

By Jackie Mason  
and Raoul Felder

# Chill out on the church

## Catholic clergy should not have to report every complaint

America is not a nation of love, but neither is it a nation of hate. It is an honorable nation of many components; people who love, people who hate, people who are mentally ill, saints and criminals. Except when they are sick or arrested, Americans have a hate relationship with the legal and medical professions. Ask any trial lawyer. We are also a nation that is "anti" this and "anti" that. Among them is a strong anti-clerical, anti-Catholic feeling that often disguises itself with the cloak of liberalism — witness the acceptance of the Brooklyn Museum's attack on Christianity in the name of freedom of speech. When the anti-clerical, anti-Catholic people are teamed up with the sue-and-get-rich-quick bunch and their lawyers, an obnoxious, if not explosive, mixture is created.

Let's get one thing straight: Pedophilia is among the most horrible and heinous of crimes, and one cannot conjure up, without going back to the Middle Ages, punishment of sufficient severity for its perpetrators. It is, in Cardinal Egan's words, "an abomination."

When there is an allegation of child abuse made against a member of the clergy, logically there are but three possibilities: The allegation is true; the allegation is knowingly false and made for the possibility of financial gain; the allegation is in fact false, but the accusers believe it to be true.

Yes, Virginia, believe it or not, there are people who would make false allegations, for profit. To these people, the Catholic Church in America represents a seemingly bottomless pocket. Additionally, there is a perception that the church would pay off on even a false claim. With lawyers working on contingencies, it is a no-lose situation for an individ-

ual who wakes up one morning and decides he or she was abused by a priest 30 years ago.

There are also troubled people who are walking repositories of anger and imagined wrongs. Their venom is often aimed at large, seemingly impersonal, immutable institutions. In 1956, George Metesky, the Mad Bomber, held New York City hostage because of a wrong that he believed was done to him by Consolidated Edison; "Con Edison Crooks, this is for you." There are collections of misfits, losers and mental cases out there that blame their lack of good fortune and inadequacies in life on the Catholic Church.

It is also within the realm of possibility that people genuinely believe that things happened to them, that in fact, did not occur. The McMartin trial in Manhattan Beach, Calif., the longest U.S. criminal trial, lasted six years, cost the state \$15 million, affected the lives of hundreds of children, and was finally determined to be a hoax. While these accusations were, at last, determined to be unfounded, it was clear that some mysterious mental process occurred, where the accusers actually believed something happened that did not happen, and with clear consciences were able to swear falsely.

More recently, we have observed the vogue for hypnotic regression — people under hypnosis who recall all sorts of things that supposedly happened in their childhoods, even things that never did actually occur. When probed further, these people are even prone to turn up pre-birth existences and prior life identities. The psychiatric profes-

sion is rightly questioning the validity of these revelations. It is interesting that these delusions are cast with such an aura of verisimilitude that psychiatrists are necessary to debunk them. None of this was much comfort to Cardinal Joseph Bernardin of Cincinnati. He was sued by Steven Cook for sexual molestation because of Mr. Cook's recollections under hypnosis. The case was dropped four months after commencement because Mr. Cook's lawyer, Stephen Rubino, concluded the allegations could not be substantiated.

Finally, there are apparently a number of legitimate complaints of abuse — and they have to be responsibly addressed. Although it is popular, even comfortable to believe otherwise, there is nothing inherent in church or church practices that cause these terrible things to happen: Celibacy, often named as a culprit, has little to do with the dark and twisted urges that result in atrocities on children. Rather, the genesis for this conduct is that there exists relatively few people who, consciously or unconsciously, enter the priesthood viewing the church with all its rules, restrictions and structure as being an institution that would contain their criminal lusts.

The church should be held to no greater or lesser standard than should any citizen or other responsible entity. If there is a sexual harassment allegation by an employee against General Motors, General Motors investigates that allegation. If the harassment rises to the point where force or a criminal act is clearly involved, General Motors or

any other organization in a similar situation should rightfully direct and assist the complainant in going to the criminal justice system for aid.

However, for the Catholic Church, as suggested, to immediately report every complaint to the authorities, on a presumptively guilty basis, puts the accused in an impossible position, and places the church in harm's way in terms of civil litigation, if the accusation is later determined to be unfounded.

What the Catholic Church should be doing, approximates what it is, in fact, doing. If a complaint is made, it is investigated. Until the church's investigation indicates a reasonable probability of the event having occurred, it should not have the burden of reporting the accused to the prosecutorial authorities. Church authorities should, however, make clear to the complainant that he or she can, on their own behalf, report the matter to the appropriate law enforcement authorities. For the Catholic Church to be required to do this of its own volition before it has fully investigated the matter, basically creates a situation of prejudgment at best, and at worst makes it, under our system, an inappropriate arm of the criminal justice system.

The Catholic Church is an institution that represents the core beliefs of, and is the moral compass for, tens of millions of people. It is not only unfair, it is unwise, to undermine this relationship by a response more visceral than thoughtful.

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