

In the Vineyard

October 5, 2006

October 4 is the feast of St. Francis of Assisi, founder of the Franciscan Order and patron saint of animals and the environment. The VOTF Colorado affiliate prayer to St. Francis is in this issue's Commentary – A Prayer for Our Time. To read St. Francis' "The Canticle of the Sun" written in the thirteenth century, go to <http://www.webster.edu/~barrettb/canticle.htm>.

In this issue:

NATIONAL News: Meet us in St. Louis? The National Representative Council will meet in St. Louis, MO on Nov. 11-12 with a full agenda. In keeping with past practice, the Council meetings are open to all registered VOTF members. This meeting will be the first convening of newly approved Standing Committees; Mission, Goals and National Impact; Membership Growth; Affiliate Development; Budget; and Elections. Some items on the agenda include ordering of priorities for the Council, follow-up on the Accountability Campaigns, and ongoing discussions, reports, etc. See the next *Vineyard* (10/19) for the complete agenda.

Planning for the **VOTF 2007 Convention** is under way so **SAVE THESE DATES:** October 19-21 at the Rhode Island Convention Center, Providence, RI.

The **Campaign for Accountability** is into its Fall Action Plans. See where you, your parish and/or your affiliate might fit in; and SIGN the Petition for Accountability. See DIOCESE/State Watch under Affiliate Highlights for VOTF Long Island, NY's progress report on their Fall Campaign's legislative activity.

- Pope Benedict XVI issued a statement on the praying of the rosary. October is the month the Church traditionally dedicates to the rosary and the missions. Go to <http://www.zenit.org/english/>. Inviting others to say the rosary with meditations that focus on survivors of sexual abuse is among the suggested VOTF Fall actions in the Campaign for Accountability.

The **Financial Accountability Focus** group is taking a closer look at parish finances. The sad stories of parish funds' mismanagement and theft underscores the need for vigilance in everyone's interest, including the priests accused.

- "A priest and former pillar of the Roman Catholic Church in New York experienced an extraordinary downfall yesterday as a judge sentenced him to four years in prison for stealing tens of thousands of dollars from his parish on the affluent Upper East Side." See the *New York Times*, Sept. 23 at http://www.nytimes.com/2006/09/23/nyregion/23priest.html?_r=1&oref=slogin.
- A pastor was charged with stealing the "winnings" of fake raffles. Go to <http://www.nytimes.com/2006/09/22/nyregion/22pastor.html>.
- According to the *Palm Beach Post*, "Two former priests at St. Vincent Ferrer Catholic Church in Delray Beach have been accused of misappropriating \$8.6 million from the church during the past 40 years." Go to http://www.palmbeachpost.com/pbcsouth/content/local_news/epaper/2006/09/28/

[0928pastors.html](#) and the *Los Angeles Times* at http://www.latimes.com/news/printedition/asection/la-na-churchtheft29sep29,1,537343.story?coll=la-news-a_section. The *Miami Herald* reported that things may be worse than originally understood. See http://www.miami.com/mld/miamiherald/news/local/states/florida/counties/broward_county/15644093.htm.

- Parish life is also the focus of an upcoming (Oct. 14) Ohio conference. Speakers will include representatives from VOTF, SNAP, Future Church and United Parishes. For details, watch www.unitedparishesohio.org. See some background details about this conference from VOTF National Representative Council member Kris Ward, who will be the VOTF speaker at the conference (go to Affiliate Highlights in DIOCESE/State Watch).

SURVIVOR Community News - VOTF member Casey Serra wrote an open letter to the people of Connecticut questioning the whereabouts of a priest credibly accused of sexual abuse – read his letter; also see VOTF Long Island, NY’s recent outreach to survivors; and Fr. Sloun (Sept. 21 *Vineyard* story) posted a letter on his parish web site – it is reprinted here; the Baptist Standard reports on a request from SNAP.

The **British Broadcasting Company** (BBC) recently broadcast a segment “Sex Crimes and the Vatican” that raised again the existence and intent of what had been a secret 1962 Church document *Crimen Sollicitationis*. In 2002, another document came to light “Letter Explains New Norms for Vatican Handling of Certain Grave Offenses”. Together many questions have been raised as to whether or not the Vatican had a standing policy of secrecy when it was advised of clergy sexual abuse. Fr. Tom Doyle’s observations and significant links to original documents, the BBC broadcast and media coverage appear as “News Update” after Fr. Tom Doyle’s Commentary on *Crimen Sollicitationis*.

Catholic University of America (Washington, DC) panel discussion brought VOTF together with Opus Dei, FADICA and other internationally recognized voices in the Catholic Church. See Catholic News Service at <http://www.catholicnews.com/data/stories/cns/0605457.htm>. See the full text of VOTF president Mary Pat Fox’s address.

VOTF National has signed on to the FutureChurch call “Do Not Stifle the Spirit: A Call to Preserve Vibrant Parishes in a Time of Fewer Priests”. To read the statement, go to <http://www.futurechurch.org/sopc/donotstiflethepirit.htm>.

VOTF has **two new affiliates in Ohio**. They are St. James Affiliate, Kansas, Ohio and St. Thomas More Affiliate, Bowling Green, Ohio. Both are in the Diocese of Toledo. Both are welcomed warmly!

Protecting Our Children is not limited to church/school property. Casey Serra wrote an open letter to the people of Connecticut with his concerns. See Survivor Community News.

DIOCESE/State Watch

Boston, MA: It's the law! Lt. Gov. Kerry Healy signed into law legislation that extends the statute of limitations (SOL) for criminal prosecution of crimes of rape and some crimes of sexual assault from 15 to 27 years. See the September 21 *Vineyard* for Steve Krueger's commentary on the how of this four-year struggle and the lessons learned. Also visit <http://www.stopsexcrime.org>; **VOTF Portsmouth, VA** applauds their diocesan bishop for placing on the diocesan web site an audited accounting statement; **Iowa** - all four Roman Catholic bishops have been named in what is being called a "long shot" lawsuit; Cardinal Roger Mahony of **Los Angeles** and Cardinal Norberto Rivera Carrera of Mexico City were named in a civil lawsuit claiming obstruction of justice, negligence and conspiracy to facilitate the flight of the priest and sexual battery; Los Angeles is close to a \$60 million settlement in dozens of abuse cases; the **Kentucky** Court of Appeals halted the release of abuse victims' names; **VOTF Bridgeport, CT** caught the attention of the Associated Press for its commitment to financial responsibility in the Church; **AFFILIATE Highlights in Toledo, OH** where VOTF will host a "United Parish Conference" in collaboration with FutureChurch, SNAP and United Parishes and Long Island, VOTF shares a progress report on their Fall Campaign for Accountability work.

Book Notes: Gaile Pohlhaus offers a brief consideration of *Living Vatican II: The 21st Council for the 21st Century* by Gerald O'Collins, S.J.; VOTF Boston, MA member Julie McConville reviews *Double Crossed: Uncovering the Catholic Church's Betrayal of American Nuns* by Kenneth A. Briggs.

COMMENTARY:

"*Crimen Sollicitationis*" – Observations from Fr. Thomas Doyle, O.P., J.C.D.

"Response to Archbishop Chaput" – National VOTF secretary Gaile Pohlhaus

Prayer for Our Time – Sheila Norris, VOTF Concerned Catholics of Colorado

SITE-Seeing, Etc.

One of the most outspoken opponents of statutes of limitations reforms is the **Denver, Colorado** archbishop **Charles Chaput**. The October 9 issue of *America* magazine published the archbishop's response ("The False Promise of 'Window' Legislation") to the earlier commentary by SOL reform supporter Marci Hamilton (Sept 25 issue of *America*). Subscribers can access the Oct. 9 article at <http://www.americamagazine.org/gettext.cfm?articleTypeID=42&textID=5016&issueID=586>.

- Archbishop Chaput was in Harrisburg, PA this week. Note the *Philadelphia Inquirer* commentary ("One year on, no fix on abuse laws") by Mariana Sorensen, former Philadelphia prosecutor who worked on the investigation of clergy sex abuse in the diocese. Go to

<http://www.philly.com/mld/inquirer/news/local/states/pennsylvania/15624846.htm>.

- VOTF secretary Gaile Pohlhaus wrote a letter commenting on Archbishop Chaput's assessment of Marci Hamilton's points in the Sept. 25 issue of *America*. See Commentary – "Response to Archbishop Chaput".
- SNAP's website home page has a short list of the concerns around "windows" legislation and a response to each of those concerns. Go to <http://www.snapnetwork.org/>.

Catholics in Alliance for the Common Good is pleased to announce the release of *Voting for the Common Good: A Practical Guide for Conscientious Catholics*. The guide is available at www.thecatholicalliance.org.

VOTF Council Representative Frank Douglas encourages a visit to <http://www.crusadeagainstclergyabuse.com/index.html>.

The September issue of *U.S. Catholic* looks at **young Catholics** and what is keeping them from Sunday Mass. The reasons are more complicated than many might think. Visit http://uscatholic.claretians.org/site/News2?abbr=usc_&page=NewsArticle&id=10983.

U.S. News and World Report asks, "What did the House Republican leadership learn from the priest pedophilia scandal?" Go to http://www.usnews.com/usnews/opinion/erbebblog/archive/061002/lessons_from_the_priest_scanda_1.htm.

Don't Miss: *America*, Sept 25, "Making the House Ready for the Lord" – a new poem by Mary Oliver

QUOTE for our time: "Who is going to save our Church? Not our bishops, not our priests and religious. It is up to you, the people. You have the minds, the eyes, the ears to save the Church. Your mission is to see that your priests act like priests, your bishops, like bishops, and your religious act like religious." *Archbishop Fulton J. Sheen, before the Knights of Columbus, June 1972.*

DIOCESE/State Watch

Los Angeles, CA and Mexico City, Mexico: "Cardinal Roger Mahony of Los Angeles and Cardinal Norberto Rivera Carrera of Mexico City were named in a civil lawsuit claiming obstruction of justice, negligence and conspiracy to facilitate the flight of the priest and sexual battery. The lawsuit claims that the cardinals allowed a priest wanted for multiple sex abuse to flee California for Mexico." Go to http://news.monstersandcritics.com/northamerica/article_1203144.php/Mexican_L.A._cardinals_sued_in_priest_abuse_case. Also, see <http://www.chron.com/disp/story.mpl/world/4199736.html>.

- According to the DallasTimes.com site: "Roman Catholic Church officials asked for an investigation Thursday of two U.S. lawyers and an activist they claim are

trying to extort money from the Mexican church with a lawsuit alleging Cardinal Norberto Rivera protected a pedophile priest.”

<http://www.dallasnews.com/sharedcontent/dws/news/world/mexico/stories/092206intcardinals.27e2bb1.html>

- Townhall.com reports that the Mexico’s Cardinal Rivera has denied protecting the priest. Go to <http://www.townhall.com/News/NewsArticle.aspx?contentGUID=648acf38-5864-4689-974b-4cb6cbbee556>.

Los Angeles, CA: Los Angeles, CA: Associated Press reports at WashingtonPost.com: “The nation's largest Roman Catholic archdiocese could sign a \$60 million settlement with dozens of alleged victims of clergy abuse within days, several attorneys told The Associated Press. Go to <http://www.washingtonpost.com/wp-dyn/content/article/2006/09/29/AR2006092900781.html>.

Burlington, KY: According to the *International Herald Tribune*: “Attorneys do not have to give prosecutors the names of victims of sexual abuse by priests in northern Kentucky until a full hearing on the issue, the Kentucky Court of Appeals ruled. The appeals court on Friday blocked a judge's order that would have forced attorneys in the class-action lawsuit against the Roman Catholic Diocese of Covington to give prosecutors the names of their clients and details of the suspected abuse.” Go to http://www.ihf.com/articles/ap/2006/09/30/america/NA_GEN_USChurch_Abuse_Victims.php.

Iowa: The *Des Moines Register* reports: “Iowa's four Roman Catholic bishops are named in a long-shot Wisconsin lawsuit that seeks to compel every U.S. bishop to release the names and locations of all abusive priests - a list estimated to be in excess of 5,000 names, according to a U.S. Conference of Catholic Bishops' study.” <http://desmoinesregister.com/apps/pbcs.dll/article?AID=/20060921/LIFE05/609210397/1039/LIFE>

VOTF Council Representative Frank Douglas encourages a visit to <http://www.crusadeagainstclergyabuse.com/index.html>. Note this link and other useful links are available from the Links section of the home page at <http://www.votf.org/Links.html>

VOTF Bridgeport, CT: Associated Press reported in the *Stamford Advocate* on VOTF Bridgeport’s longstanding advocacy of financial accountability in their diocese. The article also identified recent causes for concern around the US and VOTF Bridgeport, CT’s plans for their April 2007 conference at Fairfield University. Go to <http://www.stamfordadvocate.com/news/local/scn-sa-nor.votf6sep30,0,1823672.story?coll=stam-news-local-headlines>.

AFFILIATE Highlights

VOTF Long Island, NY: Campaign for Accountability Update

PROTECTING OUR CHILDREN - National Legislative Initiative Progress Report
Background – *Why State Legislative Oversight Is Needed*: Oversight of the Church is necessary because it (the Church) has shown it is unwilling to provide internal review of its activities, evident in the sexual abuse issue. Hence, oversight by an outside body (state legislature) is necessary in order to impose a higher level of morality and accountability.

LI VOTF legislative efforts grew out of this awareness. Over the past two years the following efforts have been conducted (which are common for any "good cause" group)

A. Research & Meetings: Research was done to identify legislators who were interested in this issue. This was easy since several bills had already been introduced. Meetings were scheduled with those legislators to introduce ourselves and offer our support for progressive legislation. We learned of other bills pending and assembled a list of those.

B. Regular Monthly Visits to Albany, the state capital, on a monthly basis were conducted to build a relationship with key legislative staff and track the progress (or lack of) on two bills of interest to us. This expanded our networking capability.

C. LI VOTF's Support of Bills: The bills were brought to the Board of Directors and to its membership. The Board voted to support the bills (e.g., statute of limitations and clergy reporting bills).

D. Letter Writing Campaign: Membership was advised at our regional monthly meetings and a vigorous letter writing campaign was undertaken which resulted in thousands of letters being written to key legislators.

E. Memo of Support: LIVOTF issued support on said bills and distributed to all senators and assemblymen.

F. Opponents of the progressive legislation were identified. The New York State Conference of Catholic Bishops, while appearing neutral on both bills, still was a force against the bills we supported. The assembly and senate passed bills but they were significantly different and never went to conference.

G. Efforts were stepped up in 2006: A busload of LIVOTF members carried over went to the state capital for an all day lobbying effort. This included meeting with the bill sponsors. A press conference was held and was attended by victims, VOTF members, bills sponsors and supporters, and the speaker of the assembly.

While the issue was certainly on the Radar Screen, partisan politics between both chambers prevented any final passage; however, the issue is *really* on the "radar" for '07 and LIVOTF is clearly recognized as a significant player in the continuing struggle to get outside oversight. LIVOTF leaders testified at an all day hearing in the state capital called by an advocate for victims where we laid out the case for said legislation along with other

progressive groups.

H. Fall 2006 Action Steps On the Local Level: Parish Voice groups have begun inviting their local legislators to PV meetings in order introduce legislators to VOTF and Victims, and to press for "tips" for further action from the local level; small groups of VOTF members will be encouraged to set up meetings at legislators' offices to converse with them about the reality of sexual abuse, a topic that is still considered "taboo" by many, and to familiarize legislators with victims' process and hardships.

I: Plan for 2007: Pick up where we left off and build further the pressure for change. A group is discussing approaches for January 2007. Alliances with other like-minded groups (e.g., SNAP) is important to increase pressure.

VOTF Toledo, Ohio

Kris Ward

The Oct. 14 conference comes grew out of a) the dedication of Catholic laity in the Diocese of Toledo where more than 20 parishes have been unceremoniously closed without consultation with the laity in any form; b) the courage of a vigiling parish; and c) the coming together of Voice of the Faithful, SNAP and the United Parishes group to reach out to our brothers and sisters in these troubles times.

The Diocese of Toledo is the home diocese of Father Robinson, the priest convicted of murdering a nun earlier this year. The cold case was re-opened after a sex abuse victim came forth and provided details of ritual sex abuse; some of the details pointed directly to the evidence in this case. While the case was not prosecuted on ritual sex abuse, Father Robinson was convicted of murder. He remains a priest in the Diocese of Toledo and as far as we have been able to determine, no case has been sent to the Vatican for defrocking.

For conference details, go to www.unitedparishesohio.org.

SURVIVOR Community News

Long Island VOTF – Witness to survivors: On Sunday, October 1, we held a vigil at St. Agnes Cathedral asking again for accountability and a pastoral response to those abused by clergy.

Dick Regan was one of six family members abused by the same priest. Bishop Murphy was asked to meet with Dick's family months ago. The bishop said no - he would only meet with him individually because, "that's my style." Now, Dick has tried to arrange a one-on-one meeting with the bishop. He has been told by the diocese that his lawyer must arrange the meeting with the diocesan lawyer!

We encourage support for Dick Regan and others in the diocese who have filed

allegations of abuse, as we remind Bishop Murphy of his promise to provide a pastoral response to the abused.

The gathering began with prayer and handouts distributed to those leaving the 9:30 Mass. We invited all to attend the 11:00 Mass, wearing red as a symbol of solidarity. After Mass, we continued to distribute information. We provided Vigil Committee contact information and included in the flyers distributed the VOTF “What We Believe” statement.

Where Is Fr. Buongirno?

VOTF member Casey Serra has written an open letter to the people of Connecticut, but the audience should be far greater. Casey is asking where a credibly accused priest is and whether or not those in the priest’s neighborhood and/or workplace know what they need to know in order to protect children in their care.

WHERE IS BUONGIRNO? This question has bothered me for quite some time.

Father Richard T. Buongirno was the very popular pastor of St. Mathias in East Lyme. One weekend, he announced that the bishop had a new task for him and that he would be leaving immediately for St. John’s parish in Old Saybrook. The parishioners in St. Mathias were saddened because Father Richard was a very likeable man and they wondered why the bishop was transferring him. Shortly thereafter, they found out.

Richard T. Buongirno was a pedophile. He had worked himself into the confidence of a family and conned them into letting their young son stay overnight in the rectory. He then proceeded to sexually abuse this boy. The bishop covered up and sent him to St. John’s WITHOUT TELLING THE PARISHIONERS OF EITHER PARISH THAT BUONGIRNO WAS A PEDOPHILE!

The Norwich Diocese paid a substantial, but confidential, settlement to the boy and Buongirno dropped out of sight. He has not been “de-frocked” and is still a priest but not engaged in any ministry. He is still subject to the bishop. He has been turned loose on an unsuspecting public. I think the public have a right to know if this pedophile lurks in their neighborhood.

For the protection of your children, demand an answer to the question:

BISHOP COTE, WHERE IS BUONGIRNO?

LETTER from a pastor

Fr. Van Sloun of St. Stephen’s Church in Anoka, MN recently went out of his way to support the efforts of survivor, VOTF and SNAP MN Director Bob Schwiderski. The story appeared in the 9/21 issue of In the Vineyard. Fr. Van Sloun posted the following letter on the parish web site:

You may or may not have encountered some representatives from SNAP on the sidewalk near the entrances to the church. SNAP stands for “Survivors Network of those Abused by Priests.” Most of their members were violated by a clergy person at some point in the past, and for this, we as a faith community, are truly sorry. We at St. Stephen’s and the wider Archdiocese as well, are deeply committed to responsible ministry, and the safety of all, particularly our children.

SNAP is here because it wants to break the cycle of abuse, and it wants to raise awareness in churches, families, schools, law enforcement, health care, and other areas of society, and this is a worthy and noble purpose. SNAP is also passing out leaflets regarding a certain Mr. Michael Bik, a former lay teacher in our school during the 1970s, who allegedly was guilty of misconduct. To our knowledge, no complaint was ever made to our school, this parish, or local law enforcement. He was a layman at the time, not a priest. Abbott John Clausen, O.S.B., the religious superior of the Abbey at St. John’s in Collegeville, called me two weeks ago to notify the parish. Mr. Bik joined the Abbey in the mid 1980s, and was eventually ordained a priest. The victims courageously came forward in the mid 1990s, and now Fr. Bik has been living under restrictions in the Abbey ever since. We are deeply sorry for the pain and suffering that has been endured by the victims and their families. The Abbey has pledged to be open and to support all victims. So do we as a parish. We, as a faith community, promise once again to operate under the highest standards of responsibility and accountability, and to honor the integrity and beauty of every person who is created in the image and likeness of God.

The *Baptist Standard* reports: “Members of the coalition that fought the Roman Catholic Church’s hierarchy over sexual abuse by priests are asking the Southern Baptist Convention to prevent similar clergy abuse in the denomination’s churches. SNAP recently delivered a letter to the SBC Executive Committee at its Nashville headquarters.” Go to <http://www.baptiststandard.com/postnuke/index.php?module=htmlpages&func=display&pid=5457>.

BOOK Notes

Living Vatican II: The 21st Council for the 21st Century by Gerald O’Collins, S.J. Paulist Press, 2006.

Reviewed by VOTF secretary Gaile Pohlhaus

How often have you heard, “If you only read one book in the next three months, read...”? Well, you are hearing it again. *Living Vatican II* is one of those books that is readable, interesting and helpful. The author is a theology professor who speaks and writes clear English. O’Collins lived through the Council during his training as a Jesuit and his own career and writing. His *Fundamental Theology* and *Interpreting Jesus* are already considered classics.

This book should be especially useful for members of VOTF. In addition to the nine solid chapters, the appendixes, the notes, and the bibliography are treasure troves of information. In the first chapter O'Collins sets the personal context for both writing and reading the book. The second chapter investigates the things that have helped and hindered the implementation of the Council. Chapter three explores how we can receive the teachings of the Council.

The most obvious of the changes wrought by Vatican II were the liturgical changes and these are explored in chapter four. O'Collins asks, "Do we have a richer and more grace-filled liturgy since Vatican II?" You may be surprised by his answer. O'Collins goes on to discuss the Council's moral teaching, our relations with others (other Christians, Jews, Moslems, and other faith traditions), and then he develops a theology for the Church and the World.

His ending comments are on the "Coming Church" and his own dreams for the Church. He quotes Pope John XXIII quoting St. Augustine, "Let there be unity in what is necessary, freedom in what is doubtful and charity in everything." Good words for all of us to live by.

Double Crossed: Uncovering the Catholic Church's Betrayal of American Nuns by Kenneth A. Briggs, Doubleday, 2006. Available at www.amazon.com. [Kenneth Briggs is a former religion editor for the *New York Times*.]

Reviewed by Julie McConville, VOTF Boston, MA

Kenneth Briggs exposes how religious women after Vatican II were "Double Crossed" by the American hierarchy on orders from Rome. Women in black habits have always been central to our Catholic cultural and educational experiences. Many families had a relative who was a nun. Briggs describes who these holy women were and what happened behind closed convent doors. As a result of interviews with women from many religious orders, he learned of several motivations for a religious vocation: an attraction to a spiritual life; being valued members of a community with a shared purpose; intellectual and professional opportunities; and a commitment to service and social justice. But, along with security and status, as holy members of the Church, came the domination by clergy and bishops (the "old boys club"), headed by the pope with "infallible" power over the Church.

Religious communities were thriving right through the 1950's. Each religious order was headed by a Mother Superior, whose authority was chain-linked to Rome and by whom their constitution was approved. Things ran smoothly. Educated religious women managed hospitals, colleges and diocesan schools and less educated women were the worker bees on a twenty-year education plan of summer sessions.

After WW II and before Vatican II, two nuns started the Sister Formation Conference to provide a four-year college degree before a nun was sent out to work. With this

movement, convent doors opened a crack to reform and renewal. Unlike the clergy, these religious women were already working in the “Church in the Modern World” and were creative, innovative and using their skills in communication, decision-making and problem-solving.

As an implementation of Vatican II, each religious order was sent a mandate from Rome, “Perfectae Caritatis”. Religious communities accepted this document as a call to rearrange religious life. The two guidelines were “to return to the source and purpose of your community as reflected in the gospels” and “to make the necessary adjustments to be compatible with the conditions of the times” (modernity).

Throwing off their “load of wool” was one of their first responses to “Perfectae Caritatis” and in their new attire, they were off and running against the backdrop of a shocked, frightened, angry, hierarchy. Order and unity could be restored if every nun would just return to that black wool dress, veil and beads and be obedient, humble and unquestioning once again. Frozen in tradition and not knowing how to handle change, the hierarchy did the wrong things for the wrong reasons and, as a result, lost a great resource of free labor for the Catholic Church. Voice of the Faithful, does this sound familiar?

Responding to this pastoral conflict with the nuns, the hierarchy fell back on power, the only clerical resource they possessed, with their grilling, inquisitions, deposing of dissenters and calling them “crazy women.” Quoting Briggs, “Rome was in there disrupting, fuming and arm-wrestling at every turn.” All these negatively-charged antics caused continued grievances, frustration, loss of time and energy on reform, disillusionment and the consequent exodus of many nuns. “Rome has spoken”; and Rome kept reminding these women that the hierarchy is the final word on every issue.

We ask, Who is “Rome”? Who will not dialogue but hides behind the magisterium, doctrine and canon law? What can Voice of the Faithful readers learn from this poignant piece of Catholic history? How do we as Voice of the Faithful respond? How do we become the Church WE want to be? Pray for conversion? Ignore the hierarchy? Question them? Challenge them? Isn’t it easier to ask forgiveness than permission? Work harder to inform and better educate parishioners in the pews? Kenneth Brigg’s book has done this well.

Mary Daniel Turner, a liberal, thoughtful, former president of the Leadership Conference of Women Religious was asked by the author, “What could be done to reverse this sad spiral of events”? She said, “If we could get the hunger and thirst for God with the hunger and thirst for justice, then we’d understand what a new paradigm is all about.” Let us look to this book and others to find answers while we move forward as voices to be heard. *Julie and Frank McConville, VOTF Boston, MA*

COMMENTARY

Crimen Sollicitationis: Observations by Thomas Doyle, O.P., J.C.D. Observations by
August 16, 2003

THE 1962 VATICAN INSTRUCTION
“*CRIMEN SOLLICITATIONIS*,” PROMULGATED ON MARCH 16, 1962

1. The recently revealed Vatican document outlining the procedures for dealing with cases of solicitation of sex by priest-confessors has caused a swell of alarm and surprise on the part of survivors, attorneys and others.
2. This document was issued by the Congregation of the Holy Office in March, 1962. It was presented by the Prefect, Alfredo Cardinal Ottaviani, to Pope John XXIII for the Pope’s approval. This is the normal manner of receiving Papal approval for documents of this nature. It was then sent to all the bishops in the world. The bishops were admonished to maintain strict secrecy about the document and ordered not to allow it to be reproduced or commented upon.
3. The document is essentially a set of procedural norms for processing cases of accusations against priests for soliciting sex while in the act of sacramental confession. Solicitation is an especially heinous canonical crime and one which results in severe penalties for those found guilty. Prior to the publication of this document such cases were processed according to the norms for penal judicial processes found in the 1917 Code of Canon Law. It is not known why the Vatican officials deemed it necessary to issue special procedures for the crimes included in this document. The fact that the new instruction was issued does not necessarily indicate a rise in cases of clergy sex crimes but could indicate a heightened concern.
4. The document, known as an “Instruction,” was sent to every bishop in the world; yet detailed awareness of its contents has been limited. In fact it is probably accurate to assume that the majority of bishops in today’s church as well as the majority of canon lawyers, were probably unaware of the Instruction’s existence until it was mentioned in the recent Letter on dealing with *More Grave Delicts*, issued by the Congregation for the Doctrine of the Faith, May 18, 2001 (*Sancitatis Sacramentorum Tutela*). It has come under discussion by canon lawyers and Vatican officials on several occasions in the past few years. Nevertheless the secrecy under which the document was originally distributed has possibly resulted in such restricted awareness.
5. This document was issued before the Second Vatican Council had taken place and before the revision of the present Code of Canon Law. The Vatican practice of issuing special procedural rules for its various courts or tribunals is not unusual. It is also not unusual to have a special document issued for a specific type of problem which in this case was solicitation of sex in the context of sacramental confession.

6. Title V of the document includes the crimes of sexual contact with same sex partners, sexual contacts with minors and bestiality which are also to be processed according to these special norms. The document does not imply that these crimes were to have been perpetrated through solicitation in the confessional. It included them under the title “The worst crimes” and presumably because of their serious nature, they were included under these special procedural norms. The norms of *Crimen* were thus established as the obligatory procedures for prosecuting cases of four separate and distinct canonical crimes, namely, a) solicitation for sex in the act of sacramental confession, b) homosexual sex, c) sexual abuse of minor males or females, d) bestiality or sex with animals. It is therefore incorrect to state that the norms and procedures of *Crimen Sollicitationis* are applicable only to cases of solicitation for sex in the confessional.

7. It must be noted that these types of sexual crimes were already included in the Code of Canon Law (1917 version). Solicitation is covered in canon 2368, 1 and sexual contact with minors and bestiality in canon 2359, 2. Ordinarily the prosecution of these crimes would be processed according to the procedural laws of the Code. The 1962 document provided special norms with an added emphasis on confidentiality because of the very serious nature of the crimes involved. It may seem to be some sort of clandestine plan but in fact it is an expansion with added detail, of the procedural laws to be followed. The existence of this document also clearly proves that the highest Catholic Church authorities were aware of the especially grave nature of the clergy sexual crimes considered. This of course makes it difficult for any Church leader to credibly claim that the problem of clergy sexual abuse was an unknown quantity prior to 1984.

8. The Instruction specifically states that those involved in processing cases under these norms are bound by the Secret of the Holy Office. Violation of the secret resulted in automatic excommunication, the lifting of which was especially reserved to the Holy Father. In fact, this represents the highest degree of Vatican secrecy which is imposed for the most serious processes and situations. The Instruction imposes the same oath of secrecy on the accuser and on witnesses but states that the penalty of automatic excommunication is not imposed. However this or other penalties may be imposed on the accuser or witnesses should the church authority handling the case deem it necessary.

9. The secrecy that was (and still is) imposed on parties and witnesses in canonical proceedings is intended to assure witnesses that they can speak freely. It is also intended to protect the reputations of the accused and accuser until guilt or innocence is determined. The almost paranoid insistence on secrecy throughout the document is probably related to two issues: the first is the scandal that would arise were the public to hear stories of priests committing such terrible crimes. The second reason is the protection of the inviolability of the sacrament of penance.

10. According to the document, accusers and witnesses are bound by the secrecy obligation during and after the process but certainly not prior to the initiation of the process. It seems to be stretching a bit too far to conclude that this process is a substitute for civil law action or is an attempt to coddle or hide clergy who perpetrate sex crimes.

The document was written in 1962 in a style and within an ecclesiastical context common for that pre-conciliar age. It is also a legal-canonical document written in highly technical language. The translation, though basically accurate, is also strained and awkward which can lend itself to misunderstanding.

11. To fully understand the concern for secrecy one must also understand the traditional canonical concept known as the “privilege of the forum” or “*privilegium fori*” which has its roots in medieval Canon Law. Basically this is a traditional privilege claimed by the institutional church whereby clerics accused of crimes were tried before ecclesiastical courts and not brought before civil or secular courts. Although this privilege is anachronistic in today’s society, the attitude or mentality which holds clerics accountable only to the institutional church authorities is still active.

12. Although the objective reasons for the extreme secrecy may be understandable within the context of the time it was written, the obsession with secrecy through the years has been instrumental in preventing both justice and compassionate care for victims. It has enabled the widespread spirit of denial among clergy, hierarchy and laity. The secrecy has been justified to avoid scandal when in fact it has enabled even more scandal.

13. The press reports quote several church sources which state that this document is obscure and probably had remained unknown to the vast majority of bishops and church bureaucrats until it was cited in the new norms issued in 2001. Though the document may have been unknown to many in Church authority positions in recent years, there is documentary evidence that it was used in the prosecution of cases of clergy sexual misconduct in the past. Several clergy files from dioceses around the country have contained documents which referenced *Crimen Sollicitationis*.

14. The 1962 document reflects a secretive attitude with regard to internal church matters that is understandable for the time it was written, but is no longer acceptable as the preferred way of dealing with such heinous crimes. These crimes have a profound impact on the lives of the victims, yet this impact can become lost in the concern for confidentiality. The obsession with secrecy causes denial to flourish. Certainly the institutional church and its clergy and hierarchy would have been deeply embarrassed in 1962 were the public to have learned of clergy sexual crimes. This embarrassment should have been endured because it is nothing compared to the spiritual, emotional and physical devastation of the victims.

15. Nevertheless we cannot accurately interpret and criticize this document solely by our contemporary standards based on the institutional church's handling of clergy sex abuse cases over the past few years. It is dangerous to isolate the document and strain to make it more than what is was intended to be for in so doing the meaning of the document and the actual intention of the framers can become distorted.

16. The institutional Catholic Church has been criticized for having a culture of secrecy, especially with regard to clergy sexual misconduct. Such secrecy in these

matters has not been the constant practice of Church leadership since its own official documentation from the past demonstrates that official attempts to curb violations of mandatory clerical celibacy were regularly published to all. For example, the Apostolic Constitution *Sacramentum Poenitentiae*, issued by Pope Benedict XIV in 1741, was included in the 1917 *Code of Canon Law*. The next official document dealing with solicitation in the confessional which applied to the universal Church was a set of procedural norms similar to those contained in the 1962 document. This document was issued in 1922 and was shrouded in total secrecy. It appears that the obligation of secrecy on such cases was imposed by Pope Pius IX in 1866. The official document that imposes the secrecy was published on February 20, 1866 by the Sacred Congregation of the Holy Office in the form of an “Instruction”. This instruction provided clarification on certain aspects of the previous papal constitution dealing with solicitation in the confessional, *Sacramentum Poenitentiae* (1741) of Pope Benedict XIV. The actual text is as follows:

14. In handling these cases, either by Apostolic commission or the appropriate ruling of the Bishops, the greatest care and vigilance must be exercised so that these procedures, inasmuch as they pertain to [matters of] faith, are to be completed in absolute secrecy, and after they have been settled and given over to sentencing, are to be completely suppressed by perpetual silence. All the ecclesiastical ministers of the curia [court], and whoever else is summoned to the proceedings, including counsels for the defense, must submit oaths of maintaining secrecy, and even the Bishops themselves and any of the local Ordinaries are obligated to keep the secret. (in Codicis Iuris Canonici Fontes, Rome, 1926, vol. IV, n. 990, p. 267.

17. The 1962 document and its predecessor from 1922 are not proof of an explicit world-wide conspiracy to cover up clergy sex crimes. It seems more accurate to assess both statements as indications of a *policy of secrecy* rather than a *conspiracy of cover up*. This policy, whether it has ever been officially published as such or not, has been deeply rooted in the ecclesial culture for centuries. The documents under consideration are a product of that culture. They did not create it.

18. On the other hand, there are too many authenticated reports of victims having been seriously intimidated into silence by church authorities to assert that such intimidation is the exception and not the norm. It is quite possible that most of the bishops who have served during the past thirty years were not aware of the existence of the 1962 document until it was publicly acknowledged by the Vatican in 2001. The cover-up happened whether or not bishops were aware of the 1962 document. It was and remains grounded in a culture of secrecy, clericalism and institutional self-preservation. The 1922 and 1962 documents did not create this culture. They arose out of it and gave legal force to the culture of secrecy. If the 1922 and 1962 documents have been used as a justification for any cover-up or intimidation then we possibly have what some of the more critical commentators have alleged, namely, the distinct appearance of a blueprint for a cover-up.

19. *Crimen Sollicitationis* remained in effect until 2001. The Vatican published a new set of procedures in 2001. Two official documents were issued. The first was an apostolic letter of Pope John Paul II, known by its Latin title *Sacramentorum sanctitatis tutela*, by which the actual norms were promulgated. This letter, dated April 30, 2001, was followed on May 18, 2001 by an official document that set forth the norms. This latter document was signed by Cardinal Josef Ratzinger, prefect of the Congregation for the Doctrine of the Faith. Both documents refer to certain serious canonical crimes and among those is sexual abuse by clerics. These documents represent revised procedures to be used by Bishops and major religious superiors in response to allegations of clergy sexual abuse.

20. Clergy sexual abuse issues are handled by the Congregation for the Doctrine of the Faith, a major department of the Vatican administration. This has been the case since the 18th century although the name of the present congregation has been changed twice during this period. It was first known as the Congregation of the Holy Inquisition. It later became known as the Congregation of the Holy Office and after Vatican II, the Congregation for the Doctrine of the Faith. Cardinal Ratzinger, presently Pope Benedict XIV, had been the prefect, or head, since 1981. Although he signed the letter containing the revised norms and quite possibly had a direct role in drafting it, the procedures themselves had to be approved or promulgated by the Pope for validity and effect.

21. There is also an over-riding omission in both the 1962 document and its descendant, the 2001 declaration. Both documents concentrate on prosecuting the alleged offenders and protecting the institutional church from the fallout of public knowledge of the crimes. Neither document approaches the far more challenging and important task of pastoral care and spiritual healing for the victims of these crimes. There is no evidence that the official Church ever issued any norms, guidelines or instructions on the pastoral care of those harmed by clergy sexual abuse.

22. In light of the controversy that these documents have prompted, it is essential that they be properly understood before they are used as evidence of either criticism or affirmation of the policies and practices of the Catholic Church.

- a) The 1922 and 1962 documents were not limited to cases of solicitation for sex in the confessional. The procedures and norms also applied to the cases of sexual abuse by clerics mentioned in Title V of *Crimen Sollicitationis*. There are documents available that confirm that these norms were used in canonical judicial procedures in cases of clergy sexual abuse of minors.
- b) Although the 1922 and 1962 documents were issued in secrecy and never publicly announced, they nevertheless were communicated to every bishop in the world. It is not correct to state or assume that these documents were sent only to selective bishops or, because of the imposed secrecy, not applicably to the universal Church.

- c) The absolute secrecy was imposed on all members of the Church tribunals or diocesan administration who were involved in processing cases. The witnesses and principal parties were also obliged to secrecy but not with the automatic penalty of excommunication.
- d) The obligation of secrecy only went into effect once a case had been initiated. Nothing prohibited a bishop or religious superior from notifying civil authorities of an allegation prior to the initiation of the canonical process.
- e) It is not correct to state that the popes under whose authority any of these documents (1922, 1962, and 2001) were published were either creating a blueprint for a cover-up or mandating a church-wide cover-up of clergy sexual abuse. If anything, they were continuing to enforce a church policy of secrecy in the canonical handling cases of clergy sex abuse. It is also incorrect to use these documents to accuse any of the personnel charged with administering the Church courts, such as the Prefects of the Vatican Congregations, with participation in a cover-up in the conventional sense.

23. Yet it is not difficult to see why so many have seen in the 1962 Vatican Instruction a "smoking gun." Over the past 18 years but especially since January 2002 we have witnessed wave after wave of deception, stone-walling, outright lying, intimidation of victims and complex schemes to manipulate the truth and obstruct justice. If anything we have watched as the culture of secrecy ended up causing much of what its proponents hoped it would prevent. The Vatican document did not cause the clandestine mode of dealing with clergy sex abuse. Rather it reflects it and should be a strong reminder that there is a much more important value than protecting the institutional church and its office-holders and that value is the creation and nurture of an attitude and aura of openness and honesty wherein true justice and compassion can flourish as the most visible of Catholic virtues.

24. The reasons for the seemingly perennial problems of clergy sexual abuse and its cover-up will not be found in Church documents alone. One must delve deeper than the documents into the very nature of the ecclesial culture. The documents are indicators but not the cause of clergy sexual abuse nor are they the foundation of the official Church's response to such abuse.

NEWS Update:

John Allen offered his own concise perspective in a 2003 *National Catholic Reporter* commentary, which is available on the BishopAccountability.org web site at <http://www.bishop-accountability.org/resources/resource-files/timeline/2003-08-15-Allen-ExplainingCrimen.htm>.

- The recent BBC documentary can be viewed at http://www.bbc.co.uk/mediaselector/check/nolavconsole/ifs_news/hi?redirect=st.s tm&news=1&bbram=1&bbwm=1&nbram=1&nbwm=1&nol_storyid=4124514.

- To read *Crimen Sollicitationis*, go to (or cut and paste into your browser) http://search.bishop-accountability.org/search?q=Crimen+sollicitationis&ie=&site=ba-prod&output=xml_no_dtd&client=ba-prod&lr=&proxystylesheet=ba-prod&oe= and click on the second listing on the page.
- The later document, dated 2002, can be found [here](#) – “Letter Explains New Norms for Vatican Handling of Certain Grave Offenses”.)

According to the Telegraph.co.uk web site: “The documentary, called ‘Sex Crimes and the Vatican’, purported to reveal how the future pope, then Cardinal Joseph Ratzinger, issued ‘a secret Vatican edict’ to instruct the world’s Catholic bishops to put the interests of the Church before the safety of children.” See

<http://www.telegraph.co.uk/news/main.jhtml?xml=/news/2006/10/02/nbbc02.xml>

- The Vatican response supported the bishops who stated their objections to the documentary. See Reuters News coverage at http://today.reuters.com/news/articlenews.aspx?type=worldNews&storyID=2006-10-02T081215Z_01_L01854846_RTRUKOC_0_US-RELIGION-POPE-BRITAIN.xml&WTmodLoc=IntNewsHome_C2_worldNews-3.

Response to Archbishop Chaput

Gaile M. Pohlhaus, Ph.D., National VOTF secretary

How extraordinary that Most Rev. Charles J. Chaput, O.F.M.Cap., Archbishop of Denver, has chosen to accuse Marci Hamilton of making a statement that “does not withstand scrutiny.” Her statement is supported by facts and statistics. The archbishop’s is supported by his personal assumptions of motives.

His first point on targeting Catholic institutions draws a cause and effect assumption about the activities of lawyers and then quotes an unsupported statement by a California state senator. Evidently Archbishop Chaput does not realize that the support for better SOL laws and window legislation is supported by many secular and various religious (not only Christian) groups.

The window is designed to bring forward predators that have not yet been publicly identified. If institutions would let grand juries and public officials inspect records of malfeasance, such a step might not be necessary. Although Catholic bishops have promised to bring allegations to the attention of law officers immediately, recent cases in Chicago and California show this does not happen.

Voice of the Faithful has been advocating for accountability at all levels of our Church from safe environment training to justice for survivors to financial transparency.

The slogan “if you want peace work for justice” applies here in the U.S. as much as it does throughout the world. Survivors are entitled to a just response to their abuse. Many are not looking for “payoffs” but for the assurance that their predators will not harm

another child. We expect much more from our pastoral leaders. His letter is an embarrassment to all concerned Catholics.

PRAYER for Our Time

October 2006 Prayer by Sheila Norris, VOTF Concerned Catholics of Colorado

[Sheila wrote: Our affiliate in Denver (CCC-VOTF), Colorado Concerned Catholics, embraced as one of our core values, being in prayer together on a monthly basis in the hope of transforming our own selves even as we work toward the transformation of our Church.”]

The morning newspaper headline screamed “Unspeakable”, describing a recent horror surrounding a nearby, close-knit, mountain community that claimed a young, promising life in their midst. Two weeks previous to this inexplicable nightmare, ten Nobel Peace Prize Winners assembled in our city to work with 3000 teens from around the world. The mission of these heroic mentors was to inspire the next generation to become activists in their own respective communities, creating pockets of peace around our fractured planet.

None of us remain innocent now, untouched by the blindness of hatred and ignorance. There are no safe shores or hideaways. Homeland Security measures will never be able to eradicate the darkness hidden deep in the minds and hearts of our citizenry. It is up to each one of us to become the leaders we now need so desperately, to look within our own souls and to name, confront and integrate our individual shadows. We are powerless to effect change in the erratic behavior of radical religious fundamentalists or random killers. But each of us is challenged to reflect upon our own internal paradoxes and to find the courage to become wagers of peace within ourselves, our families and our communities. Perhaps seeking during the month of October the companionship of one who inspires you will enable you to deepen your prayers and plans for peace in your corner of the cosmos. One such wisdom figure that patterned his peace movement on Gospel values helped to create the modern democracy of India. Gandhi is credited with the statement that “Happiness occurs when what we believe, what we say and what we do are all in harmony.” May harmony and compassion make new inroads in our lives this autumn.

O Brother Francis, You, too, walked in the human condition and knew well its play of light and shadow. As we celebrate your presence in the communion of saints this month and honor your legacy of peacemaking, break us open.

Grant us the trust we will need as we lay bare the discord, doubt, resentment, despair and hatred in our own hearts. Rather than projecting this darkness on our enemies, teach us to claim these as our own, just as you embraced the leper.

May You, who calmed the wolf of Gubbio, relieve us of the anxiety and fear that cause us to forget our Divine connection to one another and to all of creation.

You asked to receive the pain that Jesus endured in the crucifixion. Grant us hearts that are eager to receive and reach out to those in our midst who suffer.

Show us, Brother Francis, how to help heal and repair the brokenness within and around us. Make us transparent instruments of Divine peace whose lives correspond with our deepest beliefs.