

The Church at Risk Remarks to the USCCB

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"I thank Archbishop Flynn and Monsignor Maniscalco for inviting me to speak to you and with you today. For the past five months I, along with other lay Catholics, have attempted to speak to you, and occasionally with you, through the media. I far prefer the present forum, where one's words cannot be edited to support a pre-existing story line with invisible headlines that read: "New Evidence of Catholic Church Decadence," "Church Cannot Do Anything Right" or "See—We Told You So." Certainly in the court of public opinion the Church is now guilty until proven otherwise. Nor should we be surprised: We live in a culture that permits everything, and forgives nothing.

The painful truth, of course, is that the media did not create this scandal: We created it. Indeed, the mainstream media has done the Church a service by exposing that which was shrouded in darkness. Only in the light can truth prevail and healing and repentance begin. That the media has focused with such intensity on the scandal is a kind of testimony, odd though it may be, to the fact that American society rightly expects more of the Church—more purity, more fidelity to the gospel, more compassion, more holiness. In a way that is not always balanced or fair, and certainly painful, the people are nonetheless calling the Church to purify itself and to be its best self—the image of the compassionate God in the midst of the world.

Did I say WE created this crisis? I speak only for myself, not for the 60 million-plus laity, many of whom may protest: "We" did not create this scandal! — the pedophile priests created it; the bishops who reassigned them and deceived not only the unsuspecting parishioners but also, incredibly, their fellow pastors and bishops, created it. Surely the laity is innocent and has every right to be outraged.

And of course they are right: the laity did not create this crisis: indeed, some of the laity are the direct victims of the crisis, while many, many others, including the disadvantaged and those most in need of social and pastoral assistance, are threatened with the reduction of services provided by the Church as assets get re-routed to cover the legal costs of the abuse.

What did create this crisis? The root of the problem is the lack of accountability on the part of the bishops, which allowed a severe moral failure on the part of some priests and bishops to put the legacy, reputation and good work of the Church in peril. The lack of accountability, in turn, was fostered by a closed clerical culture that infects the priesthood, isolating some priests and bishops from the faithful and from one another.

No one can safely generalize about a group as huge, complex and amorphous as "the laity." It is also wrong to generalize about "you," the bishops. Indeed, many of "you" are not only blameless in the current scandal—you have acted honorably in the incredibly difficult balancing act you are called upon to perform. You did not protect abusive priests, nor have you attempted to circle the wagons or clamp down on lay "dissent," when outraged parishioners and priests in recent months

demanded accountability for episcopal misdeeds. Other bishops, however, have behaved atrociously, angering fellow bishops and priests, whose reputations have been tarnished by those whose actions have been marked by arrogance, lack of repentance, and repeated failure to be collegial and consultative, except in an upward direction.

Archbishop Flynn and Monsignor Maniscalco asked Peggy and me to address the question: What's at stake in the present crisis? What's at stake is the viability of the Church's moral and pastoral mission in the United States on the scale of its historic legacy; at stake is the reputation of the priesthood; at risk is the moral and pastoral authority of the bishops, and the Church's credibility on social justice as well as sexual teaching. Whether the Catholic Church as currently governed and managed can proclaim the gospel effectively in this milieu is an open question.

The laity must always be receptive to frank talk from our bishops about our own failings. And in that same spirit of candor, borne not of spite, but of love for the Church and respect for your office, we must reproach you for your attitudes and behavior that have given scandal to the faithful, especially to the young. A good friend of mine, hearing I would be addressing you, sent the following message:

"You and I are the father of teenagers who are experiencing all that teenagers experience. Our children struggle with the whole concept of Church, the nature of God, the tradition into which they've been born. I am confident that God will speak to each of them at some point in their lives, perhaps when they are ready to listen. Sooner better than later. But you and I both know that, above all else, teenagers hate hypocrisy. Like Holden Caulfield in *The Catcher in the Rye*, they will spot a phony from miles away. And right now they are thinking that if this is what is going on with the Church, I want no part of it."

When Jesus withdrew temporarily from the crowds and led his apostles to Caesarea Philippi, he posed two questions to them: What are the people saying about me? And who do you say that I am?

Today, after five months of unrelenting revelations of clerical and episcopal misdeeds, one is compelled to ask: What are they saying about you, the successors to the apostles? I don't think the suspense will be broken if we admit that at this particular moment in American history, they are NOT comparing you to Christ and his apostles.

They are saying, rather, that this scandal is only incidentally about the terrible sin and crime of the sexual abuse of minors by a small minority of priests; that the underlying scandal is the behavior and attitudes of the Catholic bishops—not just THEN—ten or fifteen or twenty years ago, when the abusive priests were reassigned, but even NOW, after all the sorry revelations to date! They are saying that the bishops, even now, have not yet engaged the victims in a way that conveys that the Church begins to comprehend the profoundly devastating effect of sexual abuse at the hands of a priest, one whose hands also consecrate the Eucharist, baptize the infant and forgive the sinner. If a bishop had any idea how soul-shattering the loss of self-esteem, how deep the wounds of betrayal, the people are saying, he could never have contemplated, even for a moment, putting other children in jeopardy by relinquishing his moral authority to a therapist, or

by bowing to the pressure of the pastoral need for active priests or, what is worse, by being governed by a misguided sense of sympathy for brother priests.

They are saying, most distressingly, that the seminaries and the priesthood have been made vulnerable to the unstable and to the immoral; and that (some of) you bishops are complicit in this development.

They are saying what months ago would have been unthinkable—that the Church is not safe for the innocent, the young, the vulnerable—that it is morally bankrupt. Astonishingly, they are saying this of the Church whose priests and religious have nurtured the weak, fed the hungry, educated and formed generations of immigrants and their children and grandchildren. They are saying this about the bishops, who have spoken the truth before the political powers of this nation and who continue to testify on behalf of the marginalized, the weak, the unborn and the other defenseless ones in American society—they are saying this of the priests and women religious and lay ministers who built vast expanses of the social service infrastructure of this nation and who contributed to some of its most glorious achievements as a democratic society!

They are saying that the failures of the hierarchy extend to your arrogation of unchecked authority over finances and legal strategies, extending to cover-ups and fiscal malfeasance.

They are saying that some members of the hierarchy, including those at the center of the storm, remain unrepentant and even defiant, blaming the culture, the media or their ecclesial opponents for the disgrace that has been visited upon them.

They are saying that you are divided among yourselves, and that some of you even take pleasure or comfort in the travails of rival bishops.

I am saddened to report, from our perch here at the Texan equivalent of Caesarea Philippi, that they are saying all of these things. And let us not even consider what our enemies are saying!

And what are your priests saying? Not much; they are reeling, suffering untold pain; and they would be in hiding, shamefaced and feeling abandoned, were it not for some of you and for their parishioners. The people to whom these more than 40,000 priests daily minister, knowing that their priests are good, heroic, and often holy men, refuse to hold them accountable for the egregious sins of the few. In their collective wisdom, the faithful hold priests accountable for their behavior—no more no less. They want to know if the priest keeps his promises and vows, if he remains celibate whatever his sexual orientation, and if he is kind and filled with the spirit of self-denying love.

On this matter of reassigning predator priests, the apologies issuing from bishops and cardinals will not be heard unless and until they go beyond the rhetoric of "mistakes and errors" and name the protection of abusive priests for what it is-- a sin, born of the arrogance of power. The bitter fruit of clericalism is the often unreflected upon assumption that by virtue of ordination alone a priest is spiritually and morally superior to the laity.

This is difficult for some of you to hear, and some of you will refuse, even now, to listen to it. But I remind you that a remarkable, and to my mind encouraging, development in response to the danger we now face is the fact that Catholics on the right, and the left, and in the "deep middle" all are in basic agreement as to the causes of this scandal: a betrayal of fidelity enabled by the arrogance that comes with unchecked power. Karl Rahner said that one of the most devastating effects of sin is the sinner's inability to recognize his behavior as sinful. Sin's cloaking of its presence occurs whenever a bishop, archbishop or cardinal, assumes quietly that he is accountable to no one but God and the Holy Father-- that only he, as successor to the apostles, knows what is best for the Church. This is an outrageous assumption, and it is the deepest source of the anger currently being unleashed upon all of you, including, unfairly, those of you who have overcome the temptation to the sin of clericalism in your own ministries.

The role of women in the church is a topic that deserves full and separate consideration; but the marginalization of women, wherever it exists in the Church, counts among the most devastating effects of clericalism on the morale and vitality of the People of God. Women are outsiders on two counts, being neither male nor ordained, and so are among the most frequent recipients of the aloofness and disregard that is a sign of clericalism. Given that women religious and lay women not only helped build the Church in this country but have been the primary formers of faith in children from birth to adulthood, we cannot afford to lose credibility on questions of sex and gender. But that credibility has been shattered by the current crisis.

Faced with this litany of accusations, the world wants to know one thing: Why would anyone in his right mind want to be a Catholic bishop today?

My concluding remarks proceed upon the assumption that each of you has a compelling answer to that question, and is prepared to defend the Church and the episcopacy with all your heart and mind and will.

Where is the path out of this disaster? I do not envy you the enormously difficult decisions before you, and I will not presume to suggest how you should vote on the controversial provisions of the draft document prepared by the Ad Hoc committee. But allow me to make three general points that I ask you to consider as you deliberate.

1. The crisis is primarily a moral crisis. It is also, now, a pastoral crisis and an institutional crisis, the latter entailing complex financial and legal considerations. These three dimensions of the Church's presence in U.S. society are interrelated. Loss of confidence in the moral judgment of some of the priests and bishops places the Church in a vulnerable position vis-a-vis the legal system and the civil authorities, who will no longer give the Church a wide berth when it comes to the conduct of its "employees."

These various dimensions of the crisis are addressed in a document entitled "Challenges and Opportunities Arising from the Current Crisis," which Father Edward Malloy, C.S.C., president of the University of Notre Dame, sent to all the U.S. Catholic bishops on May 22. The document was prepared by a Church Study Committee appointed by Father Malloy. We have grouped our reflections under three headings: restoring trust, exercising stewardship, and seeking wisdom. In my full text I summarize our recommendations, but I urge you to consider the report carefully.

2. The Church, institutionally, is a unique presence in American history. It is not a public trust in the legal sense, but it clearly has a public face and acts as a public trust in the moral sense. The current crisis has removed any doubt that the Church in the United States must understand itself as a national body and act accordingly. This will not diminish but enhance fidelity to the local and universal Church. There is no threat of a Gallican model, one that privileges national over Roman, that is, universal jurisdiction. But has it ever been clearer to us that what occurs in the church in Boston, New York, or Los Angeles can have immediate repercussions for the church in Iowa, Ohio, or Washington? And yet the crisis has also revealed that the present procedures and structure of the USCCB are inadequate to address the governance of the Church on this level.

It may be helpful if you explain to the non-specialists, that is most all of us, at least in general terms, the relationship between the Vatican and the USCCB, and between canon law and civil law in this particular case. Rome has been very cautious, to say the least, in granting authority to the national episcopal conferences, and I believe that the laity have or will have difficulty understanding what appears to be a counterproductive level of oversight. Please pardon the question but it is a natural one: Are you not trusted by the Vatican? It seems incredible to the interested outsider that on matters of faith and morals you would veer one millimeter from orthodoxy.

Those of you who are canon lawyers know the challenge of applying canon law within a specific local and national environment. The state and civil society in, say, Honduras, or Poland, present different challenges to the Church than does the U.S. government and legal system. To the extent possible, then, I urge you to formulate the policies that make the most sense for this environment, without anticipating how the Vatican might respond. Let Rome be Rome; it will be, in any case.

Thinking and acting nationally as well as locally and universally will enhance the Church's effectiveness and thus bolster its authority. Everyone is relieved that a national policy will be deliberated and adopted at this meeting; but will that policy have teeth? Will it be enforceable and enforced? In the current climate it will not be enough to say no bishop would refuse to implement the new policies. Each bishop must be held directly accountable and his diocese evaluated for compliance on a regular basis.

3. A new attitude toward lay leadership, supported by new or renewed structures, is necessary.

Although the laity is not to blame in the current crisis, our own consciences have not been entirely clear on other matters. A significant portion of Catholics in the pews have been selectively ignoring you, for many years now. Indeed, next month it will be 34 years since the events of July 1968. At that fateful moment the majority of American Catholic laity openly disobeyed authoritative Church teaching; and the bishops, in turn, failed to persuade the majority of Catholics, including some priests and religious, of the compelling truth of the Church's position. The laity practiced artificial birth control, had sex outside of marriage, and endured abortions at about the same rate as other Americans.

The breakdown of Christian community, in short, opened the way to crisis. In the nearly forty years since the Second Vatican Council, despite the Council's call for greater participation by the laity in the mission of the Church, we allowed some of you to remain aloof from lay concerns, and to consolidate all significant decision-making in your office, including things unrelated to your teaching office in matters of faith and morals, things either beyond your competence or beyond your ability to judge in a disinterested manner. No one man can responsibly bear all burdens, perform all tasks, act with integrity and excellence as chief pastor and teacher, liturgist, confessor, administrator, financial officer, supervisor of litigation. Not even a company of men, all cut from the same cloth. (Especially, perhaps, a company of men, all cut from the same cloth.)

Despite the repeated objections of hundreds of Catholic journalists, theologians and historians active lay participation, including shared decision-making where appropriate, was left, like so much else in the Church, to the inclination of the local bishop or pastor. In some places lay councils and clergy-lay collaboration flourished, elsewhere they languished—much like the NCCB recommendations regarding sexual abuse policy a decade ago. The laity's hope, immediately following the Second Vatican Council, that collegiality would come to characterize moral and theological reflection, pastoral leadership and administrative decisions at every level of the Church, including lay-episcopal relations, diminished as we observed a steady erosion of collegiality within the hierarchy itself.

The post-conciliar era, as we all know, has been a particularly tumultuous time for the Church in the United States. While parish life remains vital for practicing Catholics, the laity as a national body has experienced fragmentation, confusion, discontent and in-fighting as the gap between church and society has widened. Might the same also be said for the priests, the religious and the bishops?

Indeed, these have been challenging— at times, excruciating—years for those who are called to teach, defend and celebrate the Church's proclamation of God's offer and guarantee, through Jesus Christ, of redemption from sin and death. Nonetheless, the faithful are just that—filled with faith! Yesterday we believed in Christ, today we believe in Christ, and long after the current storm has passed we will continue to believe in Christ, from the depths of our being. We will continue to believe in Christ, and in the Church, which has, in and from Christ, the words of eternal life and the model of authentic human flourishing.

Some have called for new canonical structures to facilitate lay involvement in the Church; these advocates note, correctly, that current structures such as diocesan pastoral councils representing the laity and presbyteral councils representing priests have in many cases atrophied into uselessness, whether through benign neglect or deliberate suppressions. Such calls should be taken with much more seriousness than they have been taken in the past. I do not exaggerate by saying that the future of the Church in this country depends upon your sharing authority with the laity. I commend to you especially the editorial published in the Summer 2002 issue of Church magazine under the title "A Purification Urgently Needed." Alongside the many sound structural reforms suggested by Monsignor Murnion, he notes that finance councils, and other kinds of structures, did not prevent scandal, and new structures will not do so, either. BUT, he continues, church leadership was too narrowly conceived within those structures and "participation of the

laity must be structured into the basic culture of the church through Vatican norms, bishops' procedures and ministry formation programs—all three."

Finally, a word about the priests: the victims rightly complain that the bishops seemed more worried about the priests than the victims. But let me speak for the laity directly to the victims of clerical sexual abuse and their families: we grieve with you for the terrible ordeal you have suffered, and we pray that you will give healthy and holy people within the church a chance to work with you respectfully to help heal the wounds as far as this is humanly possible. AND we also worry about the tens of thousands of priests who have never and would never abuse anyone; priests who today are afraid to show any kind of affection, priests who are paralyzed with fear, embarrassment and grief. We sympathize, too, with these good men, the innocent, the unjustly tainted.

Academics can be obscure; I have tried to avoid that occupational hazard in these remarks. But to restate my argument in the clearest possible terms: the crisis confronting the Church today cannot be understood, and thus not adequately addressed, apart from its setting in a wider range of problems that have been growing over the last 34 years. At the heart of these problems is the alienation of the hierarchy, and to a lesser degree many of the clergy, from ordinary lay women and lay men. Some commentators say that the root of this scandal is betrayal of purity and fidelity; others say it is the aloofness of the bishops and the lack of transparency and accountability. They are both right: to be faithful to the church envisioned by the council fathers of Vatican II, bishops and priests must trust the laity, appropriately share authority with them, and open their financial, legal, administrative practices and decisions to full visibility. They must give a compelling account of the faith that is within them and address controversial issues directly, in an open and collaborative spirit.

An enormous mistake would be to adopt prudent, courageous and enforceable policies regarding sexual abuse at this meeting, and then think that the work of reform has been accomplished. The principles underlying the policies you will implement on sexual abuse—a return to strict discipline and moral oversight within the priesthood, a new regime of collaboration with laity marked by transparency and accountability, a firm resolve to pray together as a body of bishops and as individuals to root out clericalism in the priesthood and in the seminary—these principles must be extended to all aspects of the life and service of the Catholic Church in the United States. Otherwise, the next scandal will come quickly on the heels of this one.

Christ's promise that He will not allow the forces of hell to prevail against the Church is disturbingly relevant today. At such times it is worthwhile to recall the first line of the Second Vatican Council's Pastoral Constitution on the Church in the Modern World. As the bishops gazed out upon the modern world with all its deeply troubling trends for people of faith, they proclaimed that "The joys and the hopes, the griefs and the anxieties of the men of this age, especially those who are poor or in any way afflicted, these too, are the joys and hopes, the griefs and anxieties of the followers of Christ." The preparatory commission that drafted the document gave it the working title "Luctus et Angor: On the Grief and the Anxiety." One could sympathize, perhaps, with their point of view. But when the bishops gathered in council to consider the document, they gave it the title *Gaudium et Spes: On the Joy and the Hope*. In the current crisis God has given us a second chance to renew the church through the kind of joyful

active involvement of all Catholic women and men—not only the priests, bishops, and cardinals—in every dimension of the Church's mission on earth. The promise of Vatican II can yet be realized, if you will lead us in that endeavor. Despite the gathering storm of materialism, hedonism and a culture of disbelief, the council fathers looked with joy and hope to the future. They did so in full awareness of their own sinfulness and failures, but in full confidence that the Lord, by His suffering death and rising to new life, has already overcome the world. Thus the bishops named the document *Gaudium et Spes*. Despite the regrettable failures of the People of God in the years since that hopeful day, I continue to believe that they were right.

Scott Appleby, University of Notre Dame, June 13, 2002