

UNSUBSTANTIATED ACCUSATIONS

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The Catholic Church has many teachings that touch on public issues, and it's only fair that they be subject to critical analysis. But it's hardly too much to ask that its critics substantiate their charges. Unfortunately, the tendency of the media to swing wildly became commonplace once it was learned that Pope Benedict XVI had resigned.

Take, for one example, a recent front-page story in the *New York Times*. Reporter Laurie Goodstein wrote a piece containing factual errors and blatant omissions; she also used many sources with damaged credentials.

Goodstein claimed that Benedict "put children at risk by failing to report pedophiles or remove them from the priesthood." This is thrice incorrect: (a) many priests have been removed from ministry under Benedict (b) children have not been put at risk and (c) pedophiles have never been the problem.

Rev. Marcial Maciel was rightly cited as "a pathological abuser and liar," but for Goodstein to mention his name while contending that the pope never removed a molesting priest from ministry, was positively astonishing. Who does she think dumped Maciel in 2006? Moreover, the pope not only removed him, he put the entire order of priests he founded, the Legion of Christ, in receivership.

Goodstein's claim of children being at risk under Benedict while citing pedophilia as the problem, has been undercut by many scholars, including one she cites, psychology professor Thomas G. Plante. Plante found that "80 to 90% of all priests who in fact abuse minors have sexually engaged with adolescent boys, not prepubescent children. Thus, the teenager is more at risk than the young altar boy or girls of any age."

In other words, the scandal—which ended more than a quarter-century ago (most abuse cases occurred between the mid-60s and mid-80s)—rarely involved children. This finding is consistent with the work of the John Jay College of Criminal Justice, which found that less than five percent of molesting priests were pedophiles. In almost every case, it's been homosexual priests hitting on teenage boys, the most common offense of which has been "inappropriate touching."

Unfortunately, for politically correct reasons, even those who honestly collect data, including Plante and the John Jay professors, are reluctant to discuss the role homosexual priests have played in molesting minors. In fairness, it's important to keep in mind that while most molesting priests have been homosexuals, not pedophiles, most homosexual priests have never been molesters. One reason this problem is almost non-existent today is because Benedict made it very difficult for practicing homosexuals to enter the priesthood. The results are in the numbers: in the last ten years, the annual average number of credible accusations made against over 40,000 priests has been in the single digits.

It needs to be said that the *New York Times* doesn't exactly come to the table with clean hands on these matters. Consider Mark Thompson. On November 12, Thompson took over as the president of the *New York Times* Company, following a trail of accusations that when he was BBC chief, he failed to report child rapist Jimmy Savile, the BBC icon who worked there for decades.

Thompson denies hearing of Savile's predatory behavior. Yet last September, his lawyers wrote a letter on his behalf threatening the London *Sunday Times* with a lawsuit if it ran a story implicating him in the Savile scandal.

Most astoundingly, he then claimed knowing nothing of the letter's contents! So when it comes to pointing fingers about a sexual cover-up, the *Times* should be the last to do so.

One of the most irresponsible critics of the Catholic Church on this matter is Judge Anne Burke. She is quoted by Goodstein as blaming every single cardinal for this problem. "They all have participated in one way or another in having actual information about criminal conduct, and not doing anything about it." Ideally, she should be sued for libel. But she knows that no cardinal is going to do that. So she continues to throw mud.

In 2006, Burke said priests aren't entitled to constitutional rights, and should be removed from ministry on the basis of a single unsubstantiated accusation. Anticipating criticism, Burke said, "We understand that it is a violation of the priest's due process—you're innocent until proven guilty—but we're talking about the most vulnerable people in our society and those are children." But her alleged interest in child welfare didn't allow her to say whether non-priests should be denied their civil liberties when accused of wrongdoing.

Goodstein likes to use Terry McKiernan's name as a credible source. McKiernan is director of a website tracking abuse cases. At a 2011 SNAP conference, he said, without a shred of evidence, that New York Archbishop Timothy Dolan was "keeping the lid on 55 names" of predator priests. This is an out-and-out lie: Dolan isn't covering for any priest.

If Dolan is guilty, then McKiernan himself should be willing to disclose the names of the 55 priests, but he refuses. This is typical of him. Like Burke, he has a different standard for accused priests: in 2011 he said they should be removed from

ministry before an accusation is even investigated. Not surprisingly, when the John Jay study was released, McKiernan condemned it the day before it was issued.

The last critic Goodstein cites is SNAP director David Clohessy. In the *New York Daily News*, he is quoted saying, "We're trying to keep this issue front and center." He needs

to—he's broke. On February 23, SNAP sent a desperate e-mail to its donors saying, "We are barely meeting our everyday expenses."

One reason why SNAP is in bad shape is that Clohessy has had to come up with the big bucks to pay for lawyers after being sued for refusing to turn over SNAP records about his allegedly shady operations. Although he demands transparency from the Church, Clohessy refuses to disclose his own funding sources (we know that much comes from Church-suing lawyers like Jeffrey Anderson). As dishonest as they come, Clohessy was asked before a Missouri court in 2011, "Has SNAP to your knowledge ever issued a press release that contained false information?" He didn't blink. "Sure."

For decades, Clohessy has thrown rhetorical bombs at the Church, arguing what a crime it is for anyone in the Church not to report a suspected molester. But when it comes to himself, it's a different story. In the 1990s, he knew about the predatory behavior of a molesting priest and never called the cops. That priest was his brother Kevin. This is no matter of conjecture—he's admitted it.

No one with any sense of dignity should ever seek to defend the behavior of a molester. It must also be said that when such a serious issue like this is being discussed, no one with any sense of dignity should make irresponsible charges or sweeping generalizations.

Unsubstantiated accusations aren't limited to the *Times*. Over the past several weeks, most of the big city newspapers have carried stories hurling wild accusations at the Catholic Church. Nor is the problem confined to the U.S.

On the eve of the conclave, two Australian newspapers, *The Age* and the *Sydney Morning Herald*, ran a story by Barney Zwartz indicting Cardinal George Pell, Archbishop of Sydney. It cited accusations by Dr. Paul Collins that Pell had "long [been]

dogged" by charges of sexual abuse, thus disqualifying him as a serious papal candidate. This is a pernicious lie.

First of all, Collins is an ex-priest who resigned in 2001 after clashing with the Vatican; he has a long record of defending every dissident on a wide range of subjects. Second, Pell was completely exonerated of allegations that he abused a teenager in the 1960s. Third, Zwartz knew Pell was innocent: in 2010, he wrote that "an independent investigation by a retired non-Catholic judge cleared him." Fourth, for Zwartz to cite accusations made by SNAP, the wholly discredited so-called victims' group, showed how irresponsible he is. Fifth, *CathNews*, a prominent Catholic Australian media outlet, picked up the trashy story and then had to apologize for making "unfair, false and seriously defamatory allegations against Cardinal Pell, who has worked hard to eradicate the evil of sexual abuse."

All of this is despicable. Zwartz used an embittered ex-priest to slam Cardinal Pell, knowing full well he'd been cleared of all charges. Most distressing was the work of the Catholic media. This isn't the first time Catholic dissidents masking as Catholic journalists have sundered the reputation of a high-ranking member of the Church, but it's one of the most egregious. Pell was so angry he threatened to sue the culprits.

The problem with yellow journalism is that once a false story is disseminated, especially in this day and age of Internet bloggers and social media, it's difficult to root out. Corrections are sometimes printed in newspapers, but are rarely posted by bloggers. In the case of the false stories about Catholic leaders, it's almost impossible to correct the record: believing the worst rumors about Catholicism isn't a hard sell these days.

In 1964, the U.S. Supreme Court ruled in *New York Times v. Sullivan* that public persons (those who are in the news), as

opposed to private citizens, didn't have the same rights for suing when their reputations were unfairly damaged. There's a certain logic to this that's commendable: how can there be a robust media when authors, writing about public persons, must exercise extreme caution in what they say?

Under the ruling, people who believe they've been libeled must prove that those doing so knew what they said was inaccurate, and acted with malice. That's a high bar to clear, but it protects the reporter's right to free speech. It also plays into the hands of unscrupulous journalists who know they can get away with almost anything.

Is there more yellow journalism? Yes, but we shouldn't put too much emphasis on *Sullivan*. What explains the surge in unprofessionalism is found in our culture, not in law. Frankly, the politics of destruction—making ad hominem attacks designed to smear one's reputation—reflects our culture of radical individualism, a culture long on rights, but short on responsibilities. The social results aren't pretty.

It's important to understand the social context that gives rise to unsubstantiated accusations, but ultimately there's no excuse. The guilty know what they're doing, and they should be held accountable.