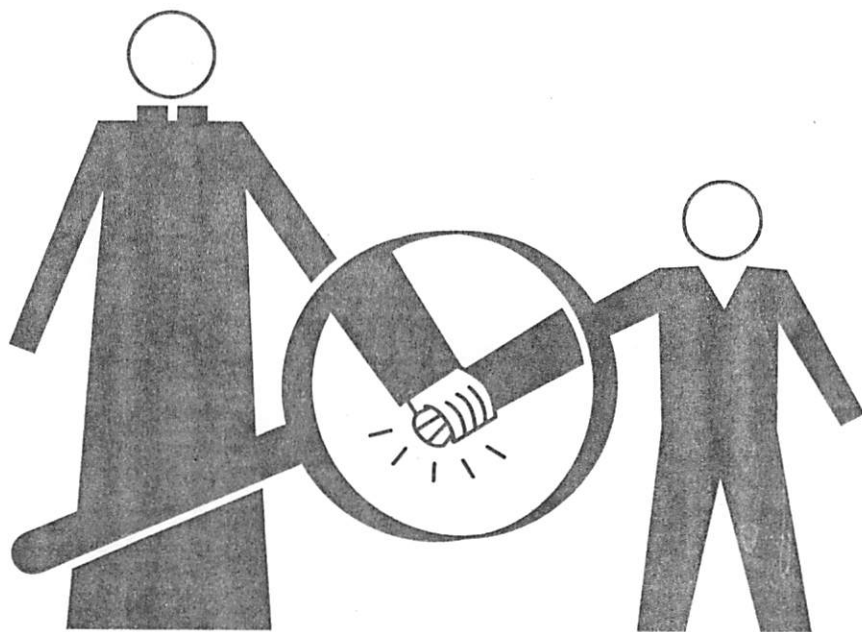


BILL KELLER

# Let Us Prey



Knickerbocker

One thing I learned in the course of my Catholic education is that the church is not a democracy. So the fact that a plurality of Boston Catholics believe the leader of their archdiocese should resign for his shameful cover-up of pedophile priests is just an interesting bit of polling data, not something likely to influence the cardinal, whose word (and name) is Law.

One prominent church member tells me that the cardinal, Bernard F. Law, has privately likened his disgrace to Senator Edward M. Kennedy's misadventure at Chappaquiddick, indicating that he expects to tough it out. Others speculate that the Vatican will give the cardinal six months and then kick him upstairs to run something like the Office of Indulgences, for which he seems uniquely qualified.

Whether or not Cardinal Law keeps his job, though, is the wrong question. Surely if he had a shred of respect for his anguished clergy and parishioners he would have stepped down by now. The more interesting question is why he and the bishops who knowingly shuffled sexual predators from parish to parish should not face criminal indictment for abetting the grotesque offenses against the children of their parishes. It will take something like that to break the Catholic Church's long, sad cycle of sexual abuse, public scandal, promised reform, resurgent complacency, followed, always, by another horrific disclosure.

The uproar in Boston began with one rapacious priest, John J. Geoghan, now defrocked and in prison. He is accused of molesting more than 130 children, mostly elementary-school boys from the most devout and vulnerable families, whose stressed mothers were pathetically grateful when a priest offered to take the boys for ice cream. For more than 30 years after Father Geoghan's appetites came to the attention of his superiors, and even after the mid-1980's when Catholic leaders were warned that pedophilia was not some failure of moral will but an incurable illness, they continued to assign him to parishes where he presided over altar boys and school groups.

The archdiocese has since identified more than 80 priests in the Boston area who have been accused of molesting minors over the past 40 years. Like Father Geoghan, many were sent away for therapy, then reassigned to new parishes. Often their new superiors were not even let in on the nasty secret.

Every detail of this sordid story has had to be dragged from the reluctant archdiocese, mostly by the dogged investigative reporting of The Boston

Globe. The archdiocese has resisted and dissembled, paying hush money to victims, getting court records sealed, at one point having its lawyers warn The Globe that the paper would be sued if reporters so much as attempted to interview priests on this subject. As for accountability within the church, all five bishops accused of negligence for allowing Father Geoghan free rein have been promoted to run their own dioceses.

Lately the Boston archdiocese has

## Pedophile priests, cover-ups and criminal law.

changed its tune, employing public relations consultants and agreeing to cooperate with prosecutors. The cardinal declines to be interviewed, but he has given two news conferences, embraced the buzzword "zero tolerance," and scarcely opens his mouth these days without apologizing. "in retrospect," for "tragically incorrect" judgments. Parishioners are divided on whether this act of contrition is mostly contrition, or mostly act.

It is nice to think that the convulsions in Boston will be to the Catholic Church what the Tailhook scandal was to the Navy, what Watergate

and the intern scandal were to the White House, what Enron is to corporate America — a hard summons to institutional accountability. Certainly the tens of millions of dollars in legal settlements should focus the mind. But there is ample reason to doubt that the church can be trusted to clean up its mess.

Over the past 20 years, following numerous eruptions of scandal and huge payouts to victims, most archdioceses have drafted rules to deal with abusive priests. Unfortunately, the rules are often secret, inadequate, unenforced, or all of the above.

Out of curiosity, I called the Archdiocese of New York, which supposedly enacted a rigorous policy last summer. After initially declining to make the document public, a spokesman for Cardinal Edward M. Egan relented and gave me a copy this week. It dictates that any credible report of sexual abuse must be reported — not to police or other civil authorities, as stricter archdioceses mandate, but to the archbishop, to the church's lawyers and to the church's insurance company. (Liability, you see.) Yes, the policy requires archdiocese personnel to "comply with the requirements of the law," but New York law does not include clergy on its long list of professions that must report sexual abuse of minors.

The New York policy provides that a priest who is ultimately found guilty of abuse is barred from ministering to children, but it leaves open

the possibility that a suspected priest can continue to work with children while his guilt or innocence is determined. A spokesman, Joseph Zwilling, said "the usual practice" was for an accused priest to leave his ministry until the matter is resolved.

The Catholic Church has a powerful incentive not to be too rigorous in cleansing its clerical ranks or screening immature seminarians, some of whom may be pedophiles drawn to the priesthood by the delusion that a celibate environment will help them cope with horrible urges. Priests are in desperately short supply. The church has no way to recruit enough of them, short of allowing the ordination of women and married men — a change that rank-and-file American Catholics support but one that the current pope and his hierarchy fiercely oppose.

The more serious impediment to reform is a powerful culture of repression and denial regarding all subjects sexual. Consider the astounding remark the other day by the pope's spokesman, Joaquín Navarro-Valls, that the ordination of anyone with homosexual "inclinations" is invalid, whether he practices celibacy or not. Either the spokesman chooses not to believe what every credible study has shown, that gays are far more prevalent in the priesthood than in the population at large, or he is casually proposing a whole-

sale purge of the clergy. Please note, there is no known connection between homosexuality and pedophilia; the point is, an institution that cannot honestly reckon with the sexual orientation of its ministry can hardly be trusted to face the question of a frightening sexual disorder.

Indeed, an honest look at itself would oblige the church to consider whether the zealous suppression of normal sexual curiosity may exacerbate the problem of sexual predation. (Or, as a *Slate* headline wondered the other day, "Does abstinence make the church grow fondlers?")

American Catholicism may not be a democracy, but it lives in one. And while the separation of church and state is a precious freedom, the First Amendment was never intended to provide sanctuary for criminals.

The church has long enjoyed reverential treatment from legislators, prosecutors, judges and sometimes the press. It has a robust lobbying apparatus in Washington and in state capitals, it offers friendly politicians campaign photo ops, it has been quick to cow inquisitive reporters with threats of advertising boycotts and charges of anti-Catholic bias.

One consequence of this deference is that while most states have laws requiring that anyone who works with children inform authorities when they have reason to believe a child is being victimized, many states do not apply the law to clergy. Only now has the Massachusetts legislature been moved to close that loophole, retaining an exemption for the privileged disclosures of the confession and spiritual counseling.

Congress, which leapt to hold hearings last week on abuse of nursing-home patients, has demonstrated no interest in the ravaging of young Catholics. Massachusetts has two Catholic senators with presidential aspirations either past (Senator Kennedy) or future (John F. Kerry). When I called their offices to ask if they saw any role for Congress, press aides nervously wrote down my question and never called back.

Courts have often been quick to comply when the church asked that records of abuse cases be sealed from public view. Prosecutors also tread carefully. Last week Thomas F. Reilly, the Massachusetts attorney general, brandished a subpoena threat and finally pried loose information the archdiocese had been holding back about scores of cases. But it is striking that while victims have sometimes won civil claims against bishops for hiding the injurious behavior of subordinates, I could find no case of a bishop or cardinal being indicted for enabling or covering up these crimes.

Criminal cases are harder to make than civil liability cases, Mr. Reilly points out. But perhaps it's time a prosecutor tried. The fear of God doesn't seem to be doing the trick. □