

The CHILD ABUSE CRISIS AND THE CHURCH

Personal Reflections by Fr. Dave Heney

Why it is important to know

We hope to make informed judgments about child abuse and church cover-up and to realize even more their massive impact on victims. This is a deeply spiritual issue for those involved. These crimes hurt everyone. While scandals may cause a kind of *spiritual murder* of another's should, despair, rage, and anger can cause a kind of *spiritual suicide* to one's own faith. *Open sharing of the truth helps avoid both.*

Peter betrayed Jesus with lies and Judas betrayed with a kiss, an intimate physical act. The first is a cover-up and the other is an intimate but false *physical act that mirrors abuse*. While Jesus chose both disciples to be church leaders, each responded differently to his own sinfulness. Peter admitted his sin while Judas hid from sight. We recall both betrayals during Holy Week, and even after Easter when the risen Christ restored hope and confidence among his followers devastated by betrayal and crucifixion.

Child abuse has many victims. The primary victim suffers the actual crime. However, the surrounding family, friends, and community of both victim and perpetrator also suffer but in different ways. They might experience shame, shock, betrayal, anger, and pain. Like ripples in a pond from a tossed stone, abuse sends waves of pain all around. However, allegations might cause suffering because they occur without certainty yet of any truth. Reputations may be unjustly ruined forever.

At every Baptism ceremony we pray that God will "Open our ears to hear our mouth to speak." Jesus healed those who were blind, deaf, mute, or in despair, precisely because He wants us to see, rather than not see, to listen, than to not listen, and speak, rather than not speak. We should do all three. They are the first steps to healing. *See* what is actually going on, *listen* carefully to one another, and speak honestly and respectfully to everyone.

These ideas include the very reasons for which we were made. Even the old Baltimore Catechism acknowledged we were made to *know, love, and serve God and one another*. We use our entire self, our head, our heart, and our behavior for the good of others. We must know the truth of what happened, we must love both victim and perpetrator, and we must act, with courage and conviction. Doing nothing is not an option.

We are in this crisis together. The church is not some kind of cruise ship filled with passengers along for the ride. *Everyone is crew*. There can be no spectators because everyone is baptized with the responsibility to live as Jesus and serve the community. Jesus knew there would always be a Judas and Peter somewhere in the church, but He also gave us a way to make it through the betrayal of Good Friday to rise again at Easter. The truth will set us free (John 8:32).

Definitions for this document

- **Child abuse** is both a crime and serious sin that involves children under the age of 18. There are two very different types that are treated very differently both in law and in the mental health system.
 - **Pedophilia** involves children under age 14. Abusers are usually married heterosexual men and their targets are young girls. Approx. 3% of all clerical abuse is here. It is considered a serious and deep personality disorder.
 - **Ephhebophilia** involves teenagers over 14. Abusers are usually immature gay men and their targets are usually male teenagers. About 90% of clerical abuse is here. It involves a range of disorders, most often co-existing with alcoholism, drug abuse, and /or severe stress.
- **Church cover-up** involves attempts by church leaders to hide information about abusers, or a failure to stop abuse when discovered. It may be either innocently misguided or maliciously criminal. It may involve new cases or those already adjudicated.
- **Victim** is a person with an experience of abuse, whether current or in the past. Secondary victims are those affected by the crimes of abusers, such as family members of the victim or parishioners of either.
- **Diocese** is the basic structure of the church. While we have a common faith, each Diocese is completely independent in personnel and financial matters and is led by one bishop only. There are about 48,000 priests in the US in about 300 dioceses. There are about 60 million Catholics in the US which makes up about 6% of the one billion Catholics in the world.

The personal experience of victims

Victims feel passionately about their pain, but it hurts even more when others react passively or not at all to their story. While an abuser traumatizes specific victims, church leaders who cover-up these crimes make victims of everyone. It shocks and hurts people to know that trusted leaders ordained to be models of faith would act in a way allows such trauma to continue.

All victims feel traumatized, but there is a range of trauma experience, which is an important source of hope for recovery. The severity of trauma come from, among others, three factors, (a) the **intensity** of the victim's experience of abuse, or how violent, invasive, or graphic it was, and what meaning the abuser and abuse had in the victim's life (b) its **frequency**, or how often it occurred, and (c), its **duration**, or over how many days, weeks, or years it occurred. While it is difficult to compare one person's experience with another's, trauma should be neither casually minimized nor dramatically maximized. It is the truth of things that will set us free. Each person should be treated respectfully as the individual he or she is.

Victims often feel confused because abuse involves a complex mix of legal, moral, and psychological issues that both overlap and conflict. Victims might feel an intense sense of shame as a result. They are caught between the legal rights of adult abusers, the shock of their own trauma, and the disbelief of others. All of this makes it difficult for victims to find relief or even speak about the event until years later. Only a few years ago both society and the church considered abuse a treatable psychological problem of a weak will, in the same manner as alcoholism. Now we know better the difference between treating and curing. Yet even today, there is still no valid and reliable assessment device that a community can trust to discover perpetrators before they strike.

Abuse involves sexual intimacy against one's will, which can bring intense shame. People feel stigmatized precisely because our sense of personal dignity is closely related to our sexuality. Abuse is invasive and can be deeply demeaning, intensely shameful and embarrassing, as well cause a loss of self-respect and dignity. However, our response to abuse should never replicate that same invasion of privacy or ignore the unique dignity of each victim. Every victim should be treated as the unique person he or she is. We have to be careful not to lump victims into stereotypes, or presume we know how they feel, or assume we know the level of trauma experienced. Victims need careful listening without presumption or jumping to conclusions. Children may suffer a lot or suffer very little from either intense or mild abuse. We must learn which it is before acting because responses vary a great deal. Presuming we know their experience once again treats children as we would like and not as they actually need to be treated.

Moreover, the legal world requires verifiable evidence that is hard to get from a crime that has few witnesses. In early court cases in the 1980's, the whole counseling profession lost so much credibility in its race to "recover lost memories" of events that might have been true but could not be verified, as seen most famously in the McMartin trial in 1983. No wonder victims remained silent even longer. Finally, in an effort to, at last, protect the dignity of victims; the courts have made it difficult to get information about cases by "sealing" the files from the view of those not involved in the abuse. In these sealed cases, the victims "own their own story of abuse" and receive again some personal autonomy. They may reveal the story when they choose to reveal it.

Forgiveness and healing are different!

Forgiveness is not forgetting! Forgiveness is not "sweeping under the carpet." Forgiveness still calls for justice and accountability for the perpetrator. When we forgive we are only deciding *to not seek revenge*. Forgiveness is a decision, even in the midst of pain, to break the cycle of retaliation. ***Revenge causes more abuse.*** Retaliation for the purposes of punishment causes even more crime. We don't want that. Forgiveness demands justice and accountability while avoiding revenge. It is the first step toward healing, recovery, and change for both victim and abuser. Healing is that feeling of peace and well being that comes from a sense of recovery of lost dignity. Healing is more of a feeling and takes more time. Healing for all of us, both victim and abuser, involves several steps. They

rarely all occur together but to the extent they are present in good measure the easier healing becomes.

- **Restraint:** we need to have the abuse reliably stop, now and forever
- **Revelation:** we need to hear the story of what happened and why
- **Restoration:** we need to have some kind of restoration of what was lost
- **Repentance:** we must know the abuser has remorse and has changed forever
- **Return:** we need to return to living life as fully as possible

There may be other names for these steps but the underlying dynamics are the same. For example, when hurt we experience each of these steps emotionally and cry out, “Stop! ...Why did this happen? ...Give me back what you stole! ...Don’t ever do it again!” These steps accomplish the basic conditions for healing of *everyone* involved. Belief in Jesus Christ demands that we are concerned for the soul and well being of both victim *and* perpetrator. We want both to recover what was lost; the victim to recover personal dignity and the perpetrator to recover respect for other people. We believe punishment can never be used *for the purpose* of revenge or retaliation, or *for the purpose* of inflicting pain, but punishment may be used as a means to help accomplish any or all of these steps listed above. Our dignity is not dependent on the response of others even though that response is welcome if possible. If the abuser is dead or unavailable healing is still possible because the ultimate source of recovery is the relationship we have with the Lord. No person can provide that for us.

Recovery, hope, and meaning from suffering

When suffering occurs we cry out, “Why!” We have a natural need to understand unexplained hurtful behavior, and naturally feel it strange that someone would hurt us for no good reason. That desire for knowledge is the beginning of recovery. Knowledge is power and good solid information slowly reverses the powerlessness that comes from victimization. Learning about abuse, the motives of abusers, our own coping mechanisms, and our own feelings help answer “why” questions. Knowledge helps restore our self-esteem and sense of worth.

Knowledge helps us find *meaning* in the event. When we relate an event to a larger context we give it meaning. We set the event inside a larger perspective from which we can see its larger significance. For example, if we suffer long hours at work we can bear it more readily when we understand this hardship provides for our family. The larger the context the more hardship we can bear. If our wounds or pain come from saving another’s life then we have found the most profound meaning. In our faith, we acknowledge the power of “offering it up”. This means we offer our suffering for some good effect in others through the Lord. We might offer it for the souls in purgatory, or a friend’s conversion, or any person’s benefit. While we can see the effects of our hard work when it provides for our family we often don’t see the spiritual effects of offering suffering for others. Nonetheless, it is a part of our faith. Knowing that our pain may have some good helps alleviate its effect. It takes on meaning. The worse pain of all is that pain that is suffered for no reason. It is meaningless.

No suffering is wanted. Even Jesus wished that “May this cup pass from me” when he anticipated crucifixion in the Garden of Gethsemane. We never wish for suffering or ever call suffering good. However, if it comes our way, we know what to do. Act with intelligence to face it, overcome it, change it, and find a deeper meaning and wisdom from it.

The passage of time also brings healing but not from forgetfulness. Time heals because we slowly regain our self-esteem as we continue living our life and working at our job and accomplishing things. Personal accomplishment reveals the sense of worthlessness that might come from abuse is a lie. With time, we slowly realize we are a capable person with dignity after all. That dignity is from the Lord and is irrevocable.

Two brief stories reveal something of this dignity. Several people worked together at a job where soon there was great anxiety. There was new owner arriving soon and there would be some layoffs. Everyone took out his or her frustration on the youngest and most recently hired person. The employees gossiped, lied, insulted, tricked, and hurt the person in many ways. Yet throughout it all the person was calm and peaceful. He never sought revenge. When asked if he was upset at such harassment, he replied, “Not really, you see, I’m the son of the new owner!” Well, when you have a special relationship with the boss, it doesn’t matter what the others do to you; your job is secure. When we have a strong relationship with God, it doesn’t matter what others do to us either. Our dignity and self-esteem are secure. We know we are loved and treasured by the God of the universe. Only God can tell us who we are and He thinks we are worthy of His laying down His life for us! (John 3:16)

In another example, an elementary school teacher with an abusive spouse hears offensive insults all day long at home, yet doesn’t take personally the insults of a young student at school because the child is clearly immature and ignorant. Well, so is anyone who insults us. If the child really knew the value of the teacher he or she wouldn’t do it. Neither would any adult. While dying Jesus looked at his executioners and said, “Father, forgive them, they know not what they are doing (...they are all ignorant children).” With this idea we can turn the other cheek only because the first slap was not experienced as a wound. No need to seek revenge. That brings a wonderful side benefit. Avoiding the revenge cycle frees us to calmly discern in the criticism of others any kernel of truth that might be embedded in their attack and from which we can learn and change for the better. We are free to experience calmly and judge objectively the hurtful actions of others to ourselves. We stay the master of our reactions to the world around us. We remain at peace.

Treatment vs. cure of Victim’s, abusers, and church culture

Treatment is not the same as a cure even though these words are often used interchangeably. While most doctors consider alcoholism an incurable disease, they believe it is sometimes treatable or manageable using medication and various forms of psychotherapy. Some abuse behaviors, like those involving children under 14 are therapy. Some abuse behaviors, like those involving children under 14 are considered incurable but treatable, especially with drugs, surgery, and /or institutionalization. Some others, like those in-

volving less traumatic behaviors with older victims may or may not respond well to treatment. There is still much dispute about this area of therapy. No abuse of any kind should ever be handled lightly. All are serious crimes and all are sinful.

Victims always need to be treated compassionately, immediately, and in a way that restores dignity and autonomy. With time and the right care, I believe, it is possible for all victims to recover a great deal. ***We believe in the power of healing for even the most serious trauma.*** What is needed in those Dioceses that allowed abuses to continue are policies that are clear, legal, and unambiguous about what to do when abuse is discovered. The policies need to be reliably enforced and universally applied. They need to be effective *immediately*.

What should be the response of the church?

All child abuse is both a crime and serious sin. As a crime, it must be reported to child protective agencies by those mandated to do so, but it should be reported by anyone who discovers it. As a sin, it is a serious breach of the most fundamental command from God in our faith to love, respect, and care for one another. The church must have an unambiguous, just, and immediate response to threats, especially to young people. The response must be fair and just to all. I hope you will read the policy that mandates the actions of the Archdiocese of Los Angeles. They cover all the steps from the first allegation through the investigation by both police and the church, to final resolution. The guilty, whether of abuse, cover-up, or false allegation must do their time under the law. The innocent must be restored to their former dignity.

The real response of any diocese is to follow Christ. Nothing less will ever do. Everything that happens in our diocese should, in some way, be related to our mission to serve the Lord and one another in love. Our faith is not about hurting. It is about living life to the fullest with joy that is complete (John 10:10, 15:11) All of us must help each other live this faith. If anyone harms another, all of us must promise we will *see* it, *listen* carefully to the unique story of the victims, *speak* up loudly, and *act* with courage.

How is a church cover-up possible?

Any healthy family sees itself clearly, speaks honestly, listens carefully, and acts courageously for the health and growth of its members. One problem is that each diocese in the world is ***completely independent in matters of personnel and finances***. Some Dioceses have a healthy culture while others do not. Unfortunately, some Dioceses had a culture of *secrecy* and *blind obedience*. They were more interested in ‘sweeping’ problems away from view. Maybe it was to avoid embarrassment, but it was at the cost of real human pain. Secrecy means that people would choose to *not see* what was going on around them, *not listen* to victim’s stories, and *not speak* to authorities about anything that was wrong. Blind obedience means people would *not question or challenge* diocesan policies, administrative decisions, or organizational actions that cause harm. Ignorant, malicious, or misguided officials could act with accountability. The culture of secrecy and blind obedience in those Dioceses make it easy for perpetrators or anyone with serious prob-

lems to hide their actions or not face significant consequences if discovered. The culture of secrecy and blind obedience can get even worse if abusers *become* the authorities.

What about the seal of confession?

Since 1997, all clergy in the state of California are mandated reporters of abuse, except information revealed in confession. Both US law and the Church continue to protect the seal of confession in unambiguous language. While the State code is looser, particularly in California, and actually protects information received outside of what we call our confessionals, Cardinal Mahony has made it clear that the seal should only cover the actual sacramental experience. A priest can never act in a way that would reveal what he heard in confession: period. He can certainly withhold forgiveness if he suspects someone is “using” confession to buy silence, or is not sorry. He should strongly demand the person seek justice for the victims and turn him or herself in.

Why does it seem such a Catholic problem?

Cover-ups anywhere tend to justifiably inflame public anger. While abusers are found in all faiths, Church cover-up is more scandalous the bigger the church. We also have by far the most programs for children and youth, and decades ago, it was the clergy who usually ran them, making it attractive to those with an abusive personality. A recent LA Times article recognized that abusers are found in all faiths, but abusers in other churches were removed with less newsworthy scandal since they usually were not clergy. The independence of other small churches made it easier as well to remove abusers swiftly resulting in less chance of multiple crimes by the same person. That same independence meant there was also no larger bureaucracy liable for massive eye-catching lawsuits seeking big “deep pockets” financial damages.

Church response to child abuse in the early 1980's

Some Dioceses responded with a malicious intent to hide information about crimes, either out of complicity in the crime itself, or shame at acknowledging error, or ignorance of the issues. Some responded with misguided good intentions that were led by promises of effective psychotherapy, the power of forgiveness, or a need to avoid scandalizing those not involved. Others did not respond at all out of ignorance of the impact of abuse. Still others took immediate action with policies and procedures universally and effectively applied to stop abusers and compassionately help victims. The independence of dioceses meant there was a wide variance in responses. Los Angeles put its policy in place in the mid 1980's, shortly after Cardinal Mahony arrived. Ours was considered one of the first and still remains one of the best.

Celibacy is not a cause or an answer

Some consider celibacy as causative of child abuse. Married men, usually stepfathers toward young girls, perpetrate the vast majority of child abuse in this country. Most pedophiles (abusers of victims under 14) are heterosexual men, again usually fathers targeting

young girls. While some therapists differ, most consider pedophilia a serious mental disorder that arises from defective early childhood development or even earlier event in personality formation and resistant to change. Generally, pedophiles do not “become so” later in life. On the other hand, the vast majority of abuse with teenagers is predatory and psychologically immature gay men. Homosexuality itself may be a genetic orientation, a chosen lifestyle, or the result of later influences in life, but it is not a cause of abuse either. Perpetrators of either type will abuse children or teenagers whether they are ordained or not. Their victims might be in neighborhoods or public schools rather than parishes. Their mental disorder or immature sexual identification is already present in them and not as a result of choosing celibacy. However, those dioceses or families that had a culture of secrecy, blind obedience, or ignored predatory homosexual behavior against children could provide tragic cover for abuser’s actions.

What about those removed from ministry in Los Angeles?

The policy of allowing some priests to return to ministry in the last two decades was based on then current mental health and legal understanding that there is a range of behaviors in child abuse. The issues are very different depending on such factors as the age of the victim, and the *frequency, intensity, and duration* of the *victim’s* experience of trauma, and the personality of the abuser, as well as the wishes of the victim. In the past in the LA Archdiocese, some of those involved in low trauma abuse of teenagers, after they finished the appropriate court procedures and began therapy and /or medication according to accepted mental health standards as well as the dictates of the court and the permission of the victims, in a few monitored cases, returned to a limited non-parish ministry that included effective safeguards and supervision. Of about 8 cases that fell into these categories, one relapsed and abused again. Nevertheless, *all* were removed in the spring of 2002, even those who never acted out again. This zero-tolerance for all cases is a new policy mandated by recent court cases and means no one will be allowed to minister anywhere with *any* form of child abuse in their background.

Should the Diocese release personnel files to the media?

The Archdiocese is bound by all State and Federal laws related to the rights of both victims, accused, and perpetrators. The Archdiocese cannot break the law for the interest of the media or disregard anyone’s rights through illegal disclosure, unless the appropriate parties agree, or if a court mandates it. As written above, there can also never be any disclosure of anything contained within the Sacrament of Confession. Releasing personnel files is a legal and constitutional matter and involves the rights that everyone has about their personnel files under present law. The Cardinal *does not have the authority* to release files that, in essence, do not belong to him. It also involves the confidentiality of spiritual conversations. This whole area will be adjudicated by the courts soon.

I truly believe that Cardinal Mahony would release the files in a microsecond if it were the right thing to do. There is a very real issue in his silence for the protection of victims. They “own” their own story of abuse and the right to reveal their story or not. Most of these cases were finished legally several decades ago. Because any case involves levels

of shame, guilt, and embarrassment of victims, the law provides for ways to shield them appropriately. That is why it is not right and sometimes even against the law for *outsiders* to reveal cases that have been settled and sealed in courts. Except for the victims, abusers, and the court, we are all outsiders to these cases. Reporters have been asking for the names of both perpetrators and victims. If the Cardinal named names, you can bet reporters would be driving up to victim's houses asking if they felt they received justice etc. You can bet these victims would feel abused all over again, and by both the Cardinal and reporters this time. That invasion of privacy is why the former priests or victims can talk, depending on the ruling of the court, but not anyone else without their permission. I also understand the power of a bold move to restore confidence, like naming names at a press conference. However, a bold move cannot be at the expense of real human beings who have been victims in these cases.

Archdiocesan Policy

Please review the accompanying document outlining the Archdiocesan policies. Although originally set out in the 1980's they are continuously updated.

Resources

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