

THE IMPACT OF PEDOPHILIA: CRISIS ON THE UNIVERSAL CHURCH

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The author presents the issue of pedophilia affecting the Universal Church under four main headings highlighting various aspects related to them: 1. Sexual Abuse of Minors by Clerics is a Grave Violation of Divine Positive and Ecclesiastical Law, 2. Sexual Abuse of Minors by Clerics is a Tragic Wound to the Church, 3. Truth as the Basis of Justice: Justice is at Times Called Truth; Justice as A Participation in the Truth Evokes A Response from the Individual's Conscience; Respect of the Truth Generates Confidence in the Rule of Law; Disrespect for the Truth Generates Distrust and Suspicion; The Protection of Rights is Implemented within the Context of the Concern for the Common Good; Respect for Procedural Laws Avoids

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Unfortunate Distortions of the “Pastoral” Nature of Church Law, and finally 4. The Role of the Catholic Church in the Prevention of Sexual Abuse of Minors: The Well-being of the Child as a Paramount Concern; The Care and Respect of the “Innocence” of the Child; The Protection of the Right to a Healthy Upbringing; Awareness of Child Abuse as a Tragic Wound; Empowerment of Children and Communities; Education; Disclosure; Formation and Screening of Pastoral Agents; Codes of Conduct; Cooperation with State Agencies; Care for Victims and Perpetrators; Welfare Principle in Decisions Concerning Personnel; Openness to Research and Development; Commitment and Accountability.

Introduction

I will develop my paper in four main sections. In the first section I will offer an overview of the way the Christian community has considered sexual abuse of minors by clerics as a grave violation of divine positive and ecclesiastical law. In the second section I will offer some considerations as to why sexual abuse of minors by clerics is a tragic wound to the Church. In the third section I will share the teaching of Blessed John Paul II on the truth as the basis of justice. In the fourth and last section I will propose ten points as a basis for a strategy of prevention of sexual abuse of minors.

1. Sexual Abuse of Minors by Clerics is a Grave Violation of Divine Positive and Ecclesiastical Law

The sexual abuse of minors has always been considered as a grave violation of the Christian Ethos. It has always been included among the types of conduct proscribed by the Sixth Commandment of the Decalogue: “You shall not commit adultery” (Deut. 5:18).

The gospel of Matthew reports the very strong words of Our Lord Jesus Christ concerning scandal to the little ones: “If any one of you put a stumbling block (scandal) before one of these little ones who believe in me, it would be better for you if a great millstone were fastened around your neck and you were drowned in the depth of the sea. Woe to the world because of stumbling blocks (scandals)! Occasions for stumbling (scandals) are bound to come, but woe to the one by whom the stumbling block (scandal) comes!” (Mt. 18:6-7).

The Apostle Paul condemns all sorts of debauchery: “Do you not know that wrongdoers will not inherit the kingdom of God? Do not be deceived! Fornicators, idolaters, adulterers, male prostitutes, sodomites, thieves, the greedy, drunkards, revilers, robbers - none of these will inherit the kingdom of God” (1Cor. 6:9-10). In his letter to the Ephesians the same Apostle warns: “Be sure of this, that no fornicator or impure person, or one who is greedy (that is, an idolater), has any inheritance in the kingdom of Christ and of God. Let no one deceive you with empty words, for because of these things the wrath of God comes on those who are disobedient. Therefore do not be associated with them” (Eph. 5:5-7).

The doctrine is confirmed in the writings of the Fathers of the Church, for example in Justin (around AD 153: First Apology 27, 1-4);¹ Athenagoras (around AD 177: A Plea for the Christians 34);² and Polycarp who wrote in AD 135: “In like manner also the younger men must be blameless in all things, caring for purity before everything and curbing themselves from every evil. ... neither whoremongers (*pornoi*) or effeminate persons (*malakoi*) nor defilers of themselves with men and boys (*arsenokoitai*) shall inherit the kingdom of God, neither they that do untoward things (*atopa*). Wherefore it is right to abstain from all these things, submitting yourselves to the presbyters and deacons as to God and Christ” (Phil. 5:3).³

The Council of Elvira from AD 306 has a number of pertinent canons which illustrate the severity with which the Christian community in the fourth century judged the sexual abuse of minors, especially when committed by clerics. Canon 71 establishes a very harsh interdict for Christians in general: “To those who rape boys Holy

¹Alexander Roberts and James Donaldson, ed., *Ante-Nicene Christian Library. Translations of the Writings of the Fathers down to AD 325*, Vol. II, *Justin Martyr and Athenagoras*, trans. Marcus Dods, George Reith, B. P. Pratten (Edinburgh, 1868) pp. 30-31.

²Alexander Roberts and James Donaldson, ed., *Ante-Nicene Christian Library. Translations of the Writings of the Fathers down to AD 325*, Vol. II, *Justin Martyr and Athenagoras*, trans. Marcus Dods, George Reith, B. P. Pratten (Edinburgh, 1868) pp. 418-419; William R. Schoedel, ed., and trans. *Legatio and De Resurrectione* (Oxford, 1972) pp. 80-83.

³Kirsopp Lake, trans. *The Apostolic Fathers* (with an English Translation by) Vol. I (London 1975) pp. 288-291.

Communion may not be given even when death approaches” [“Stupratoribus puerorum, nec in fine dandam esse communionem”]. Clerics are dealt with in Canon 19: “If Bishops, presbyters, and deacons, who have taken their place in the ministry, shall be found guilty of sexual immorality they will not receive communion even at the end because of the scandal and the heinous offence.” Canon 30 established a sort of impediment for the reception or exercise of Sacred Orders: “Those who sinned sexually in their adolescence may not be ordained subdeacons; otherwise they may through fraudulent reticence [per subreptionem] be promoted to a higher grade later on. Those who have been ordained in the past should be removed.” Canon 75 metes out harsh punishment for anybody who would falsely accuse a cleric: “If someone falsely accuses a bishop, presbyter, or deacon of a crime and cannot offer evidence, he or she is excluded from communion even at the end.”

Explicit condemnation of pederasty and sodomy is found in a number of Papal Decretals and Apostolic Constitutions. These crimes are never mentioned by name but are usually referred to indirectly under the phrase *delictum/crimen contra naturam propter quod ira Dei venit in filios diffidentiae* (the delict/crime against nature for which the wrath of God descends upon the sons of infidelity [those who are disobedient/rebellious]) which is taken from the Letter of St. Paul to the Ephesians (2: 2; 5: 6) quoted above:

*Alexander III (1159 - 1181) in the III Lateran Council 1179, c. 11:⁴ “All those who are caught to be labouring under that incontinence which is against nature and because of which the wrath of God visited the sons of infidelity and burnt down five cities: if they are clerics, they will be dismissed from the clerical state or else be confined to monasteries to do penance; if they are lay people they will be excommunicated and they will be considered as totally estranged from the assembly of the

⁴*Decretales Gregorii IX* (Extravagantium Liber) = X. 5,31,4: “Quicunque autem illa incontinentia, quae contra naturam est, propter quam ira Dei venit in filios diffidentiae et quinque civitates igne consumpsit, deprehensi fuerint laborare, si clerici fuerint, deiiciantur a clero, vel ad agendam poenitentiam in monasteriis detrudantur; si laici, excommunicationi subdantur, et a coetu fidelium fiant penitus alieni.” Aemilius Friedberg, ed., *Decretalium Collectiones* (Leipzig: Editio Lipsiensis Secunda, 1879) p. 452.

faithful”;

*Innocent III (1198 - 1216) in the IV Lateran Council 1215, c. 14:⁵
“In order that the behaviour and actions of the clergy may be reformed to the better, let all, especially those who are constituted in Orders, strive to live in continence and chastity avoiding every lustful vice especially that vice for which the wrath of God descends from heaven upon the sons of infidelity. May they be able to minister before the Almighty God with a pure heart and unblemished body”;

*Leo X (1513 - 1531) in the V Lateran Council 1514:⁶ “If indeed anyone, whether a lay person or cleric were to be convicted of the crime for which the wrath of God descends upon the sons of infidelity, let him be punished by the penalties respectively imposed by the sacred canons or the civil law”;

*S. Pius V (1566 - 1572) Apost. Constit. *Cum primum* 1 April 1566, § 11:⁷ “If a person commits the heinous crime against nature for which the wrath of God descends upon the sons of infidelity he will be handed over to the secular authorities for punishment and if he is a cleric will be demoted from everything and will be subjected to the same punishment.”

Canon 2359 § 2 of the 1917 Code stigmatized violations of the Sixth Commandment of the Decalogue with minors under 16 years of age as delicts subject to the harshest penalties: “If [clerics who have been ordained whether secular or religious] were to commit the delict against the Sixth Commandment of the Decalogue with minors

⁵*Decretales Gregorii IX* (Extravagantium Liber) = X. 3,1,13: “Ut clericorum mores et actus in melius reformatur, continenter et caste vivere studeant universi, praesertim in sacris ordinibus constituti, ab omni libidinis vitio praecavent, maxime illo, propter quod venit ira Dei [*de coelo*] in filios diffidentiae, quatenus in conspectu omnipotentis Dei puro corde ac mundo corpore valeant ministrare.”

⁶Apost. Constit. *Supernae dispositionis* 5 May 1514, § 35 [*CIC Fontes*, I, 65]: “Si quis vero, tam laicus quam Clericus, de crimine propter quod venit ira Dei in filios diffidentiae, convictus fuerit, poenis per sacros canones, aut ius civile respective impositis puniatur.”

⁷*CIC Fontes*, I, 111: “Si quis crimen nefandum contra naturam, propter quod ira Dei venit in filios diffidentiae, perpetraverit, Curiae saeculari puniendus tradatur, et si clericus fuerit, omnibus degradatus simili poenae subiiciatur.” Cfr also: Apost. Constit. *Horrendum* 30 August 1568 [*CIC Fontes*, I, 128].

under the age of 16 ... they will be suspended, they will be declared unworthy, they will be deprived of any office, benefice, dignity or responsibility they may have and in the more serious cases they will be deposed [= dismissed from the clerical state].”⁸

The 1962 Instruction of the then Supreme Sacred Congregation of the Holy Office (*Crimen sollicitationis* 16 March 1962) gave special procedural norms concerning, among others, the delict of sexual abuse of minors. The delict consisted in “any gravely sinful obscene external act however perpetrated or attempted by a cleric with non-pubescent minors of both sexes.”⁹ According to canon 88, § 2 of the 1917 Code, a minor is non-pubescent (*impubes*) up to age 14 for a male and up to age 12 in case of a female.

Canon 1395, § 2 of the 1983 Code of Canon Law explicitly punishes those clerics who violate the Sixth Commandment of the Decalogue with a minor under 16 years of age.

On 30 April 2001, Pope John Paul II promulgated the *motu proprio Sacramentorum sanctitatis tutela [SST]*, a special law, by which sexual abuse of a minor under 18 years of age committed by a cleric was included in the list of more grave crimes (*delicta graviora*) reserved to the Congregation for the Doctrine of the Faith (CDF). Prescription for this delict was fixed at 10 years beginning at the completion of the 18th year of the victim. The norm of the *motu proprio* applied both to Latin and Eastern clerics, as well as for diocesan and religious clergy. In 2003, Cardinal Ratzinger, then Prefect of the CDF, obtained from Pope John Paul II the concession of some special faculties in order to provide greater flexibility in conducting penal processes for these more grave delicts. These measures included the use of the administrative penal process, and, in more serious cases, a request for dismissal from the clerical state *ex officio*. These faculties have now been incorporated in the revision of the *motu proprio* approved by the Holy Father, Benedict XVI, on 21 May 2010. In the new norms

⁸“Si [clerici in sacris sive saeculares sive religiosi] delictum adiserint contra sextum decalogi praeceptum cum minoribus infra aetatem sexdecim annorum ... suspendantur, infames declarentur, quolibet officio, beneficio, dignitate, munere, si quod habeant, priventur, et in casibus gravioribus deponantur.”

⁹“quodvis obscenum factum externum, graviter peccaminosum, quomodoque a clerico patratum vel attentatum cum impuberibus cuiusque sexus.”

prescription, in the case of abuse of minors, is set for 20 years calculated from the completion of the 18th year of age of the victim. In individual cases, the CDF is able to derogate from prescription when indicated. The canonical delict of acquisition, possession or distribution of pedopornography is also specified in this revised *motu proprio* (cf MP SST art. 6 §1, n. 2). As from May 2011, a person who habitually lacks the use of reason is to be considered equivalent to a minor for purposes of the canonical delict of sexual abuse of a minor (cf MP SST, art. 6, §1, n. 1).¹⁰

2. Sexual Abuse of Minors by Clerics is a Tragic Wound to the Church

Whenever a cleric, whether bishop, priest or deacon, sexually abuses a minor, a tragic wound is inflicted on the Church. Such conduct is reproachable on various counts:

1. It inflicts untold damage to the normal sexual development, self-esteem and human dignity of the minor concerned;
2. It is cause of scandal to Christians and non-Christians alike, a stumbling-block on many a pilgrim's progress in faith;
3. It invariably constitutes an abuse and a betrayal of the sacred trust which the people of God rightly have of their shepherds;
4. It damages the credibility of the Church and taints the beauty of Her testimony to the Gospel of Jesus Christ who is the Way, the Truth and the Life;
5. It discredits the ministerial priesthood and puts countless innocent clerics under the shadow of delinquency, crime and misdemeanour.

The Holy Father has not spared himself in responding to sexual abuse cases in a language which leaves no doubt as to his intentions.

¹⁰John Paul II, MP *Sacramentorum sanctitatis tutela*, art. 6: §1. The more grave delicts against morals which are reserved to the Congregation for the Doctrine of the Faith are: (1°) the delict against the sixth commandment of the Decalogue committed by a cleric with a minor below the age of eighteen years; in this case, a person who habitually lacks the use of reason is to be considered equivalent to a minor. (2°) the acquisition, possession, or distribution by a cleric of pornographic images of minors under the age of fourteen, for purposes of sexual gratification, by whatever means or using whatever technology; §2. A cleric who commits the delicts mentioned above in § 1 is to be punished according to the gravity of his crime, not excluding dismissal or deposition.

His most powerful document is the Letter to the Catholics of Ireland dated 28 October 2010. This is his opening comment:

It is with great concern that I write to you as Pastor of the universal Church. Like yourselves, I have been deeply disturbed by the information which has come to light regarding the abuse of children and vulnerable young people by members of the Church in Ireland, particularly by priests and religious. I can only share in the dismay and the sense of betrayal that so many of you have experienced on learning of these sinful and criminal acts and the way Church authorities in Ireland dealt with them.

I was particularly impressed by the clarity of vision the Holy Father showed in an impromptu response to a question put to him by one of journalists during his flight to the United States on 15 April 2008: "It is a great suffering for the Church in the United States and for the Church in general, for me personally, that this could happen. If I read the history of these events, it is difficult for me to understand how it was possible for priests to fail in this way in the mission to give healing, to give God's love to these children. I am ashamed and we will do everything possible to ensure that this does not happen in future. I think we have to act on three levels: the first is at the level of justice and the political level. I will not speak at this moment about homosexuality: this is another thing. We will absolutely exclude pedophiles from the sacred ministry; it is absolutely incompatible, and whoever is really guilty of being a pedophile cannot be a priest. So at this first level we can do justice and help the victims, because they are deeply affected; these are the two sides of justice: one, that pedophiles cannot be priests and the other, to help in any possible way the victims. Then there is a pastoral level. The victims will need healing and help and assistance and reconciliation: this is a big pastoral engagement and I know that the Bishops and the priests and all Catholic people in the United States will do whatever possible to help, to assist, to heal. We have made a visitation of the seminaries and we will do all that is possible in the education of seminarians for a deep spiritual, human and intellectual formation for the students. Only sound persons can be admitted to the priesthood and only persons with a deep personal life in Christ and who have a deep sacramental life. So, I know that the Bishops and directors of seminarians will do all possible to have a strong, strong discernment because it is more important to have good priests than to have many priests. This is also our third level, and we hope that we can do, and

have done and will do in the future, all that is possible to heal these wounds.”

3. Truth as the Basis of Justice

I am convinced that our response to the sad phenomenon of sexual abuse of minors should always be determined by an honest quest for the truth and for justice. On 28 January 1994, Blessed John Paul II gave an Address to the Roman Rota in which he discussed truth as the basis of justice. The following are some of his authoritative considerations:

3.1 Justice is at Times Called Truth

“Pius XII had authoritatively warned: “The world has need of that truth which is justice, and of that justice which is truth” (2 October 1942). God’s justice and God’s law are the reflection of the divine life. However, human justice must also strive to reflect truth and to share in its splendor. St. Thomas pointed out: “At times justice is called truth” (*quandoque iustitia veritas vocatur, Summa theologiae*, II-II, q. 58, a. 4, ad 1). He saw the reason for this in the requirement that justice be practiced in accordance with right reason, i. e., according to truth. Hence it is legitimate to speak of the *splendor of justice* (*splendor iustitiae*) and of the *splendor of the law* (*splendor legis*) as well: indeed the task of every legal system is to serve the truth, “the only solid foundation which can support personal, [marital], and social life.” It is only right, then, that *human laws* should *aspire to reflect in themselves the splendor of truth*. Obviously, the same can be said of their concrete application, which is also entrusted to human agents.

Love for the truth must be expressed in *love for justice* and in the resulting commitment to establishing truth in relations within human society; nor can its subjects be lacking in love for the law and the judicial system, which represent the human attempt to provide concrete norms for resolving practical cases.”

3.2. Justice as a Participation in the Truth Evokes A Response from the Individual’s Conscience

“As a participation in truth, *justice too has its own splendor* that can evoke a free response in the subject—one not merely external but

arising from the depths of one's conscience."

"[T]he legislator and those who administer the law will be concerned, respectively, to create and apply norms based on the truth of what is necessary in social and personal relations. Legitimate authority, then, must be involved in and promote the proper formation of the personal conscience (see *Veritatis splendor*, no. 75), because, if well formed, conscience naturally assents to truth and perceives within itself a principle of obedience compelling it to conform to what the law commands."

3.3. Respect of the Truth Generates Confidence in the Rule of Law: Disrespect for the Truth Generates Distrust and Suspicion

"If those who administer the law strive to maintain an attitude of complete openness to the demands of truth, with rigorous respect for procedural norms, the faithful will remain convinced that ecclesial society is living under the governance of law; that ecclesial rights are protected by the law; that in the final analysis, the law is an opportunity for a loving response to God's will.

On the other hand, taking advantage [of the administration] of justice to serve personal interests or pastoral practices—however sincere—that are not based on truth, will result in creating social and ecclesial situations of distrust and suspicion, in which the faithful will be tempted to see merely a struggle of competing interests and not a common effort to live in accordance with law and justice."

3.4. The Protection of Rights Is Implemented within the Context of the Concern for the Common Good

"Ecclesiastical law is concerned with protecting the rights of each person in the framework of the duty of all towards the common good." In this regard, the *Catechism of the Catholic Church* notes: ". . . justice towards men disposes one to respect the rights of every person and to establish in human relations the harmony that promotes equity toward individuals and the common good" (no. 1807).

When pastors and ministers of justice encourage the faithful not only to exercise their ecclesial rights but also to be aware of their own

duties in order to fulfill them faithfully, we wish precisely to urge them: to have a direct, personal experience of the *splendor legis*. In fact, for the believers who “accept the inspiration of the Spirit and acknowledge the need of a profound conversion to the Church, the affirmation and exercise of their rights will be transformed into an acceptance of duties with regard to unity and solidarity so that the higher values of the common good may be achieved” (17 February 1979).

Truth, however, is not always easy: its affirmation is sometimes quite demanding. Nevertheless, it must always be respected in human communication and human relations. The same applies for justice and the law: they do not always appear easy either. The legislator—universal or local—does not have an easy task. Since the law must look to the common good—“omnis lex ad bonum commune ordinatur” (Summa theologiae, I-II, q. 90, a. 2)—it is quite understandable for the legislator to ask even heavy sacrifices of individuals, if necessary. The latter, for their part, will respond with the free, generous consent of those who are able to acknowledge the rights of others in addition to their own. A strong response will follow, one sustained by a spirit of sincere openness to the demands of the common good, with awareness of the consequent advantages, in the end, for the individual himself.”

3.5. Respect for Procedural Laws Avoids Unfortunate Distortions of the “Pastoral” Nature of Church Law

“You are well aware of the temptation to lighten the heavy demands of observing the law in the name of a mistaken idea of compassion and mercy. In this regard, it must be firmly said that if it is a question of a transgression that concerns the individual alone, one need only refer to the injunction: “Go your way, and from now on do not sin again” (Jn. 8:11). But if the rights of others are at stake, mercy cannot be shown or received without addressing the obligations that correspond to these rights.

One is also duty-bound to be on guard against the temptation to exploit the proofs and procedural norms in order to achieve what is perhaps a “practical” goal, which might perhaps be considered “pastoral,” but is to the detriment of truth and justice. In an address given to you several years ago, I referred to a “distortion” in the

conception of the pastoral nature of Church law; it “lies in attributing pastoral importance and intent only to those aspects of moderation and humanness in the law which are linked immediately with canonical equity (*æquitas canonica*)—that is, holding that only the exceptions to the law, the potential non-recourse to canonical procedures and sanctions, and the streamlining of judicial formalities have any real pastoral relevance” (18 January 1990). However, I warned that in this way one easily forgets that “justice and law in the strict sense—and consequently general norms, proceedings, sanctions and other typical juridical expressions, should they become necessary—are required in the Church for the good of souls and are therefore intrinsically pastoral.” It is indeed true that resolving practical cases is not always easy. But charity or mercy—as I mentioned on the same occasion—“cannot put aside the demands of truth.”

4. The Role of the Catholic Church in the Prevention of Sexual Abuse of Minors

I will here share with you the concerns and experience of the Roman Catholic Church in the context of what religious institutions and – more broadly – our communities can do to prevent child abuse. I have tried to distill those concerns and experiences into ten points or principles.

4.1. The Wellbeing of the Child as a Paramount Concern

Any institution, global or local, seeking to develop a strategy for the protection of children and the prevention of child abuse, must enshrine preeminently the principle that the well-being of the child should be the *paramount* concern of all.

4.1.1. The Care and Respect of the “Innocence” of the Child

Every human person, moved by the primeval instinct of the preservation of the species and guided by right reason, would subscribe to the care and respect for the innocence of the child: that rightful expectation that a child, totally dependent on the concern of adults for his or her survival, shall be treated with dignity. The Catholic Church, in its responsibility as depository and custodian of its founder’s will, remembers that Jesus of Nazareth extolled the dignity of the child and raised the child to the level of a model for

discipleship. This is how the Gospel of Matthew narrates the words of Jesus: "[1] At that time the disciples came to Jesus, saying, 'Who is the greatest in the kingdom of heaven?' [2] And calling to him a child, he put him in the midst of them, [3] and said, 'Truly, I say to you, unless you turn and become like children, you will never enter the kingdom of heaven. [4] Whoever humbles himself like this child, he is the greatest in the kingdom of heaven. [5] 'Whoever receives one such child in my name receives me'" (Mt. 18:1-5).

4.1.2. The Protection of the Right to a Healthy Upbringing

Such persons guided by right reason will also agree that another rightful expectation is that a child will be able to spend his or her very first formative years of life in a safe loving environment. Every child should be able to enjoy the right to a healthy upbringing without suffering discrimination on grounds of sex, race, or religion. By way of illustration we might note here that in certain cultures the diminished respect for girls can be an unfortunate precursor to later abuse. The education of human consciences to a generous acceptance and care of any child, whether boy or girl, as a gift of God from the very early moments of its development, is the true basis of prevention of child abuse.

4.2. Awareness of Child Abuse as a Tragic Wound

We are all compelled to an honest acknowledgement and awareness of child abuse as a tragic wound to the very dignity of the human family. In the same context, the Gospel of Matthew reports the sobering words of Jesus: "See that you do not despise one of these little ones; for I tell you that in heaven their angels always behold the face of my Father who is in heaven" (Mt. 18:10). The Catholic Church knows well that whenever one of its ministers, whether bishop, priest or deacon, or lay pastoral agent, sexually abuses a minor, a tragic wound is inflicted on the community; subordinated at it is by the indescribably repugnant damage done to the child.

4.3. Empowerment of Children and Communities

In communities where authority is held in high esteem, including communities where sacred power is exercised, empowerment of children and families becomes an essential aspect of prevention of abuse. In his Letter to the Catholics of Ireland, dated 19 March 2010,

Pope Benedict XVI had this to tell parents: "In today's world it is not easy to build a home and to bring up children. They deserve to grow up in security, loved and cherished, with a strong sense of their identity and worth. They have a right to be educated in authentic moral values rooted in the dignity of the human person, to be inspired by the truth of our Catholic faith and to learn ways of behaving and acting that lead to healthy self-esteem and lasting happiness. This noble but demanding task is entrusted in the first place to you, their parents. I urge you to play your part in ensuring the best possible care of children, both at home and in society as a whole, while the Church, for her part, continues to implement the measures adopted in recent years to protect young people in parish and school environments."

4.3.1. Education

The first step in empowerment of children and families is education. The child needs to be made aware of his or her proper dignity. Children need to be taught, according to their age and mental prowess, to protect themselves from the unjust intrusions of others. Families and local communities need to be educated in the care of the young among them. It is so sad and indeed so tragic that much of the abuse of children is family-based. Parents need to be able to detect signs of abuse at an early stage. They need to know how best to react to abuse, avoiding a defeatist attitude of resignation and inertia.

4.3.2. Disclosure

The second step in empowerment is the ability to verbalize and disclose abuse. The duty and right to disclose abuse to higher authority is incumbent on the parents or tutors of the minors concerned. Where ministers of religion are concerned disclosure may be complicated by ill-informed and misplaced considerations of loyalty and belonging. Sacred power rightly generates sacred trust. Unfortunately and wrongly it may generate fear to disclose crimes by religious leaders. The empowerment of the community in this context means the ability to denounce abuse of sacred power for what it is: a betrayal of trust.

4.4. Formation and Screening of Pastoral Agents

Global institutions, including religious communities, should offer leadership in the formation and screening pastoral agents. I would like to quote the relevant section from *The Circular Letter to assist Episcopal Conferences in developing guidelines for dealing with cases of sexual abuse of minors perpetrated by clerics* published by the Congregation for the Doctrine of the Faith under the signature of the Prefect Cardinal William Levada and the Secretary Archbishop Ladaria on 3 May 2011:

In 2002, Pope John Paul II stated, 'there is no place in the priesthood and religious life for those who would harm the young' (n. 3, *Address to the American Cardinals*, 23 April 2002). These words call to mind the specific responsibility of Bishops and Major Superiors and all those responsible for the formation of future priests and religious. The directions given in the Apostolic Exhortation *Pastores Dabo Vobis* [on priestly formation] as well as the instructions of the competent Dicastries of the Holy See take on an even greater importance in assuring a proper discernment of vocations as well as a healthy human and spiritual formation of candidates. In particular, candidates should be formed in an appreciation of chastity and celibacy, and the responsibility of the cleric for spiritual fatherhood. Formation should also assure that the candidates have an appreciation of the Church's discipline in these matters. More specific directions can be integrated into the formation programs of seminaries and houses of formation through the respective *Ratio institutionis sacerdotalis* of each nation, Institute of Consecrated Life and Society of Apostolic Life. Particular attention, moreover, is to be given to the necessary exchange of information in regard to those candidates to priesthood or religious life who transfer from one seminary to another, between different dioceses, or between religious Institutes and dioceses.

4.5. Codes of Conduct

Pastoral Agents and persons in leadership are naturally held to a very high standard of conduct. Institutions need to adopt clear Codes of Conduct that establish clear boundaries in professional

relations between pastoral agents and people who approach them in a professional capacity. These Codes of Conduct need to specify in a clear way the consequences of misconduct.

4.6. Cooperation with State Agencies

Sexual abuse of minors is not just a canonical delict or a breach of a Code of Conduct internal to an institution, whether it be religious or other. It is also a crime prosecuted by civil law. Although relations with civil authority will differ in various countries, nevertheless it is important to cooperate with such authority within their responsibilities. The CDF Circular Letter (3 May 2011) further specifies: “without prejudice to the sacramental internal forum [the seal of confession], the prescriptions of civil law regarding the reporting of such crimes to the designated authority should always be followed. This collaboration, moreover, not only concerns cases of abuse committed by clerics, but also those cases which involve religious or lay persons who function in ecclesiastical structures.”

4.7. Care for Victims and Perpetrators

A further point is the need for institutions to care for the victims and the perpetrators of abuse. This care is also intrinsically linked to the task of prevention. We know how often abuse generates further abuse across generations. We also know that if the perpetrator of abuse is left to his or her own devices the risk of reoffending is very high. In his Address to the Irish Bishops on 28 October 2006, Pope Benedict XVI gave a succinct and compelling account of the response which the Catholic Church needed to give to the problem: “In your continuing efforts to deal effectively with this problem, it is important to establish the truth of what happened in the past, to take whatever steps are necessary to prevent it from occurring again, to ensure that the principles of justice are fully respected and, above all, to bring healing to the victims and to all those affected by these egregious crimes.” In his Letter to the Catholics of Ireland (19 March 2010), Pope Benedict XVI also addressed perpetrators of abuse: “I urge you to examine your conscience, take responsibility for the sins you have committed, and humbly express your sorrow. Sincere repentance opens the door to God’s forgiveness and the grace of true amendment. By offering prayers and penances for those you have wronged, you should seek to atone personally for your actions. Christ’s redeeming sacrifice has the power to forgive even the

gravest of sins, and to bring forth good from even the most terrible evil. At the same time, God's justice summons us to give an account of our actions and to conceal nothing. Openly acknowledge your guilt, submit yourselves to the demands of justice, but do not despair of God's mercy."

4.8. Welfare Principle in Decisions Concerning Personnel

Institutions concerned with the misconduct of their Agents are faced with the dilemma of what future role, if any, they should give to perpetrators of abuse. The welfare of children and of the community must be the paramount criterion in decisions concerning such personnel. Perpetrators who are not able to observe set boundaries forfeit their right to roles of stewardship in the community.

4.9. Openness to Research and Development

We are all on a learning curve. Institutions, including Churches, will do well to show openness to research and development in the field of prevention of child abuse. We all have a great deal to learn from psychology, sociology and the forensic sciences. All this does not dispense us from the duty to undertake an honest analysis of what went wrong in tragic cases where stewardship was lacking and the response to child abuse was inadequate because of misplaced concerns for the good name of the institutions we represent.

4.10. Commitment and Accountability

No strategy for the prevention of child abuse will ever work without commitment and accountability. Pope Benedict XVI addressed the Bishops of Ireland in no uncertain terms in 2010 (Letter to the Catholics of Ireland, 19 March 2010, § 11):

Only decisive action carried out with complete honesty and transparency will restore the respect and good will of the Irish people towards the Church to which we have consecrated our lives. This must arise, first and foremost, from your own self-examination, inner purification and spiritual renewal. The Irish people rightly expect you to be men of God, to be holy, to live simply, to pursue personal conversion daily. For them, in the words of Saint Augustine, you are a bishop; yet with them you are called to be a follower of Christ (cf. *Sermon* 340, 1). I therefore exhort you to

renew your sense of accountability before God, to grow in solidarity with your people and to deepen your pastoral concern for all the members of your flock. In particular, I ask you to be attentive to the spiritual and moral lives of each one of your priests. Set them an example by your own lives, be close to them, listen to their concerns, offer them encouragement at this difficult time and stir up the flame of their love for Christ and their commitment to the service of their brothers and sisters. The lay faithful, too, should be encouraged to play their proper part in the life of the Church. See that they are formed in such a way that they can offer an articulate and convincing account of the Gospel in the midst of modern society (cf. 1Pet. 3:15) and cooperate more fully in the Church's life and mission. This in turn will help you once again become credible leaders and witnesses to the redeeming truth of Christ.

Conclusion

I entrust my concluding words to the Gospel of Matthew, Chapter 19: "[13] Then children were brought to him that he might lay his hands on them and pray. The disciples rebuked the people; [14] but Jesus said, 'Let the children come to me, and do not hinder them; for to such belongs the kingdom of heaven.' [15] And he laid his hands on them and went away" (Mt. 19:13-15).