

THE "CRISIS IN THE CHURCH":
A CTSA PROPOSAL FOR REFLECTION AND REFORM

[This statement was prepared by an ad hoc committee appointed by President Peter Phan for the purpose of providing a basis of discussion during the annual convention concerning the clergy sexual-abuse crisis. The members of the ad hoc committee were Lisa Sowle Cahill, Richard Gaillardetz, and Ladislav Örsy. The CTSA board received the paper as an internal document for discussion by the membership. The paper will be revised, incorporating the suggestions made at the hearing of the resolutions session, and posted on the CTSA website for further comment and discussion by the members of the Society.]

In the year 2002, the Roman Catholic Church in the United States experienced a crisis of proportions unparalleled in the history of the church in this country. Instigated by a series of reports in the *Boston Globe* about the repeated and longstanding sexual abuse of young boys by the former priest, John Geoghan, the quickly mounting turmoil has hardly been limited to the initial problem of pedophilia. In the wake of the initial revelations, hundreds of priests and several bishops were implicated in the cover-up of a variety of kinds of sexual misconduct with minors, leading to wider questions about sexuality, homosexuality, celibacy, sexual formation of priests, married and women priests, and perhaps most importantly, about the nature, structure, and governance of the ecclesial body within which these events transpired.

In 1992–1993, the U.S. bishops had begun to address cases and accusations of sexual abuse (which had been publicly raised since at least 1985) by recommending that dioceses respond to charges promptly and in full cooperation with civil law; that those credibly and reasonably charged with perpetrating abuse be suspended from active ministry and referred for treatment; that victims and their families be treated compassionately; and that the issue be dealt with openly. While some bishops implemented these principles fully and aggressively, many did not. An ongoing sexual abuse crisis was a huge focus of media attention, both nationally and internationally, in the first half of 2002. Recently the U.S. cardinals were called to Rome for a special meeting with the pope and Vatican officials, and the U.S. bishops are now faced with the challenge to develop both short-term and long-term responses. The resolution of the crisis ultimately will demand concerted efforts of both the local and universal church, as well as episcopacy, clergy, and laity.

Members of the CTSA claim theology as their vocation and expertise, through the exercise of a calling within the church, in academic institutions, and in scholarship. The Church has a public voice (e.g., the social encyclicals) through which it addresses issues that affect the common good, not Catholics only. Similarly, Catholic theologians are concerned with the interface of Catholic

identity and public responsibilities, and advocate special concern for the most vulnerable members of society. In keeping with its ecclesial, scholarly, and professional missions, the CTSA proposes to identify salient theological issues requiring further discussion if the present crisis is to be met with faith, humility, courage, repentance, forgiveness, reconciliation, reform and hope.

Part One: Ecclesiology and Church Structures

The crisis we are experiencing today is precisely a "church" crisis. According to the Second Vatican Council, the church is a "communion of life, love and truth (LG # 9)" which makes manifest "the mystery of God's love for humanity (GS # 45)." More recently, Pope John Paul II has written of the church as "the home and the school of communion (NMI # 43)." This ecclesial perspective rightly puts the accent on the church as a relational reality, as a community of persons grounded in communion with God in Christ by the power of the Holy Spirit. Within this ecclesial communion all church relationships presuppose the equality of the baptized and are to be characterized by openness, collaboration and reciprocal accountability. Herein lies the crux of our present crisis, for what we are experiencing today is nothing less than a failure of church leadership to honor the demands of authentic ecclesial communion. When the most vital bonds of trust are betrayed, when leadership decisions appear to be dominated more by secrecy, clerical privilege and the protection of the church's public image than by a commitment to compassion and truthfulness, then the church's life of communion is thereby diminished. The scandals facing the church today have led us to conclude that a thoroughgoing church reform is both legitimate and necessary. Such reform must go beyond a fear of further litigation or a pragmatic concern for the image of the church to attend to those church structures and vital ecclesial relationships that exist for the very purpose of preserving the life of ecclesial communion.

Twelve years ago this theological society, in its statement, "Do Not Extinguish the Spirit," raised vital questions regarding the procedures for appointing bishops and the appropriate exercise of church leadership by individual bishops and episcopal conferences. As new information emerges daily regarding disturbing patterns of pastoral negligence on the part of episcopal leadership, these questions seem even more pressing today than they were then. Public outrage has been directed not just toward the instances of clerical sexual abuse themselves but toward church leadership's systemic failure to maintain, even minimally, the kind of open communication, consultation and participative decision making that ought to characterize the church as communion.

This may be a time of opportunity in which the worldwide church and the local churches can productively explore the possibility of creating new canonical structures and procedures to further facilitate collaboration and participation. The present commitment of international and national church leadership to such a venture is doubtful, however. Even under existing canon law, many more forms of cooperative decision making by clergy and laity together are available than are

typically employed, even in the U.S. Catholic church, grounded though it is in a culture in which pluralism and democracy are customary.

Canon law requires each bishop to establish a *presbyteral council*, composed of priests, which is to advise him, and which he is required to consult in serious matters; a *pastoral council*, composed of clerics, religious, and lay persons, which offers the bishop practical, pastoral recommendations; and a *finance council*, accountable to the faithful for proper use of goods contributed, which the bishop must consult on important matters, and must obey in extraordinary matters. Similarly, parishes are mandated to have pastoral and finance councils. The factor leading to the very different roles these bodies serve around the country is that they are established under the authority of the pastor or bishop, and are granted only a consultative voice. It has been the prerogative of the pastor or bishop to determine membership criteria, to convene these bodies, to set their agendas, and to decide how much responsibility will be delegated to them. Similarly, canon law permits a diocesan synod to be convened when the bishop determines that it is warranted. Lay members of the synod are to be selected according to procedures determined by the bishop; and the synod has only a consultative role in producing any legislation that may result from the synod at the decision of the bishop. These opportunities for collaborative decision making are fully exploited in relatively few parishes and dioceses in the U.S.; indeed, in many cases, presbyteral, pastoral, and finance councils have atrophied into uselessness, whether through benign neglect or deliberate suppression.

In a few exemplary cases, the converse is true. According to the *Catechism of the Catholic Church*, "Lay believers are in the front line of Church. . . . Therefore, they in particular ought to have an ever-clearer consciousness not only of belonging to the church, but of being the Church. . . . They are the church" (899/432). Inspired and encouraged by the possibility of greater participation in the church to which they are committed, many priests and lay persons have in recent months sought out opportunities for a greater voice, whether within existing structures or by creating new ones. Some Catholics have demanded greater control over the disposal of their monetary contributions, even refusing to contribute to the diocese, if not the local parish. Others have approached their bishops and initiated work toward a diocesan synod. Parish councils have conducted "listening sessions" with distressed parishioners, including victims and their families. In Boston, a new Priests' Forum for mutual support has attracted over 200 priests and pastors. A growing lay organization called Voice of the Faithful has met weekly on church property in the suburbs of Boston to explore needed changes; another lay-led movement to organize parish councils or lay ministers is continuing to attract interest and numbers despite objections from the archdiocese. Boston's Cardinal Bernard Law has appointed an advisory board of professionals to consult with him on issues of clergy sexual abuse, and is discussing the possibility that an independent oversight board will be appointed to supervise the implementation of procedures for dealing with such cases. Remarkable characteristics of these movements for change are that they are working

within, not outside or alongside, local church structures; and that they are joining clergy and laity in a broad and spirited process of grassroots renewal.

Part Two: Priests

The current crisis has certainly put the ministry of priests under the spotlight. It will not be enough, however, to focus on problems raised by the sexual behaviors of individual priests. Rather, the pastoral crisis we face requires a full-scale reconsideration of the system and culture of priestly ministry, a reconsideration of the concrete relationship between priest and people that too often still manifests itself in a culture of deference marked by paternalistic attitudes and power inequities. We must ask whether our view of priestly ministry matches the vision of the council that saw the ordained priesthood as existing, never for its own sake, but always in service of the priesthood of the baptized (LG # 10; PO # 9). Finally, we must ask difficult questions regarding the canonical and even doctrinal strictures that severely limit who is permitted to respond to the call to priestly ministry. Direct correlations between a male only, celibate priesthood and clerical sexual abuse are too simplistic. But is it possible that an all male, celibate priesthood has contributed, if only indirectly, to our current crisis? We must consider the possibility that these strictures, insofar as they function as defining characteristics of the nature of the priesthood, contribute to a clerical and elitist "closed system" that distorts the authentic character of priestly ministry, inhibits necessary accountability to the whole church and artificially reduces the pool of candidates to the priesthood. Any reform that does not attend to these issues will, rightly, be viewed as merely cosmetic.

Many suggestions have been voiced about the screening and education of candidates for the priesthood. Certainly better psychological screening of candidates for ordination is in order, as is a thorough grounding in the Catholic ethical tradition on responsible sexuality. Clearly seminarians must be prepared to make a mature and faithful commitment to live celibately. Other issues which have received less attention, however, may be important elements in a healthy formation for ordained ministry. While many ordination candidates in religious communities receive their theological education in situations in which they study and work with men and women who are preparing for other forms of ministry and whose calling is not to celibacy, this is seldom the case with diocesan seminarians. The vast majority of diocesan seminarians receive their theological education and spiritual formation in institutions in which there are no other students or in which other students are kept in separate degree tracks. If priests are to minister collaboratively with others, they should be educated with others. As a society of persons dedicated to the study, development and teaching of Catholic theology, it is important that we note a concern about the state of theological education in seminaries, many of which are understaffed, underfunded, and have too small a number of students to provide a healthy and challenging environment for theological reflection and ministerial training. Although seminary faculties may sincerely attempt to form candidates as

ministers who will collaborate with others in serving the community of God's people, the question must be raised whether seminaries maintained at great expense by dioceses for the education of a very small number of persons does not convey to seminarians a sense of entitlement and reinforce precisely the clerical culture which has been so destructive. If formation for ministry is an integrative process, the preparation of ordination candidates for a celibate lifestyle cannot be divorced from these other educational concerns.

Part Three: Sexuality

Clerical celibacy, the sexual formation of priests, and the tragedy of clerical sexual misconduct should be understood within the larger Catholic perspective on sexuality, sexual orientation, marriage and celibacy.

In the New Testament, marriage and family appear as good human institutions established by God, within which disciples may experience sanctification by loving God and neighbor as part of a community of believers. Faithfulness in marriage is affirmed by Jesus in all four gospels, but the faith is not passed on primarily through family traditions, but rather through personal conversion. Thus the goods of marriage, family, and producing heirs are relativized for disciples of Christ, in comparison to their key importance, both religiously and politically, in Jewish and Greco-Roman culture. For Christians, celibacy can be a special calling, gift, or vocation, as suggested by the example of Jesus. Celibacy is commended by St. Paul as freeing one from the distractions of the household and demands of one's spouse, and enabling "singlehearted devotion to the Lord" (1 Cor 7). Although singleness of purpose seemed especially urgent to Paul in view of his expectation that the Lord would return within a generation, the value of celibacy has always been affirmed as a special vocation for Christians. Tinged as the prizing of celibacy may have been historically with denigration of the body and hostility toward sexual passion, celibacy can nevertheless serve as the basis of a lifestyle of radical commitment. A life of celibate service challenges social norms that channel goods and power through kinship and for one's mate and children, and can witness to an "option for the poor."

Celibacy only gradually became mandatory for Catholic clergy. The history of celibacy in Christianity is complex, involving both ascetical and monastic forms, and its ultimate association with priesthood may owe in part to Jewish requirements of ritual purity. Calls for clerical celibacy, not universally heeded, go back to the Spanish Council of Elvira (300). By about the fourth century, priests had to be unmarried in order to become bishops. In the seventh century, the Eastern church adopted a discipline in which priests and deacons could be married prior to ordination. In the Middle Ages, practices in the Latin church varied; the Gregorian reforms of the eleventh century aimed to enforce a rule of celibacy for all clergy. This was confirmed in 1139 at the Second Lateran Council. In the Protestant Reform of the sixteenth century, a main point of critics of Catholic practices was that celibacy is a vocation meant only for the rare few, and that mandatory clerical celibacy had led to widespread abuse.

Celibacy has also gone hand-in-hand with an all-male priesthood, though historical precedent for the latter is certainly more clearly established and universal than the former. Early arguments against the ordination of women depended in large part on a general cultural bias against the equality of women. The prohibition of women's ordination was reasserted as recently as 1994 in the apostolic letter *Ordinatio Sacerdotalis*. In 1976, the Pontifical Biblical Commission had concluded that there is no decisive biblical warrant against the ordination of women. The two most important remaining arguments against the ordination of women are thus the unsuitability of women to represent the male Christ on the altar or as the "bridegroom" of the Church; and historical precedent. Whatever the merits of these arguments, or for that matter, the interest of women in participating in the institution of priesthood as the Catholic Church presently knows it, it is evident that the exclusion of women from any consistent and formal role in higher governance has contributed to the "clerical culture" that many increasingly deplore.

In response to the current crisis in the church, many have noted that the ordination of married persons would certainly not eliminate the problem of pedophilia or other forms of sexual abuse. There is, however, reason to wonder whether mandatory celibacy does not sometimes foster a "clerical culture" in which, because he does not have a relationship to a spouse and to children, the priest's primary focus of loyalty becomes the institutional structure of the church. This seems to be a factor leading to the "cover-ups" which have so scandalized the faithful. "Love of the church" can become love for the ecclesiastical system rather than for the community of God's people. Celibacy can foster true pastoral zeal and charity. All too clearly, however, it can also promote careerism. The current crisis also raises issues of sexual orientation. Certainly, the teaching of Christianity as historically presented is that sexual relationships belong in the marriage of a man and a woman, and should be linked to procreation. Heterosexuality has been the presumed norm for human sexuality. On the basis of the modern social and psychological sciences, however, the Congregation for the Doctrine of the Faith in 1975 distinguished between a homosexual orientation and homosexual acts, declaring that only the latter and not the former is a sin. On this basis, homosexual men who are committed to a celibate vocation may be ordained to the priesthood. Any priest who engages in a sexual relationship violates his vow or promise of celibacy, whether he is homosexual or heterosexual; any priest who is chaste fulfills his celibate vocation no matter what his sexual orientation. No persuasive evidence has been presented that homosexuals are as such more likely to become sexual predators than heterosexuals. However, among the issues worthy of more investigation are whether an isolated, all-male environment is more likely to attract homosexuals (and others with difficulty adjusting to normative heterosexual behavior); to encourage sexual transgressions by homosexuals more than by heterosexuals; and whether greater cultural and moral openness to homosexuality, reflected even in church documents, has had a deleterious effect on clergy sexual behavior.

It has been suggested that dissent from Catholic sexual teaching has contributed to an atmosphere that makes clerical sexual abuse more likely. Yet recent disclosures of sexual abuse have involved figures representing a broad range of theological and ethical viewpoints, and most of these have been trained in Roman Catholic seminaries, where the greatest orthodoxy has presumably been preserved. Furthermore, dysfunctional or compulsive sexual behavior is more likely to be rooted in psychological factors than in moral theories. A serious and pressing issue, of course, is education in healthy sexual self-awareness and mature commitment to a celibate way of life for all those who have chosen this path. Catholic teaching on sex, marriage and parenthood must continue to strive to communicate the importance of love and commitment as the appropriate context for sexual relationships for all persons, and to integrate celibacy and priesthood (not necessarily to be equated) into a broader, more inspiring vision.

In summary, in response to the current "crisis in the church," the CTSA presents

Several Important Areas for Theological Exploration

1. *Church.* The nature of authentic ecclesial communion; the reform of church structures; the inculturation of the church in democratic societies; the renewal of authentic leadership; the enhancement of participatory government by local bishops' conferences, dioceses and parish councils, lay ministers and leaders, and the faithful in general, especially women; the appreciation and development of positive initiatives and energies that have already emerged within the church in response to the crisis; honest, sincere, compassionate and adequate responses to victims of wrongdoing, including appropriate forms of compensation.

2. *Priesthood.* The vocation and function of priesthood; the criteria for identifying candidates for ordination; the formation and education of priests; the assignment and supervisions of priests in their ministries; continuing support for priests; intervention, rehabilitation, possible reassignment, and spiritual healing of priests who have fallen short of their calling; the integration of priesthood with other ecclesial ministries.

3. *Sexuality.* The moral, psychological, and spiritual significance of human sexuality and sexual behavior as an integral part of human life; the married, celibate, and single vocations; the value of religiously dedicated celibacy; the dynamics and morality of sexual orientation and sexual relationships based on different sexual orientations; the causes of and appropriate responses to sexual misconduct and immorality, especially in the forms of violence and abuse of minors.

In response to this crisis as a whole, the protection of children and the creation of transparent and responsible church structures must be the dominant concerns of all Catholics and of Catholic leadership.