

HISTORY OF SEXUAL ABUSE IN THE CATHOLIC CHURCH^{1/}

The sexual abuse of children in the Roman Catholic Church is not a modern scandal. Records indicate that it is an age-old problem – almost as old as the Church itself.

As far back as the Council of Elvira in 309 C.E., official documents reveal a Church preoccupied with regulating the sex lives of its clergy. Very often, the behavior the Church was attempting to control was the sex lives of its legitimately married clergy. Sometimes that preoccupation involved behavior that was simply at odds with the Church's arbitrary, yet mandatory law of celibacy, which de facto rules out all sexual activity for clergy. At other times, and far too frequently, it involved clerical behavior that was not just immoral, but reprehensible and criminal.

Regardless of how objectionable and criminal the sexual abuse of children was regarded, it has been a recurring and widespread problem within the ranks of the clergy for the best part of two thousand years. To make matters worse, the Church has for a long time, but especially in more recent times, engaged in a widespread conspiracy not only to deny the existence of sexual abuse, but often deliberately, to provide cover for its perpetrators.

Many people, Catholics included, have been shocked to rediscover within the last decades just how prevalent clerical misbehavior is. Abuse, however, really is not a new phenomenon.

Sexual activity by popes, bishops and priests – members of the ruling hierarchy bound to celibacy – has triggered every reform the Church has been forced to undergo. The rape and sodomy of children is woven into the tradition of clerical history. And it has been amply recorded in documents and literature.

Popes, bishops and priests have known for centuries that sexual abuse of children is a problem. The Church may have legislated against it, but the fact remains that the hierarchy has consistently failed to protect the youngest and most vulnerable members of its flock from sexual abuse by predatory clergy. Roman documents, papal encyclicals and council resolutions down through the ages expose the persistence of violations of celibacy and criminal sexual activity with children and others.

Failures in the discipline of celibacy should come as no surprise: they are predictable. The power of a professionally celibate and all-male minority to define the morality of love and to control the sex lives of the lay majority provides a climate where the sexual abuse of children by some bishops, priests and religious can flourish and be covered up.

The never-ending flow of legislation emanating from official quarters proves beyond a shadow of a doubt that from its earliest days the Church has been trying to contain the abuse of minors by the clergy and cover up the resulting scandal. The following chronology should be read against a backdrop of the crisis caused by sexual abuse in the United States and the hierarchy's ongoing repudiation of any suggestion that it confess to prior knowledge of widespread failure in the discipline of clerical celibacy.

I. Apostolic Period: 1st – 6th Centuries

- 60 *Didache* – an early Christian manual on morals and church practice.
- 220 Writings of Julius Paulus.
- 309 Council of Elvira.
- 438 Theodosian Code – a collection of general constitutions of the Church.
- 530 Digest of Justinian, Volume IV – a comprehensive set of passages from juristic text books and commentaries.
- 533 Institutes of Justinian – a revised and modified edition of earlier institute.

II. Early Medieval Period: 7th – 11th Centuries

- 600 Penitential of St. Columban.
- 650 Penitential of Cummean.
- 690 Penitential of St. Theodore, Archbishop of Canterbury.
- 700 Penitential of St. Bede – prolific writer, Father of English History.
- 906 *Libri Duo* of Abbot Regino of Prum.
- 1012 *Decretum* of Bishop Burchard of Worms – a collection of canon law.
- 1051 *Book of Gomorrah* of St. Peter Damian.

III. Late Medieval Period: 12th – 15th Centuries

- 1139 Lateran Council II.
- 1140 *Decretum Gratiani* of Gratian – the Father of Canon Law.
- 1179 Lateran Council III.
- 1215 Lateran Council IV.
- 1234 *Decretals of Gregory IX* – compiled by St. Raymond of Penafort, canon lawyer.
- 1449 Council of Baise (1431-1449) – First editions of *Corpus Juris Canonici*, an extension of previous canons and decrees that would remain the source of Church law until 1917.

IV. Early Modern Period: 16th – 19th Centuries

- 1514 *Supernae Dispositionis*, Papal Constitution, Leo X, May 5, 1514.
- 1563 Council of Trent (1545 – 1563).
- 1561 *Cum sicut nuper* of Pius IV, April 16, 1561
- 1566 *Cum primum* of Pope Pius V, April 1, 1566.
- 1568 *Horrendum* of Pope Pius V, August 30, 1568.
- 1622 *Universi dominici gregis* of Pope Gregory XV, August 30, 1622.
- 1726 *Lavellana*, Sacred congregation for the Council, July 6, 1726.
- 1741 *Sacramentum poenitentiae* of Pope Benedict XIV, June 1, 1741.
- 1742 *Etsi pastorals* of Pope Benedict IV, May 26, 1742.
- 1745 *Apostolicae muneris* of pope Benedict XIV, February 8, 1745.
- 1775 *Ad Cochinchia*, S.C. of Propaganda Fidei, August 26, 1775.
- 1866 *Instruction*, Holy Office, February 22, 1866.
- 1869 *Apostolicae Sedis* of pope Pius IX, October 20, 1869.
- 1890 *Instruction*, Holy Office, July 20, 1890

V. Modern Period: 20th – 21st Centuries

- 1917 *Code of Canon Law*, promulgated September 15, 1917.
- 1922 *De Modo Precedenin Causis Sollicitationis*, Holy Office Instructions on how solicitations in the confessional were to be resolved, June 9, 1922.
- 1961 *Careful Selection and Training of Candidates for the States of Perfection and Sacred Orders*, Congregation for Religious, February 2, 1961.
- 1962 *Instructio de Modo Procedendi in Causis Sollicitationis*, Holy Office, March 16, 1962.
- 1965 Vatican Council II, 1962 – 1965.
- 1971 *The Role of the Church in the Causation, Treatment and Prevention of the Crisis in the Priesthood*, Conrad Baars, M.D. and Anna Terruwe, M.D.
- 1972 *The Catholic priest in the United States: Psychological Investigations*, Eugene Kennedy, Ph.D. and Victor Heckler, Ph.D.
- 1975 *Humana Persona, Declaration on Sexual Ethics*, Congregation for the Doctrine of the Faith, December 29, 1975.
- 1983 *Code of Canon Law* (revised).
- 1985 *The problem of Sexual Molestation by Roman Catholic Clergy: Meeting the Problem in a Comprehensive and Responsible Manner (The Manual)*, by Thomas Doyle, Ray Mouton, Michael Peterson, May 15, 1985. Published for the first time in 2006.

- 1986 *Letter on the Pastoral Care of Homosexual Persons*, Congregation for the Doctrine of the Faith, October 1, 1986
- 1988 Statement from the General Counsel of the U.S. Conference of Catholic Bishops, February 1988.
- 1990 The Report on the Archdiocesan Commission of Enquiry into the Sexual Abuse by Members of the Clergy – 3 volumes. St. John's, Newfoundland, Canada, June 1990.
- 1992 Apostolic Constitution, *Fidei Depositum*, October 11, 1992.
- 1993 *Letter of pope John Paul II to the U.S. Bishops*.
- 1994 *Restoring Trust, Vol. I*, U.S. Conference of Catholic Bishops.
- 1995 *Restoring Trust, Vol. II*, U.S. Conference of Catholic Bishops.
- 1996 *Restoring Trust, Vol. III*, U.S. Conference of Catholic Bishops.
- 2001 *Sacramentorum Sanctitatis Tutela*, Pope John Paul II, May 18, 2001.
- 2001 *De Delictis Gravioribus*, Congregation for the Doctrine of the Faith, May 18, 2001.
- 2002 *A Report of the Investigation of the Diocese of Manchester*, , Office of the Attorney General, March ,2002.
- 2002 U.S. Cardinals called to the Vatican, April 22 – 25, 2002.
- 2002 *Suffolk County Supreme Court Special Grand Jury Report Regarding the diocese of Rockville Center, New York*, May 6, 2002.
- 2002 *Charter for the Protection of Children and Young People*, USCCB, June 2002.
- 2002 *Essential Norms for diocesan/Eparchial Policies Dealing with Sexual Abuse of Minors by priests or Deacons*, U.S. Conference of Catholic Bishops. Approved by the Vatican, December 8, 2002.
- 2003 *The Sexual Abuse of Children in the Roman Catholic Archdiocese of Boston*, Office of the Attorney General of the General commonwealth of Massachusetts, July 23, 2003.
- 2004 *A Report on the Crisis in the Catholic Church in the United States* by the National Review Board, February 27, 2004.
- 2004 John Jay College of Criminal Justice *Report of Clergy Sexual Abuse of Minors by Catholic Clergy*, February 27, 2004.
- 2005 There were twelve Grand Jury Investigations of clergy sexual abuse of minors by Roman Catholic bishops and priests in various jurisdictions throughout the United States at the beginning of 2006, but reports from these investigations were not available at that time.

1/ Adapted from *Sex, Priests and Secret Codes, The Catholic Church's 2,000-Year paper Trail of Sexual Abuse*, by Thomas P. Doyle, O.P., A.W. Richard Sipe and Patrick J. Wall, III; Volt Press, Los Angeles, CA, © 2006.