THE CHURCH’S SEX-ABUSE CRISIS
What’s old, what’s new, what’s needed—and why

Peter Steinfels

There are scandals and then there are scandals. Most are ugly, absorbing, and quickly forgotten. A few change history. The current flood of revelations about Catholic priests sexually preying on minors and the failure of Catholic officials to expose these outrages is taking on the dimensions of a history-changing scandal.

Seasoned observers of Catholicism are straining—and failing—to find a comparable event against which to measure the current crisis. Polls of Catholics register their massive loss of confidence in their leaders. Interviews surface raw anger. Catholics report friends and family members who have started attending other churches. To be sure, most parishioners express shock and sorrow while declaring their faith unshaken. No doubt they mean it. After all, the faith of Catholics has survived a lot of shaking in the past four decades. But that rock-bottom confidence does not reflect the continuing tensions between faith and doubt that are now the daily reality for millions of religiously thoughtful Catholics. Nor can even the most steadfast escape the impulse to take some distance from a soiled church.

It is no exaggeration to say that years of pastoral work have been undone in a few months. All the matters that the Vatican and its supporters in the United States have considered perils to the faith—theologians without mandates, gender-neutral language in the liturgy, the casual relativism that equates all world religions—are like so many tempests compared to this tsunami.

Yet the current scandal, I would argue, is not what it seems. Horrid facts have been mixed with half-truths, half understood. Revelations, accusations, admissions, denials have rolled down day after day like an avalanche of mud, to the point that sorting through and examining the claims and the issues have become almost impossible. One is left only with a general impression of betrayal and malfeasance on a grand scale and with a general reaction of disgust.

And isn’t that sufficient? When one reads the graphic descriptions of predatory acts, when one tries to absorb the lifelong damage to so many victims, when one considers the violations of trust, the invasions of family homes and relationships, the besmirching of fellow priests, and the dissipation of resources contributed by the laity and desperately needed for other purposes, the connection between the scandal and its enormous impact appears straightforward and without need of further puzzling. Don’t the facts speak for themselves?

No, they do not. Some “facts” are wrong. Some facts that are right are being jammed, consciously or unconsciously, into a framework where they don’t quite fit. And then there is the fact that we scarcely know how to absorb—the forest rather than the trees—smack in front of our eyes and yet so much at odds with what has now become an almost reflexive fear of the worst. I mean the fact that the vast majority of incidents we have been reading about are at least a decade old, many much older, and were dealt with in the early 1990s.

With emotions at the current pitch, it is hard to say these things without being accused of whitewashing the church or denying the suffering of victims. Yet the possibility that the current sexual abuse scandal has been widely misunderstood does not mean that it is overblown. On the contrary, it may show that the crisis the church now faces goes even deeper than we imagine.

What today’s scandal makes plain is the underlying and pervasive erosion of trust that has come to characterize the

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relationship between large portions of the Catholic laity and their bishops. That estrangement, so manifest in the reaction to the sexual abuse stories, reveals the true condition of the American church: not a hothouse of sexual secrets, but a church tragically devoid of leadership and seemingly indifferent to squandering the gifts of the best-educated and most fully engaged Catholic laity in the church’s history.

What is the public perception of the scandal? First, that a large number of priests have been viciously preying on minors. Second, that church authorities have been facilitating these crimes by reassigning molesters to parish after parish despite complaints. Third, that the church has been rebuffing victims with courtroom tactics instead of offering pastoral care. Fourth, that the Catholic Church has been engaging in a massive cover-up, hiding cases from legal authorities and settling suits on the sly. The phrases summing up these charges run like mantras through the news stories: “shuffling pedophile priests from parish to parish,” “stonewalling the victims,” “paying hush money.”

I have deliberately stated this indictment in the present perfect (“have been preying...facilitating...rebuffing...engaging”) because that is exactly the indefinite way it has registered in the public mind. These are vaguely past practices, in other words, that have continued more or less unabated to the present.

I have read hundreds of news stories on this topic since the Boston Globe began its reporting blitz about the serial molester and former priest, John Geoghan, in January. Two overwhelming things emerge. The first is the shocking character—in some instances the scarcely believable character—of the conduct alleged and often admitted, whether by abusing priests or accommodating church officials. The second is that this conduct occurred fifteen, twenty-five, thirty, or more years ago. The vast majority of the offenders have long since retired, resigned, died, or otherwise been removed from the active priesthood.

Moreover, the minority of these earlier offenders still active in the priesthood have largely been assigned, rightly or wrongly but almost always after what church authorities believed to be thoroughgoing evaluations and treatment, to posts away from young people. Whether this was wise, or not, is a fair question. In the current climate, many bishops are finding it prudent to remove these priests from any ministry, too. Since 1993 only a very, very few priests having credible past allegations in their dossiers have remained in or been returned to standard parish duties. When credible allegations have emerged in more recent years, the accused priests have not been reassigned; on the contrary, most appear to be in the hands of the law.

I state these propositions with trepidation, for two reasons. First, in this matter, there is no monolithic “the church” but 195 separate and autonomous dioceses operating over many years under any number of different bishops. Priests who have served the U.S. church over the time period under investigation are not the forty-six thousand currently active priests but a number more like one hundred thousand. Different news stories, relying on different sources or using different time frames, report different numbers. Furthermore, the bishops have not created any central source of reliable numbers (a failure that has caused untold damage in itself). Any generalizations will always be challenged with at least a handful of counter-examples.

Second, what is past cannot be ignored or dismissed. Revelations of atrocities committed by American troops in Vietnam or Central America ought to make headlines today, although these U.S. military interventions are long over. Unethical or criminal instances of medical experimentation or drug testing should be uncovered and publicized even when they occurred years ago. We not only hold individuals responsible for such past acts; by exposing them, we learn important, lasting lessons about our institutions, ideologies, politics, and economics, and sometimes about human nature itself.

At the same time, legitimate distinctions between past and present cannot be brushed aside as irrelevant. No responsible report on unethical medical experiments or fraudulent drug testing would fail to highlight for the concerned reader whether the experiments were continuing or the questionable drugs still in use. As a Catholic I must struggle with the fact that pious church leaders and some of its best thinkers once believed that the faith of Jesus was served by burning people alive. As an American I must acknowledge a history of genocidal attitudes toward indigenous peoples and centuries of crimes against humanity perpetrated in the slave trade and slaveholding. That does not mean nothing has changed.

So while the past sins and crimes of priest molesters and the delinquencies of church authorities cannot be set aside as though they had nothing to tell us, it is flatly irresponsible to assume without examination that the situation is the same today as it was, say, a decade ago or a quarter century ago. It is irresponsible to skirt that examination out of anger or carelessness—or because undertaking it would weaken a brief for reform or unduly complicate a dramatic narrative. It is irresponsible to concerned parents, dismayed Catholics, innocent priests, and quite simply to truth itself.
The pivotal years, from 1985 to 1993

Between 1985 and 1993, the American bishops were dragged kicking and screaming into dealing with sexual abuse by priests. Recall the Reverend Bruce Ritter, founder-hero of Covenant House, New York’s refuge for runaway youth. Or James Porter, a laicized priest from Fall River, Massachusetts, whose serial predations were on the scale of Geoghan’s. The scandals of those years also produced cover stories in the newswEEKlies, bone-chilling exposés on prime time, public apologies from bishops, and impassioned exchanges among Catholics about celibacy, patriarchy, authoritarianism, and sexual repression. The reporting, especially on television, was probably less accurate, more biased, and more sensationalized than anything seen recently.

It remains almost impossible to fathom the way church authorities regularly mishandled abuse cases before that time. My only inklings come from recalling what I observed in the late 1950s. As a teenager working at a Boy Scout camp, I discovered and reported that a top camp official was molesting fourteen- and fifteen-year-old staff “trainees.” The perpetrator was immediately sent packing and victims sent home. There was no publicity, no record, no legal action, no compensation, no therapy. There was probably no obstacle to the accused finding work at other camps, even Boy Scout camps, just as he had bounced, I subsequently learned, from teaching at one suburban school after another. There was also the inexplicable reluctance of some of my co-workers to involve themselves in confronting behavior they clearly suspected. The Boy Scouts soon changed their ways. The Catholic Church, tragically, took much longer.

It was in 1985 that the pioneering articles by Jason Berry chronicling the case of the Reverend Gilbert Gauthie in Louisiana, backed up by Tom Fox’s editorials, sounded the alarm bell in the National Catholic Reporter. Other initiatives followed, but, for reasons that historians will no doubt probe, none caught fire. Many bishops, Cardinal Bernard Law reported, a leader among them, resisted any national action that might infringe on the independence of bishops in their own diocese.

It took the drumbeat of widely publicized cases, the threat of huge financial losses plus the growing effectiveness of victims’ groups, and the biting criticism of a few prophetic souls like the Reverend Andrew Greeley to overcome the inertia. Yet step by step, workshop by workshop, meeting by meeting, the bishops’ conference nationally and many bishops locally did take action. They engaged experts, studied the medical realities, met with victims, revised local diocesan policies, and scrutinized the quality of treatment centers. The bishops emphasized pastoral care for victims and screening of seminarians, they struggled with the risks involved in reassigning offending priests after apparently successful treatment, they prodded Rome to ease church law so that recalcitrant priests could be more readily dismissed.

This window of transition came far too late and took far too long, but it did occur. The precise dates, which the current news blitz has tended either to ignore or fudge, are important. NewsWEEK’s March 4 cover story on Cardinal Law says that “In 1984, the story of Gilbert Gauthie, a child-abusing priest in Louisiana, exploded into the national press. The same year Cardinal Law moved Geoghan from Saint Brendan’s to Saint Julia’s.” But the Gauthie story did not explode into the national press in 1984. The New York Times was typical in taking no note of Gauthie until June 1985, more than six months after Geoghan’s reassignment.

Time magazine’s April 1 cover story dates the Gauthie scandal more accurately but then declares omnisciently that “at least” since then, “the U.S. church has known all about...how deep sexual misconduct ran, how widespread, how frequent.” Should have known, perhaps, but actually did? Having interjected the year 1985, Time goes on to describe the subsequent situation in a past tense (“Dioceses lapsed into a pattern of denial and deception”) that rhetorically transports the reality of previous decades into the post-1985 period of slow learning and forced change.

The watershed years were almost certainly 1992–93. The bishops’ conference announced five general principles for dealing with accusations: respond to allegations promptly; immediately suspend anyone reasonably suspected while proceeding with an investigation and making use of “appropriate medical evaluation and intervention”; comply with civil law and cooperate with criminal investigations; reach out to victims; deal with the issue “as openly as possible.”

More concrete measures were taken in 1992 by Chicago’s Cardinal Joseph Bernardin, appalled to discover his error in reassigning an accused, superficially treated priest who had promptly repeated his offenses. The cardinal assembled a blue-ribbon committee that not only culled forty years of diocesan records to identify potential abusers and remove those still active but recommended a new model for handling accusations, a lay-dominated committee (including a victim or victim’s relative), a nonclerical gatekeeper, and a publicized hotline. The Chicago model was imitated or at least adapted elsewhere.

Finally, the trial and sentencing of Porter in 1993 galvanized many bishops, Cardinal Law among them, to comb files for lurking Porters and to get them into treatment or out of the active priesthood. Geoghan was one such case. The Reverend Paul Shanley was another; already on extended sick leave in California (but serving part-time in a parish), he was now sent into treatment.

To say that 1985 began the transition and that 1992–93 was a watershed excuses neither the earlier blindness to complaints and indifference to victims nor the sanctimony, secrecy, and deception that sometimes accompanied the process of easing priests out. The inexplicable leniency before 1993 toward Shanley, who had publicly defended sexual relations between men and boys, and the tributes or references given him until 1997 have renewed demands for Cardinal Law’s resignation. But the period 1985–93 nonetheless marks a break in the story.
What changed & why it was overlooked

All this is on the record, and it offers the most straightforward explanation of why the recent spate of revelations contain so few from the past decade: Something really did change.

But that claim raises further questions. First, if something changed, exactly what was it? And how much did things change? And why did it take so long? And if the changes were not enough (which can almost be taken for granted, in view of the present mess) what more must be done?

Second, if what we are seeing is not a new, post-1993 wave of sexual abusers but rather the same wave once again, why do most people, including well-informed Catholics, including anguish priests offering apologies from pulpits, have a different impression?

As for what has changed, it is almost certain that church authorities long since ceased to “shuttle pedophile priests from parish to parish.” Bishops underwent the equivalent of crash courses in sexual dynamics and came to terms with the inadequacy of “go-and-sin-no-more” policies. These facts alone could explain the paucity of recent cases coming to light.

Seminaries also began seriously screening candidates and sought a middle ground between the older harsh suspicion of sexuality and the flouting of celibacy that marked some institutions in the post-conciliar reaction. Education, upward mobility, new cultural attitudes, and probably the scandal itself reduced the Catholic deference to clerical and hierarchical authority that had often permitted abuse to go unchecked.

Generalizations about treatment of victims are harder to make—each case is so different and it is mainly the most contested that become visible. My guess is that the overall pattern has unquestionably been for the church to be far more pastoral and less legalistic than before. Much of the information coming to light today would not, in fact, even exist if church officials had not made civil settlements with victims in the 1990s instead of following an older pattern of fighting cases where the statute of limitations and the credibility of accusers would have provided favorable terrain for a church “victory.”

Of course, different interpretations are possible. Time is faced with a fact it cannot ignore: “Almost every case on record happened years ago.” Still, it can say that there is no “way of knowing whether the pedophile epidemic is being checked.” Recent young victims, it explains, may merely feel incapable of going public until they are adults. The magazine quotes a plaintiff’s lawyer: “We’ll find out in about 2015.”

The argument is tricky—it is hard to disprove a negative—and runs up against the facts that the 1985–93 scandals produced accusations not only of long-past abuse from adults but of relatively recent abuse from young people and their parents. But Time’s argument is not illogical, and it would be nice if my own conclusions above did not include the words “almost,” “nearly,” and “guess.” The Saint Louis Post-Dispatch surveyed 178 of the U.S. Latin-rite dioceses, managing to get replies from more than two-thirds. “The survey shows that at least four-fifths of the dioceses responding rely on lay committees, not the church hierarchy alone, to assess allegations of sex abuse,” Jon Sawyer, the paper’s Washington bureau chief, wrote on March 24. “The recent disclosures of Catholic dioceses that have concealed instances of child sex abuse and left abusive priests unpunished obscures the reality that most dioceses in the United States have been addressing this problem for years.”

Under the best of circumstances, reorienting an organization as large as the Catholic Church is like turning around the proverbial ocean liner. It is always hard to know how thoroughly changes at the top filter through the ranks and translate into decisions on the ground.

But whatever the shading, the situation since 1993 has certainly been better than it was before. If that is so, why has the current scandal proved to be so much worse?

One reflex in the face of such a question is to blame the media, a reflex most church officials have wisely repressed. Tabloid coverage has played its part in the present scandal, of course, both on the new forms of tabloid TV as well as in tabloid papers. A number of columnists, suddenly flaunting their previously invisible links to the church, have given vent to vitriolic denunciation. There has been a certain sloppiness about terminology: three months into its coverage the Boston Globe ran a story saying that actually only a small number of the sex offenders were, like Geoghan, true pedophiles in the clinical sense, a point that does not lessen culpability but has significant consequences for treatment and prevention. Still, a great deal of news coverage, while aggressive, has been accurate, even restrained, within the normal limits. Some coverage has been extraordinary balanced and informative.

Even the best coverage has nonetheless often conveyed a seriously inaccurate picture through a more subtle process. For the most part, individual stories almost always give the time frame of the particular events being reported, for ex-
ample, “A spokesman for the Podunk diocese announced today that it had settled suits charging three priests with abusing minors in the 1970s and 1980s.” Then the stories naturally set these specific events in the wider context. “Today’s announcement adds to mounting revelations of sexual abuse by pedophile priests that have rocked the Catholic Church in recent months.” What gets left out is the fact that those other “mounting revelations” are equally of deeds done one, two, or more decades ago. Consume a steady diet of those stories, and read them in the context of “news” — that is, of events that mainly happened yesterday or last week or at most last year — and it takes a very concentrated mind not to assume that references to an “epidemic” of “recently disclosed” abuse do not fall into the same category.

**Settlements & secrecy**

The effect of endless news coverage is not the whole story, however. There is also the fact that the break between past and present is not at all clear for another part of the indictment, the unpublicized settlements with sealed court records that have led to charges of “cover-ups” and “hush money.” These do not appear to be limited to the past but to have continued to the present time. It was no accident that the first sentence of the *Boston Globe*’s first big story on Geoghan referred to “the cloak of secrecy.” Hiddenness, dark secrets in dark places, have become almost as much an element in the current scandal as the sexual harm itself. If secrecy remains the church’s norm, then, who can really know whether newer policies are operating or whether other Geoghans aren’t as free to pursue their prey as ever?

Quiet settlements and sealed court records are not necessarily sinister. One legal expert who has worked on church matters for decades told me, “Eighty percent of the time it was victims who asked for confidentiality.” “How do you know?” I asked in return. “Fifteen years of talking to diocesan attorneys,” he said. This man is someone I respect. He is right to point out that many settlements have been sealed to protect the victim’s reputation rather than the church’s. But in the present climate, his testimony and that of diocesan attorneys just won’t suffice. He and they will not be seen as disinterested. In fact, keeping settlements secret, a fairly standard legal step, has probably been the mutual preference of church officials and victims in many cases.

This points up a serious shortcoming of the bishops’ 1985–93 reorientation. After 1993 the momentum that had finally built up was lost. The biggest single factor was probably Steven Cook’s false accusation made in November 1993 (and withdrawn 108 days later) against Cardinal Bernardin himself. Cook’s lawyer, Stephen Rubino, currently being cited in the press as though he had no history of his own, orchestrated the accusation with CNN to gain massive news coverage. Some leading critics of the bishops’ previous inaction badly injured their credibility by precipitously hail-

ing the Cook charges. Embarrassment at CNN’s and Rubino’s manipulations undoubtedly sobered the media.

Although the story of predatory priests was demoted from nightly news to occasional revivals during a sweeps week or following extraordinarily large settlements, church officials were aware that a tremendous backlog of cases remained from earlier decades. Unfortunately, with the pressure off, there was little thought about an overall approach to handling them.

And even when the pressure was on, the bishops had never been able to respond with the decisiveness that the scandal demanded. The special committee assigned the topic eventually produced solid, detailed work. But what did it signify that the effort was spearheaded not by a cardinal but a bishop, however much respected, from Bismarck, North Dakota? Rome, during the years 1986–88, had spent its energies trying to banish the Reverend Charles E. Curran from teaching moral theology at Catholic University; to strip Seattle’s Archbishop Raymond Hunthausen of his powers; and to force a revision of the bishops’ stance on combating AIDS. Dealing with sexual abuse, in short, was not high among Vatican priorities.

In the end, the bishops could endorse advisory “principles,” but they could not produce anything resembling a national policy. According to canon law, the powers of the bishops’ conference, except in matters liturgical, are almost entirely advisory. The solid, informative documents, for example reviewing the evolving sexual abuse policies of local dioceses, were inevitably written in the diplomatic prose of a body that can only coax and must never offend.

What turned out to be a deceptive reprieve, post-1993, revealed other weaknesses. Some dioceses publicized their policies, set up hotlines for complaints, and conducted preventive education programs for clergy and diocesan employees, though sometimes only the minimum legally required. Other dioceses avoided the topic altogether, their policies scarcely more accessible to the laity than if they had been written in Latin. Diocesan papers have often reported new cases matter-of-factly when they became public, but seldom provided a forum for discussing causes. Would any parent or victim, dissatisfied with an official response, ever think of going to the diocesan paper for an independent investigation? Would any diocesan paper ever think of raising questions, about either local or national developments? An independent diocesan press might have saved the church from a disaster, or at the very least prepared Catholics to put the recent revelations into perspective.

Most organizations want to hide their dirty linen. The Catholic Church can reinforce that instinct with aversion to “scandalizing the faithful,” a handy theological rationale for not opening the secrets of the clergy or the divisions within the hierarchy to lay eyes and ears. Sealed records have become a symbol of a lack of transparency in general that goes a long way in explaining why recent revelations, despite their vintage, have created a scandal well beyond its forerunner.
The larger distrust

Yet the sense that the church operates by a norm of secrecy is not the whole story either. As family members, employees, and citizens, most Catholics know very well that not everything can be made public and some things must be taken on trust. Not long ago, they took a great deal on trust from church leaders, although often with a grain of cynicism. Now church leaders are lamenting that the sexual abuse scandal has undermined that trust. But the opposite is more the case. It is the preexisting erosion of trust that has shaped the way Catholics have perceived—or have been primed to misperceive—the scandal to begin with. That may be the more important truth.

That misperception may have given the present scandal a cumulative character it doesn’t deserve: “Didn’t we go through this ten years ago? My God, why haven’t they taken care of the problem?” But the current impatience, anger, and alienation also arise from the cumulative effect of years of irritation with what looks like the indifference, incompetence, or arrogance of church leaders. Embarrassing statements from on high, inept, ill-stated, or ill-explained; embarrassed acquiescence at lower levels. Conservatives and liberals have different lists of complaints, to be sure. The center of gravity of the American Catholic populace is moderately liberal, which means believing that tolerance, pluralism, open discussion and inquiry, the equality of men and women, the ideal of intimacy in marriage, and many other typically “modern” values are authentic ways of living Christianity. For years these Catholics have felt, rightly or wrongly (and I believe, for the most part, rightly) that many high church leaders harbor an incomprehension bordering on contempt for this outlook. Other leaders, these Catholics sense, comprehend but comply, publicly endorsing positions that are privately questioned.

This underlying fissure between appearance and reality is why some scandals change history. Devout Christians had been denouncing the indulgence racket and the associated power of the clergy for centuries before Johann Tetzel’s crass fundraising appalled Martin Luther. Grievances long simmering below the surface, abetted by new social arrangements, boil over. Leaders who have been happy to scrape along, keeping to their immediate tasks with heads down and eyes averted as much as possible, are taken unawares. Either they seize the tiller and change course or they go under.

What leadership requires

What will happen next? The media’s interest may burn itself out or provoke a backlash by tarring innocent clergy. The church may be doubtfully blessed with another deceptive pause. On the other hand, the shocking nature even of old cases, so irreconcilable with the way the priesthood is understood, may feed the scandal for a long time to come, especially if American cases are linked with scandalsalude, old or new, that has been disclosed in Canada, Ireland, Britain, France, Austria, and, most recently, in Poland. Another possibility is that the analysis above will prove wrong: the changes instituted by the bishops in the nineties will prove to have been inadequate or inadequately implemented, and not the inevitable few but an undiminished number of molestation cases will surface from the years since then. To some extent, the recognition that most priest offenders have targeted male adolescents and not, like true pedophiles, prepubescent children, has already turned attention to the extent of sexually active homosexuals in the clergy (or among seminarians) and may eventually turn attention to patterns of consensual violations of celibacy, whether heterosexual or homosexual (consensual frequently being an adjective open to dispute). The scandal may no longer be victimization of minors; it will still be secrecy and hypocrisy.

At this point everyone urges a favored solution. One, generally advanced by conservatives, is a strengthening of hierarchical and sexual discipline, with a renewed emphasis on clerical obedience and asceticism. A second, generally advanced by liberals, is the opening of the Latin-rite priesthood to married men (and women), with a concomitant dissolution of the clerical culture currently set apart by celibacy. A third solution, now generally favored by everyone, is reliance on civil authorities to investigate and resolve allegations of sexual molestation.

The proposed solutions are not mutually exclusive, and they are all worth discussing. But each has weaknesses, and each overlooks a necessary prior step if the current scandal is not to extend almost endlessly the present devastation.

Priests and bishops faithful to the celibacy they publicly profess are certainly likely to be more steadfast guardians against sexual exploitation of all kinds than if they are themselves compromised. A celibacy wholeheartedly placed in a larger spiritual framework and positively affirmed by fellow clergy might brace some priests in times of stress and
There are many reasons for eventually opening Latin-rite ordination to married people. Providing a safeguard against sexual abuse is not one of the most persuasive. Marriage is not known to prevent sexual abuse as much as to keep it in the family. Marriage does not automatically eradicate clerical culture: Historically, Protestant, Anglican, and Orthodox married clergy have maintained a variety of clerical cultures, both attractive and uninspiring.

Yet it seems incontrovertible that the Catholic clerical culture has impeded efforts to detect and remove priest molesters. Occupations characterized by shared experiences of prolonged or difficult preparation and intense confrontations with life-and-death events naturally close ranks. Police, physicians, and priests should never be counted on to patrol themselves. The real problem with abolishing celibacy as a requirement is that some Catholics now peddle as the cure for everything the way some Republicans peddle tax cuts, is that outing sexual molesters simply cannot wait for a global church to get around to such an adjustment. (Presumably celibacy would survive in any case, in religious orders and among some diocesan priests.) Rather than wait for the demise of a clerical culture which may, in fact, contain elements worth preserving, the church should instead counter its inevitable self-protective tendencies with devices like the lay-dominated review boards already created by many dioceses and greater roles for parishioners in the assignment of pastors and associates.

As for the criminal-law solution, not a few bishops consider themselves blessed by mandatory reporting laws, which require allegations of molestation to be promptly reported to civil authorities for investigation and prosecution. Bishops in states where clergy working with minors are not covered by such laws should seriously consider pressing for a change. But calling the cops is not the panacea frequently imagined. In many instances, the available evidence does not rise to the level of prosecutable action. Church authorities cannot escape the responsibility of making their own decisions about suspension, treatment, reassignment, or retirement, which may now be complicated because the accused has, to some extent, been “let off” by the law.

No one of these solutions will suffice, although an adroit mixture of spiritual renewal, institutional checks on the self-protective ethos of the clerical culture, and cooperation with the law may. But what is needed to limit the devastation of the present scandal is something prior: a restoration of confidence in church leadership.

There is a terrible vacuum of leadership at the highest levels of American Catholicism. This vacuum has not just happened. It has been deliberately created by years of episcopal appointments and Vatican interventions designed to prevent the American church from taking national initiatives that might conflict with Rome’s. The American bishops’ conference has been repeatedly reined in, with power shifted to the cardinals (especially to the one currently most paralyzed), to the point that nothing happens without looking over one’s shoulder for approval.

Restoring confidence in church leadership will not be accomplished by apologies or exhortations, no matter how heartfelt. Catholics have to see and know that these terrible matters are being addressed openly, honestly, and decisively. Catholics are owed a visible, public examination of the pre-1993 failures, a full review of the post-1993 changes and how they have or have not operated, and a comprehensive account of what has surfaced and been done in the last months.

Since Catholics everywhere have been profoundly affected by deeds in distant dioceses, such an exercise of leadership must be national and not just diocesan. It should be capable of exerting moral pressure on dioceses so that the bishops’ conference could provide full, accurate numbers about past and current cases of abuse around the country, information on their dates and disposition, and details about diocesan policies. It should manage, by voluntary consent if not by canon law, to establish a national policy, beyond the present advisory principles, to which dioceses would be held publicly accountable.

Commonweal has proposed a panel of “experts” (“The Whole Story,” April 5) to address the scandal. My own model would be more like the Kern Commission that addressed America’s racial divide in the wake of urban riots in the sixties: a panel of public figures respected for good judgment, experience, and probity. Leading bishops, chosen by the bishops’ conference, should be the primary members, joined by lay Catholics, especially women, of independent stature and possibly non-Catholics as well. If the bishops are not willing to undertake the task, a commission of lay Catholic notables could be formed, chosen from left, right, and center, adequately funded by private contributions, and prepared to compensate for its obvious lack of official authority by publicizing which dioceses do and do not cooperate.

Whatever form it takes, recovery of trust will demand an exertion of leadership American Catholicism has virtually never seen in its history. It will demand collective action but also the courage and capability of individuals who emerge like a Lincoln or a Churchill, to make the necessary stand and speak the necessary word.

If the church is the people of God, body of Christ, sacrament of the world, instrument of communion, then the Spirit is somewhere in this scandal. Where? As far as I can tell, waiting.

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