other men at all levels of the priesthood, including within the Vatican bureaucracy. 147 Against this backdrop, it seems likely that the issue will remain neuralgic for a long time to come. Jesuit institutions that wish to support their gay faculty, staff, and students will need to ensure that their communication around clergy sexual abuse is sensitive to this fact.

"INCEST"

<sup>&</sup>lt;sup>144</sup> For a fuller consideration see Frawley O'Dea's chapter "Homosexuality: Secreted and Scapegoated," in Frawley O'Dea, *Perversion of Power*, 109–30.

<sup>&</sup>lt;sup>145</sup> As we were concluding this review and our study overall, the case of the Jesuit Marko Ru

<sup>&</sup>lt;sup>146</sup> "Blind Spots | Commonweal Magazine," accessed July 17, 2022, https://www.commonwealmagazine.org/blind-spots-1.

<sup>&</sup>lt;sup>147</sup> For this case made across several decades see, for example, Sipe, A Secret World; Frederic Martel, In the Closet of the Vatican: Power, Homosexuality, Hypocrisy, trans. Shaun Whiteside (London: Bloomsbury Continuum, 2019).

The John Jay study found that most priests accused of abusing minors had been known and trusted by victims' families. Hidalgo, writing at about the same time, believes the same about nuns. Both groups behave as "surrogate parents," a contention that becomes Hidalgo's dominant frame: the church is "an incestuous family system." For her, this means that the "pervasiveness of sexually shaming beliefs, sharp imbalances of power between genders, stifled communication in church leadership, and rigid cultural boundaries that isolate

Catholics...create an atmosphere in the Church system that is conducive to incest." As part of her case, she notes the prevalence of abuse within convents, seminaries, and monasteries, all of which are explicitly familial systems of brothers, sisters, fathers, and mothers.

## **CLERICALISM**

"Clericalism" in different forms has been a popular structural villain since the onset of the crisis, identified both as a pervasive social structure that organizes the Catholic Church and as a sinful transgression against priesthood. Its location at the center of the study of Catholic clergy and sexual abuse has kicked into a new gear since it was named by Pope Francis in 2018 as a major explanatory factor. <sup>149</sup>

While people mean different things by "clericalism," it seems most often to be thought of as a system that differentiates clergy from laity, placing the former at the top of a twinned spiritual and temporal power structure where they are at once closer to God, and imbued with worldly power inside and outside the Church. Clericalists see priests as more than laity, endowed with special powers and deserving of special consideration. But they also often see priests as therefore more responsible than laity, requiring an exceptionally high standard of human behavior and reacting in disbelief and fury when clergy fail to meet that standard.

Whether clericalism is a sin, or just reality, depends to an extent on disciplinary perspective. For example, the Jesuit George Wilson organized a substantial amount of his 2008 book on clericalism around the sexual abuse

<sup>&</sup>lt;sup>148</sup> Hidalgo, Sexual Abuse and the Culture of Catholicism, 75.

<sup>&</sup>lt;sup>149</sup> Francis, "Letter of His Holiness to the People of God," August 20, 2018, https://www.vatican.va/content/francesco/en/letters/2018/documents/papa-francesco\_20180820\_lettera-popolo-didio.html.

crisis, but the book's overall thesis has to do with what, from a theological point of view, he sees as the inherent opposition between clericalism and priesthood. Anthropologists, meanwhile, might not personally agree that clericalism is "good"—but they point out that it seems to be a system that has "worked" for many people for a very long time, allowing them to compartmentalize individual lives and social roles in a way that has sustained the institutional Church over time. Scheper-Hughes and Mayblin, for example, mention the active complicity of laity in various parts of the world in building up an image of a heroic celibate priesthood and a day to day, strictly enforced sexual purity. 152

Frawley O'Dea's chapter "clerical narcissism" takes a middle path here, considering the ways in which church teachings about ontological change at ordination and apostolic succession may have contributed to bishops' feelings that they, and their priests, are above the law.<sup>153</sup> The issue of clerical feelings of entitlement, whether innate or built as a protective structure, occurs again and again. Bryant, in the late 1990s, found four divisions of offending priests: narcissistic, trying to heal their own sense of being unloved as adolescents; "merit badge" seekers who see sexual acting out as a reward for achievement; codependency; and the "active, power perpetrator" who seeks to meet the needs of others through overwhelming use of priestly power.<sup>154</sup> On the latter case, as Hidalgo summarizes, "offenders often use their religious roles and perceived relationships with God...to minimize internal inhibitions before and after offending." Priests gave "themselves permission to offend as something they deserved after working so hard, denying the likelihood of getting caught because of their privileged status, reducing their feelings

<sup>&</sup>lt;sup>150</sup> George B. Wilson, Clericalism: The Death of Priesthood (Liturgical Press, 2008).

<sup>&</sup>lt;sup>151</sup> On compartmentalization see Mayblin, "A Brilliant Jewel." Relatedly, for Robert Orsi, for example, the data we've learned from the abuse crisis is not simply about sexual abuse in the church, but rather reveals something fundamental to the church of at least the post-Reformation centuries. Understanding this is deeply emotional, but perhaps cleansing; see Orsi, History and Presence; Orsi, "What Is Catholic about the Clergy Sex Abuse Crisis?"; Robert A. Orsi, "The Study of Religion on the Other Side of Disgust," Harvard Divinity Bulletin, Spring/Summer 2019, https://bulletin.hds.harvard.edu/the-study-of-religion-on-the-other-side-of-disgust/.

<sup>&</sup>lt;sup>152</sup> Nancy Scheper-Hughes, "Institutionalized Sex Abuse and the Catholic Church," in Small Wars: The Cultural Politics of Childhood, ed. Nancy Scheper-Hughes and Carolyn Fishel Sargent (Berkeley: University of California Press, 1999), 295–317; Mayblin, "A Brilliant Jewel."

<sup>&</sup>lt;sup>153</sup> Frawley O'Dea, *Perversion of Power*, 151–72.

<sup>&</sup>lt;sup>154</sup> Bryant, "Psychological Treatment of Priest Sex Offenders."

of guilt based on God's acceptance and forgiveness of them, and maintaining a positive self-image as special caregivers for their victims."<sup>155</sup>

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Ultimately, these various causes—psychological and cultural—likely frequently overlap in individual cases of abuse. Use of the sacrament of reconciliation/confession as a cover for sexual abuse is a case in point. Here, we can see multiple violations in play. As in the case of a therapist abusing his clients, the priest is in violation of professional boundaries. Since the confession/penance/forgiveness structure creates an especially parental dynamic, even by the standards of men accustomed to being called "father," the whiff of incestuous violation is particularly strong. It is a situation, moreover, in which penitents are primed to do whatever the priest tells them to do. And finally, despite the theological technicality that the priest here is acting as a channel for God, not as God, this is a situation in which both priests and penitents are particularly prone to get confused on this point, and therefore a situation in which the already substantial asymmetry of power between priest and layperson becomes immense, even infinite. 156

## "SECONDARY ABUSERS": FAMILY, CHURCH OFFICIALS, THE CHURCH AS A WHOLE

Researchers have opened up many conversations about the very wide universe of those who have enabled sexual abuse by clergy in various ways, including creating the broader conditions for its toleration; turning a blind eye to it at the time; and creating a condition of continuing victimization through institutional and personal responses to reporting. In the mid-1990s Davis and Frawley set up a "sexual abuse triangle" of victim/survivor, abuser/perpetrator, and "bystanders," who in clergy cases become "family, other clergy, lay church members, mental health and other professionals, and the surrounding secular community." Beste writes of this as "interpersonal and

<sup>&</sup>lt;sup>155</sup> Hidalgo, Sexual Abuse and the Culture of Catholicism, 107., summarizing work from, among others, Saradjian and Nobus, "Cognitive Distortions of Religious Professionals Who Sexually Abuse Children."

<sup>&</sup>lt;sup>156</sup> Werner, "Asymmetry in Confession as a Cause of Sexual and Spiritual Violence—Dogma Historical Resources for Making Changes to Confession in Terms of Clerical and Sacramental Theology."

<sup>&</sup>lt;sup>157</sup> Goldner, "Introduction: The Catholic Sexual Abuse Crisis: Gender, Sex, Power, and Discourse," 3., citing J.M. Davies and M.G. Frawley, Treating the Adult Survivor of Childhood Sexual Abuse (New York: Basic, 1994).

institutional secondary victimization," reviewing trauma theory's claims that "the presence or absence of supportive relationships is a crucial variable for recovery from all forms of trauma." <sup>158</sup>

Secondary abusers are people, not faceless structural conditions. Many parents and family members, for example, disbelieved and even physically abused survivors as a result of their reports, causing immense distress. This was not an inevitable reaction, as other parents and family supported victims in many ways. Further, when a priest is revealed as abusive, parishioners often react defensively, writing either with a lack of belief that Father X could have done that, or in fury that one mistake could derail his career. Diocesan officials, by suggesting that parish closures and other funding issues are the fault of victim lawsuits, rhetorically pit Catholic laypeople against victims, perhaps encouraging such behavior. 160

Then, of course, there are now-well-known behaviors by church officials including minimizing the harm reported by survivors; protecting abusive priests from secular prosecution; and exposing more victims to harm by not removing abusive priests from ministry but instead shifting them to different parishes or internationally. Less well studied but deserving of much more reporting are superiors' and diocesan officials' practices with respect to both the unborn and born children of priests. 162

Many observers have been fascinated by the question of why bishops, diocesan officials, Vatican officials, and other people in a position of responsibility failed to act. Many, indeed, share Van der Zee's belief that the

<sup>159</sup> Jennifer Beste and Pete Cajka's forthcoming work for the Notre Dame consultation Gender, Sex, and Power documents such cases using parishoner letters. Colleen McDannell's work for the same group documents parent reactions (both positive and negative.)

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<sup>&</sup>lt;sup>158</sup> Beste, "Envisioning a Just Response to the Catholic Clergy Sexual Abuse Crisis," 38.

<sup>&</sup>lt;sup>160</sup> For documentation of one example see Madeline Gambino, "'Would You Demand a Refund?' Understanding the "Crisis" of Parish Closure Clergy Sexual Abuse in Philadelphia," forthcoming.

<sup>&</sup>lt;sup>161</sup> A good overview of these practices can be found in Frawley-O'Dea's chapter "Where Were the Pastors?," Frawley O'Dea, *Perversion of Power*, 131–50.

<sup>&</sup>lt;sup>162</sup> Reisinger, "Reproductive Abuse in the Context of Clergy Sexual Abuse in the Catholic Church."

"greater evil...is the systematic and patterned cover-up." <sup>163</sup> Is there a root cause that can be identified here? Paul Lakeland argues that modern bishops are "selected to be weak leaders" who will implement Vatican policy; when crisis strikes they are then incapable of dealing with it. <sup>164</sup> The bishops themselves have frequently argued that they were unaware of the magnitude of normal church practice prior to the 1990s and early 2000s. Byrnes, however, challenges the idea that before the 1990s bishops didn't have enough information about recidivism rates and the effects of abuse. <sup>165</sup> Spraitz et al. found, in their review of 4000 pages of Archdiocese of Milwaukee records, that many diocesan personnel were quite "forthright" about hiding and minimizing criminal sexual activity, conceptualizing the need to avoid scandal and the supposed good of the church as paramount. <sup>166</sup> Speaking of periods both before and after 2001, sociologist Michele Dillon sums up: "the struggle to preserve religious capital" has been an important aspect of episcopal response. <sup>167</sup> It seems clear that the Catholic Church is a long way from overcoming what James Keenan calls "hierarchalism." <sup>168</sup> In 2019 Thomas Doyle broke down the problem, rather, as "institutional narcissism," citing failures at the Vatican, ongoing "obstructionist tactics of bishops" vis a vis state attorneys general, the "destructive action of many bishops and their attorneys" toward victims in civil court, and the ongoing blocking of legislative reform on the grounds that "this is all a campaign to destroy the Catholic Church." <sup>169</sup>

### LESSONS AND OPPORTUNITIES FOR FURTHER RESEARCH BY JESUIT INSTITUTIONS

163 John van der Zee, Agony in the Garden: Sex, Lies, and Redemption from the Troubled Heart of the American

Catholic Church (New York: Thunder's Mouth Press/Nation Books, 2002).

<sup>&</sup>lt;sup>164</sup> Lakeland, "Understanding the Crisis in the Church."

<sup>&</sup>lt;sup>165</sup> Timothy A. Byrnes, "Catholic Bishops and Sexual Abuse: Power, Constraint, and Institutional Context," Journal of Church and State 62, no. 1 (2020): 5–25, https://doi.org/10.1093/jcs/csz086.

<sup>&</sup>lt;sup>166</sup> Jason D. Spraitz, Kendra N. Bowen, and James H. Bowers, "Neutralizations and a History of 'Keeping the Lid' on It: How Church Leaders Handled and Explained Sexual Abuse in One Diocese," Journal of Crime and Justice 39, no. 2 (April 2, 2016): 264–81, https://doi.org/10.1080/0735648X.2014.995204.

<sup>&</sup>lt;sup>167</sup> Michele Dillon, "The Struggle to Preserve Religious Capital," in Church Ethics and Its Organizational Context, ed. Jean Bartunek, Mary Ann Hinsdale, and James F. Keenan (Lanham, MD: Sheed & Ward, 2006), 45–55.

<sup>&</sup>lt;sup>168</sup> James F. Keenan, "Hierarchicalism," Theological Studies 83, no. 1 (March 1, 2022): 84–108, https://doi.org/10.1177/00405639211070493.

<sup>&</sup>lt;sup>169</sup> "Thomas Doyle Traces the Disintegration of Clerical/Hierarchical Culture," accessed January 22, 2023, https://www.ncronline.org/news/ncr-connections/thomas-doyle-traces-disintegration-clericalhierarchical-culture.

The literature to date suggests that it is quite difficult to discern in advance who will sexually abuse and who will not. It also emphasizes the reality of a much wider circle of secondary victimizers. This is perhaps a depressing lesson in that it suggests that nearly all people are all liable, if circumstances align, to behave badly either in a direct or indirect way. But it also means that the emphasis should be on training and prevention, rather than pre-screening, as more likely to be helpful. Another important lesson should be that there is not a bright line at age 18; adults with less power (perhaps students, seminarians, junior employees, women, immigrants....?) are liable to face many of the same psychological and other challenges and vulnerabilities that younger victims do. University leaders, therefore, should be as aware of the literature on abuse and abusers as are high school, elementary, and parish leaders.

## **OPPORTUNITIES**

Given the diversity of their employees and institutions, Jesuits might be able to contribute a study on comparative dynamics using reports made to various provinces or reports made to universities by students or faculty. Colt Anderson's work for Taking Responsibility, which looked for "unwritten" rules as well as studying written rules (i.e., The Constitutions of the Society of Jesus and Their Complimentary Norms), strongly suggests an opportunity to reconsider some of these norms in light of the sexual abuse scandal. Further study in this vein could be really helpful to both the Society and to other religious orders. Ultimately, Jesuits and Jesuit universities can best contribute to research on the dynamics of abusive priests and coverup by making records widely available and by asking those involved in abuse cases—priest-abusers, administrators/officials, other community members—to participate in research interviews and surveys.

#### QUESTION 3: TAKING RESPONSIBILITY: WHAT SHOULD WE DO OR CHANGE?

As Marie Keenan wrote in 2011, justice cannot only mean that "'he' is 'dealt with," while "'we' can return to our normal lives, believing that the job is well done.... By focusing on 'them,' 'we' don't have to give serious attention to 'us.' Superficial lip service to social context and social structures will suffice. This tidy means of settling difficult problems means that further discussion or change at a cultural or social level is seen as unnecessary. The structures

that give shape to these problems, and the institutional dimensions to the problem in the political, social, and familiar sphere can remain untouched."<sup>170</sup>

Keenan is concerned about societal and media focus on individual perpetrators (including the individual bishops and superiors who enabled abuse) because making them the sole targets of anger tends to remove us to the realm of moral absolutism that she sees as a major part of the problem in the first place. Without moving to a moral relativism that makes no distinction, she urges a continued exploration of what causes abuse in a Catholic context and a "multilevel relational approach to therapy and rehabilitation" for offenders, as well as long-term support for survivors and "restorative practices" where appropriate. Here, there is almost universal scholarly agreement — although not universal ecclesiastical agreement — that the fundamental approach should be to transforming systems rather than to focusing solely on finding and eliminating individual bad actors.

But, overall, while new policies and procedures might create safer situations for children going forward, the work we now call safeguarding, Keenan writes that there is a basic problem with Catholic ecclesiology that must be continually worked on. "Is this a Church of the clergy or is this a Church of the People of God? The practical response to this fundamental question will determine not only how the Catholic Church responds to the past but also how it goes forward into the future."<sup>171</sup>

This section will review suggested responses and solutions to clergy sexual abuse writ large, focusing on relatively recent literature though with a look back to earlier work. It looks at suggestions made for renewed approaches to education and administration; to theology (ecclesiology, including theology of the laity; Christology; theological anthropology, including gender; sin and salvation; sexual ethics); to liturgy; and to church practice vis a vis law and the legal system. While authors are coming from a wide range of scholarly disciplines and ecclesial contexts, with a range of immediate motivations (from changing practices and policies to longer-term cultural and theological projects), all are united in a sense that the Catholic Church (in the theological sense), its subsidiary

<sup>&</sup>lt;sup>170</sup> Keenan, Child Sexual Abuse and the Catholic Church, 112.

<sup>&</sup>lt;sup>171</sup> Keenan, 223.

institutions, and its individual members have a responsibility to address both sexual abuse within the Catholic context, and the institutional and theological barriers that might prevent a just response.

#### RESPONDING AS PEOPLE

It is worth beginning with the observation that everyone trying to respond to sexual abuse and to the larger crisis of institutional failure around is also having, and must have, a personal and emotional response, and that these emotions are proper to the situation, not abstracted from it. Some scholars have written extensively on this issue.

Notably, Beste has recently argued that we've focused too much on responses to specific problems -- even problems as important as patriarchy, insufficient psychosexual formation, and laypeople being shut out. The only real solution, she argues, begins with conversion, and that begins with "empathetic entrance into the traumatic reality" of victim-survivors. Pope and Geske, meanwhile, argue for a renewed approach to anger and to forgiveness. Forgiveness is predicated on justice and restoration of right relationship; we have to avoid cheap grace. Further, drawing on feminist and black ethics and on Thomas Aquinas, they argue for an appropriate allowance for anger and rage. The problems are the larger crisis of institutional response, and that these emotional response to specific problems are response to specific problems.

## LESSONS AND OPPORTUNITIES FOR FURTHER RESEARCH BY JESUIT INSTITUTIONS

It seems quite likely that Jesuit institutions, like others, are not allowing adequately for the very strong emotions people feel on this subject. It may seem easier to retreat into bureaucratic or academic language, or to avoid admitting anger, horror, and/or sorrow about your own institution or order. But both survivor testimony, and these scholars, argue that these emotions play an important role in instituting a just response. Jesuit institutions might consider sponsoring research on the role emotion plays by commissioning detailed case studies on campuses where

<sup>&</sup>lt;sup>172</sup> Beste, "Envisioning a Just Response to the Catholic Clergy Sexual Abuse Crisis." See an earlier version of this recommendation for immersion in Mary Gail Frawley O'Dea, "Can You Imagine?," in Predatory Priests, Silenced Victims: The Sexual Abuse Crisis and the Catholic Church, ed. Mary Gail Frawley O'Dea and Virginia Goldner (Mahwah, NJ: The Analytic Press, 2007), 73–84.

<sup>&</sup>lt;sup>173</sup> Stephen J Pope and Janine P Geske, "Anger, Forgiveness, and Restorative Justice in Light of Clerical Sexual Abuse and Its Cover-Up," Theological Studies 80, no. 3 (September 2019): 611–31, https://doi.org/10.1177/0040563919856869.

<sup>&</sup>lt;sup>174</sup> Bradford E Hinze, "Ecclesial Impasse: What Can We Learn from Our Laments," Theological Studies 72, no. 3 (September 2011): 470–95.

scandals have erupted, and by asking whether there are ways to make bureaucratic processes more comfortable with responding to emotion in ways that are not minimizing or denying of the underlying cause for the emotion.

## RENEWED APPROACHES TO EDUCATION, ADMINISTRATION, AND PROFESSIONAL PRACTICE

On a very practical level, many suggestions deal with preventing both future clergy abuse and future administrative misconduct related to such events. In the US many of the most basic suggestions—such as preventing adults from being alone with children; removing accused clergy from ministry; and calling on the criminal justice system in relevant cases—have been implemented with greater and less rigor since the Dallas Charter's introduction. We mention here a few more recent suggestions that may be especially relevant to Jesuit universities and Jesuit communities.

#### LESSONS AND SUGGESTIONS

a) It might seem almost too obvious to point out that ethics has a role to play here. But, for example, a gathering of scholars at Boston College after the Spotlight scandal pointed out that a formal code of ethics for clergy, mirroring that for lawyers, therapists, and other professions, could be a useful tool for guiding individuals and supervisors through troubling situations. Such a code of conduct, spelling out specific expectations, proved useful in reducing sexual contact between, for example, therapists and patients during 20th century. The Jesuits should consider instituting a general code of conduct across the order, but Jesuit universities could issue one as well. A code of conduct for clergy serving at universities, in particular, might ban all sexual conduct with students and staff; ban clergy from drinking alcohol when students are

<sup>&</sup>lt;sup>175</sup> Jean Bartunek, Mary Ann Hinsdale, and James F. Keenan, eds., Church Ethics and Its Organizational Context (Lanham, MD: Sheed & Ward, 2006). Concurring regarding professional codes of ethics for clergy are, eg, A. Richard Sipe, "The Problem of Prevention in Clergy Sexual Abuse," in *Bless Me Father for I Have Sinned*, ed. Thomas Plante (Westport, CT: Praeger, 1999), 111–34; Goode, McGee, and O'Boyle, *Time to Listen: Confronting Child Sexual Abuse by Catholic Clergy in Ireland*; Paul R. Dokecki, *The Clergy Sexual Abuse Crisis: Reform and Renewal in the Catholic Community* (Washington, DC: Georgetown University Press, 2004); Robinson, *Confronting Sex and Power in the Catholic Church*.

<sup>&</sup>lt;sup>176</sup> For the damage done by "sexual boundary violations" in other professional contexts see Andrea Celenza, Sexual Boundary Violations: Therapeutic, Supervisory, and Academic Contexts (New York: Jason Aronson, Inc., 2011). For an example of such a code for Catholic clergy today see the Safe Environment site of the Archdiocese of St. Paul: <a href="https://safe-environment.archspm.org/100-ministerial-standardssafe-environment/104-code-conduct-clergy">https://safe-environment.archspm.org/100-ministerial-standardssafe-environment/104-code-conduct-clergy</a>. The right-hand sidebar offers further links to codes for laypeople interacting with youth, church personnel, whistleblowers, etc.

- present, even if the students in question are over 21; and bar personal disclosure on the part of the clergy during spiritual direction.
- b) Universities have a famously vexed relationship to the criminal justice system when it comes to handling abuse and harassment cases, and an equally famous bias toward protecting permanent employees rather than more transient students. Jesuit universities are no exception, and university administrators could benefit from grappling with post-#MeToo work on this topic. 177 In this context, universities should also readdress how they handle sexual harassment training. 178 Instead of offloading it to an online unit or a primarily lecture-based session during orientation, employees and students should be encouraged to see preventing sexual harassment and abuse as an important matter of justice, critical to the healthy functioning of the university.
- general and clergy abuse in particular into their curricula. For elementary students, this will be a variation on the "safe environment" training, and we note here Katia Moles' discussion of the need for a renewed approach to sexuality education at all levels in order to avoid the kind of narrow focus on "prevention" that most safe environment training has today. <sup>179</sup> But high school and university students should learn about sexual abuse and about clergy sexual abuse in relevant classes such as theology and ethics (during units on power and structural sin); history (especially Catholic history); and sociology (where the church or university could be used as an example of a social organization). Law, government, education, political science, and business are all departments where these might be relevant topics as well. Universities with

<sup>&</sup>lt;sup>177</sup> Alexandra Brodsky, Sexual Justice: Supporting Victims, Ensuring Due Process, and Resisting the Conservative Backlash (New York: Metropolitan Books, 2021); Doyle, Campus Sex, Campus Security.

<sup>&</sup>lt;sup>178</sup> See Frank Dobbin and Alexandra Kalev, "Why Sexual Harassment Programs Backfire," Harvard Business Review, May 1, 2020, https://hbr.org/2020/05/why-sexual-harassment-programs-backfire.

<sup>&</sup>lt;sup>179</sup> Katia Moles, "A Culture of Flourishing: A Feminist Ethical Framework for Incorporating Child Sexual Abuse Prevention in Catholic Institutions," Journal of Feminist Studies in Religion 36, no. 2 (2020): 63–83. For more on the limitations of SE training as it exists today see Mark A. Levand, Cathy Melesky Dante, and Karen Ross, "Claiming Power through Autonomy: A Power and Relationships Workshop as a Response to Sexual Abuse by Catholic Leaders" (forthcoming).

graduate and undergraduate programs in theology should consider an entire course on the topic, such as the one Peter Folan, SJ, is currently (2021) teaching at Georgetown ("The Betrayal of the Church.")

#### OPPORTUNITIES FOR RESEARCH

Jennifer Beste points out that little has been done to test safe environment trainings and that many children do not even receive this kind of training, effective or otherwise, while many non-English-speaking countries have yet to publish safeguarding standards at all. <sup>180</sup> In the realm of education and training, the Jesuit ecosystem again has the advantage of having both many places to test curricula (from Cristo Rey and parish catechetics all the way up to employee training) and many experts, for example in education, business, psychology, and gender studies, who could combine to pilot studies of effective education on the topic of clergy abuse specifically and sexual abuse more generally. A province could easily organize such a study using only its own institutions and their employees and students, which would be a great service to the less tightly linked diocesan systems. Even better, an international study could compare the effectiveness of safe environment training in different countries and cultural contexts.

#### RENEWED APPROACHES IN THEOLOGY

In 2019 Massimo Faggioli noted that "The response of Catholic theology [to the sexual abuse scandal] can be defined as slow and unsystematic at best." Perhaps seeing clergy abuse as more the proper domain of ethics, systematic theologians seem to largely have avoided the topic for most of the early 2000s, despite psychologists' and others' identification of theological topics as major problems. While this example is not the be-all and end-all, it is instructive to look at the last twenty years of Theological Studies, one of the flagship Catholic theology journals in the US, "published under the auspices of the Society of Jesus." Theological Studies published its first ever article on clergy abuse in the immediate wake of the Spotlight scandal—a historical exploration of "ecclesial sin" by Colt

<sup>&</sup>lt;sup>180</sup> Beste, "Envisioning a Just Response to the Catholic Clergy Sexual Abuse Crisis."

<sup>&</sup>lt;sup>181</sup> Faggioli, "The Catholic Sexual Abuse Crisis as a Theological Crisis," 588. However, see, for example, Regina Ammicht Quinn, Maureen Junker-Kenny, and Hille Haker, eds., *The Structural Betrayal of Trust* (London: SCM Press, 2004).

<sup>&</sup>lt;sup>182</sup> This is the basic argument of Frawley O'Dea, *Perversion of Power*. Frawley O'Dea identifies two or three theological issues in each of her chapters.

Anderson, currently researching with Taking Responsibility. 183 Apart from a couple of book reviews, clergy abuse was not again addressed in Theological Studies until 2011 (!), when several articles appeared. 184 At this time Linda Hogan reviewed responses to the crisis in Ireland, Dominic Doyle devoted a relatively small part of an article on Thomas Aquinas's notion of hope to the crisis, and Brad Hinze, TR's project director, explored lamentation as an ecclesiological practice, that is, a way to help us understand the church. (Hinze's examination of Ignatius of Loyola's take on lamentation is perhaps especially relevant for Jesuit institutions.) The remaining fifteen of the twenty articles Theological Studies has published on sexual abuse in the church up to July 2022 appeared only since September 2019, when the journal hosted a special issue—this being approximately the earliest a journal could possibly publish such an issue if scholars began working on articles in response to the events of 2018.

#### ECCLESIOLOGY, INCLUDING THEOLOGY OF THE LAITY AND PRIESTHOOD

Ecclesiology has been a popular area for suggested reforms since the beginning of the abuse crisis, on the grounds that something basic about construed power relations between clergy and laity is at issue. Among ecclesiologists, however, it is only just being opened as an academic topic. Perhaps this is because, as Faggioli and O'Reilly-Gindhart note, this seems to be "a moment for analyzing the different levels of disruption that the abuse crisis has brought into the ecclesiastical structures and the ecclesial communion" instead of a proposal for new models. Recent work here includes Lennan, who points out that any such ecclesiology must be grounded in the reality of history, give a plausible account of the church as both graced and fallible, and avoid speaking of the

<sup>&</sup>lt;sup>183</sup> C. Colt Anderson, "Bonaventure and the Sin of the Church," *Theological Studies* 63, no. 4 (2002): 667–89.

<sup>&</sup>lt;sup>184</sup> Hogan, "Clerical and Religious Child Abuse"; Dominic Doyle, "Post-Traumatic Ecclesiology and the Restoration of Hope," Theological Studies 72, no. 2 (June 2011): 275–95; Hinze, "Ecclesial Impasse."

<sup>&</sup>lt;sup>185</sup> Faggioli, "The Catholic Sexual Abuse Crisis as a Theological Crisis," 582–86.

<sup>&</sup>lt;sup>186</sup> Faggioli and O'Reilly-Gindhart, "A New Wave in the Modern History of the Abuse Crisis in the Catholic Church," 176. See notes on pages 176-77 for post-2018 contributions in ecclesiology both in English and in German and Spanish.

church as only the institution, hierarchy, etc.<sup>187</sup> Hinze discusses synodality as one way of approaching justice.<sup>188</sup> While Bingemer's essay on this topic is short and nonspecific, liberation theology's ecclesiological model, moving the most marginalized to the center, seems fruitful.<sup>189</sup>

A renewed approach to theologies of laity and clergy seems almost mandatory to most observers of the Catholic sexual abuse crisis, ranging from Jason Berry, Richard Sipe, and Thomas Doyle in the 1980s and 90s to the most recent post-2018 literature. If a root issue is a clericalist theology and culture (see previous section), then clearly we must re-address these issues. These arguments frequently link renewed theology to renewed church governance. To choose two very recent examples of many that make this point: Susan Ross calls for a reformed theology of the priesthood that would be service-oriented, and relatedly, for more women in positions of significant power. <sup>190</sup> And Vivencio Ballano argues that Vatican II's call to empower the laity requires more participation in church governance. <sup>191</sup> He also argues that transferring power from the hierarchy to a more equal governance structure requires a married priesthood so that the interests of laity and clergy are not aligned against each other. Without questioning the need for renewed theologies of both priesthood and laity, however, it should be said that laymen and women seem as liable as clergy to have damaged ideas about sex, power, gender, childhood, the church, and the priesthood, as perhaps is signaled by the eruption of sexual abuse in denominations with considerably more lay control and a married clergy. The turn from renewed theology to renewed church governance structures will need to take this into account if it is to be successful.

## CHRISTOLOGY

<sup>&</sup>lt;sup>187</sup> Lennan, "Beyond Scandal and Shame?" See also Lennan; Brian P. Flanagan, Stumbling in Holiness: Sin and Sanctity in the Church (Collegeville, Minnesota: Liturgical Press, 2018).

<sup>&</sup>lt;sup>188</sup> Bradford Hinze, Confronting a Church in Controversy (New York / Mahwah, NJ: Paulist Press, 2022), 140–49.

<sup>&</sup>lt;sup>189</sup> Bingemer, "Concerning Victims, Sexuality, and Power."

<sup>&</sup>lt;sup>190</sup> Ross, "Feminist Theology and the Clergy Sexual Abuse Crisis."

<sup>&</sup>lt;sup>191</sup> Vivencio O. Ballano, "The Catholic Laity, Clerical Sexual Abuse, and Married Priesthood: A Sociological Analysis of Vatican II's Lay Empowerment," *Cogent Social Sciences* 6, no. 1 (January 1, 2020).

A renewed approach to Christology might take into account (1) Jesus as present in the victims of sexual abuse, as in all victims of violence and violation and (2) the historical Jesus as possibly a victim of sexual violence. While much work on this point emerges from Protestant theologians and parish practice during the #MeToo/#ChurchToo movement, Catholic priest Michael Trainor has written extensively on the topic as well.<sup>192</sup>

## THEOLOGICAL ANTHROPOLOGY

Turning to theologies of the human person, recently, several suggestions have been made to elaborate a theology of childhood. <sup>193</sup> McEvoy helpfully reviews part of a vast late 20th century literature on children's agency, noting that very little attention has been paid to programming (seminary formation or elsewhere) on dealing with children. He and Jennifer Beste both argue that we need an understanding that children are not "passive and incompetent" but active agents. For Beste, children need to become higher status people, centered in church policy as they are in the gospels. Perhaps, in fact, they simply need to become seen as people. Jason Berry posited that the bishops' "tragic flaw," their urge to cover up abuse, was driven by not having children themselves. <sup>194</sup> This appalling idea was backed up by Bausch, a priest himself. <sup>195</sup> Rather astonishingly, some bishops even tried to take refuge here. "I don't have children," the bishop of Joliet said in 2002, which, as Susan Ross notes, signals an incredible failure of empathy. <sup>196</sup> As with the much-maligned tendency of men to cite sexual assault as a problem when it's against "somebody's daughter," this admission is damning, demonstrating clearly that the speaker does not see children/women as worthy of bodily integrity for themselves, not as possessions.

<sup>&</sup>lt;sup>192</sup> Rocío Figueroa and David Tombs, "Recognising Jesus as a Victim of Sexual Abuse: Responses from Sodalicio Survivors in Peru," *Religion and Gender* 10, no. 1 (June 18, 2020): 57–75; Jayme R. Reaves and David Tombs, "#MeToo Jesus: Naming Jesus as a Victim of Sexual Abuse," *International Journal of Public Theology* 13, no. 4 (December 9, 2019): 387–412; Jayme R. Reaves, David Tombs, and Rocio Figueroa, eds., *When Did We See You Naked?: Jesus as a Victim of Sexual Abuse* (SCM Press, 2021); Michael Trainor, *The Body of Jesus and Sexual Abuse: How the Gospel Passion Narrative Informs a Pastoral Approach* (Wipf and Stock, 2015).

<sup>&</sup>lt;sup>193</sup> McEvoy, "Towards a Theology of Childhood"; Beste, "Envisioning a Just Response to the Catholic Clergy Sexual Abuse Crisis"; Zollner, "The Child at the Center"; Faggioli, "The Catholic Sexual Abuse Crisis as a Theological Crisis."

<sup>&</sup>lt;sup>194</sup> Berry, Lead Us Not Into Temptation, 299.

<sup>&</sup>lt;sup>195</sup> Bausch, Breaking Trust, 17.

<sup>&</sup>lt;sup>196</sup> Ross, "Feminist Theology and the Clergy Sexual Abuse Crisis."

As the two previous sections have noted, the topic of adult women and men as victim/survivors of sexual and spiritual abuse within the Church is still quite understudied. The most valuable new literature on this topic will likely continue to invoke work around gender and domestic abuse linked to the #MeToo movement. Erin Kidd's recent article on epistemic justice calls us to consider the many ways in which both church culture and the larger culture devalue the testimony of precisely the kind of people most likely to become victims of sexual abuse: children, women, minorities, people with disabilities. <sup>197</sup> As she points out, the theme of believing priest(perpetrators) and disbelieving (victim/survivors) is among the most prominent of the abuse crisis, but this is not just belief in a factual sense; rather, it's the issue of whether one's testimony is admissible in a very broadly construed legal sense. The injustice that is done when certain kinds of people are not believed not only prevents redress of the situation, but is actively harmful itself because, by denying the person's ability to know what has happened to her, "diminish the subject in her capacity as a knower and lover of God." <sup>198</sup> Kidd's work fits well with what Brian Clites describes as the "theology of voice" elaborated by survivors themselves, who developed ideas present in the tradition about the operation of the divine voice through and in human beings. <sup>199</sup>

In this context Susan Ross calls for work on clergy sexual abuse to pay more attention to feminist theology.<sup>200</sup> (It is interesting to consider why this has not been done more to date, although the reasons may overlap with the general inattention to female victims and perhaps with the journalistic bent of much literature.) Ross notes that feminists make the most trenchant analysis of the link between sex and power, and specifically the way in which Catholic theology absorbed Greco-Roman "domination/subordination paradigms" around sex and gender – notably, the same ones that were warned against in early Christian texts. Accordingly, feminist theology's challenge to the theology of

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<sup>&</sup>lt;sup>197</sup> Erin Kidd, "Theology in the Wake of Survivor Testimony," Journal of Religion & Society Supplement 21 (2020): 161–77. Regina Heyder also works with the notion of hermeneutical injustice in Heyder, "Narrating and Remembrance in the Face of Abuse in the Church." See also Deborah Tuerkheimer, Credible: Why We Doubt Accusers and Protect Abusers (New York, NY: Harper Wave, 2021).

<sup>&</sup>lt;sup>198</sup> Kidd, "Theology in the Wake of Survivor Testimony." For more on traumatic damage and theological anthropology see Jennifer Erin Beste, God and the Victim: Traumatic Intrusions on Grace and Freedom (Oxford: Oxford University Press, 2007).

<sup>&</sup>lt;sup>199</sup> Brian J. Clites, "A Theology of Voice: VOCAL and the Catholic Clergy Abuse Survivor Movement," US Catholic Historian 40, no. 1 (Winter 2022): 81–105.

<sup>&</sup>lt;sup>200</sup> Ross, "Feminist Theology and the Clergy Sexual Abuse Crisis."

God as a powerful male, reflected in powerful human males, is a critical part of theological response to sexual abuse.

SIN

Virtually all writing on Catholic clergy sexual abuse has called for a renewed approach to sexuality. For classic accounts including Sipe, Keenan, and Frawley O'Dea, a significant amount of clergy sexual acting out is tied to a shame around sexual urges that makes it difficult to handle their reality in a way that is not damaging to others. To make a long story short, for all but a small number with a truly debilitating psychiatric disorder, a large part of the solution is to develop an approach that accepts sexual desire as normal and handles it in ways that are not damaging to the person who is desired—for example, by consulting a supervisor or therapist about what to do.

This approach is obviously quite different from the long-standing Catholic focus on (avoiding) specific acts, which allowed generations of clergy abusers to justify devastating practices on the grounds that, for example, sex with boys was better than sex with women, or that non-penetrative sex did not "count," etc. Marie Keenan found that when the abusers she treated felt guilt they focused on their own moral failures, rather than on "the personal or psychological consequences for the young person." They saw what they were doing in terms of their own failures of celibacy, and this made it "possible to bargain with the rule-book rather than putting themselves in the shoes of the child." (This is perhaps not unrelated to Keenan's finding that her sample tended to be very "strict rule-keepers" with a strongly legalistic approach to moral theology overall.)

The movement to help clergy accept their own sexual beings also tends to remove clergy sexual abuse from the realm of a specific sin to which the solution is confession and forgiveness. Sometimes observers, noting the pervasive sense of shame just mentioned, have called for removing sexuality altogether from the category of sin as a way of solving this problem.<sup>202</sup> Generally, this has gone hand in hand for calls for an end to mandatory celibacy, on the theory that a married priesthood would produce a healthier theology of sexuality, less attuned to repression and inevitable acting out. Other recent writing on sin and abuse has questioned the category for other reasons. Corkery,

<sup>&</sup>lt;sup>201</sup> Keenan, Child Sexual Abuse and the Catholic Church.

<sup>&</sup>lt;sup>202</sup> Eg Cozzens, Sacred Silence, 109.

for example, calls for more focus on the salvation of victims rather than on the question of clergy sin/forgiveness, pointing out that the category of "sin" has often caused victims to focus on their own sinfulness. <sup>203</sup> Formicola writes that the church's policy of "recognizing [sexual abuse] as a sin, or moral failing, rather than a crime" has been "disastrous at best," because it focuses on rehabilitating the abuser rather than on bringing him to account and providing justice for his victim(s). <sup>204</sup> Further, discussing clergy abuse as "sin" rather than "crime" has often resulted in victims being induced to "forgive" abusers rather than pursue justice, tensions which also arise in discussions of restorative justice.

But for Catholics sexuality is not only a matter of psychology but of theology, and it seems wrong to remove sexual abuse altogether from the realm of sin even as we also look to psychology, education, law, and other realms. Part of the problem is that the Catholic hierarchy continues to struggle with speaking of clergy sexual abuse as a specific kind of sexual sin, such as violating a vow of celibacy or committing adultery. But as Marie Fortune pointed out in 2003, this is a misidentification; because "sexual activity in this context is exploitative and abusive by nature," about a misuse of power, "taking advantage of vulnerability," and the "absence of meaningful consent." The problem is not a violation of the 6th commandment, but the abuse of power and trust. This is, in fact, a quite serious sin. But as the very recent case of Marko Rupnik, SJ, highlights, the misidentification of the sin using these very damaged categories continues to control Vatican disciplinary processes. This means that recent writing on this subject is very similar to Fortune's point from 2003; in 2019 Susan Ross, for example, called for an approach to sexuality rooted in justice rather than procreation as an antidote to sexual abuse.

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<sup>&</sup>lt;sup>203</sup> James Corkery, "Toward an Understanding of Salvation That Could Be Salvific for Survivors of Sexual Abuse in the Church: An Exploration of the Notion of Representation in Joseph Ratzinger's Soteriology," in Safeguarding: Reflecting on Child Abuse, Theology, and Care, ed. Karlijn Demasure, Hans Zollner, and Katharina Fuchs (Leuven: Peeters, 2018), 17-35'.

<sup>&</sup>lt;sup>204</sup> Jo Renee Formicola, "Clerical Sexual Abuse: Popes and the Policy of Sin," *Journal of Church and State* 62, no. 1 (January 1, 2020): 135.

<sup>&</sup>lt;sup>205</sup> They also still clearly struggle with seeing disclosure of abuse as the sin of "scandal," although as virtually all commentators note, in Rossetti's words from 1996, the real scandal lies in not speaking about clergy abuse.

<sup>&</sup>lt;sup>206</sup> Fortune and Longwood, Sexual Abuse in the Catholic Church: Trusting the Clergy?, 56.

<sup>&</sup>lt;sup>207</sup> Ross, "Feminist Theology and the Clergy Sexual Abuse Crisis.", and see for example, Margaret Farley, Just Love: A Framework for Christian Sexual Ethics (New York: Continuum, 2006).

Another classic sin in need of serious reconsideration vis a vis sexual abuse is "scandal." The last few decades have revealed Catholics' deeply limited understanding of what "scandal" is and why it matters. As Joseph Chinnici points out in his book on his experience in Franciscan leadership during a time of disclosure around sexual abuse, Catholic leaders' desire to keep clerical wrong a matter for closely held discussion itself became a cause for scandal in the truer theological sense, as the scandalous matter multiplied "exponentially," mutating from the original cause itself (individual acts of sexual abuse) into a distrust of and distaste for the institution. There are serious liturgical implications, here, as the true scandal steers people away from sacraments. As Joseph There are it raises problems for our ability to have faith in the reliable transmission of revelation and so ultimately becomes a major theological problem. Preaching the Gospel is not about correctly stating doctrine; it's an act of witness and ultimately is going to involve "an act of interpersonal trust." Or, as Thomas Doyle puts it: "If they have systematically lied about the violation of children, what else have they lied about?" To conclude this passage, the relationship between scandal and secrecy around all Catholic/clerical sexual acts has been under intense scrutiny as potentially a major contributor to the crisis; I will mention two Jesuits, Frank Herrmann at Boston College and Peter Lah at the Gregorianum, who have written on this topic at opposite ends of the post-Spotlight era. The last few decades and secret and the Gregorianum, who have written on this topic at opposite ends of the post-Spotlight era.

**EVIL** 

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<sup>&</sup>lt;sup>208</sup> Joseph P. Chinnici, When Values Collide: The Catholic Church, Sexual Abuse and the Challenges of Leadership (Maryknoll, NY: Orbis, 2010).

<sup>&</sup>lt;sup>209</sup> Faggioli, "The Catholic Sexual Abuse Crisis as a Theological Crisis"; Terrence W. Klein, "Excuse: The Clerical Abuse Scandal and the Reception of Revelation," in Theology and Power: International Perspectives, ed. Stephen Bullivant et al. (New York: Paulist Press, 2016).

<sup>&</sup>lt;sup>210</sup> Klein, "Excuse: The Clerical Abuse Scandal and the Reception of Revelation."

<sup>&</sup>lt;sup>211</sup> "Thomas Doyle Traces the Disintegration of Clerical/Hierarchical Culture."

<sup>&</sup>lt;sup>212</sup> Kochansky and Herrmann, "Shame and Scandal"; Peter Lah, SJ, "The Scandal of Secrecy," Gregorianum 101, no. 2 (2020): 405–25.

As a last word in this section: Geske and Pope, in an article on restorative justice, point out that forgiveness can be a one-way process but the restoration of right relationship requires, minimum, repentance.<sup>213</sup> The fact of so many unrepentant abusers may return us to the reality of evil; as Zollner suggests, the "theology of Auschwitz" may be part of the horizon here, a theology that does not try to fully make sense of evil.<sup>214</sup>

#### **LITURGY**

Very little research has been done on the effectiveness of liturgical responses to clergy sexual abuse and coverup. There have, however, been many such responses; liturgy seems to be a major go-to for communities beset by scandal. Texts for liturgies of lament are available online, and descriptions semi-regularly appear in the press. To take two random examples from among the Jesuit universities, Gonzaga University's recent commission recommended annual liturgies of lament, and Loyola Marymount held one in 2019. Liturgical and quasi-liturgical spaces – such as prayer gardens and memorials – also surface in the conversation, most recently in a recommendation for a national prayer garden made by a working group at Notre Dame.

## **OPPORTUNITIES**

It seems clear that many Catholics, ranging from victim-survivors to the large numbers of "secondary victims" mentioned in question 1, do find these responses effective and healing. Yet others do not. Jesuit universities, which regularly host such events, have an opportunity to commission research on the effectiveness of this type of response.

<sup>&</sup>lt;sup>213</sup> Pope and Geske, "Anger, Forgiveness, and Restorative Justice in Light of Clerical Sexual Abuse and Its Cover-Up."

<sup>&</sup>lt;sup>214</sup> Zollner, "The Child at the Center."

<sup>&</sup>lt;sup>215</sup> For example, J. Frank Henderson, "Abuse of Children: A Liturgy of Lament," *Journal of Religion & Abuse* 8, no. 1 (July 20, 2006): 27–30; Christine Schenk, "A Liturgy of Lament and Overcoming the Specter of Sex Abuse," *National Catholic Reporter*, November 6, 2014, https://www.ncronline.org/blogs/simply-spirit/liturgy-lament-and-overcoming-specter-sex-abuse.

<sup>&</sup>lt;sup>216</sup> "Liturgy of Lament for Clergy Sexual Abuse Crisis," LMU This Week (blog), February 18, 2019, https://lmuthisweek.lmu.edu/2019/02/18/liturgy-of-lament-for-clergy-sexual-abuse-crisis/.

<sup>&</sup>lt;sup>217</sup> Daniel Philpott, "Catholics Need a Restorative Justice Approach to the Church's Sexual Abuse Crisis," America Magazine, December 20, 2022, https://www.americamagazine.org/faith/2022/12/20/sexual-abuse-crisis-restorative-justice-244296.

Who attends such services? Should they be led by priests, or laypeople? What kinds of best practices could be instituted to promote healing and avoid harm?

#### JUSTICE AND THE LAW

Understandably, institutions find class-action litigation extremely threatening, and to this day continue to mount significant fights against it. We understand that we have limited insight into current Jesuit approaches to survivor litigation, but based on past trends we can expect there to be many more suits against high schools and perhaps also against universities. In the context of a literature review it is particularly worth considering why these lawsuits are filed. In part, of course, the motivation is financial: to receive compensation for harms suffered, to pay for therapy, but also a way of using money to make the Church take seriously a problem it would not otherwise focus on.

However, much research with survivors has made it clear that financial settlements themselves are not especially important. Rather, survivors have seen lawsuits — the discovery process and the settlements, which typically include an insistence on the disclosure of depositions, personnel files, and many other important documents — as a way of conducting public dialogue with each other and with powerful but unwilling parties who litigation can force to the table. In fact, huge amounts of the publicly available primary data on clergy sexual abuse is directly attributable to survivor litigation; the website bishopaccountability org archives tens of thousands of pages forced into disclosure through settlements. Since most Catholic archives continue to resist voluntary disclosure of this data, we can expect lawsuits to continue this role going forward. A notable recent case is the settled lawsuit against Jesuit Prep in Dallas, TX. Since most Catholic archives continue to resist voluntary disclosure and the shifting landscape

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<sup>&</sup>lt;sup>218</sup> Jennifer Balboni and Donna Bishop, "Transformative Justice: Survivor Perspectives on Clergy Sexual Abuse Litigation," Contemporary Justice Review 13 (June 1, 2010): 133–54, https://doi.org/10.1080/10282580903549086; Timothy D. Lytton, Holding Bishops Accountable: How Lawsuits Helped the Catholic Church Confront Clergy Sexual Abuse (Cambridge, MA: Harvard University Press, 2008), https://www.amazon.com/Holding-Bishops-Accountable-Lawsuits-Catholic/dp/0674028104; Brian J. Clites, "Breaking the Silence: The Catholic Sexual Abuse Survivor Movement in Chicago," PhD Diss., Northwestern University, 2015.

<sup>&</sup>lt;sup>219</sup> As its cofounder Anne Barrett Doyle describes, "we knew that disclosure leads to more disclosure"; for a short account of her work with Terence McKiernan establishing the repository see Rose Minutaglio, "The Conscience of the Catholic Church," https://www.elle.com/culture/career-politics/a35014248/catholic-sex-abuse-bishop-accountability-anne-barrett-doyle.

<sup>&</sup>lt;sup>220</sup> https://www.dallasnews.com/news/courts/2022/03/30/jesuit-prep-dallas-diocese-settle-lawsuit-over-priest-sex-abuse/.

around statutes of limitations in the US means that legal action will likely continue to be a major aspect of the response to sexual abuse in the future, including for actions that occurred far in the past.<sup>221</sup>

How can Church institutions (including Jesuit institutions) interact with the legal system in a way that moves toward justice? Marie Fortune's words from 2003 are worth quoting at length, as they do not separate the Church's theological response from its institutional response. "A justice-making agenda...will use scripture to confront the sin and lift up the victims," she writes. "It will "use language to clarify" rather than to obscure what has happened; she suggests simply stating, "this is sexual abuse of the most vulnerable by the powerful. It is a sin and a crime." At this point, she suggests, an institution

will instruct its legal counsel to find ways to make justice for survivors and hold perpetrators accountable. It will develop and implement policies whose purpose is to protect people from their institution and from those who would misuse their power. It will encourage liturgies...that name the sin, confess culpability, remember the victims, and celebrate justice really made--all of which makes for healing and restoration. It will allocate its funds for restitution for victims and survivors and for education and training for prevention. It will not look for a scapegoat but look inside itself with a critical eye focusing on power as the issue at stake here. It will seek out those who have been harmed, thank them for their courage in disclosing their abuse, and support them in their healing. It will have the courage to ask, what reforms do we need in order to be faithful to the Gospel?" (emphasis added)

Other scholars also urge the Church and its institutions to simultaneously hold to its mission and identity and to support and learn from secular institutions as it attempts to reform itself. Rossetti, writing back in the 1990s, was already urging Church authorities to view exposure in press and legal system as "tragic grace" or "expensive grace" that forced renewal.<sup>223</sup> Byrnes, more recently, suggests legal reforms aimed at changing the regimes that

<sup>&</sup>lt;sup>221</sup> James Gallen, "The European Court of Human Rights, Transitional Justice and Historical Abuse in Consolidated Democracies," *Human Rights Law Review* 19, no. 4 (December 31, 2019): 675–704.

<sup>&</sup>lt;sup>222</sup> Fortune and Longwood, Sexual Abuse in the Catholic Church: Trusting the Clergy?, 33.

<sup>&</sup>lt;sup>223</sup> Rossetti, A Tragic Grace.

shield bishops and other authority figures; he sees an expanding set of responsible parties, from bishops to national conferences to the Holy See, and to deal with the failures of individual bishops (often seen as ultimately responsible for what happens in their dioceses) calls for a combination of "closer scrutiny by local secular actors" and "more coordinating oversight" by both the national conferences and the Vatican. Beste, from a theological point of view, also argues that survivor justice requires supporting survivors in lawsuits, not combatting them. This includes supporting, rather than combating, laws that expand the statute of limitations. Zambrana-Tevar notes the problems with expanding this approach to the Holy See: sovereign immunity and the difficulty of proving tight supervision of remote happenings from Rome. Tevar's analysis, which investigates instances in which claimants have tried to sue some kind of Vatican entity and generally failed, is one illustration of why legal solutions can be enormously helpful but are not a path to justice. The church may evade legal and financial responsibility through correctly claiming that the complex international legal status of the Catholic entities that hold assets make "the pope" or "the Vatican" not liable — and yet, clearly, this misses the point.

Formicola, who has written extensively on church-state relations and clergy sexual abuse, urges the Church to accept a professional "crisis management" template which begins with redefining the problem more broadly as not just canonical but criminal.<sup>227</sup> For Formicola, echoing Fortune from two decades previous, what's needed is a cooperative process where church and state work together instead of having separate domains. She cautions against a policy that focuses on new converts in Africa, Asia, and Latin America, and which tries to use speaking out against other kinds of injustice to reset and bury the sins of the past without healing them.

Practically speaking, what might all this mean, especially for educational institutions deeply concerned with conserving financial resources? This is a big question. But it is worth underlining Fortune's point that a

Church institution should enlist its lawyers not to shield itself but to seek actual justice. Chinnici relates how

<sup>&</sup>lt;sup>224</sup> Byrnes, "Catholic Bishops and Sexual Abuse."

<sup>&</sup>lt;sup>225</sup> Beste, "Envisioning a Just Response to the Catholic Clergy Sexual Abuse Crisis," 45.

<sup>&</sup>lt;sup>226</sup> Nicolás Zambrana-Tévar, "Reassessing the Immunity and Accountability of the Holy See in Clergy Sex Abuse Litigation," Journal of Church and State 62, no. 1 (January 1, 2020): 26–58, https://doi.org/10.1093/jcs/csz090.

<sup>&</sup>lt;sup>227</sup> Formicola, "Clerical Sexual Abuse."

his province of Franciscans engaged in extensive reflection and conversation during the 1990s as they tried to figure out how to settle lawsuits. Should they fight for a lower number? Declare bankruptcy? Ultimately, he believes that the experience taught them just how uneasy a fit the Franciscan tradition of poverty was with the American legal, cultural, and financial system. In words that will probably be recognized by many administrators, he notes that the situation "raised to a conscious level the hidden, personal and corporate ambiguities culturally associated with questions of money, property, and corporate security: possessiveness, fear for the future, mistrust, resentment at material loss." Further, "these human drives pushed in the direction of defensiveness, the total protection of one's own power and property, the pursuit of private gain, and the objectification of the opponent." The situation sparked "multiple opportunities for wrangling and tactical maneuvers to protect the boundaries between 'what was mine' and 'what could be yours." He calls the Church to greater attention to the Franciscan tradition of "dispossession" as a part of its larger response. Chinnici's discussion is a truly valuable resource for Jesuit institutions from the provincial to the university and high school level, written from the perspective of (at the time) an administrator who had to figure out how to deal with issues around property, money, and power from a place of justice-seeking rather than defensiveness.<sup>228</sup>

Finally, a word on restorative justice practices, which partially or wholly substitute for 'normal' criminal proceedings, and have emerged as a part of the conversation around creating justice for survivors. <sup>229</sup> Restorative justice, as Hinze notes in a recent overview of this conversation, both may offer many resources toward healing, and may be very dangerous if institutions attempt to implement it in a way that is not deeply attentive to the wishes of survivors. <sup>230</sup> While leaving room for more traditional restorative justice practices (i.e., dialogue between offender and victim, a focus on specific harm done to specific people) when appropriate, when desired by the survivor, and

<sup>&</sup>lt;sup>228</sup> Chinnici, When Values Collide., especially 133-56 on "Ownership and Freedom."

<sup>&</sup>lt;sup>229</sup> Theo Gavrielides, "Clergy Child Sexual Abuse and the Restorative Justice Dialogue," Journal of Church and State 55, no. 4 (2013): 617–39; Pope and Geske, "Anger, Forgiveness, and Restorative Justice in Light of Clerical Sexual Abuse and Its Cover-Up." A working group at Notre Dame recently made a set of major recommendations regarding restorative justice; see Philpott, "Catholics Need a Restorative Justice Approach to the Church's Sexual Abuse Crisis." Published just as this report was completed is a major new work: Marie Keenan and Estelle Zinsstag, Sexual Violence and Restorative Justice (New York: Oxford University Press, 2023).

<sup>&</sup>lt;sup>230</sup> Hinze, Confronting a Church in Controversy, 150–53.

with many safeguards, it may be more useful to think more broadly about restorative justice on a large scale, as a guiding principle for what the Church should be seeking. A comparative case here might be the reparations movement, which similarly attempts to seek a just way forward that addresses both individual harm and broader systemic harms. Kate Jackson-Meyer's suggestion of a global Catholic Truth and Reconciliation Commission moves in this direction.<sup>231</sup>

## SAFEGUARDING, HISTORY, AND MEMORY

Survivors' focus on archives and disclosure leads us back to one of the key differences in approach to sexual abuse in a Catholic context we see at the present moment, and which we also discussed in our recommendations and key findings document.

## SAFEGUARDING

The first usually goes under the name of safeguarding, and focuses on training and prevention, as well as rapid response like removing newly charged offenders from ministry. The roots of this approach can be found around 2001 in, for example, the US Bishops' "Dallas Charter" and the Nolan Report in the UK. Significant progress has been made in both countries in terms of establishing structures and mechanisms for reporting sexual abuse and for training clergy and other church personnel. Major studies like the John Jay Report and reviews of literature have found critical situational factors include the presumption of clerical privacy and the right to be alone with children; the lack of supervision of priests' power over others, even as control is often exercised over priests' relationships with others on the same or a superior power level; and a lack of reporting procedures that generated a response focused on prevention.<sup>232</sup> Safeguarding as an approach attempts to address these factors. It follows the

<sup>&</sup>lt;sup>231</sup> Kate Jackson-Meyer, "A Clergy Abuse Truth and Reconciliation Commission," in *Doing Theology and Theological Ethics in the Face of the Abuse Crisis*, ed. Daniel J. Fleming, James F. Keenan, and Hans Zollner (Eugene, OR: Pickwick, 2023).

<sup>&</sup>lt;sup>232</sup> For an overview of studies leading to these conclusions see Böhm et al., "Child Sexual Abuse in the Context of the Roman Catholic Church: A Review of Literature from 1981-2013." The John Jay report particularly noted the presumption of privacy and the right to be alone with children.

recommendation of Bohm et al. in a major review of literature to focus on "concrete risk scenarios."<sup>233</sup> Towards this end—both identifying and combating these scenarios—an academic certification infrastructure is also growing. A one-semester diploma offered through the Jesuits' Pontifical Gregorian University, for example, offers an extensive curriculum on recognizing and responding to victims, understanding the dynamics of abuse, and guiding their home institutions and congregations to develop a culture of safeguarding.<sup>234</sup>

Safeguarding has become a professionalized approach, in other words, focused on changing both policies and culture and trying to avoid the ad hoc culture of the past, where victims met wildly varying responses depending on who they approached, and those responsible for acting followed a playbook for hiding rather than preventing and dealing with scandal. However, Rashid and Barron's 2019 critique of the situation in the UK is concerned that safeguarding commissions and personnel have been continually undercut by lack of independence from bishops. "Organizational independence and authority" continues to be an "obsession" among church leaders. Similar concerns have been advanced in the United States. In both countries, safeguarding positions are held by volunteers or employees responsible to the church—a diocese or religious order. The same goes for the victim assistance coordinators, diocesan review boards, and the like, the infrastructure for managing sexual abuse accusations that has grown up in the Church in the post-Spotlight era of the twenty-first century.

That this infrastructure is attempting to address some of the organizational policies evident in the countryreport research is notable. However, the absence of real independence for safeguarding personnel is a serious concern, and it seems likely that those who feel stonewalled by the current setup will continue to pursue their claims through the media and the legal system, and perhaps through alliances with academic researchers. Safeguarding

<sup>&</sup>lt;sup>233</sup> Böhm et al., 650.

<sup>&</sup>lt;sup>234</sup> For the diploma course currently see https://iadc.unigre.it/wp-content/uploads/2021/11/Curriculum-for-IADC-Diploma-2022.pdf. For the future see this and other courses at https://iadc.unigre.it/academics.

<sup>&</sup>lt;sup>235</sup> Faisal Rashid and Ian Barron, "Safeguarding Culture in the Catholic Church of England and Wales in the Twenty-First Century: An Examination of Progress," *Journal of Child Sexual Abuse* 28, no. 8 (November 17, 2019): 885–906.

<sup>&</sup>lt;sup>236</sup> For a brief review see Beste, "Envisioning a Just Response to the Catholic Clergy Sexual Abuse Crisis," 39. and 50-53.

personnel also have several other structural issues to deal with. First, the vastness of the Catholic Church and its presence across the entire globe evidently makes it difficult to come up with a one-size-fits-all approach. It is difficult enough to keep US Catholic Church personnel focused on what has been an existential threat for twenty years; in countries with a less robust media and legal focus on sexual abuse, it is even more difficult.

Second, the emergence of a professional group of safeguarding experts may make Catholics more likely to displace all responsibility for prevention and response on to them. Anecdotally, but suggestively, several studies in the Taking Responsibility grant have tried to contact a variety of church personnel regarding a particular abuser known to them, only to be directed over and over to the victim assistance coordinator, as if she were the only person who could speak on the subject of sexual abuse. We could note similar situations regarding corporate diversity officers, who accept their jobs to serve as transformative resources for the whole institution but often find that the corporation regards their hiring as the end, and not the beginning, of the institution's responsibility. Beste recommends that funds be committed to creating professional teams of pastoral responders who would care for survivors, but also be "responsible for creating trauma-informed parish cultures"—that is, in part, these teams would try to combat the problem of seeing only specific people as responders.<sup>237</sup>

# **OPPORTUNITIES**

Jesuit institutions could play a very important role in studying safeguarding policies and practices by asking faculty with relevant expertise to conduct controlled studies on common safeguarding curricula for children and adults.

They could also promote/fund independent research assessing how Jesuits and lay employees see their own relationship to preventing abuse.

### HISTORY AND MEMORY

Joseph Chinnici, a Franciscan friar and US historian, happened to be in the leadership of his province at the time a major scandal broke in the early 1990s. The book he wrote about this experience, which we have already discussed, concludes with a brief meditation on the fact that "communities of people are shaped not only by their ideals and

<sup>&</sup>lt;sup>237</sup> Beste, 43–44.

goals but also by the memory they construct of their experience, both good and bad." He writes that "when not clouded by denial or retreat, memory can open us to a richer sense of Who God is and who we are." He identifies two tasks for the Church. One is "the complete elimination of the crime of the sexual abuse of minors." But the other is "to re-member the scandal, and by this re-membering to insert into our public discourse and life a Gospel vision of God's goodness and who we are called to be together."<sup>238</sup>

The first of these two tasks, prevention and elimination, is the current focus of Church leadership and the leadership of many church institutions. Perhaps this is at it should be. However, it is clear that there is a lot more historical memory work to be done. To move to a theological key, this work is important because it is the type of dangerous memory that we are called to bring forward into the present. On an ethical note, it is important because even if nobody were ever to be abused by a priest or church worker again, direct victims and the vast concentric circles of victims would still be suffering in the present for many years to come; and, as Regina Heyder writes, all experts on trauma agree that "the recognition of injustice as injustice" is a critical step in assisting survivor healing of all kinds.<sup>239</sup> Finally, if we are simply to have a grasp of our own history as a community, we have to continue doing this work for both the deep past and the near past.

One type of memory work is the collection of survivor testimonies, now widely available on the internet.<sup>240</sup> This is a very different scenario than in the early days of the survivor movement, when self-published memoirs often were not easily accessible. A second type, however, often supplements or complements the first, and will require far more access to the archives of dioceses, religious orders, institutions like colleges and high schools, and so forth than has generally been the case to date. As noted above, archival material that has been disclosed to date is largely a result of lawsuit settlements. Both survivors and scholars, however, ask that access be given much more freely, as a

<sup>&</sup>lt;sup>238</sup> Chinnici, When Values Collide, 189–90.

<sup>&</sup>lt;sup>239</sup> Heyder, "Narrating and Remembrance in the Face of Abuse in the Church."

<sup>&</sup>lt;sup>240</sup> For example, StoryCorps and SNAP partnered in 2014 to record a variety of audio testimonies, some of which are available at https://soundcloud.com/survivors-network. Many others are available through the grand jury and country reports cited in the first section, on websites dedicated to support for victims like BishopAccountability, and Awake Milwaukee (to name just a few), and in survivors' published memoirs. For academic analyses of the importance of survivor testimony and remembrance see, for example, Heyder; Clites, "Breaking the Silence."

matter of justice, as victims and their descendants/communities seek to learn more about their own histories. One particularly sore spot at the present moment has to do with archival material related to Native American boarding schools run by religious orders. As a guide for religious archivists at the American Catholic Historical Association's website points out, there is currently "a robust discussion...over rights to data and access to information. [D]ata sovereignty is a concept revolving around the legal and ethical questions of information ownership. Does the data belong to the Native community from which data was collected, or the institute who collected it?"<sup>241</sup>

This question extends, however, to all kinds of records related to sexual abuse that currently are mostly forced into public view, but could instead be freely given to those who are trying to learn as much as possible about the past of particular institutions. These might most notably include personnel files, which are typically closely guarded, but could also include superiors' correspondence. As a recent article on congregations wrestling with the question of their history with boarding schools points out, this kind of disclosure is profoundly difficult and prone to causing a lot of internal dissension.<sup>242</sup> It means placing victims' rights to knowledge above perpetrators' privacy, institutional pride, and possibly (though not necessarily) institutional financial interests. That said, it seems like necessary work for any Catholic institution to perform.

# **OPPORTUNITIES**

As of 2022, the Society of Jesus has hired a researcher to assess its archives relating to Native missions and boarding schools in the United States. This seems like an excellent first step. We urge Jesuit institutions to participate in a movement toward the maximum possible disclosure of personnel records and other relevant records to all qualified parties, who could include professional historians, members of the community who want to research the institution's past, victim-survivors, or groups such as the National Native American Boarding School Healing Coalition. This

<sup>&</sup>lt;sup>241</sup> "Native American Boarding Schools & Religious Archives: A Brief Resource Guide," American Catholic Historical Association, accessed July 22, 2022, https://achahistory.org/boardingschools/.

<sup>&</sup>lt;sup>242</sup> Dan Stockman, "US Congregations Face Their Complicity in Trauma of Native Boarding Schools," Global Sisters Report, July 21, 2022, https://www.globalsistersreport.org/news/social-justice/news/us-congregations-face-their-complicity-trauma-native-boarding-schools.

kind of disclosure would not only help researchers to establish what, exactly, happened in the past, but also seems likely to promote trust and healing in the present.

## **CITATIONS**

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