



Pergamon

Child Abuse
& Neglect

Child Abuse & Neglect 27 (2003) 1225–1229

Commentary

The legacy of the clergy abuse scandal

David Finkelhor*

*Crimes Against Children Research Center, University of New Hampshire,
126 Horton Social Science Center, Durham, NH 03824, USA*

The clergy abuse scandal in the Catholic Church has left its mark on child protection efforts. It was a major national story about child maltreatment that has dominated the media for more than an entire year. It has prompted discussions about child exploitation issues in countless homes and organizations. But has it helped the cause of child protection? I do not think the answer is a straightforward yes. The controversy has had a complex kind of impact in the United States, both positive and negative.

The scandal certainly kept the child maltreatment topic in the news. The sustaining power of the sexual abuse issue never fails to amaze. Social scientists tend to see public interest in most social problems as reaching some saturation point over the course of a few years and then subsiding. But sexual abuse keeps managing to reincarnate itself in new guises, just when one thinks it might expire. Before the clergy scandal, backlash concerns seemed to be the major focus in the media. People sensed a negative tide on this issue. But, then ensued, to almost everybody's surprise, a year full of the most credible child maltreatment stories. Gone are images of overzealous investigators, mendacious children, and a child protection system threatening the integrity of families. Back are images of fiendish predators, intimidated children and a message that state child protection mandates need to be expanded to penetrate some still recalcitrant corners of our society. Certainly this news helped by keeping the topic of child maltreatment in public view. Certainly it overrode much of a negative press the child maltreatment field was getting. But beyond these superficialities, child abuse professionals need to be cautious and critical and consider what was helpful and what was harmful in the public awareness generated by this scandal.

First helpful aspect: this scandal almost certainly alerted parents again of the need to talk to children about sexual abuse and about the risk at the hands of people who are known and respected by children and families. There are few Catholic parents who did not ask their children sometime during the course of this year, "Did Father so-and-so ever do anything

* Corresponding author.

funny with you?" Surely, this prompting of conversations with children and the renewed sense of the importance of educating children has done some good.

Second helpful aspect: this scandal has furthered the destigmatization of sexual abuse and lowered the barriers to disclosure. The scandal showcased many working-class men coming out publicly about their abusive experiences. We saw them being championed for their courage. This was not the image of sexual abuse victims that the public had formerly, and it may certainly help encourage others, especially men, to come forward about their abuse in the future.

Third helpful aspect: this scandal has certainly put organizations and administrators on notice about their affirmative responsibilities for dealing with problematic employees in a responsible way. The negative consequences of "passing the trash" are more apparent than ever. The consequences of failure to report abuse should also be clear. Many organizations are revising their policies, improving their screening and taking other prevention steps in light of what happened in the Catholic Church. There is a more alert and vigilant organizational environment as a result.

These are powerful positive developments that have grown out of these tragic events. At the same time, the scandal and its attendant publicity may have contributed to the national discussion about child maltreatment in ways that do not necessarily serve the field and the cause of child protection. What are some of the negative effects on our field from the controversy?

First problem: the scandal continued and exacerbated the elevation of the problem of sexual abuse above all other forms of child maltreatment. Sexual abuse, as most professionals should have learned in *Child Abuse 101*, constitutes no more than 10% of all the child maltreatment that comes to official attention (US Department of Health and Human Services, Administration on Children Youth and Families, 2002). Yet there were many times in the course of this crisis when child abuse was actually used as a synonym for sexual abuse. But religious officials have certainly been guilty of other forms of child maltreatment. Accounts abound of children being caned, locked in closets, threatened with having their tongues sliced off on paper cutters, cursed with eternal damnation, or discouraged from seeking medical care by clergy and religious officials (Raftery & O'Sullivan, 2001). Unfortunately, this year's conversation remained exclusively about sexual abuse, and child maltreatment professionals need to work assiduously to broaden the topic in the national dialogue. It is getting increasingly hard to talk about any other form of child maltreatment, even though evidence suggests that these other forms are equivalently as damaging as sexual abuse.

Second problem: the clergy abuse scandal reinforced and compounded many of the most insidious stereotypes about sexual abusers and child molesters. The offenders were routinely referred to as pedophiles, implying a sexual attraction to prepubertal children, a paraphilic disorder, a person with multiple victims, and a compulsion to offend. In fact, the majority of the priest offenders were not pedophiles (Haywood, Kravitz, Grossman, Wasyliw, & Hardy, 1996). Very few readers got a sense of the spectrum of offenders who were involved. People like Father Porter and Father Geoghan who had many victims were prominently featured, but the reality that most of the accused had one or a couple of victims got lost. The notion that there is a wide spectrum of abusers was much more apparent when the public conversation included many instances of incestuous fathers and abusive grandfathers, but in the context of priest abuse, this was harder to convey. Child maltreatment professionals have to work hard to re-establish public awareness about the full spectrum of abusers.

Third problem: the scandal also reinforced people's exaggerated impressions about the riskiness and incorrigibility of sex offenders. The appalling cases where the offenders were caught, posted to other positions and then continued to offend were the focus of much of the coverage. But there were also a fairly remarkable number of cases, it would seem, in which offenders got caught and managed to straighten themselves out. This is not to recommend the Catholic Church approach to the management of abusers, but simply to point out how the crisis reinforced people's sense that child molesters have a compulsive need that cannot be stanchd. Emphasizing the riskiness of sex offenders is an argument for the need to do something, but when people do not have a sense that there are both risky and not so risky sex offenders, it leads to bad policy, and child maltreatment practice and children's interests are not necessarily served well.

This combined in the scandal with a lot of negative impressions about offender treatment as a viable option in the management of child molesters. Because in some of the most high-profile cases, offenders got sent to treatment and then returned and continued to abuse, usually in the absence of any good follow-up or supervision, it may have reinforced many people's belief about the futility of treatment with this population.

It does not help the child maltreatment field or the public and policymakers to see child molesters as simply incorrigibly compulsive fiends who cannot be stopped. It is factually incorrect (Hanson et al., 2002), it makes investigations more difficult, it deters confessions and co-operation from offenders, it confuses victims in some cases, and it undermines the work of colleagues who are trying to do offender treatment and sensible correctional management.

Fourth problem: this scandal reinforced the idea that homosexuals are to blame for child molesting, an idea that I believe had been losing its currency. The American Catholic Church certainly did not go to the extreme that it could have in scapegoating homosexuals for the disaster the church was facing. But enough officials voiced that message, and there is a significant likelihood that the responses taken by the church will continue to reinforce that message. Unfortunately, those people who want to use the crisis for a scapegoating of homosexuals now have more license to do so.

One contributing problem is that the homosexuality issue has not been particularly well addressed by the child maltreatment field. Many child maltreatment authorities spoke to the media saying, homosexuality has nothing to do with child molesting, or ideas to that effect. But such assertions may not ring true with ordinary people who are trying to figure this issue out. That may be because they are not entirely correct. In fact, homosexuality may be connected with some of the clergy abuse in ways that need more forthright explanation and analysis. It is plausible, for example, that a celibate priesthood provides an attractive lifestyle for adolescents and young men who are experiencing extreme conflicts over conscious or denied homosexual feelings, and that in the absence of opportunities to deal openly with such feelings and overcome the accompanying shame and confusion, it creates vulnerability for the kind of acting out and exploitation that occurred in the Church context. From my particular value standpoint, this means that it is the shame and stigma and unavailability of appropriate socialization experiences that are responsible for the acting out, and it would be my priority to eliminate these oppressive conditions. But in this light, it would be wrong to say that homosexuality is completely irrelevant. It is not a sufficient cause and in another cultural environment might not be connected at all. But paired with the way our society treats homosexuality, it may be connected with some abusive behavior in the clergy setting.

Unfortunately, the child maltreatment field's research and conceptual models about this are not well developed. But it may not be possible to prevent the scapegoating of homosexuals that will be promoted by this crisis, unless someone formulates a better analysis of this issue than simply that there is no connection.

Fifth problem: the media and the child maltreatment field in general have failed to come to grips with the issue of what is being called by some "compliant victims" and what I prefer to call "statutory victims," that is, adolescents who willingly participate in sexual activities with adults. I do not believe that any of the youth involved in sexual activities with priests were themselves to blame or are responsible for their abuse. But the media failed to describe fully the spectrum of sexual involvements that occurred. There were detailed accounts about younger boys manipulated and coerced into sexual activities by priests who held absolute authority in their eyes. But there were also older adolescents, who may have had awareness of what they were getting involved in and who participated without manipulation and coercion. I do not believe we should hold the offenders in these situations any less responsible. But when the accounts fail to describe the full spectrum of involvements and deal with the inevitable questions about youth and consent, an important moral responsibility has been abdicated. It is the child maltreatment field's responsibility to educate parents, young people, professionals and adults who work with youth about why society has these prohibitions, and about what to do to enforce them. Until the child maltreatment field embraces that moral responsibility, there will continue to be many adults who flaunt the prohibitions, and many youth who get blamed when these relationships are uncovered. The child maltreatment field passed up an important opportunity to confront this issue in this crisis.

Finally, a possible problem in making: one of the topics this scandal has raised and which deserves much more discussion in the child maltreatment field is the role of lawsuits and litigation. There is no doubt that plaintiffs' attorneys played an heroic leadership role in bringing this issue to the fore and forcing the crucial disclosures that allowed the scope of the problem to be appreciated fully. Many of the victims might have never come forward without the support of these attorneys. The documents and the deceptions would never have been discovered. The prosecutors might never have been emboldened to bring charges. The plaintiffs' attorneys are now a big part and big partners of the child maltreatment field. But their activities raise some questions.

Now that the child maltreatment field is more than 40 years old, much of the professional conduct in the field has been subjected to substantial scrutiny and debate in order to arrive at a sense of the best practices. But the process of litigation on behalf of survivors has not been subjected to the same kind of scrutiny that say, police investigators, child welfare investigators or mental health providers have received. For example, how are plaintiffs recruited? What kinds of informed consent procedures are undertaken with them? What are the traumatizing portions of the litigation process, and how are these stresses managed and mitigated?

As in other disciplines, most attorneys probably handle these challenges responsibly. But many people have a sense that there are more or less scrupulous plaintiffs attorneys. Moreover, many professionals have a sense that for some survivors, civil litigation ends up exacerbating their trauma rather than alleviating it.

The Catholic Church abuse scandal will certainly end up reinforcing the part that litigation plays in our societal response to child maltreatment. Seeing the courage, the impact on those

responsible for the offenses and the cover-up, the publicity, the large amounts of money, all these will inspire attorneys and survivors and families in a variety of ways to do this more often.

Will this be a salutary development? It probably depends on how it unfolds. But it definitely signals the need for more scrutiny of the process and best practice standards for civil litigation. It signals the need for more study about the impact of this process on survivors, their families and their recovery process. And it signals the need for some assessment of the consequences of litigation and civil damage awards on insurance costs and hiring practices. If society gets better child protection, it will be a success. If, on the other hand, the lawsuits bankrupt youth serving organizations, or alienate those who work in youth sector, it will have been a hollow victory.

Public controversies are not sporting events. Responsible advocates cannot just root for their team and go home happy when they win. Although it may seem as though the events of the last year reinforced the cause of child protection, it is important for the child maltreatment field to remain critical and observant. The excesses and misconceptions of any such public exorcism may come back to haunt the field later on.

References

- Hanson, R. K., Gordon, A., Harris, A. J. R., Marques, J. K., Murphy, W., Quinsey, V. L., & Seto, M. C. (2002). First report of the Collaborative Outcome Data Project on the effectiveness of psychological treatment for sexual offenders. *Sexual Abuse: A Journal of Research and Treatment*, 14(2), 169–194.
- Haywood, T. W., Kravitz, H. M., Grossman, L. S., Wasyliw, O. E., & Hardy, D. W. (1996). Psychological aspects of sexual functioning among cleric and noncleric alleged sex offenders. *Child Abuse & Neglect*, 20(6), 527–536.
- Raftery, M., & O'Sullivan, E. (2001). *Suffer the little children: The inside story of Ireland's industrial schools*. New York: Continuum.
- US Department of Health and Human Services, Administration on Children Youth and Families. (2002). *Child Maltreatment 2000: Reports from the states to the National Child Abuse & Neglect Data System*. Washington, DC: US Government Printing Office.