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Where Do We Go From Here?

If we are to draw some good from the sexual abuse crisis in the church, two issues now need to be addressed.

BY THOMAS P. RAUSCH

They cannot understand why it took the bishops so long to deal with this crisis, when their children were at risk. They wonder if the church at its highest levels is willing to address this problem.

Many are frustrated when Rome's latest document, on liturgical abuses, seems more concerned with what vessels to put the altar wine in or what ministers of Communion should be called. The document's encouragement to members of the faithful to bring complaints about liturgical abuses to Rome is reminiscent of Pope Pius X's support for Umberto Benigni's *Sodalitium Pianum*, a secret society set up to report deviations from Roman teaching to the Vatican. At the same time, when some bishops threaten Catholic politicians with virtual excommunication if they do not vote the way the bishops think they should, this seems to risk further dividing an already polarized community.

What good, if any, might come from the present crisis? I would like to suggest two issues that need to be addressed: first, the reform of church structures of governance and, second, the need to focus on the sexual abuse of young people in American society as a whole.

The Reform of Structures

What seems clear to many is that the church needs to reform, not just how it exercises authority, but also its structures of governance, in order to provide for greater collegiality, accountability and a system of checks and balances so that the church can function not as a top-down authority structure,

Bishop Wilton D. Gregory, president of the U.S. Conference of Catholic Bishops, responds to questions about results of a national audit of diocesan policies and practices mandated by the bishops' *Charter for the Protection of Children and Young People*. Bishop Gregory and other representatives gave the briefing in Washington on Jan. 6. They said nearly 90 percent of U.S. dioceses have fully complied with the requirements set forth to protect minors better against clerical sexual abuse.

THE SCANDAL CAUSED by the sexual abuse of young people by members of the Catholic clergy has made the laity take a new and critical look at the way their church operates. While the vast majority of Catholics have remained loyal to the church, many have a clear sense that something is seriously wrong.

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but as the interdependent *communio* of churches, pastors and faithful that it truly is. The concern is evident at all levels.

Three years ago, Cardinal Walter Kasper wrote in *America* (4/23/01), "The right balance between the universal church and the particular churches has been destroyed," and added that this was not just his own perception but the experience and complaint of many bishops from all over the world. Even more significantly, he has spoken of "a mental or practical schism" between the universal church—by which he means Rome—and local practice. "Many laypersons and priests can no longer understand universal church regulations, and simply ignore them." This applies both to ethical issues and to questions of sacramental and ecumenical praxis, such as the admission of divorced and remarried persons to communion or the offer of eucharistic hospitality to non-Catholics."

Whenever issues of governance in the church are raised, one hears the refrain, like a mantra, "the church is not a democracy." But neither is it an absolute monarchy. Numerous historical studies have recently appeared showing that contrary to what we often hear, the church has always learned and borrowed from its historical and cultural surroundings. But somehow its development got "stuck" in the early modern period, with the emergence of the absolute monarchy.

Today, finding ways to make the church's decision-making processes more inclusive of and in some way accountable to laity and clergy is one of the crucial issues the church faces. In terms of structural reform, there are several steps that could be taken without overturning the papal-episcopal structure of the church. One includes giving local churches a role in the selection of their bishops. Another involves implementing the principle of subsidiarity. A third calls for revising the procedures for the international Synod of Bishops.

Selection of Bishops

How bishops are selected remains a critical issue today. As William Spohn, a professor of ethics at the University of Santa Clara, has said, "The historically recent centralization of episcopal appointment into the hands of the Vatican violates the Catholic tradition and has made many bishops less accountable to the people of the local churches they are ordained to serve." A review of church history shows a number of ways for choosing a bishop, most of them involving some input from both clergy and laity in the local church. Only in relatively recent times have all bishops in the Catholic Church been appointed by Rome.

Some argue that Roman appointment helps to safeguard unity in a world church. But clearly the great tradition of the church gives far more weight to provincial and local church structures in the selection of bishops. A return to local nomination or selection, confirmed by the bishop of Rome, would respect the integrity of the local church to provide for its

We must address reform of church structures and the problem of sexual abuse of young people in American society.

needs without politicizing the episcopal office. It would also help to maintain the necessary tension between conciliarity and primacy, local church and universal church in the communion of the church. In the words of Michael J. Buckley, S.J., "If the present system for the selection of bishops is not addressed, all other attempts at serious reform will founder and ever greater numbers of Catholics will move towards alienation, disinterest, and affective schism."

Subsidiarity

Finding effective ways to give expression to the principle of subsidiarity in the church's life would be another important step toward reform of the way the Catholic Church exercises authority. The principle of subsidiarity means that larger social bodies should not take over decisions that are the responsibilities of smaller groups or associations. It has its roots in the writings of 19th-century social thinkers in France and Germany and first appears in Roman Catholic social teaching in Pope Pius XI's encyclical *Quadragesimo Anno* (1931).

While subsidiarity is presumed as a principle in Catholic social teaching, there is some debate as to whether or not it applies also to the government of the church. Pope Pius XII twice stated that it did. He said that the principle was valid "also for the life of the church without prejudice to its hierarchical structure." The Second Vatican Council, however, did not follow his lead in this respect. The preface to the revised Code of Canon Law (1983) referred to it, but the code's failure to develop the consequences of subsidiarity and its emphasis upon the power of the pope, at the expense of the bishops, has contributed to a recentering of decision-making authority in Rome.

The Synod of Bishops

Another structure badly in need of reform is the international Synod of Bishops. Many judge the synods to be ineffective. According to Michael Fahey, S.J., editor of *Theological Studies*, the structure of their sessions has

become unwieldy; they have become rituals with little practical impact on the life of the church. The synod process might be improved considerably by giving the bishops more voice in preparing its agenda, relaxing the rule of secrecy, revising the reporting process, expanding the membership and giving the bishops a greater voice in preparing the synod's final report.

Still, the synod has considerable potential. It provides the bishops with an international forum to raise problems facing the church, should they choose to use it for that purpose. Even if the synod's are not deliberative, they carry a moral authority that the pope cannot afford to ignore.

These are only a few of the reform measures that have

been recently proposed and ought to be seriously considered. Others include: ordaining married men to the priesthood, reform of the Roman curia, returning to the ancient practice of binding a bishop to his see, strengthening the powers of national and regional episcopal conferences, and re-examining the role played by the college of cardinals in the government of the church, including papal elections.

Sexual Abuse in Church and Society

Perhaps the greatest good that might come out of the sexual abuse crisis is a sustained focus on the evil of sexual abuse of young people not just in the church, but in society in general. No other institution has undergone the intense scrutiny focused on the Catholic Church in the United States in the last 15 years. The same kind of examination of instances of the sexual abuse of young people in the universal church has not been done. It is not a problem merely in the United States, Canada and Ireland. This issue needs to be addressed at the highest levels of the church, that is, by Rome.

But the sexual abuse of young people is not just a Catholic problem. The Christian Science Monitor reported on April 5, 2002, that most American churches being hit with child sexual-abuse allegations are Protestant, and most of the alleged abusers are not members of the clergy or staff, but church volunteers. Though comparative data is not readily available, there are indications that this is not just a problem in the church. For example, the Gallup Organization reported that 1.3 million children were sexually assaulted in 1995. The National Child Abuse and Neglect Data Systems found that for the year 2001, approximately 903,000 children were victims of child maltreatment, 10 percent of whom (or 90,000) were sexually abused. Most instances of abuse take place in families, where it remains a hidden but very real problem. According to Dr. Garth A. Rattray, "about 85 percent of the offenders [of child sexual abuse] are family members, babysitters, neighbors, family friends or relatives."

Very disturbing reports on public



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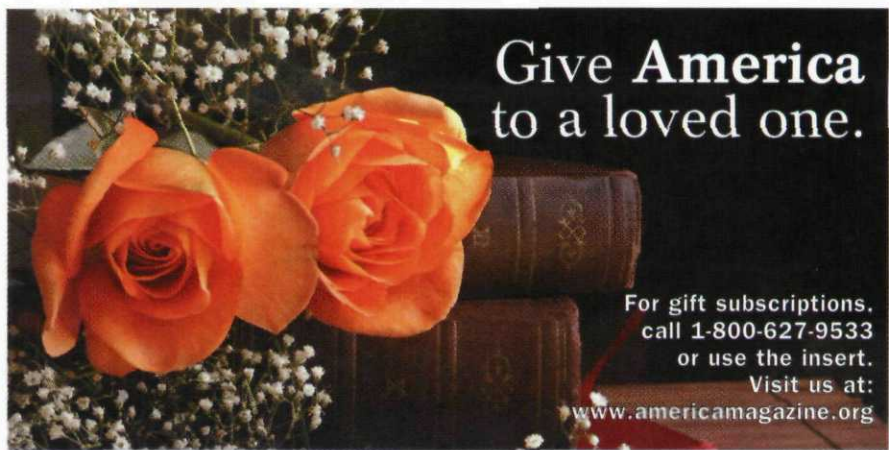
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schools are also surfacing. The Catholic League cited in 2003 a little noticed report in *The New York Post* estimating that “in New York City alone, at least one child is sexually abused by a school employee every day,” and 60 percent of those accused in the New York City schools were transferred to desk jobs at district offices located inside the schools. Of these, 40 percent are repeat offenders. The report blamed efforts by the United Federation of Teachers to protect teachers at the expense of students. Another article said that teachers accused of sexual misconduct cannot be fired under New York State law. The draft of a report commissioned by the U.S. Department of Education, written in response to a requirement in the federal No Child Left Behind Act, concludes that the issue “is woefully understudied” and that solid national data on its prevalence are sorely needed. Yet despite the limitations of the existing research base, the scope of the problem appears to far exceed the priest abuse scandal in the Roman Catholic Church, according to Charol Shakeshaft, the Hofstra University scholar who prepared the report. She said the best data available suggest that nearly 10 percent of American students are targets of unwanted sexual attention by public school employees—ranging from sexual comments to rape—at some point during their school-age years.

While representatives of the National Educational Association have criticized the report, Shakeshaft says that in her understanding the report was to lay the groundwork for a broad national study of sexual abuse in schools. But last May she was told to retool the report, and officials say they have no more plans at the moment to study the issue.

The point here is not to mitigate the responsibility of the church, but to emphasize again the pervasive nature of the problem of the sexual abuse of young people in our society. One positive outcome of the present crisis might be to ensure that this problem is lifted up and addressed, not just in the church, but also in society. **A**



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