

A Few Bad Men

The results of two extensive studies were released too late for me to consider them in my column ("Truth and Consequences") last month. Both the "Report on the Implementation of the Charter for the Protection of Children and Young People," released by the U.S. Conference of Catholic Bishops (USCCB), and the 2006 Supplementary Report to "The Nature and Scope of the Problem of Sexual Abuse of Minors by Catholic Priests and Deacons in the United States 1950-2002," the 2004 study released by the John Jay College of Criminal Justice, echo the four main points that I made: the majority of priests have been accused of only one incident of abuse; most of the confirmed cases of abuse were at the hands of repeat offenders; most of the cases were homosexual in orientation; and most of the cases were in large dioceses on the East and West Coasts.

More interesting is the confirmation of several points that were only hinted at in previous studies. For instance, the 2006 Supplementary Report charted the sex of victims by the type of abuser (those with a single victim; those with a single victim but potential other victims; those with two to nine victims; and those with ten or more victims). The pattern is very clear: The more victims a cleric abused, the more likely he was to have favored male victims. Slightly more than one in three victims of single-incident abusers were female; only one in ten victims of ten-plus-incident abusers was female.

The significance of these numbers is partly obscured by the study's use of the term "victim selection" to describe the disparities. While technically accurate, that phrase gives the impression that predatory priests were deciding with each incident whether to abuse a male or a female. However, while the study does not offer data on this point, most multiple-incident abusers likely confined their activities to one sex or the other, so that, of the 149 priests who had ten or more victims, the number who abused females was considerably smaller.

Perhaps it would have been more accurate to speak here of the abuser's "orientation," even though that term is politically explosive. Combined with the fact

that the age at the time of abuse of the vast majority of victims (11-17) means that the acts should properly be classified as "ephebophilic" (concerning postpubescent minors) rather than "pedophilic" (prepubescent), these numbers cast significant doubt on the claim of both the Survivors' Network of Those Abused by Priests and Voice of the Faithful that homosexuality has nothing to do with the clerical sexual-abuse crisis. If SNAP and VOTF were serious about their desire to prevent future sexual abuse, they would be supporting, rather than attacking, the Vatican's "Instruction Concerning the Criteria for the Discernment of Vocations With Regard to Persons With Homosexual Tendencies in View of Their Admission to the Seminary and to Holy Orders," which Pope Benedict signed last fall.

The second interesting point confirmed by the 2006 Supplementary Report is that the accusation rate against priests has dropped dramatically over the past quarter-century, topping out in 1980 (shortly after the election of Pope John Paul II), much earlier than the "continuing crisis" rhetoric of both liberals and traditionalists might lead us to believe. This is despite the fact that "approximately a third of all reports were made in 2002 after an average delay of 30 years." (In determining the accusation rate, the accusation is classified by the date of the alleged abuse.) So, while the rate of reporting has risen dramatically, we have seen no corresponding increase in recent abuse activity—indeed, the average time between the alleged abuse and the reporting of the incident has *increased* over the past half-century. (According to the USCCB's report, for incidents reported in 2005, the average time between the alleged abuse and the report is now close to 35 years.)

There are many possible explanations for this anomaly, and those who wish to believe that abuse is continuing today at the same rate as at the height of the crisis might well claim that reporting is, once again, delayed. That seems unlikely, however, since some of the circumstances that are normally cited to explain an alleged victim's delay in reporting are absent or mitigated: for instance, fear of not being



believed; fear of reprisal from parents who think that priests can do no wrong; an "authoritarian" Church structure that refuses even to acknowledge the possibility (let alone the reality) of abuse. If anything, the massive media attention devoted to this issue in recent years has encouraged victims to come forward who may previously have been reluctant to do so.

Another explanation is more plausible: As the 2006 Supplementary Report shows, the bulk of this problem has been confined to a particular cohort of priests, born between 1925 and 1950 and ordained between 1950 and 1975. Neither traditionalists nor liberals will find much here to support their respective theories about the role of Vatican II in causing or mitigating this crisis. If anything, the "spirit" (not the letter) of Vatican II—what Pope Benedict called, in a major address in December 2005, "the hermeneutics of discontinuity"—and the sexual-abuse crisis likely both have their roots in the destruction of traditional society, particularly sexual morality, that started much earlier than the 1960's. And the recovery from the crisis since 1980, it appears, may have something to do with the influx of more orthodox and traditionally minded priests under John Paul II—a process that accelerated throughout his pontificate and will likely reach new levels under Pope Benedict.

Finally, despite claims that the Church is still turning a blind eye to allegations of sexual abuse, the USCCB's report shows that over 81 percent of diocesan priests accused in 2005, and 73 percent of religious, were deceased, already removed, or missing. Of the remaining, most were removed temporarily (pending investigation) or permanently. Only 12 diocesan priests, and no religious, were returned to ministry after an investigation into the validity of the charges. We may be seeing the light at the end of the tunnel, *Deo volente*. ☞

Letter From Germany

by Josef Schüsslburner

Democratizing Germany: Paving the Way for Hitler



The surprise victory of the militant Islamic group Hamas in recent Palestinian parliamentary elections is an ominous warning about the prospect of democratization that is either directly or, as in the Palestinian case, somewhat indirectly imposed from without.

Perhaps Ghazi al-Jawar, the former provisional president of Iraq, was correct when he warned about the possible emergence of an Iraqi Hitler; unlike in many other instances where Hitler's name is invoked, the reference could be relevant in this case. The democratization of Germany was not a policy that began in the wake of World War II; it had already begun during the last phase of World War I, when President Woodrow Wilson refused to negotiate a peace treaty with the German delegation as long as Germany was not a democratic state. This position was somewhat strange, because the imperial constitution had been explicitly amended to require the government to be based on the rule of a majority of parliament, which had been elected by free and secret ballot (one man, one vote) since its inception in 1867. Therefore, this amendment, which had been passed before the resumption of peace talks in 1918, made the German imperial constitution akin to the British parliamentary monarchy, which Wilson obviously considered to be democratic. In the case of Germany, however, Wilson insisted on the dismantlement of the monarchy as precondition for peace talks.

This would be a revolution on par with the preceding development in Russia that had given Wilson his justification for entering the war, to "make the world safe for democracy." Before the first "liberal" phase of the Russian Revolution, this slogan would have been too preposterous a reason for an alliance with Czarist Russia against Germany or even the Austro-Hun-

garian Empire. Since Russia appeared to be a democracy, Wilson insisted that the Russian provisional government continue the war against Germany as a war for democracy, in strong opposition to the sentiments of the overwhelming majority of the Russian population. This made it easy for the Russian communists to gain popular support, and the German government, imitating the revolutionizing policy of the West against the German imperial constitutional system, supported the Russian communists by bringing in Lenin from Switzerland.

Wilson's insistence on the dismantlement of the monarchy gave the political left in Germany the audacity to defy the existing constitution and start the revolution, which resulted in the abdication of all German monarchs and the establishment of what became known as the Weimar Republic. In view of the expectations created by President Wilson's Fourteen Points, the politicians who sought to establish the republican constitution received a majority of votes from the German populace. And though this amounted to a democratic ratification of the republican constitution, it was in contravention to the rules required to amend the existing imperial constitution, which had its own democratic legitimacy.

In the beginning, this constitutional break was not taken too seriously, because the majority supported it. One major reason for this was the shift of the primarily Catholic centrist party from monarchy to republic. The centrist party held the balance between the right-wing parties—the Conservatives and National Liberals, who favored the imperial constitution—and the Social Democrats and the left-wing Liberals who favored a republican constitution. For many of the Social Democrats, "republic" meant something akin to what became known as the Soviet system. Accordingly, in both Germany and Russia, the Social Democrats split on the verge of the revolution, and the Communist Party emerged.

When it became obvious to the German public that the peace conditions would not live up to the expectations that Wilson's points had created, rightly or wrongly, the formal majority that had allowed the passing of the republican constitution immediately dwindled and was never really reached again. It became ob-

vious that the amendment to the imperial constitution that Wilson had refused to accept was the most that Germany was able to offer at that time apart from foreign pressure and the threat of direct military intervention or invasion. Thus, the republican constitution was overwhelmingly viewed as a product of foreign democratizing intervention, enabling a revolution that would not have taken place otherwise. On the other hand, the *fait accompli* had been made, and it was no longer possible to return to the *status quo ante*.

Since the legitimacy of the republican constitution could not be found in the legality of its establishment, dubious arguments were advanced to justify the republic's very existence. Many were based on the "value philosophy" (*materielle Werteethik*), which held that a constitution, regardless of how it came into existence, was the expression of the values of a given people at a specific time. This argument would have resonated with the people, perhaps, if Wilson's assumption that the Germans had been suppressed by imperial rule had been true. This, however, had not been the case.

There was indeed a constitutional difference between the parliamentary monarchy of Britain and the constitutional monarchy in Germany. The head of the government in Britain was selected from the majority of the British parliament, whereas, in Germany, the chief of the government was the highest civil servant to be appointed at the monarch's discretion. Still, the German government needed a majority of parliament—which was democratically elected—to get its laws and budgets passed. This mechanism could very well, at a later stage, have led to something more resembling the British situation. The British parliamentary monarchy itself had been the product of practical evolution and not of design. This evolution did not occur in Germany, because the political parties in parliament were too resentful of one another to agree on the principle that the majority party should hold the chancellorship; instead, they preferred the government of a high-ranking civil servant who was considered politically neutral. It is also true that the military had a certain extra-constitutional status, since it swore allegiance only to the monarch, who, him-