

SEX, PRIESTS, AND SECRET CODES: THE CATHOLIC CHURCH'S 2,000-YEAR PAPER TRAIL OF SEXUAL ABUSE. By Thomas P. Doyle, A.W. Richard Sipe and Patrick J. Wall. Bonus Books 2006. Pp. 388. \$29.95. ISBN: 1-566-25265-2.

Most accounts of clergy sexual abuse in the Catholic Church begin with the 1984 lawsuit against Father Gilbert Gauthe and the Diocese of Lafayette, Louisiana. In *Sex, Priests, and Secret Codes: The Catholic Church's 2,000-Year Paper Trail of Sexual Abuse*, co-authors Thomas Doyle, Richard Sipe, and Patrick Wall argue that the current crisis is only the most recent manifestation of a problem that has plagued the church since its inception. "History shows," they assert in the preface, "that in practically every century since the church began, the problem of clerical abuse of minors was not just lurking in the shadows but so open at times that extraordinary means had to be taken to quell it." (ix) While there are already many books detailing the crimes of such notorious pedophiles as Gilbert Gauthe, James Porter, Rudolph Kos, Oliver O'Grady, John Geoghan and Paul Shanley, *Sex, Priests, and Secret Codes* looks beyond these high-profile cases to expose the historical roots of the problem and to explore its psychological, legal, and religious dimensions.

The book is divided into three parts and an epilogue. Part I offers historical perspectives on clergy sexual abuse. Part II tells the story of a 1985 report by Doyle, Gauthe lawyer Ray Mouton, and psychiatrist Michael Peterson that provided the first comprehensive analysis of clergy sexual abuse within the Church. Part III analyzes the failure of Church officials to disclose clergy sexual abuse. The epilogue offers counsel to survivors of abuse and activists about how to reconstruct their faith and reform the Church. The book also provides a chronology, correspondence that exposes official wrongdoing, a glossary of terms, and a lengthy bibliography.

Chapter 1 begins with a history of clergy sexual misconduct within the Catholic Church based on "[t]he church's own legal documents and authoritative pronouncements," from the fourth century to the present. (61) The authors suggest "a consistent pattern of non-celibate behavior by significant numbers of priests" including "widespread concubinage, homosexual activities, and sex with minors." (61-62) Chapter 2 examines responses to clergy sexual misconduct within the U.S.

Catholic Church. This more recent history reveals widespread knowledge of clergy sexual misconduct among the Catholic hierarchy dating back to the early 1950s, when bishops began to refer increasing numbers of priests who sexually abused children to psychiatric treatment centers and renewal retreats. By 1967, the National Association for Pastoral Renewal sponsored a public conference on priest sexual abuse of minors at the University of Notre Dame, and in the 1970s, the National Conference of Catholic Bishops contributed funds to establish the “first program in the world with a regime designed to treat psychosexual disorders in priests including disorders involving the sexual abuse of minors.” (73) “The fact that preparations for the opening of this program were years in the making,” the authors conclude, “demonstrates widespread knowledge of existing sexual misconduct with minors by Catholic clergy in the 1950s and definitively by the late 1960s and early 1970s.” (73-74) Several more such treatment programs were to follow. The authors describe how public disclosure of abuse began only in the mid-1980s and did not really reveal the true scope of the problem until much later when the “press, victims, lawyers, and public indignation moved the hierarchy to action.” (83)

In the wake of the Gauthé case, Doyle—who was then working as a canon law specialist at the Apostolic Nunciature in Washington, D.C. (the Vatican’s diplomatic mission in the U.S.)—collaborated with Ray Mouton and Michael Peterson in 1985 to produce a confidential report analyzing the canon law, civil law, and psychiatric aspects of clergy sexual abuse and its mishandling by the Church officials. The Doyle-Mouton-Peterson report (known as the “Manual”) advocated prompt investigation of allegations, removal of offending clergy from ministry, church-sponsored counseling for victims, and greater care in screening candidates for the priesthood. While circulated informally among bishops, the Manual was never officially discussed, and its authors were even criticized by some as meddlers. Interestingly, its proposals are the central elements of policies developed by the bishops that culminated in the Dallas Charter of 2002. Moreover, the Manual’s authors were prescient, predicting that the Church’s eventual liability for clergy sexual abuse could reach a billion dollars. (103) Chapter 3 tells the story of the Manual and its reception among the Church hierarchy, and Chapter 4 contains the text of the Manual.

A central feature of the clergy abuse scandal has been the persistent failure among Church officials to disclose abuse. Chapter 5 presents three cases in Dallas in the late 1990s that reveal, according to the

authors, a “pattern and practice” among U.S. Catholic officials in dealing with allegations of abuse, including failure to properly investigate allegations, transfer of perpetrators to new parish assignments, and efforts to prevent disclosure of the problem. (202) Chapter 6 describes an institutional culture of secrecy—a “code of silence”—that promoted the concealment of abuse until public pressure led to reforms in the 1990s and early 2000s. (208) Chapter 7 analyzes the mechanics of secrecy, describing the use of secret diocesan archives mandated by canon law to conceal information that could be damaging to the Church and the invocation by Church officials of common law and constitutional privileges to withhold information. The authors assert that neither canon, common, nor constitutional law sanctions the suppression of information concerning clergy sexual abuse. Chapter 8 addresses the psychology of secrecy. The authors assert that many victims fail to disclose their abuse due to “religious duress”—a mix of reverence for priests and fear of rejection by the Church and even by God that is instilled in devout victims by religious doctrine. (248) Chapters 9 and 10 suggest that Church officials are using bankruptcy as a means of limiting their liability and creating delays that will discourage victims from suing in the future.

The book closes in Chapters 11, 12, and 13 with a series of brief reflections on the loss of faith suffered by clergy sexual abuse victims, paths to healing and forgiveness, and ways to open up a new dialogue between victims and the Catholic hierarchy.

Sex, Priests, and Secret Codes is an invaluable resource for anyone seeking to understand the historical roots of the current clergy sexual abuse crisis and gain a deeper appreciation for its psychological, legal, and religious dimensions. The book is not, however, a balanced account of the issue. Throughout, the authors focus blame exclusively on Catholic Church officials for a long history of institutional failure in addressing the sexual transgressions of clergy. But this is no great shortcoming. Indeed, the authors’ passionate conviction makes the book compelling reading. And for balance, there is no shortage of alternative accounts that blame anti-Catholic bias in the media,¹ overly litigious lawyers on both sides,² and greater tolerance for homosexuality within

1. See e.g. Philip Jenkins, *Pedophiles and Priests: Anatomy of a Contemporary Crisis* 19-32 (Oxford U. Press 1996); Peter Steinfels, *A People Adrift: The Crisis of the Roman Catholic Church in America* 65 (Simon & Schuster 2003); L. Martin Nussbaum, *Changing the Rules: Selective Justice for Catholic Institutions*, *Am.* 13 (May 15, 2006) (available at <https://www.americamagazine.org/gettext.cfm?issueID=469&textID=4783>).

2. See e.g. Patrick J. Schiltz, Speech, *Too Much Law, Too Little Justice: How Lawyers Helped to Turn a Clergy Sexual Abuse Problem Into a Clergy Sexual Abuse Crisis* 3 (U. Dayton

the Church.³ *Sex, Priests, and Secret Codes* makes an important contribution to an ongoing discussion about the persistent and devastating problem of clergy sexual abuse within the Church.

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Sch. L., Dayton Ohio, Jan. 10, 2005) (transcript on file with author); Eugene Cullen Kennedy, *About Those Priests*, Chi. Trib. C23 (Oct. 14, 2005).

3. See e.g. Rod Dreher, *The Gay Question: An Issue that Cannot be Ignored*, in *Shaken By Scandals: Catholics Speak Out about Priests' Sexual Abuse* 67 (Paul Thigpen ed., Servant Publications 2002). For analysis of these alternative views, see Timothy D. Lytton, *Holding Bishops Accountable: How Clergy Sexual Abuse Litigation Helped the Catholic Church Confront Clergy Sexual Abuse* (forthcoming, Harv. U. Press 2007).

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