

## What I believe

**One in 10 Catholics nationwide has left the church, and the number of adherents in Massachusetts is slipping. One follower explains why, despite grave doubts about the institution's leadership, he refuses to give up the faith.**

[http://www.boston.com/bostonglobe/magazine/articles/2010/07/11/what\\_i\\_believe/](http://www.boston.com/bostonglobe/magazine/articles/2010/07/11/what_i_believe/)

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### Author Tony Equale speaks about his new book.

I am very happy to announce that I have finally finished my new book, *The Mystery of Matter*. I have been working on it since 2004. I am eager to share it with you. It is not yet on Amazon, but you can get it directly from me: E-mail: [aequale@swva.net](mailto:aequale@swva.net), or mail to Tony Equale, 414 Riggins Rd NW, Willis VA, 24380. price: \$25. (includes s&h) Please include your package delivery address, telephone ... and e-mail if you have one.

By way of introduction, the following is from my preface:

The need for this book arose out of certain *lacunae* in an earlier volume, *An Unknown God*, published in 2008. Those reflections were directed at specifically religious issues defined and polemicized by the doctrinaire posture of Roman Catholic Christianity. Chapter 4 of that book was an early effort to flesh out some of the philosophical assumptions that underlay my perspective. It represented the first attempts to articulate what was for me a *new metaphysical view-of-the-world*. It was a sketch done in broad strokes which left justifications unestablished and wider significance unexplored.

The point of this book, then, is to turn full attention to those unexplored assumptions, examine them from a *strictly philosophical* point of view — state them clearly, analyze them, ground them, elucidate the relationships among them, and identify some of the conclusions and corollaries that might flow from them — in search of a coherent synthetic view of the world. I am aware that this represents nothing less than a new discipline — what I call “cosmo-ontology” — to replace traditional metaphysics. I would have preferred a less ambitious project, but given the unworkable condition of what I inherited from my philosophical tradition, it became unavoidable for me. I may fail at my intended goal, but it won't be for lack of scope. That the results at this point may not be all they someday might be, is due to the vastness of the undertaking ... and the half-vastness of the one attempting it.

I call this book *the Mystery of Matter*. Here, the word “mystery” is meant to translate the Greek word, *mysterion*. In this sense matter is not a puzzle to be solved but a *locus* where the numinous resides and reveals itself. Despite these hieratic overtones, I want to state clearly that religion is a subordinate topic in this study. My primary interest is philosophical. That doesn't mean religion is excluded; religion and philosophy remain eternally entwined in the West. Religion has traditionally related to the same basic questions as philosophy and often even used philosophical descriptors and argumentation in constructing its doctrines.

But religion is not philosophy. Because it is committed to a vision and a way of life, religion naturally resists any questioning of its fundamental expressions, even when they are, at root, philosophical and their current credibility questionable to the point of

absurdity. Philosophers, on the other hand, have no such commitments, or shouldn't. Hence philosophy can afford seriously to rethink the traditional understanding of its basic premises without losing self-identity. Philosophy can engage in raw, open-ended enquiry; religion cannot.

What follows is the attempt to initiate just such an enquiry ... one that has been going on in my mind for many years. ...

As with all my work, I invite and deeply appreciate dialog, however robust and challenging. I thrive on polemics, you may have noticed, and I assume the same of my correspondents.

I also thrive on sincerity, rational thought, intellectual honesty, cooperation, mutual searching, human warmth, encouragement, humor, and an appreciation of the need to deal with the intellectual deterioration of our tradition. All this went into the internal struggle that produced these reflections. There is nothing cavalier or superficial being offered here ... much less is it a rejection of our treasured inheritance. It is another attempt, anguished as always, *radically* to separate the baby from the bathwater ... this time, one level down — at the philosophical roots of our way of life.

It is, after all, *our life* that is at stake ... not some pastime for the professors.

This book is not a "page-turner." Whatever energies might have gone in to making it one were rather diverted toward saying *exactly* what had to be said. This is not light reading. You may not want to take it to the beach. But if you get "into" it, I can guarantee you will not be bored.

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### **From a letter of Tony to George, which was passed on by Salvatore, for which the People of God are grateful.**

... Catholics tend to divinize the Church. They treat it and its priests as if they were God. That is idolatry ... and the source of the cover-up mentality among the bishops. It is also the reason why people who would otherwise consider changing religious communities will not permit themselves to even consider such a move. It's one of the reasons the Church has survived in this dysfunctional form for 1600 years.

I am challenging Catholics to realize that the Catholic Church is only a human institution. It is not "God," nor an emanation of God, nor God's will on earth. To treat the Church otherwise is idolatry. ... Our protestant brothers and sisters were also Catholics. Their "separated" status was not their choice. They were Catholics that tried to get the Church to be Christian. The Church preferred to be "Roman" and it was the Roman Church that hurled anathemas across the mountains, not the reformers. ... 500 years later, we modern-day Catholics find ourselves in a similar situation, with an intransigent church which claims the same doctrinal absolutes as ever, and ready to separate us all (and send us to hell if it could) rather than change one jot or tittle of the "law" by which it lives out its imperial destiny inherited from Rome.

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### **From a letter of Bob Wills to Salvatore, which Salvatore passed along.**

... I well understand how the Early Christians had to embellish Jesus' resume. He had just been crucified as a criminal, rejected by the Jewish and Roman establishments. If he were to hold on to any followers, and to attract new ones, they had to emphasize what was, for them, supernatural. He had to be a miracle worker, he had to have been raised from the dead, and he had to remain with them in power till the very end of the world.

The second task, however, for them was to convince folks that they needed this Jesus in their lives, as their final and only hope. He had the power to help (the miracles proved that), he had the desire to help (his love for his followers proved that), and our only chance for eternal life was through him, the way to the Father. On this last, there could be no doubt: the forces of Rome were persecuting them, the Jewish establishment was turning them over to the Roman authorities and doing all they could to persecute them, and their own lack of courage, their weakness, and their sinfulness demanded supernatural assistance.

Out of this background, Augustine had to tackle two heretical forces, the Pelagians and the Manichaeans. The former denied we needed Christ's redemption; the latter denied the goodness of human existence. To combat them both, Augustine had to dream up the Garden of Eden, Original Sin, the Fall, and Christ as Saviour. This generated the split between the supernatural and the natural that lies behind the received doctrine of grace. Versus the Pelagians: we are bad and cannot go it alone without Christ's help; versus the Manichaeans; we are savable in and through Christ's love. Indeed, the two linchpins of this whole theological edifice are humanity's Fall and Christ's Redemption.

The Church has bought the analysis of Augustine. Its sacraments are for the most part applying the graces of redemption to fallen humans: baptism removes original sin, penance removes mortal sin, confirmation strengthens against temptation, the sacrament of the sick strengthens at severe moments of weakness. The other three sacraments, although they could be understood in an incarnational framework rather than a redemptive one, get pulled into the dominant redemptive stance of the Church: the Eucharist becomes a daily bulwark against sin, marriage as matrimony saves the weak from concupiscence and builds a fortress against the wiles of secularism; and holy orders enforces obedience and the party line (an incarnational theology would see the Eucharist as the heart of community, marriage as the fertile soil for the expansion and growth of community, and holy orders as the visible sign of Christ's continuing presence to his community.).

In a weird way, the Church has bought both the Pelagian and the Manichaean heresies. On the Pelagian side it counsels us to be good, avoid evil, be obedient, do what father says, go to Sunday mass, frequent the sacraments, lead a loyal Catholic life *and we will be saved*. On the Manichaean side, it demands obedience and obedient faith because we are all sinners. It is with this background that a dogma professor of mine once wryly proclaimed: "Most Christians are Pelagian (I can get to heaven on my own) Monophysites (Jesus really didn't become human) who believe in Three Gods (the Father Who made us, the Son Who saved us, and the Holy Spirit Who guides us)."

What falls out of all this is a de-emphasis of, if not a denial of, the Incarnation. If you allow the Incarnation, then you dissolve the dichotomy between the supernatural and the natural, you bridge the gap between the divine and human, and you allow

human existence to partake in the divine existence by its very life. But this would be dangerous: where would all the need for ongoing redemption go if we humans really lived in and through God's life? What would happen to all those agents of redemption—the church, the hierarchy, the sacraments—if God had truly become human, if God truly “dwells among us,” if it is in God's very life that “we live, and move, and have our being”? The whole ecclesial edifice would fall if we ever accepted Christ as Lover rather than Redeemer.

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**The Pope has picked a new leader to guide the Legionaries of Christ following the multiple scandals perpetrated by its founder.**

[http://www.nytimes.com/aponline/2010/07/09/world/AP-EU-Vatican-Church-Abuse.html?\\_r=1&emc=eta1](http://www.nytimes.com/aponline/2010/07/09/world/AP-EU-Vatican-Church-Abuse.html?_r=1&emc=eta1)

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**The issue of nuclear disarmament is being revisited.**

[http://newsweek.washingtonpost.com/onfaith/georgetown/2010/05/vatican\\_questions\\_nuclear\\_deterrence.html](http://newsweek.washingtonpost.com/onfaith/georgetown/2010/05/vatican_questions_nuclear_deterrence.html)

[http://woodstock.georgetown.edu/report/Woodstock\\_Report\\_97\\_June-2010.pdf](http://woodstock.georgetown.edu/report/Woodstock_Report_97_June-2010.pdf)

**God and the Bomb:**

***Deterrence, Disarmament, and Human Security***

By William Bole

In their 1983 pastoral letter, *The Challenge of Peace: God's Promise and Our Response*, the American Catholic bishops placed their collective voice against the technological dynamic of the arms race, warning that nuclear hardware was proliferating beyond human control and moral wisdom. They spoke out against the use or even the threat of using nuclear arms. They declared that nuclear deterrence—the very possession of these weapons—was morally acceptable only as a means toward progressive disarmament. Critics called them naive; some even accused the bishops of aiding and comforting America's enemies.

Much has changed since then. The boundaries of mainstream nuclear debate have shifted markedly and, on a policy level, mostly in the direction of *The Challenge of Peace*. Renowned veterans of Cold War nuclear policy have endorsed the idea of eventually eliminating nuclear weapons. Among them is the apostle of foreign-policy realism, former Secretary of State Henry Kissinger, who once dismissed this goal as utopian when it was enunciated by the bishops in their peace pastoral. President Obama has embraced this vision, while acknowledging it may not become a reality in his lifetime.

In the past few months the Woodstock Theological Center has taken steps toward addressing this ethical gap, helping to build the platform for a fresh public dialogue on the moral dimensions of nuclear weapons policy. This educational push began with a March 16 forum at Georgetown University titled “God and the Bomb: Deterrence, Disarmament, and Human Security,” which included presentations by the Vatican's

delegate to the United Nations, Archbishop Celestino Migliore, as well as Douglas B. Shaw of George Washington University and Maryann Cusimano Love of The Catholic University of America. On April 13, the conversation continued in New York City with the same speakers and an audience at St. Ignatius Loyola Church, less than three weeks before a major conference on nuclear nonproliferation was held two-and-a-half miles away at the United Nations.

John P. Langan, S.J., who moderated both forums, borrowed a phrase from Yogi Berra in noting that the talk of God and the bomb was “like *déjà vu* all over again.” Langan, rector of the Georgetown Jesuit Community and a social ethicist who has been a steady contributor to discussions of ethics and foreign policy, was referring to the national debate provoked by the bishops in the 1980s. The difference between then and now is plain enough, mainly because of two geopolitical developments. First, there is no Soviet Union to be deterred. Second, there are more terrorist groups and possibly rogue nations that would bring about nuclear catastrophe if they could. Since *The Challenge of Peace*, “We have made it through to the end of the Cold War and to a period in which the irrelevance of the nuclear stockpiles that the Soviet Union and the United States built for use against each other is increasingly manifest,” Langan observed. “But we have not made it to a world in which anxiety over nuclear weapons can be set aside. In fact, in some ways, anxiety has become more intense.”

Recent debate over nuclear weapons has focused naturally on pragmatic and strategic considerations, such as the risk of these weapons landing in terrorist hands and whether the only way to stem the danger is to eliminate the stockpiles altogether. The speakers at the Woodstock forums engaged these and other geopolitical questions, but the purpose of the public events was to dig more deeply into the moral issues surrounding the nuclear threat. The uppermost question had to do with the doctrine of nuclear deterrence. The forum conversations made it clear that Catholic moralists and Church authorities did not stop reflecting on this dilemma in 1983.

At the time, the bishops put forward what they described as a strictly conditional acceptance of the morality of deterrence. The essential point was that deterrence should be an interim ethic, meant only to prevent the use of nuclear weapons—on the way toward abolition of all such weapons. A number of influential Catholics have grown skeptical of whether nuclear deterrence is meeting the moral criteria set out in the peace pastoral. One of them is none other than Archbishop Migliore.

Before reaching his conclusion at both forums, the Holy See’s permanent observer at the U.N. sketched out the early history of official Catholic teaching on nuclear weapons. This begins with Pope Pius XII’s warnings in 1946 about the “pure and simple annihilation of all human life” made possible by nuclear weapons and extends to Pope John XXIII’s call for nuclear disarmament in his 1963 encyclical *Pacem in Terris*, as well as to the Second Vatican Council’s condemnation of indiscriminate warfare. (In 1965, the Council said any act of war aimed at destroying large population centers is “a crime against God and man himself.”)

The archbishop’s first point was that by 1965 Catholic social doctrine in connection with nuclear warfare had already been formed in three basic ways. First, Catholic teaching “categorically declares nuclear war immoral” because of the indiscriminate quality of such warfare. “Secondly, as a way out, it firmly calls for general disarmament, which is an act of human responsibility, pertaining not only to negotiations

and agreements among States, but first of all to the personal conviction and nonviolent behavior of individuals and communities,” he noted at the Georgetown forum, which drew 200 people to the Bunn Intercultural Center Auditorium. “Furthermore, it urges States to base their relations on mutual trust, sincere negotiation and faithful fulfillment of obligations assumed” rather than on calculations about strategic advantage and the balance of power.

Archbishop Migliore followed this part of his historical overview by raising the question of deterrence: If the use of nuclear weapons is immoral, what about the production and stockpiling of them? He summarized the positions on deterrence taken by the U.S. bishops as well as their fellow prelates in other countries. He also surveyed statements made during John Paul’s pontificate, including the view expressed in a Holy See message to the United Nations in 1997 that nuclear deterrence in the 21st century “will not aid but impede peace.”

After these expositions, the archbishop spelled out the Holy See’s judgment. He prefaced his bottom line by saying that the refusal of nuclear-wielding countries to progressively disarm is “leading to an incoherent world disorder, where some nations arrogate unto themselves the right to possess nuclear weapons, and even to use them in new war-fighting doctrines, while proscribing their acquisition by any other State.” “It is evident that nuclear deterrence is preventing genuine nuclear disarmament.

Consequently, the conditions that prevailed during the Cold War, which gave a basis for the Church’s limited toleration of nuclear deterrence, no longer apply.” (Migliore)

The final papal words conveyed by the archbishop were Benedict’s. In his 2006 World Day of Peace message, the pope spoke of nations that see nuclear weapons as a way of providing for their security, pronouncing that such a view is “not only baneful but also completely fallacious.”

#### YESTERDAY’S NEWS, TODAY’S CHALLENGE

Preceding Archbishop Migliore at the forums was Douglas B. Shaw, Ph.D., an expert on nuclear proliferation at George Washington University’s Elliott School of International Affairs. He has also served on the U.S. Department of Energy’s Nuclear Material Security Task Force, which has heightened his awareness of the threat of nuclear terrorism. “Many people think that nuclear weapons are yesterday’s news—that the danger nuclear weapons pose went away with the end of the Cold War. The truth is that as long as nuclear weapons exist, they pose an extraordinary threat to human life and civilization, and this danger requires urgent action,” he stated.

Shaw’s remarks placed him in the abolitionist camp. He believes that the nuclear genie can be put back in the bottle: “There are still only two handfuls of nuclear armed states and there are reasons to hope to reduce that number to zero.”

The question of zero can be morally as well as politically fraught, even in the eyes of such prominent Catholic peace advocates as Gerard Powers. He is director of Catholic peace-building studies at the University of Notre Dame’s Kroc Institute, and a longtime collaborator with Woodstock. “Moving to zero could make nuclear weapons even more valuable, more useable and more destabilizing, since keeping a few nuclear weapons or being able to rebuild quickly or reconstitute an arsenal could offer a tremendous strategic advantage,” he wrote in the May 27 edition of *America* magazine.

“The problem of nuclear terrorism would be reduced but not eliminated with a global ban.” He related Migliore’s comments at Woodstock’s forum, accounts of which also appeared in Catholic newspapers nationwide and other outlets.

Still, Powers points out that nuclear abolition, or at least a global ban, has entered the realm of political possibility—and he agrees that such a measure is necessary for future peace. But there is a tortuous road ahead, as Shaw acknowledges. “The human family has not concluded that nuclear weapons are a moral evil, the way we have about slavery, although important institutions such as the Catholic Church have come close,” he said. “But for all the complexity of and disagreement about nuclear weapons, there are some things we know about them. We ought not to live comfortably behind the threat of killing millions of other human beings in an afternoon, because it is morally dubious at best and because it is an unreliable means to guarantee our security.”

### LINKING UP THE ISSUES

Maryann Cusimano Love, Ph.D., a tenured Associate Professor at The Catholic University of America, began her remarks by stressing the role that civil society can play in controlling nuclear weapons. Her prime example was the American Catholic hierarchy, which set out a vision of a world without the threat of nuclear war. “In the arms control, disarmament, and nonproliferation arenas, today the world is catching up to what the bishops have been urging all along,” said Cusimano Love, citing points of agreement between the peace pastoral and statements by political leaders including the president himself. Since that forum, the administration has unveiled a nuclear policy review that seems to narrow the circumstances in which the United States would contemplate using nuclear weapons—for example, making it somewhat harder to justify their use in response to a large-scale conventional, biological, or chemical attack. (At the New York forum, Archbishop Migliore pointed out that the United States, after the administration’s review, still sees a role for nuclear arms that goes beyond deterrence. He said the nuclear powers in general have put into place a “war-fighting strategy using nuclear weapons.”)

Another thrust of Cusimano Love’s presentation had to do with the “unintended consequences” of what she described as globalization, using an elastic sense of the term. Her chief illustration was global climate change. Governments are scrambling to find sources of clean energy that do not increase the output of greenhouse gases, and this has sparked a race in the Middle East to acquire nuclear energy. The result (intentional or not) is the spread of nuclear technologies and materials.

“Many of these countries are politically unstable, leading to the concern that this nuclear race could lead to the creation of more Pakistans, unstable states with nuclear capabilities creating global hazards” including the risk of non-state extremists gaining such capability. “We are not used to thinking of these issue areas as linked, but they are linked, and we need to proceed with that in mind,” making sure that the push to limit greenhouse gases does not unintentionally lead to greater nuclear proliferation, said Cusimano Love, who is an adviser to the U.S. bishops on international issues.

### THE AUDIENCE WEIGHS IN

In opening up the conversation to the crowd, Langan made the point that one of the great strengths of Woodstock forums has been the high level of “not just concern, but expertise that’s present in the audience.” True to his observation, several highly credentialed people surfaced in the auditorium, among them Dave Robinson, a

disarmament expert and executive director of the Catholic peace group, Pax Christi, USA. Robinson began by praising Archbishop Migliore for his representation on these issues at the United Nations, but then spoke less supportively of the American bishops. He referred to the conditions laid out by the bishops in 1983 for moral acceptance of nuclear deterrence, adding, "But when are those conditions going to be called? When will the bishops actually assess whether those conditions are being met?" Robinson also made the provocative argument that Iran, "surrounded by hostile powers" with nuclear weapons, has more of a reason to possess the weapons than any other country, including the United States.

Cusimano Love elected to respond to his points touching on U.S. policy, but on the matter of the bishops, deferred to another expert in the audience—Stephen Colecchi, who directs the Office of International Justice and Peace of the U.S. Conference of Catholic Bishops. Rising from his seat in the third row of the auditorium, he offered a general reply to Robinson's questions, underscoring that the bishops have redoubled their efforts on this issue, delivering testimony in Congress and speaking out in other forums. Basically, the prelates are calling on "our nation to move beyond nuclear deterrents, [saying] it's not a sustainable situation," Colecchi clarified.

During these Woodstock conversations, one overarching theme was that the global nuclear situation is not hopeless, "and we are not helpless," as Cusimano Love emphasized. Getting in the final words of the Q&A, she pointed to the international campaigns to ban landmines and cluster munitions, both of which have led to treaties signed by many countries, not yet including the U.S. In each instance, nations were perfectly happy with the status quo, arguing that recourse to landmines and cluster bombs was needed for their security, she explained. "And yet humans were able to band together...and get international action on those issues," said Cusimano Love.

"Those are the types of examples we need to be looking at," she added, highlighting the strategy that both campaigns used in garnering support from a plurality of nations and then working on the outliers. "So let's all think creatively about ways we can break the logjam on these issues."

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**Go to NCR Online for the full text of the following editorial, which was passed along by Joe.**

### **A hierarchy deeply damaged from within**

... Are we witnessing the ecclesial equivalent of one of those slow-motion depictions of implosion, the kind where a seemingly invulnerable structure falls in upon itself, laid waste by some well-placed explosives? Perhaps.

It would be a mistake, however, to think that what is imploding is the church. The church is, in many ways, just fine. What is imploding, rather, is a culture of clericalism, especially the hierarchical layer of that culture, which has become so disconnected in many of its expressions from the core mandates of Christian scripture that it seems to barely function at all.

The authority that has been slowly leaking from the structure for decades is now gushing out as bishops contort themselves in attempts to convince the world of their good

intentions and transparency while simultaneously railing against those within the church and without who are working to reveal the truth.

The shocking raid of a bishops' meeting in Belgium is but the latest indication of the degree to which the old protections and privileges enjoyed by the clerical culture are disintegrating. It stands as a clear symbol that an age is ending.

... Meanwhile, the world outside this favored culture is beginning to realize that one of the most powerful men within it during Pope John Paul II's papacy, Cardinal Angelo Sodano, once secretary of state and now dean of the College of Cardinals, took money from the likes of the late Fr. Marcial Maciel Degollado, founder of the Legion of Christ. Maciel was a favorite of the former pope, and a man who abused his young seminarians and is accused of fathering children, including a son, whom he also allegedly repeatedly abused.

Sodano was one of Maciel's most ardent backers.

That Sodano should be nowhere near any level of control at the Vatican is apparent to most everyone who has given this scandal the slightest thought. But there he is, still posturing, offering paeans to a beleaguered pope during liturgies, and dismissing the growing chorus of charges against fellow bishops as petty gossip.

And when one of those fellow bishops, Cardinal Cristoph Schönborn of Austria, dares to call him out, as someone should, in one of the more rational comments that anyone inside the culture has yet made, Sodano is able to manipulate a meeting with Schönborn and the pope. The world is subsequently informed that such criticism is not to occur cardinal to cardinal. Such power is reserved for the pope alone. The pope remains silent and Sodano remains influential.

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**The following articles were passed along by David. They first appeared in NCR, to which you ought to subscribe.**

### **Murder on the disoriented express**

By *Eugene Cullen Kennedy*

### **New missal translation kills off mystery**

You need not be Hercule Poirot to understand that murder is about to be committed on the Disoriented Express. Having taken on coal at the mossy Vatican I station, it is now thundering toward its final destination at Trent, the Grand Central gathering place for "Reformers of the Reform."

The assassins' plan is to kill off Vatican II but they are really murdering religious Mystery itself, that defining core of religious experience that sings in the church's sacramental symbolism and in the mytho-poetic language of its scriptures and prayer life.

Ordinary believers are the innocent victims of the New Translation's manslaughter of Mystery and of numerous terrorist attacks on the vision and theology of Vatican II. Like ancient crusaders, the present legions believe that as the true believers only they have a right to ransom the True Cross.

Like all terrorists, these campaigners believe that Heavenly mansions await them for the

earthly damage they do in restoring religion to the slavery of obsessive masters from whom Jesus liberated it. Not for them the church that respects conscience and other religions, that understands and waits for all us limping humans to catch up with it, that celebrates life and embraces and forgives sinners.

Vatican II makes faith too easy, in their judgment; they reject a faith that elevates people for spiritual growth and propose a regime that puts them down to keep them in their place. Espousing a "tough" religion doesn't do much for anybody else but it certainly makes them feel good about themselves.

Everything, including the New Translation, squeezes the spirit out of familiar liturgical readings and replaces it with hot air. These efforts flow from the sweeping campaign initiated by Pope John Paul II (Calling him Pope John the Great is part of their program too) to restore the hierarchical church.

The hierarchical church's outdated structure, whose origins were secular rather than sacred, was not a victim of Vatican II but of history itself and the best thing to do is stand clear as it settles into clouds of dust. With his combination of Teutonic rigor and a shopkeeper's smile, Pope Benedict XVI now charges the bishops, as if they didn't have enough trouble, with refurbishing the split-level palace that places the pope alone on top, monsignors and assorted officials on the skybox level and lay men and women on the bottom.

The failure to understand that Vatican II restored the authentic tradition of collegiality to the church has led to a record level of canonizations on the principle that the more saints the better to buttress the multi-level ecclesiastical dormitory. The little murders of these reformers of the reform of Vatican II include the comedy of telling priests who don't know the language that they can say Mass in Latin and the tragedy of making nice with the Lefebvre heretics who are the Confederate money in the church's collection plate.

The New Translation is a big murder, however, because it represents an assault on the language that bears the Mystery of belief. The translation now in use reveals the purity of theologically based phrases. The New Translation now slays that graceful Mystery by throwing out the baby with the baptismal water.

For example, the familiar penitential phrase, "I have sinned through my own fault" is buried in the debris of the antiquated "through my fault, through my fault, through my most grievous fault." The Gloria has been touched up with so much 19th century guilt paint that it resembles an aging countess camouflaging herself for amours that will never be. When the priest says "The Lord be with you" the clean clear response, "And also with you" is replaced with the literal "And with your spirit." The same Proustian longing for a vanished past is found at the Agnus Dei. Catholics must now replace "...but only say the word and I shall be healed" with "I am not worthy that you should enter under my roof but only say the word and my soul shall be healed."

This can only lead to further literalization and deadening of the Word of God that, as in the parables of Jesus, is metaphorical. In a metaphor, the connotation is the significant element, that cloud of witnesses to its fuller meaning that hovers around it that are scattered when somebody insists on using the denotation, that flat utilitarian meaning, such as STOP on a traffic sign.

Choosing denotation rather than connotation in religious language has led to bloody consequences. Those who accepted the literal meaning of Holy Land have been making war over its boundary lines for centuries. Jesus speaks directly to us in Holy Land as a metaphor for a spiritual place we can enter at any time.

As this Disoriented Express rocks along toward the rockslide of Trent, these zealots look mystified when Poirot asks them if they know who the murderer is. They look mystified because they don't have a clue about the nature of religious Mystery and of how its supple metaphorical language must be respected and, indeed, guarded. Ordinary people do understand religious Mystery in their depths and that is why, without being able to explain it rationally, they are reluctant to drink of the cup of the New Translation that is now being forced on them.

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**The following two articles were written by Father Richard McBrien and were passed along by David.**

### **The consequences of warnings ignored**

The situation in the Catholic church is similar to the situation we find today in U.S. politics. In both realms, there is a significant group that is disaffected.

The difference is that seriously disaffected Catholics tend to be somewhere left of center, while seriously disaffected Americans tend to be on the right. What they have in common is a deep sense of alienation from those in power, whether in the church or in the nation.

Catholics who had invested their hopes in the renewal and reforms brought about by the Second Vatican Council are discouraged and demoralized because those hopes seemed to have been dashed by two consecutive, aggressively conservative papacies and the bishops they have appointed and promoted.

Largely white, Republican-leaning American citizens, such as the Tea Partiers, cannot accept a Democrat in the White House -- and a Democrat of color at that -- nor Democratic control of both houses of Congress.

They feel that their country has been taken away from them, unaware of, or in denial about, the inexorable demographic trends that have long been underway. Soon whites like them will be a minority within the United States of America.

They place their hopes on repeal of this or that piece of legislation, especially the recently passed health-care reform bill, and in the next election. In the meantime, they shout epithets and carry signs comparing President Obama to Adolf Hitler and predict the nation's slide into socialism or worse under the current Administration.

Demoralized Catholics, on the other hand, follow a very different course. They tend not to shake their fists in anger, but simply to drift away from their church, as the Pew Study of religions in the United States reported almost exactly two years ago.

If ex-Catholics constituted a church unto themselves, they would be the second largest

denomination today -- second only to the Catholic church itself, which would be a lot smaller were it not for the constant stream of immigrants from Mexico, Central and South America, Asia, Africa, and other parts of the world.

The leadership of the Catholic church has thus far tended to ignore this trend. It's almost as if they never heard of the Pew Study, much less studied and discussed it seriously. The same is true of their response to the greatest crisis ever to hit the Catholic church in the United States, and the greatest crisis to hit the universal church since the 16th-century Reformation itself, namely, the sexual-abuse scandal in the priesthood.

The initial reaction, at the highest levels of church governance, was to deny the reality of the crisis and to accuse the media (sometimes even identified as "Jewish-controlled") of creating the crisis in order to do damage to the Catholic church.

The hierarchy's default mode was to protect the church and its priesthood at all costs. Concern for the victims of sexual abuse was an entirely secondary matter. Indeed, bishops sometimes scolded lay persons for allegedly making up "sordid tales" about Father, or imposing a vow of silence, with threats of hellfire to insure enforcement of the vow.

The hierarchy in the United States ignored warnings from well-informed observers like Dominican Fr. Thomas Doyle that if they did not effectively address this problem, they would expose the Catholic church to lawsuits totaling over one billion dollars. His unheeded warning has been fulfilled, and then some.

Bishops in other countries, including the Vatican itself, presumed to lecture American Catholics, insisting that the crisis was confined to America and was the product of corrupt American values.

Now that the crisis has spread to Europe and other parts of the Catholic world, reaching even the highest office in the church, it is no longer possible for Catholic leaders in other countries to look down their noses at the Catholic church in the United States.

The sexual-abuse crisis is global in scope.

As a result of its spread to other parts of the world, the sense of discouragement and demoralization among Catholics has become even more intense.

What is to be done about it? First, church officials must make it clear that their greatest concern is for the victims of sexual abuse, not for the reputation of the institutional church and its priesthood.

Second, bishops must be completely open and truthful about what sins of omission or commission they may have committed in hiding the problem or, worse, in lying about it and in keeping predatory priests in pastoral ministry.

Third, the Vatican must not only defrock guilty priests, but also begin finally to remove bishops who covered up for these priests.

Truthful and decisive leadership is the only effective antidote to demoralization.

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## A demoralized church

The story I am about to tell provides yet one more indication of why so many good Catholics are demoralized these days -- apart, that is, from the ongoing sexual abuse crisis that has reached recently even to the papacy itself.

Some time ago, my weekly column, which appears not only in diocesan newspapers but also in parish bulletins in the United States and Canada, was dropped from one of those parish bulletins by order of the local bishop.

According to the pastor, some 90 percent of his parishioners were pleased to have access to the column in their weekly bulletin, while only a small slice of the congregation (1 percent was his estimate) was "distressed" by it.

The pastor reported that a few of the critics met with him, while others phoned or sent letters. The pastor's consistent reply was that the parish needed a different perspective on church-related issues, different certainly from the perspective available each week in the diocesan newspaper. (Locally: *Catholic New York* - an embarrassment, my humble view. RC)

But the critics were not satisfied with the pastor's response. They also wrote to the bishop, enclosing underlined copies of the column. The bishop, in turn, forwarded their letters to someone on his staff. The upshot was that the pastor was told that he could no longer carry the column in the parish bulletin.

The pastor subsequently e-mailed me to ask if he might continue to subscribe to the column (the monthly fee was \$10) in order to make it available at the back of the church on an entirely voluntary basis. He also expressed his personal discouragement over the "repression" that is happening in the church.

I e-mailed the pastor back, assuring him that I have experienced this before and have become more or less used to it. It happens particularly when a pastorally healthy bishop dies, retires, or is moved to another diocese, and his successor is a rigid, censorious micromanager.

What is disturbing about what happened in this particular parish is that the tiny minority who complained about the inclusion of the column in the parish bulletin undoubtedly felt empowered -- empowered by the knowledge that their views could trump those of the pastor and the overwhelming majority of their fellow parishioners.

They did an end-run around the pastor (which was their right), sending letters and enclosures to the local bishop. The bishop turned the matter over to one of his underlings, who proceeded to shut down the column.

In my response to the pastor, I offered to make the column available free of charge. He thanked me for the gesture, mentioning at the same time that many parishioners were upset about the abrupt act of diocesan censorship. Some of them, he said, also wrote letters to the bishop and his subordinate, but to no avail.

Even some of those who admitted that they occasionally disagreed with points of view expressed in the column acknowledged that the column made them think and often provided historical information of which they had been unaware.

Unfortunately, the story does not end there. The same minority of parishioners wrote again to the bishop to complain that the pastor was still making the column available to parishioners at the back of the church, even if it no longer appeared in the parish bulletin.

The same underling, but again with the bishop's ultimate approval, ordered the pastor to cease doing so. In politics, business, the military or any of the major professions, the person comparable to the pastor in this case would resign, retire or move to another

company.

In today's church, however, a pastor's options are severely limited. Even if humiliated before his entire parish, and particularly before the militant minority that had brought about his repudiation by the bishop, a pastor really has no place to go, except perhaps to resign from the priesthood and to seek another form of employment.

Although I would not presume to suggest such a course of action upon this good man, serious pastoral damage has been done, whether the pastor was to remain in office or not.

A tiny minority of parishioners now knows that it can trump the will of their pastor and the overwhelming majority of fellow parishioners simply by running to the bishop and making a complaint.

The question is, what would happen if a majority of parishioners complained to the bishop about a conservative pastor who celebrated Mass in Latin, harangued the people in homilies about their sinfulness and urgent need for the sacrament of penance, eliminated all forms of consultation, fired the staff, and made abortion the only moral issue mentioned from the pulpit?

Unfortunately, the question answers itself.

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**The following article, also passed along by David, was written by James Carroll and appeared in the *Boston Globe*.**

### **Rescue Catholicism from Vatican**

POPE BENEDICT XVI has denounced the predator priests with due severity, but he cannot credibly chastise their enabler bishops because he has been one of them. The whole Catholic Church seems to be in crisis, but what is really at stake here is the collapse not of Catholicism, but of Catholic fundamentalism.

Fundamentalism is the raising of religious barricades against tides of change. Protestant fundamentalists use the Bible (quoting verses of scripture) as both sword and shield. Catholic fundamentalists use the papacy that way (quoting encyclicals). Today's Vatican presides as center of a command society with global reach, attempting to exert absolute control over all aspects of Catholic life, from the major (doctrine) to the minor (altar boys). Despite the impression that even many Catholics have, such papal dominance is a modern phenomenon. The Vatican was not always a corporate headquarters, with the world's bishops as menial regional office managers, priests as messengers, the laity as mere customers.

In the past, bishops were elected by local churches. Uniformity on core doctrines was balanced by diversity on more marginal issues, with real differences shaped by regional culture. Bishops had significant autonomy, and acting together in General Councils they exercised supreme Catholic authority. All of this changed during the culture wars of the 19th century, when revolutionary movements identified the church (inaccurately) with the targeted aristocracy. The pope was a supreme ruler only over the papal territories in Italy, and when he lost those in the humiliations of 1870, Catholic bishops rallied to him at the simultaneous Vatican Council I. His political collapse led to his spiritual elevation, with the bishops only then promulgating papal infallibility. Paradoxically, the pope's claim to supreme Catholic authority, even over a council, rests on the council's declaration.

Meanwhile, Vatican-dominated Catholicism, even understood as a rejection of modern trends, embodied the most modern trend of all — a Catholic version of 19th century nationalism organized around all-powerful strong men, like Bismarck and Garibaldi. In subsequent decades, the Vatican solidified this unprecedented centralization (which was enabled by new technologies like telegraph, railroads, and ocean liners) with a new version of canon law, Rome-based institutions like the North American College that made a symbolic drinking from the Tiber a pre-requisite for promotion to bishop, and “concordat” treaties with states that emphasized Vatican prerogatives over the local church (including the notorious *Reichskonkordat* that undercut German Catholics and their resistance to Hitler). But Catholics everywhere found cohesion in their identification with the Holy Father, an especially vital advantage in places where they faced political oppression, as in Ireland, or discrimination, as in America. In effect, the pope replaced Jesus Christ as the face of the church, and the more the pontiff was attacked, the more papal loyalty defined the core Catholic value. These developments occurred for understandable human reasons, but they resulted in a grave distortion of the Gospel, which lifts up the face of Jesus as central and defines church authority by service, not power.

Surprisingly, no one saw this distortion more clearly than a pope — John XXIII, who called, yes, a council to correct it. His Vatican II (1962-65) aimed to restore the “collegiality” of bishops (the pope only as “first among equals”); to reinvigorate local expressions of belief (hence worship in the vernacular); and to retrieve the “priesthood of all believers” as a check on clericalism. Vatican II was a step toward the democratizing of the Catholic Church, which is why Catholic fundamentalists have been seeking to undo it ever since. Fundamentalist-in-chief has been Joseph Ratzinger.

Across three decades, Ratzinger was key to the appointment of bishops whose overriding commitment was the protection of pope-centered clerical authority. Terrified of acting on their own, they had one eye eternally on Rome. “Scandal” was their nightmare. Between an abused child and a predator priest, their choice was always simple: protecting the power structure meant protecting the priest. That structure is the problem, which means the pope’s resignation is not the issue.

An example of what must happen now came from the American nuns who recently defied the Rome-obsessed bishops to support President Obama’s health reform bill. The nuns acted as if the reforms of Vatican II are real. Now priests and lay people must do the same, rescuing the Catholic Church from its fundamentalists, including the present pope.

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**Grateful to Joe for sending the following. The full article is available at the link.**

### **Five Keys to Reforming the Catholic Church**

[http://talkingreasoninchurch.com/?page\\_id=46](http://talkingreasoninchurch.com/?page_id=46)

It’s time to take the Catholic Church back from the hierarchy and return it to the laity. Here are some key ways to do this:

1. Understand that Jesus gave the Mass to lay Christians before the clergy existed: Celebrate it at home.
2. Form a base community in your parish and say Mass with them once a month.

3. Support your parish, but eliminate what goes to the hierarchy.
4. Tell your bishop he is invalid because not elected in the Holy Spirit by us, the Church.
5. Tithe for Lay Catholic Renewal—into your own account—minus what goes to the parish.

Read *Talking Treason in Church: The Lay Person's Guide to Renewing the Catholic Church* to learn the reasons for these action points.

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**America magazine presents an article written by Valerie Schultz. America magazine should be an essential part of every informed person's reading list.**

### **Prison Breakthrough: The surprising rewards of detention ministry**

Twenty-four years ago, my husband and I moved to a small town where he had taken a teaching job. We had been married for five years, had two children (with two still to come) and felt like old hands at life, which, in retrospect, we were not. As we adjusted to life in a village, we soon learned that our new home's main industry was a state prison that squatted, ominous and foreboding, where a two-lane highway reached a dead end. Even though we met many people who worked there, we never went anywhere near the prison. We had come from the diverse metropolis of Los Angeles, so this seemed to us like another planet.

But that was before we became volunteers for our parish detention ministry six years ago. In a comedy of errors, in which my husband and I were each under the impression that the other one had discerned a certain call, we joined a new ministry. The recently hired Catholic chaplain at the prison organized our group of volunteers into teams of two. Each pair spent one Saturday a month conducting Communion services at two different prison yards. While there are priests who faithfully come to the prison as often as possible to hear confessions and say Mass, most of the time the chaplain is a one-man show for all things Catholic for over 5,000 inmates in five prison yards. Our active group of volunteers helps to make Catholic services more widely available.

With some apprehension, my husband and I accompanied the chaplain on our first Saturday, following him as he conducted services we would soon be doing on our own. I wrote everything down: where to park; what to wear; what to bring and not bring; what gates to enter; when to show our I.D.s, for which we had been fingerprinted and run through a law enforcement database; how to act. We worried that we would make a wrong turn, get lost and end up somewhere dangerous. We thought we would never get used to the security measures, and we found ourselves wondering if our decision to volunteer there was seriously flawed, even though we respected and enjoyed working with our fearless chaplain leader. Then it was time to come face to face with the inmates.

We waited in the chapel, which looked like any other chapel. And when the inmates arrived, we greeted them. I expected them to be scary, like characters from *Central Casting*, but they seemed glad to meet us. In fact, they didn't seem much different from people who are not incarcerated. They were young, old, short, tall, thin, stout, bald, well-coiffed, English-speaking, Spanish-speaking, outgoing, shy, articulate, silent, funny, stern. While some are tattooed to an alarming extent, the inmates as a group possess all the quirks and gifts and flaws, the nobility and the sin, that define humanity.

The services were reverent, yet they vibrated with the presence of the Holy Spirit. The choir sang like angels. For my husband and me, it was an extraordinary spiritual experience, and we knew we would be back. God was speaking to us here, incongruously but clearly. Somehow we felt as if we had come home.

Today, our group of volunteers endures. We meet together monthly to determine the schedule. We read and discuss the themes and lessons in the upcoming Scripture readings in terms of how best to present them to incarcerated men. We help coordinate special events, like retreats or celebrations, two of the inmates' favorites being the feast of Our Lady of Guadalupe and the washing of the feet on Holy Thursday. Sometimes outside groups come to give inmate retreats, and we help by giving talks, being group leaders, donating supplies, offering lodging to the visitors or, with official permission, preparing meals to share with the inmates at the culmination of the retreat.

#### FOR SOME A WAKE UP CALL

Two years ago, I took a job in a records office at the prison, so I am able to volunteer an additional two weekdays after work. On Tuesdays I help facilitate a Criminals and Gangmembers Anonymous meeting, a 12-step program that originated in prison. On Wednesdays I lead a Communion service at the sensitive needs yard, which houses inmates who in a general population yard would be at risk of harm at the hands of other inmates.

Detention ministry may seem like a strange landing place for someone whose previous ministries mainly involved children and youth, and it is. When we moved here all those years ago, I would never have pictured myself in the places to which I now willingly go. The fact that I feel more at home in the prison chapel these days than I do in my own parish provides a trinity of proofs: that God has a sense of humor; that Jesus meant us to take literally those words about visiting him in prison (Mt 25:36); and that the Holy Spirit, when asked, will always provide the necessary gifts to make the impossible possible.

Working with inmate files in a records office, however, does not allow me to romanticize or trivialize why these men are here. While a few may be imprisoned unjustly, most of them are incarcerated for good reason. Some inmates continue their life of crime from captivity and have no interest in rehabilitation. Many live the revolving-door philosophy, returning to prison for a new crime or parole violation within months—or weeks—of their release.

Most inmates just want to do their time quietly, without attracting notice. Many of the inmates I have met were just unlucky. But for circumstances, they could be you or I in our early 20s, caught for doing something stupid and unable to afford a decent lawyer or even to comprehend the language of law. And some inmates really do see a prison term as a giant wake-up call from God. They read voraciously, participate in every service and program offered, take (or teach) sacramental preparation classes and open their hearts wide to metanoia, to daily conversion. They live an examined life. I believe I see the face of Jesus in them far more than they see the holy in me.

In some dioceses, like the Archdiocese of Los Angeles, the Office of Detention Ministry has been renamed the Office for Restorative Justice, because this signifies a broader,

more effective endeavor. While detention ministry is clearly aimed at those held in the jails and prisons, restorative justice seeks both to facilitate restitution for victims of crime and to emphasize rehabilitation over retribution for the convicted. The goal is to build a more constructive and compassionate society.

Another group that can be touched by God's love and forgiveness through restorative justice is the correctional staff. I am sometimes aware of officers who listen with casual intensity during our services and who come to treat us volunteers with respect, rather than with the initial skepticism that usually greets our bleeding hearts. It is my hope that they are also moved to treat the inmates in their care more humanely. I am often touched, during the Prayer of the Faithful at our services, when inmates pray for the well-being of the guards and other workers at the prison. They also regularly pray for the victims of their crimes. These are not prayers I would have imagined coming from the lips of criminals.

### **Unlikely Community of Faith**

During services, we sing, repent, praise God, proclaim the word, pray and share the Eucharist together in an unlikely community of faith. Each week I prepare a reflection on the readings. I search for words that are relevant and helpful while praying that the Holy Spirit will smooth my delivery. Yet, when I ask for my fellow worshippers' thoughts at the end of mine, the responses often throw sparks of wisdom and insight. "Why are you here?" I sometimes want to ask the speaker.

But I don't. Every so often an inmate tells me his commitment offense, but it's not information I need. I see further evidence of God's grace in the fact that, when I go into the prison as a Catholic volunteer, I am more powerfully aware of God's love for us than when I am anywhere else. I cannot explain it. But I know that when I shake hands at the sign of peace or place Communion into upturned palms, I am touching hands that have robbed, beaten, cheated, murdered and molested. But that's when I am filled with the true mystery of sharing the Eucharist in community, because I am able to grasp those hands with love and know that where they have been does not matter. Where they are going, what they are going to do next, matters. I believe that hands that have caused hurt always have the God-given potential to be hands of tenderness.

Detention ministry gives me far more than I give others: I feel guilty when I am thanked for doing something that so enriches my faith. But despite my enthusiasm, some people who have tried on detention ministry have found it an uncomfortable fit. As St. Paul writes in his first letter to the Corinthians, "Now there are varieties of gifts, but the same Spirit..." (12:4). We must each discern the particular ministry to which the Spirit calls us at a particular time of our lives.

Every morning on my way to work, just before driving through the front gate of the prison, I see a sign that reads "Caution: Rough Road Ahead." To us employees, it means that the state is still remiss in re-paving the weather-ravaged main road. But I often wonder how the warning strikes others who enter here, both arriving inmates and their visitors. I wonder if their hearts hurt at the aptness of the metaphor. Sometimes I wonder how unwitting the metaphor really is, or if someone in maintenance is a bit of a poet. There is no denying that prison is a rough road. But like the disciples on the road to Emmaus, our choice of traveling companion makes all the difference.

### **HOW TO HELP**

If you have reservations about volunteering in a prison or jail, here are some other possibilities.

**Things to donate**

- reading materials, like books, magazines or Bibles
- rosaries, scapulars or other religious items
- writing utensils (may require special approval)
- materials to assist in the ministry, like postage stamps, envelopes, greeting cards in Spanish and in English
- money or clothing to help with dress-outs (clothes to wear upon release from prison) for inmates with no family to provide them

**Things to do directly for prisoners**

- Become a pen pal to an inmate.
- Offer to cook or bake for special events as permitted
- Help with family visits to incarcerated parents (examples of California programs are “Get on the Bus” and “The Chowchilla Family Express”).
- Search out possible job placements for parolees.
- Begin chapters of programs with which you are already familiar and comfortable (St. Vincent de Paul, Guadalupe Society, Alcoholics Anonymous, etc.).

**Things to do in the wider world**

- Get involved with, or start, mentoring programs for the children of inmates and parolees.
- Help with victim assistance programs and with bereavement ministry for victims and their families.
- Protest the death penalty or support a moratorium against it.
- Advocate with legislators for more just sentencing policies.
- Pray for those who are imprisoned, and for those whom they have harmed by criminal activity and for those who minister and work within the prison walls.

**What else?**

For information, or opportunities to volunteer in detention ministry, check with your diocesan office or parish. You can also contact your local Catholic prison chaplain for specific ministry needs.

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**From “Seekers of Ultimate Mystery” by Rev. Thomas Keating. This full article appears in *Contemplative Outreach News*, June 2010.**

The world religions have a responsibility to seekers of Ultimate Mystery. to begin with, here is a tentative list of the truths on which the religions of the world seem to be in basic agreement, and which point to their common understanding in spite of their diversified experience of Ultimate Mystery.

1. Ultimate Mystery infinitely transcends any idea the human mind can form of It.
2. Ultimate Mystery is the beginning and end of human existence, its source and completion.
3. Faith is opening, accepting and responding to Ultimate Mystery.
4. The self-communication of Ultimate Mystery is offered to every human person,

together with the gift of life.

5. Belief in one's own basic goodness is a necessary corollary to faith in Ultimate Mystery.

6. The human condition is a state of incompleteness; hence subject to ignorance, illusion, weakness and suffering.

7. The potential for human wholeness — or, in other frames of reference, divine union, liberation, transformation, enlightenment, nirvana - is present in every human person.

8. Whatever one attains after much labor is not the result of one's own efforts, but the gift of Ultimate Mystery.

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**Nicholas P. Cafardi responds to "[Church Office Failed to Act on Abuse Scandal](#)". Also check out his recent Commonweal article on the scandal in Ireland at <http://www.commonwealmagazine.org/blog/?p=8980>**

**The NYT, the CDF & church law—a canonist responds. [[Crimen Sollicitationis](#)]**

It is rare when issues of canon law make the front page of the **New York Times** and even more rare when the secular media gets their canonical issues right. But the Times story of July 2, 2010, "Church Office Failed to Act on Abuse Scandal," did just that. As the Times reported, it truly was a failure in the church's canon-law system that exacerbated, if it did not help to cause, the clergy child sex-abuse crisis in the United States.

When the crisis first broke in the mid-1980s, U.S. canon lawyers (me among them) thought that the new Code of Canon Law, promulgated in 1983, limited the canonical prosecutions of priests who had sexually abused minors to crimes that were reported within five years of their occurrence. The new canon 1362 said that the statute of limitations on such crimes was five years after their commission.

The problem with that statute, of course, is that it takes children much longer than five years to come to terms with an instance of abuse and begin to tell people about it. The literature suggests that the average time for a child to figure out exactly what was done to them, how wrong it was, that it was not their fault, and that they have nothing to fear from telling people about it, is about twenty years. So a five-year statute on child sexual-abuse crimes is unrealistic to begin with.

The U.S. bishops knew that they had a problem with that short statute, and in the late '80s they began to beg the Vatican for a longer one. Those discussions unfolded over several years. Only in 1994 did the Vatican agree to a new statute of limitations for the United States: ten years after the victim turned eighteen, thus enabling the prosecution of many more crimes.

But lurking in the unreferenced and uncatalogued canonical database (yes, canon law is much more difficult to research than civil law because it lacks many of the organizational databases that civil lawyers have at their disposal) was a document that could have

easily solved the statute of limitations problem. It was called “Crimen Sollicitationis” or “The Crime of Solicitation,” and, while it dealt primarily with the canonical crime of priests soliciting sex in the confessional, it also dealt with the “worst crime,” a euphemism for, among other things, the sexual abuse of a child by a cleric.

That document, which gave jurisdiction over such crimes to the Holy Office, now the Congregation for the Doctrine of the Faith (CDF), was first published in 1922 and again in 1962—but it was published only in the loosest sense. It never appeared in the Acts of the Apostolic See or in *L’Osservatore Romano*, or any other place where a canon lawyer would go looking for the law. The fact that the Holy Office had jurisdiction over those crimes was very important, because crimes in the Holy Office’s jurisdiction are unprescribable, that is, they have no statute of limitations. Yet that jurisdiction was also unknown!

When the document finally came to light, many canon lawyers thought it was irrelevant because the 1983 Code had so re-ordered that area of the law that “Crimen Sollicitationis” had been impliedly overruled in favor of the new five-year statute of canon 1362. After all, if “Crimen Sollicitationis” was still in effect, what was the purpose of all that dithering between the U.S. bishops and the Vatican from 1988 to 1994 to get a longer statute of limitations for priests who had sexually abused children? If “Crimen” still applied, all the Vatican had to do was pull the document out of a drawer and tell the U.S. bishops to use it, since crimes reserved to the Holy Office, now CDF, have no statute of limitation.

Imagine U.S. canonists’ surprise when, in a May 2001 letter accompanying Pope John Paul II’s *motu proprio* “On Safeguarding the Sanctity of the Sacraments,” Cardinal Ratzinger, then prefect of CDF, referred to “Crimen Sollicitationis” as being “hucusque vigens”—Latin for “in effect until now”—that is, in effect until May 2001, and therefore not overruled by the 1983 Code of Canon Law. Yet, if “Crimen” was in effect until 2001, why did no one at the Vatican say so before and spare the U.S. bishops all that grief asking for a longer statute?

It is unfair to lay this contretemps at the current pope’s door. He is a theologian, not a canon lawyer, and, like other laymen (nonprofessionals) in the field of canon law, he has to rely on what the experts tell him. But whoever inserted the phrase “hucusque vigens” in Ratzinger’s 2001 letter and whoever his Vatican canonist colleagues are, they have a lot of explaining to do.

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**Comments, criticisms and more articles are deeply appreciated. Please forward them to [tony@tonyercolano.com](mailto:tony@tonyercolano.com)**