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Bishops investigating US nuns have poor records on sex abuse cases

Jason Berry | Jan. 5, 2013
Vatican City

Editor's note: This is the second in a series of articles, a joint reporting project by NCR *and* ***GlobalPost.com*** *, examining the background and the principle players in the Vatican's investigations of U.S. women religious.*

From its palace in Vatican City, the Congregation for the Doctrine of the Faith monitors compliance with Roman Catholic moral teaching and matters of dogma for the oldest church in Christendom.

These issues have little bearing on most of the world's 1.2 billion Catholics. Faith, for them, rests in parish life and the quality of their pastors. In the 1980s, for example, when the congregation punished theologians who dissented from the papal ban on artificial birth control, the majority of Catholics who believe contraception is morally acceptable did not change their opinion.

But as the congregation accelerates a disciplinary action against the main leadership group of American nuns, many sisters and priests are reacting to a climate of fear fostered by bishops and cardinals who have never been investigated for their role in the greatest moral crisis of modern Catholicism: the clergy sex abuse crisis.

A small but resonant chorus of critics is raising an issue of a hypocrisy that has grown too blatant to ignore. The same hierarchy that brought shame upon the Vatican for recycling clergy child molesters, a scandal that rocked the church in many countries, has assumed a moral high ground in punishing the Leadership Conference of Women Religious, a group whose members have put their lives on the line in taking the social justice agenda of the Second Vatican Council to some of the poorest areas in the world.

Many nuns from foreign countries wonder if the investigation is an exercise "in displaced anger," as one sister puts it, over the hierarchy's failure in child abuse scandals across the map of the global church.

Cardinals and bishops involved in the LCWR investigation have suffered no discipline for their blunders in handling clergy pedophiles, according to news reports and legal documents.

Cardinal Bernard Law was the prime mover behind the "apostolic visitation" of all American nun communities, other than monastic ones, and the subsequent doctrinal investigation of LCWR, according to sources in Rome, including Cardinal Franc Rodé, retired prefect of the Vatican Congregation for Institutes of Consecrated Life and Societies of Apostolic Life.

Law, who refused to comment for this article, has not spoken to the press in 10 years. He resigned as Boston archbishop in December 2002 and spent 18 months living at a convent of nuns in Maryland, with periodic trips to Rome. In 2004, the Vatican rewarded him with a position as prefect of Santa Maria Maggiore, a historic basilica; he took an active role in several Roman Curia boards, and became a fixture on the social circuit of embassies in Rome.

Boston was a staggering mess. Settlements and other expenditures related to abuse cases there have cost about

$170 million. Mass attendance since 2002 has dropped to 16 percent. Declining financial support has caused a storm of church closings, from nearly 400 parishes in 2002 to 288 today (soon to be organized into 135 "parish collaboratives").

Six years after Law found redemption in Rome, clergy abuse cases exploded in Europe.

"You have suffered grievously and I am truly sorry," Pope Benedict XVI wrote to Catholics of Ireland in a letter on March 19, 2010, as the Irish reeled from a government report on a history of bishops concealing clergy predators. "Your trust has been betrayed and your dignity has been violated," the pope continued.

"You find it hard to forgive or be reconciled with the Church. In her name, I openly express the shame and remorse that we all feel. At the same time, I ask you not to lose hope."

Despite the uncommon tone of contrition, the pope's letter offered no procedures to remove complicit bishops or genuine institutional reform.

On April 6, 2010, as cases of clergy abuse in other countries shook the European heartland, the German newsmagazine *Der Spiegel* criticized Benedict for "reluctance to take a firm stance" on the abuse a crisis, which "is now descending upon the Vatican with a vengeance and hitting its spiritual leader hard."

Almost three years later, the drumbeat of criticism has subsided, but the core problem is unchanged. Bishop Robert Finn of Kansas City, Mo., remains in his office despite his conviction in criminal court, where he drew a suspended sentence for failure to report suspected sexual abuse of children. Benedict has not punished any of the hierarchs who recycled so many sex offenders by sending them to other parishes.

Under the logic of apostolic succession, which sees each bishop as a descendant of Jesus' apostles, the power structure gives de facto immunity to cardinals and bishops for just about any wrongdoing that doesn't bring a prison sentence. The double standard in church governance -- with the men of the hierarchy immune from church justice -- has become a glaring issue to leaders of missionary orders in Rome as the Congregation for the Doctrine of the Faith probes the U.S. Leadership Conference of Women Religious.

In 2005, shortly after Cardinal Joseph Ratzinger emerged from the conclave as Pope Benedict XVI, he appointed San Francisco Archbishop William Levada to succeed him as prefect of the doctrinal congregation. Levada became a cardinal soon after.

Levada was caught in a swamp in 2002 amid news reports on abuse cases under his watch in San Francisco. He formed an Independent Review Board of primarily laypeople to advise him and review personnel files on questionable priests. Psychologist James Jenkins chaired the board. Fr. Greg Ingels, a canon lawyer, helped set it up. Jenkins grew suspicious when Levada would not release the names of priests under scrutiny.

In May 2003, board members were stunned to read news reports that Ingels had been indicted for allegedly having oral sex with a 15-year-old boy at a local high school in the 1970s. Levada, the board learned, had known about the allegations since 1996, yet kept Ingels in ministry and as an adviser. Ingels helped fashion the church's 2002 zero-tolerance policy and wrote a bishops' guidebook on how to handle abuse cases. Ingels stepped down.

Jenkins quit his post, denouncing Levada for "an elaborate public relations scheme."

Levada was sued for defamation by a priest he pulled from a parish for blowing the whistle on another priest. In 1997, Fr. John Conley told police that the pastor with whom he served made advances on a teenage boy. Levada yanked Conley from ministry; Conley, a former assistant U.S. attorney, sued. After the accused priest owned up

in a civil case, which paid the victim's family $750,000, the archdiocese paid Conley in 2002 a six-figure "pre-retirement" settlement before the suit went to trial.

Robert Mickens reported in *The Tablet*, a London-based Catholic weekly, in May 2012 that Baltimore Archbishop William Lori, a protégé of Law's, asked the Congregation for the Doctrine of the Faith to investigate LCWR.

Lori established several communities of traditionalist nuns as bishop of Bridgeport, Conn., between 2001 and 2012.

As a canon lawyer, Lori helped write the U.S. bishops' 2002 Charter for the Protection of Children and Young People. It has no oversight over bishops. In 2003, Lori approved a $21 million abuse victims' settlement involving several priests. The lay group Voice of the Faithful criticized him for allowing an accused monsignor to stay in his parish. In 2011 the priest resigned after a female church worker made sexual harassment allegations.

In a Jan. 12, 2011, *Connecticut Post* op-ed piece, Voice of the Faithful leader John Marshall Lee cited a priest who had been suspended for sex abuse yet appeared in clerical attire at public gatherings.

"Does this behavior contradict Bishop Lori's assumed supervisory orders suspending priestly public activities?" Lee asked. "How does a bishop enforce his instructions in this regard? Where does a whistleblower report this behavior, or determine if the priest in question was suspended in the first place?"

Lee cited another cleric who had been removed after "credible allegations of sexual abuse" but with no indication that he was defrocked.

"There is no current address for this man who might have been labeled 'sex offender' (had the church acted responsibly when leaders first heard of adult criminal behavior perpetrated on Catholic children) and who may continue to be a potential threat to children," Lee said. "Is the church saying that such men are no longer a public threat to children?"??

Bishop Leonard Blair of Toledo, Ohio, who wrote the secret report on LCWR for Levada, has said he got most of his information from LCWR literature. Writing in his diocesan paper, Blair made the accurate point that several speakers at LCWR conferences have taken positions, such as ordaining women, that are contrary to church teaching.

Does this mean that the ordination of women is a new form of heresy? If the truth of the church is defined by men who have violated basic moral standards in disregarding the rights of children and their families, how does their behavior meet the *sensus fidelium*, or sense of the faithful, extolled by the Second Vatican Council?

Blair's own background spotlights a double standard that rewards bishops who scandalize laypeople.

In 2004, the priest who had headed the Toledo diocese's 2001-2002 $60 million capital campaign was accused by two men of having abused them as boys many years before. Blair kept Fr. Robert Yeager as the diocese's planned giving consultant, and until Yeager's retirement in July 2005, the priest continued to solicit donations while an attorney negotiated settlements for the victims. The bishop removed Yeager from ministry in 2006, before the settlements made news.

Blair forcibly retired a veteran pastor who criticized the bishop's parish closures as "high-handed decisions with almost no collaboration with anyone." In one parish Blair installed a priest who had had a long relationship with a woman. When the parishioners found out, Blair reassigned the priest. A spokesperson said the bishop had to

keep quiet as the priest had told him in confession.

In 2005, parishioners in the farm belt town of Kansas, Ohio, filed a Vatican appeal when Blair closed St. James Parish. It failed. They filed suit to save the parish in county court, arguing that the bishop was only one trustee but parishioners owned the property. The state sided with the bishop. "We spent $100,000 in legal fees," said parishioner Virginia Hull. "Bishop Blair paid his lawyers with $77,957 from our parish account." Blair had the church demolished.

Blair, Lori and Levada became bishops with help from Law, whose influence at the Vatican as a member of Congregation for Bishops is pivotal in selecting new American priests for the hierarchy.

Along with Blair, the second member of the three-man committee now supervising LCWR is Bishop Thomas J. Paprocki of Springfield, Ill. In a 2007 homily in Grand Rapids, Mich., for the Red Mass, an annual liturgy for lawyers and judges, Paprocki, who has degrees in civil and canon law, declared, "The law is being used as an instrument of attack on the church. This was true from the earliest times when the earliest Christians were, in effect, outlaws in the Roman Empire for refusing to worship the official state gods."

He saw clergy abuse lawsuits were undermining the church's religious freedom. "This attack is particularly directed against bishops and priests, since the most effective way to scatter the flock is to attack the shepherd," he insisted.

"The principal force behind these attacks is none other than the devil," he said.

Equating the devil with lawyers seeking financial compensation for victims of child sexual abuse drew heavy criticism.

In a 2010 homily, Paprocki took a rhetorical back step, saying, "Apparently I did not make myself clear that it is the sins of priests and bishops who succumbed to the temptations of the devil that have put their victims and the Catholic community in this horrible situation in the first place."

In a column for his diocesan newspaper before the November election, Paprocki attacked the Democratic Party platform for its support of legal abortion and same-sex marriage.

Without endorsing Mitt Romney outright, he wrote, "A vote for a candidate who promotes actions or behaviors that are intrinsically evil and gravely sinful makes you morally complicit and places the eternal salvation of your soul in serious jeopardy."

Did bishops who sent child molesters from parish to parish, on to fresh victims, without warning parishioners, promote "actions or behaviors that are intrinsically evil"? Does apostolic succession absolve them of all wrongdoing?

Bishops gain stature in the estimation of cardinals and popes by proving their loyalty. A chief way to do that is by serving as an investigator of priests or nuns who run afoul of the hierarchy as threats to the moral teaching upheld by bishops, regardless of what the bishops have done.

Leading the Vatican's supervision of LCWR, the doctrinal congregation delegated Archbishop Peter Sartain of Seattle to ensure that the nuns' leadership group conforms to changes the Vatican wants.

Sartain was previously the bishop of Joliet, Ill., a diocese that was wracked with abuse cover-ups and lawsuits under his predecessor.

In spring of 2009, a Joliet seminarian, Alejandro Flores, was caught with pornographic pictures of youths, some

of which appeared to be of underage boys. No criminal charges were filed.

Sartain ordained Flores three months later, in June 2009. Then in January 2010, Flores was arrested for molesting a boy. He pleaded guilty in September 2010, the same month that Benedict promoted Sartain to archbishop of Seattle.

Next: a report on issues of property owned by women religious in which the Vatican investigation has taken interest

[Jason Berry, author of *Render Unto Rome: The Secret Life of Money in the Catholic Church*, writes from New Orleans. Research for this series has been funded by a Knight Grant for Reporting on Religion and American Public Life at the USC Annenberg School for Communication and Journalism; the Pulitzer Center on Crisis Reporting; and the Fund for Investigative Journalism.]

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