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On Philadelphia, bishops take wait-and-see stance

by John L. Allen Jr.



Cardinal Justin Rigali, kneeling at right, leads the Stations of Cross at the Cathedral Basilica of Sts. Peter and Paul March 11. The penitential service was called by the cardinal in response to the clergy sexual abuse crisis. (CNS/Catholic Standard & Times/Fred Trulio)

America's Catholic bishops are notoriously divided on many fronts, but there's at least one new point where complete consensus reigns: that the recent scandal in Philadelphia, where a grand jury found that 37 priests remained in ministry despite "substantial" allegations of sexual abuse, couldn't have come at a worse time.

Not only do the findings call into question the bishops' much-ballyhooed "zero tolerance" policy and their system of annual audits, but they also threaten to cloud two looming milestones that should have been occasions to tout progress: the release of a massive study of the "causes and context" of the crisis by the John Jay College of Criminal Justice, slated to appear this spring, and a review of the bishops' "Charter for the Protection of Children and Young People" this June.

Bishops across the country say they remain committed to zero tolerance, and insist that tremendous gains have been achieved in ensuring that the church is a safe environment for children. They concede,

however, that Philadelphia makes that message a much tougher sell.

‘It’s a perfect storm,’ one bishop said. ‘We’re all worried that public reaction will just bury us.’

Beyond that agitation, consensus over what went wrong in Philadelphia and who’s to blame appears more elusive. In part, bishops say, that’s because it’s not yet clear to them how serious the charges against 21 priests suspended March 8 really are.

To gauge reaction among the bishops, *NCR* spoke to a cross section of prelates March 18-23, representing different geographic areas, backgrounds, and theological and political perspectives. All spoke on the condition they not be quoted by name.

A few expressed anger at Cardinal Justin Rigali of Philadelphia for appearing to undercut national efforts to combat the crisis, while others -- particularly bishops for whom Rigali has acted as a mentor over the years -- seem inclined to give him the benefit of the doubt. Most, however, struck a wait-and-see attitude, hoping that an investigation commissioned by Rigali and entrusted to a former assistant district attorney will shed more light.

‘The concerns raised in the grand jury report obviously fly in the face of what we’ve told people we’ve been doing for the last 10 years,’ another bishop said. ‘The question most of us can’t yet answer is, how much of that is reality?’

During a March 22-23 meeting of the Administrative Committee of the U.S. Conference of Catholic Bishops, the bishops pulled back from specifically addressing the Philadelphia situation in a public statement. Instead, New York Archbishop Timothy Dolan, as president of the conference, issued a statement March 24 confirming the bishops’ commitment to zero tolerance.

‘We remain especially firm in our commitment to remove permanently from public ministry any priest who committed such an intolerable offense,’ Dolan said.

The Administrative Committee, composed of roughly 40 bishops, is the conference’s main governing body. During the meeting in Washington, an overview of the Philadelphia grand jury report was presented by the bishops’ conference general counsel, Anthony Picarello.

According to bishops who took part in the session, some wanted to publicly express disappointment in the Philadelphia leadership, especially for not reporting some charges either to the police or to the archdiocesan review board as called for by the charter. Other bishops -- by most accounts, a smaller number -- wanted to voice confidence in Rigali.

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In the end, sources said, the view that prevailed in the Administrative Committee was that the situation in Philadelphia is still fluid, and any detailed statement would run the risk of being overtaken by events.

On several points, the bishops contacted by *NCR* struck similar notes.

All insisted that the apparent breakdown in Philadelphia does not represent the reality across the country. In the vast majority of American dioceses, they said, bishops can honestly say that no priest facing a credible charge of sexual abuse remains in ministry.

What happened in Philadelphia is "radically uncommon," one bishop said. "If anything, these days we err on the side of caution, reporting absolutely everything."

Most bishops also said developments in Philadelphia have prompted them to direct their own staffs to comb through files to be certain that no case has slipped through the cracks in their dioceses.

To a person, the bishops expressed support for the bishops' charter and its pledge of zero tolerance. One bishop who took part in the Administrative Committee said the mantra there was, "We can't let this derail the charter."

On Rigali's handling of the situation, however, opinions ranged more widely.

One senior prelate bluntly suggested that Rigali ought to resign quickly and a new archbishop, someone with no ties to Rigali and with a profile as a reformer on sex abuse, ought to be appointed.

Given that Rigali turns 76 on April 19, putting him beyond the normal retirement age of 75, most observers expect him to be replaced soon in any event.

Another bishop complained of a "lack of information" from the Philadelphia archdiocese.

"We have this massive grand jury report," he said, "but the responses from the archdiocese so far have been vague."

Others came to Rigali's defense, suggesting there may be a "benign" interpretation of choices made by the cardinal and his aides.

Some of the cases in the grand jury report, one bishop said, may involve "boundary issues," such as an inappropriate conversation with a minor, that do not necessarily rise to the level of sexual abuse. In those instances, the bishop said, a decision not to make a report may have been intended to resist "charter creep," meaning expanding the purview of review boards beyond their mandate, distracting them from their core purpose.

Another bishop said the Philadelphia situation highlights a key bit of unfinished business: achieving a clearer definition of what precisely constitutes sexual abuse, and how it differs from other objectionable conduct.

"My sense is that some review boards handle these "boundary issue" cases one way, and some boards handle them another way," one bishop said.

"That doesn't mean we shouldn't take them seriously," this bishop said. "We have to move quickly to address them, but they require a different response than actual sexual abuse."

In general, most bishops seem hesitant to pass judgment until more facts are in.

"At this point, I don't sense resentment directed at Rigali that in any way approximates what the bishops felt about Bernie Law," one prelate said, referring to the former archbishop of Boston who resigned in December 2002 amid the first wave of the American crisis.

A final worry expressed by some bishops concerns the impact of the Philadelphia situation upon priests across the country.

The takeaway from Philadelphia, one bishop said, is that no matter how weakly documented a charge may be, it will now automatically result in a report to the police and the review board, and suspension from ministry -- meaning that in the court of public opinion, the priest will be branded an abuser.

'Every priest in the country is just one phone call away from disgrace and removal,' the bishop said. 'I don't understand why nobody seems to be speaking up on this.'

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For Tom Roberts' report on what the scandal in Philadelphia might mean for the U.S. bishops' sexual abuse reporting system, see: **Philadelphia's fall raises questions elsewhere**

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