

The Church's Passion

By Luis G. Franceschi*

Pope Benedict has been under attack for allegedly covering up sex scandals while being the head of one of the most important Church offices in the 1990s. Many colleagues, among them quite a number of lawyers, have asked for my opinion. Usually a lawyer should build strong foundations for his or her arguments, whether they be in favour or against. I took on the task of going deeper into the matter and I was appalled by what I found.

In a very short span of time 4,838 negative articles related to the subject have been written by the leading news agencies worldwide. In the Media world this only happens when there is a concerted campaign or a clear target. I went on with research and I discovered that the campaign did not begin yesterday. In similar fashion the Pope was attacked by unconnected events in 2005 for having been enrolled by force in the Nazi youth; in 2006, when his citation of a Byzantine emperor was taken out of context; in 2008 he was labeled as being homophobic for saying in his annual Christmas message that the distinction between men and women is central to human nature, and this order, set down by creation, should be respected. In 2009 the New York Times accused him of causing confusion within Anglican and Catholic parishes alike, by the Pope's decision to make it easier for Anglicans to convert. Every major accusation was also accompanied by little satellite-like others. 2010 could not be spared and a major topic was brewing. The target as usual was the Pope. The subject matter: 'pedophilia.'

Pedophilia, there is no doubt, is a sin; a very ugly one. Even one pedophile priest would be one too many. However, before we find out whether the Pope covered up pedophilia-related cases, let's look for a moment at the pedophilic abuses that have brought so much sadness to the Church. Consider the data in Germany, tells us J.L. Restan, a European university professor: 210,000 child abuse cases have been reported since 1995, 94 belong to the Catholic Church. True, 94 cases in parishes and schools are a lot and this raises very serious questions. More than average is expected from members of the Church. But it is also clear that the Church consists of weak and sinful men and women who are shaped by the cultural currents of the time.

More interesting data: as of 2005 there were 406,411 priests in the world. Out of these less than 3,000 were found guilty of any form of molestation, not only pedophilic but also hebephilic (16-17 years-old adolescents) and homosexual attraction. This means that the beautiful gift a priest is to society has been tarnished by the shameful behavior of 0.73 % of the total number of priests. Others place the percentage higher between 2-5%. Whatever the case, the news items conveyed to us lack proportionality. Consider this in relation to the brutal totality of the problem in the US. No one says, for example, that there were five times more cases of pastors accused from different Protestant communities, or that in the same period when 100 priests were condemned, there were 5,000 teachers of gymnastics and sports coaches who suffered the same fate.

It seems clear that world reports have lacked objectivity. We should now consider the crux of the matter: Did the Pope cover up cases or not? Mgr. Charles Scicluna, in charge of the abuse reporting office at the Vatican, explains that secrecy during the investigative phase serves to protect the good name of all the people involved; first and foremost, the victims themselves, then the accused priests

who have the right – as everyone does – to the presumption of innocence until proven guilty. The Church does not like showcase justice. Norms on sexual abuse have never been understood as a ban on denouncing the crimes to the civil authorities. When questioned why these cases are resurging now, Scicluna explained that between 1975 and 1985 no cases of pedophilia committed by priests were brought to the attention of this office. After the entry into force of the 1983 Code of Canon Law, there was a period of uncertainty as to which of the serious crimes were reserved to the competency of this office. Only with John Paul II's decree of 2001 did the crime of pedophilia again become Rome's exclusive remit. From that moment Benedict XVI, then Cardinal Ratzinger, displayed great wisdom and firmness in handling those cases, also demonstrating great courage in facing some of the most difficult and thorny cases. Therefore, to accuse the current Pontiff of a cover-up is false and unfair. Certainly some bishops have blundered by not making the right decision at the right time; thus the Pope's apology to Ireland.

Now, if Pope Benedict has not been covering up, why the fuss? The sociologist Massimo Introvigne in his article "*The Social Construction of a Moral Panic*" explains this trend based on the **moral panic**, which is socially constructed by reactions, both in media and in political forum, out of proportion to the actual threat. First, social problems existing from decades are reconstructed by media and public narratives as "new" (or as the subject of a recent alleged dramatic increase). Second, their prevalence is misrepresented by folk statistics that, although not confirmed by scholarly studies, are repeated from media to media and may inspire political measures. This is achieved through fragmented and scattered material over time, where the size, timing and historical contexts are systematically altered or silenced. For example, in the March 25th, 2010, the NY Times repeated again the same old list of allegations from 2005 to 2010 so as to strengthen its cover-up allegations.

According to Rafael Navarro, a law professor, the most solid scientific work on pedophilia belongs to a non-Catholic author, Professor Philip Jenkins, *Pedophiles and Priest, Anatomy of a Contemporary Crisis* (Oxford University Press.) His thesis proves that the proportion of clergy with sexual problems is less acute in the Catholic Church than in other denominations, and above all, much less than in other organized institutional models of coexistence. If the Catholic Church can identify more cases, this is due to the centralization of church structures in Rome, which allows collecting information with more immediacy than in other institutions and organizations, religious or otherwise.

The problem is not the Church. The Church is precisely part of the solution. We need to pray for the sanctity of priests and religious who have served society to such a great extent. We need virtuous leadership, unity of life... to walk the talk. Finally, the most chilling fact, says Restan: the most common area of child sexual abuse is precisely within the family (two thirds of all cases recorded come from here). So, the problem is widespread in society and it calls for self-examination. The figures in this catastrophe speak of the moral disease of our time and demand the re-examination of our attitude and acceptance of the tenets of the sexual revolution of the 60s', moral relativism and the loss of the meaning of life. Nevertheless more blows are expected. They are indeed the Church's Passion.

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