

## BBC documentary on clergy sex abuse

John L. Allen Jr. | Oct. 6, 2006 All Things Catholic

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The BBC aired a documentary on Sunday, Oct. 1, titled "Sex Crimes in the Vatican." Made by Irish journalist Colm O'Gorman, himself the victim of sexual abuse at the hands of an Irish priest, the program traced the sorry history of denial and cover-up of clerical abuse, suggesting this pattern is not entirely in the past by exposing a contemporary case in Brazil.

I was on a BBC Radio program with O'Gorman immediately after the documentary, and he came across as a sincere journalist trying to come to terms with a terrible tragedy.

The documentary, part of the prestigious BBC "Panorama" series, nevertheless exhibits a striking callousness with regard to the facts, especially concerning a 1962 Vatican document titled *Crimen Sollicitationis*, an instruction from the then-Holy Office (today the Congregation for the Doctrine of the Faith) laying out procedures to be followed in cases when priests used the confessional to solicit illicit acts. Predictably, it put much emphasis on secrecy.

O'Gorman's film presented the document as a "smoking gun" proving a Vatican-ordered conspiracy to protect pedophile priests.

If that charge has an eerily familiar ring, it's because we've been down this path before. In July 2003, the *Worcester Telegram and Gazette*, followed by the CBS Evening News, aired the same charges. In the discussion that ensued three years ago, at least three points were established about *Crimen Sollicitationis*:

- The document, which was supposed to be stored in each diocese's secret archives, was exceedingly obscure. Most canon lawyers and bishops had never heard of it prior to the controversy in 2003, so to suggest it played a crucial role in shaping the church's response to the crisis is an exaggeration;
- As an "instruction," the document's legal force expired in 1983 with the revision of the Code of Canon Law;
- The document was concerned only with secrecy in internal ecclesiastical procedures. There was nothing in it, nor anywhere else in church law, that would have prevented a bishop (or anyone else) from reporting a crime of sexual abuse to the local police or a prosecuting attorney. That bishops failed to do so is indicative of a widespread pattern of damage control, and the Vatican was as guilty of it as anyone else, but this was a matter of culture and institutional psychology rather than formal law.

Granted, some of this may be arcane to non-experts. But the BBC documentary was not charting unexplored territory; all of this had already been placed on the record, and one might have expected to find it reflected.

\* \* \*

The film also suggests that since the Congregation for the Doctrine of the Faith has juridical responsibility for charges of sex abuse against priests, Pope Benedict XVI, the former prefect of the congregation, has been an architect of the Vatican's policy of cover-up and denial.

Here again, the facts sometimes became twisted in the presentation.

First, the documentary suggests that then-Cardinal Joseph Ratzinger was responsible for "enforcing" *Crimen Sollicitationis*. Yet he arrived in Rome in November 1981 and the document went out of force in January 1983, so at best he could have "enforced" it for 14 months, and there's no record that he ever referred to it during that time.

Second, as far as Ratzinger personally, he was as slow to grasp the dimensions of the crisis as most Vatican officials. In November 2002, for example, he addressed the American crisis during an appearance in Murcia, Spain, appearing to blame it on anti-Catholicism in the press.

"There is constant news on this topic, but less than one percent of priests are guilty of acts of this type. The constant presence of these news items does not correspond to the objectivity of the information or to the statistical objectivity of the facts. Therefore, one comes to the conclusion that it is intentional, manipulated, that there is a desire to discredit the church," Ratzinger said.

A John Jay study commissioned by the U.S. bishops eventually found that 4.3 percent of diocesan priests from 1950 to 2002 faced at least one accusation of sexual abuse.

Yet there is considerable evidence that his attitude has evolved, the most convincing example coming with his decision in May to remove Fr. Marcial Maciel Degollado, founder of the Legionaries of Christ, from public ministry because of charges of sexual abuse against the 86-year-old Mexican priest, a personal favorite of John Paul II.

This, too, was absent from the BBC report.

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