

## CRIMEN SOLLICITATIONIS

The Vatican's Holy Office, which is now the Congregation for the Doctrine of the Faith, in 1962 issued a secret document to all the bishops in the world which was approved by the wily charmer Pope John XXIII. It was called Crimen Sollicitationis. Its purpose was to direct bishops in handling case in which priests were accused of using the confessional to make sexual advances to Catholics who had come to confess their sins. The document also spoke of cases where the priest committed the worst crime of having sex with a child, another man or an animal.

"Unlike all previous papal legislation on this subject, these documents were buried in the deepest secrecy. No explicit reason was given for this unusual secrecy" (page 47, From Sex, Priests and Secret Codes, The Catholic Church's 2,000 Year Paper Trail of Sexual Abuse. Thomas P Doyle. AWR Sipe. Patrick J Wall.)

The document required that under canon law such cases must be kept secret and dealt with secretly. However it is alleged that it said nothing about not bringing such cases when the allegation was proved by a Church investigation before the civil courts. It is also alleged that the secrecy was to prevent priests from being the victims of false accusations.

The facts.

The facts are that the document did not advise and did not encourage the bishop to turn a priest over to the civil law if he was found guilty by the Church investigation. Obviously, the document couldn't dare to advise the bishop not to do it. If the law got the document the Church would be in trouble. So the Church chose to make its decree that child abuse must be covered up not look like a decree. The silence then indicates that the bishop should not report the priest over to the civil authorities. In those days, it was taken for granted that this would never happen. No bishop, despite child sex abuse being common among priests, involved the civil law. Therefore the Church not saying, "Yes report such cases to the police", is tantamount to the Church saying, "Keep the civil authorities out of it."

The facts are that it is total insanity to hold that the Church could conduct an investigation as professional and reliable as the civil authorities. And the Church knows that as well. Does it have its detectives and policemen? All it has are men who go about asking questions which is not enough. And when secrecy was enjoined on the alleged victims and perpetrators and all involved there is no assistance from the public. It is hard to get at the truth when it is all so secretive. How many murders would be solved if such restrictions were practiced by the civil authorities? There would be nobody able to come forward as a witness in addition to existing witnesses who knew something.

The document didn't say that the Church investigation results could be given to the civil authorities. That silence proves that they were not supposed to be. Why? Because the Church investigation wasn't advised to get a second opinion the civil laws opinion in cases where there was some doubt about an accused priest's innocence. Because the secrecy forbade going to the civil authorities to ask if any allegations had been made against the priest by anyone different from the person making the allegation.

Secrecy can just as easily lead to a priest being wrongly found guilty by the Church as not guilty. Evidently, the Church was going to be biased in favour of proclaiming the priest innocent. The mere fact that the Church didn't stop paedophile priests who used the confessional to solicit and suspend them proves that.

The penalties if a priest is found guilty of soliciting in the confessional are laughable. The priest is suspended and deprived of benefices and dignities and cannot say mass ever again. Needless to say being handed over to the police is not one of the penalties.

If the document was as harmless as the Vatican and the Church and the Irish rag the Irish Catholic says (page 10, Thursday 7th October 2006) then why was it so secret? Why was it hidden so well by the bishops that it wasn't discovered until 2002? Why did the document need to be secret in the first place? A Church that brings out secret laws is an underhand Church. Being open about laws is accepted by civil authorities as a civil duty.

The Irish Catholic claimed that it is only canon law investigations that are secret and that the Church encourages victims to report priests who abused them to the police. If so then why the secrecy? The Church certainly does not believe that any victim would be happy with a priest being investigated by canon law and not the civil authorities. It certainly does not believe that civil law is more important than Church law. God comes first. The Church is God's kingdom above and beyond any human kingdom. So if canon law demands secrecy canon law must be obeyed no matter what civil law says.

The secrecy of the confessional meant that a priest couldn't tell what he was told in confession. Usually what happened was a child or man who was having sex with a man or another priest confessed and the priest would then say, "Why don't you and I have sex sometime?". The bias then should be in heavily or even totally in favour of the victim. That is why the claim that the secrecy was to protect the priest from false accusations was hogwash. The victims should have been able to convince the bishop that the priest solicited them in the confessional. This didn't happen because of the secrecy. Therefore the secrecy was about silencing the victim and covering up.

It is superficial and vicious to argue that the document was not about priests who took children out for a trip and then molested them but only priests who used the confessional to get illicit and perverted child sex. If the Church worked against victims who were solicited in the confessional then how could it care about victims who were approached under other circumstances?

The document required that anybody who broke the secrecy, even the victims or alleged victims, had to be excommunicated. And why excommunicate anybody who broke the secrecy? Why put a victim who during the investigation decided to tell others to get help and support out of the Church?

Excommunication meant an increased risk of going to hell to burn forever when one dies for one was put out of the Church and forbidden the sacraments which forgave sins and healed the soul. Why such a harsh penalty over a priest's reputation? The harshness and hatred for the victim shows that the Church was determined to use blackmail to silence the victims. The Church knew that many victims would rather not report anything to the bishop than risk feeling they might need to break the secrecy and be sent to hell.

To blackmail a child making a complaint about a priest misusing the confessional to seduce them is the lowest act possible. The secrecy and threats made sure that children would have to be silent and just live with the abuse. In fairness secrecy may be necessary but it's a matter of striking the balance between publicity and secrecy in order to discern the facts. Excessive secrecy meant only one thing: the Church was covering up. The victims were deterred from coming forward by this secrecy for they knew it could serve only the Church's interests not theirs. The victim and those caring for her or him were expected to maintain secrecy no matter what they thought about the secrecy. It was secrecy that led to the victims being molested and for them to be asked to keep it all hidden in accordance with Church rules would seem to them to be making themselves victims of secrecy once more. The Church knew that strict secrecy is a hindrance not a help to finding the truth and it didn't care.

That the bishops didn't reveal this evil document and protest against it says a lot about them. To expect people to trust them is crazy when they were all corrupt as proven in 1962 when they got good Pope John's evil instructions.

It is better for a victim of abuse to be allowed to freely make an accusation than for the Church to protect a priest from false accusations. To harm a child is worse than to slander an adult so the Church was indicating a bias in favour of protecting the priest whether guilty or not.

That the Catholic press and priests and bishops haven't shown their disgust but on the contrary are defending the document shows the power of religion to quieten the feelings we should have about this matter. We should be totally appalled.

The popes, John XXIII and his successors who didn't abolish his evil document but who supported it, Paul VI, John Paul I, John Paul II and now Benedict XVI, should have faced criminal charges for obstruction of justice.

The Christian claims that love is an absolute. It says that it is better to be murdered than to live and to fail to love somebody. That is why it says that sin is the greatest evil of all and even worse than death. So if somebody attacks you to kill you, you should be examining yourself all along to make sure you love this person attacking you and that you are not letting yourself or sin. If you start doing that you can be sure they will succeed! The hatred we feel for the attacker and the anger is necessary for us to get the strength and concentration to fight them off. It is an evil faith that teaches such things to children. It only makes the child feel guilty about exposing the priest who is abusing her or his body.

Thanks to the papacy, evil men like Archbishop Alibrandi, Papal Nuncio to Ireland and his successors felt happy to appeal to diplomatic immunity to avoid having to testify in court to help the victims of the child sex abuse by priests that these nuncios all knew about.

The Vatican argues that crimen was so secret and little known that its rules were rarely kept. It even goes as far as to say this obscurity refutes the charge that crimen shows the pope and the Vatican to be evil! But it was still an attempt to protect priest sex abusers. And if it was so secret, how do we determine the extent to which its decrees were followed? Obscure or not it is still valid. It still expresses the law of the Church.

Ratzinger in 2001 made it law that all reports of clerical sex abuse were to be sent to his desk in the Vatican (page 56, The

Case of the Pope). He demanded this under the pontifical secret which blocked bishops from reporting pervert priests to the police (ibid, page 56).

In 2010, for the first time ever, the Vatican website advised that bishops report pervert priests to the police but only if the law of the state specified that this had to be done. It did not say that bishops in countries where there is no such obligation should do it. The Vatican did not sanction its statement with the force of canon law. Indeed, the Church decided against making a new law of it (page 58, The Case of the Pope). So it amounts to really just a bit of advice. Its nothing special. So it is safe to say the Church has never commanded that bishops do the right thing. Plus the pope overruled the website advice for it made no mention of the duty to report.

Canon 983 urges that if a cleric confesses to sex abuse to his confessor, the confessor must never tell. This is clearly commanding a cover-up and urging the confessor to be an accessory to crime by his or her silence.

How can one trust a pope whose Vatican Bank has never sought to join the IMF and whose operations are conducted in the outmost secrecy? The Vatican is a pretend European state. Because it is not recognised as one, its bank is exempt from laws that avert money-laundering and fraud. The UN did not create relations with the Vatican as it did not recognise it as a state. But it created a relationship with the Holy See. The Vatican has pretended to be a state with the pope as sovereign to gain power. If the pope is a head of state, he cannot be put on trial for covering up child-sex abuse. Clever huh? Despite not being a true state, the Vatican applied for full membership of the UN in 2002. Thankfully the application was rejected.

The Church has enough power with the UN to try and limit human rights. The Vatican urged that drug trafficking be made an international crime (page 106). Significantly, as the Vatican was guilty of paedophile trafficking it showed no concern for having that made a crime! The Vatican has signed no UN human rights treaties - the only exception is the Convention on the Rights of the Child.

Ratzinger and John Paul II did nothing about rampant child sex abuser Father Maciel despite having evidence for his guilt since 1998 (page 130). The Church has used the excuse that these were old men and one would not expect them to take on the stress of dealing with sex abusers in the priesthood. That is no excuse. They should have resigned or appointed a body to deal with it.

The Holy See refused to sign the ICC (International Criminal Court) Treaty (page 135). This was because the treaty granted jurisdiction over the heads of state that signed it so they could go to jail for crimes such as condoning child sex abuse.

The Vatican created friendly diplomatic links with military leaders who engaged in gave torture in Chile (page 110).

Ratzinger fought hard to prevent the arrest of vile torturer General Pinochet in 1999 (page 106).

The pope as the lawmaker of the Church is an accessory to the crimes of his priests as he didn't do anything to stop them and indeed made laws authorising the cover-up of the crimes. Thus he is a criminal himself and should be treated as one.

To defend himself he could argue:

That the abused were not attacked as members of a civilian population - they were not citizens of his country and attacked as such

That he had no intention to see any child molested or raped or beaten up or whatever

That the papacy did not create a policy allowing the abuse

The first excuse does not work.

The pope made no effort to stop the crimes or punish them so he did have the intention that children be abused. If you make a law against child abuse, that is only words unless there is a suitable punishment for it. A law that does not punish those who break it is not a law at all. Letting crime happen counts as intending it to happen. The pope knew abuse was happening and took no reasonable measures to do something about it though he could have. Canon 331 decrees that the pope is to rule over the Church implying that seeing to it that bad priests are disciplined is his responsibility.

The fact that somebody never actually tells you to commit some evil does not indicate that they don't intend you to commit it. If they can compel you to refrain and don't or if they do not punish you, you can safely take it that you had their approval. A person can express their intention that you commit the crime by letting you do it and remain unpunished. Letting a person is a stronger way of expressing approval for their crime than telling them to do it. You can tell a person to commit a crime and intend that they do not commit it. Actions speak louder ...

It is said that the pope and the Vatican never actively encouraged child-sex abuse. But they passively encouraged it. Plus the Church commands that we obey the Bible. The Bible God encourages paedophilia. Jesus for example forbade divorce even though he knew that the married couples of his day married when the bride was a child and an under-developed one at that due to the hard time and the malnutrition of the day. He should have declared such marriages null and void instead of declaring them so great that they could never be dissolved.

One thing is for sure, the Vatican did and does encourage the cover-up of clerical child sex abuse.

Canon Law did not forbid child sex abuse by clerics. It simply didn't deal with it. Rather than command a cover-up outright it chose round about ways of making sure it would happen.

## APPENDIX

Vatican guilty of unholy compassion for paedophiles  
20 December 2009 By Vincent Browne

In 1922, the Vatican promulgated an instruction to do with what it called *crimen sollicitationis* (the crime of solicitation within the confessional) and what it called the “worst crime” - the sexual abuse of children. The document was issued in Latin. No authoritative version was produced in English.

The document was circulated only to bishops and under terms of strict secrecy.

A new version of the guidelines was produced in 1962, but this, according to the Murphy Commission, was unknown within the Dublin diocese until some time in the 1990s.

Desmond Connell, the former archbishop, told the commission he had never seen the 1962 document, nor had he met anyone who had seen it.

John Dolan, the chancellor of the diocese and a monsignor, whose job is to ensure that the administrative records of the diocese are kept safe, said he didn't know that “lurking in the very end, at the very back [of the decree *crimen sollicitationis*], was a little paragraph on the “worst crime”.

He was unaware of the 1962 document until an Australian bishop discovered towards the end of the 1990s that it was still valid. Until then, he did not know of any guidelines by the Vatican on the issue of clerical child sexual abuse.

The Murphy Commission commented on how “unusual” it was, “whereby a document setting out the procedure for dealing with clerical child sexual abuse was in existence but virtually no one knew about it or used it”.

In 1996, victims of clerical abuse hounded the bishops into devising a ‘framework document’, setting out guidelines for dealing with allegations of abuse. John Dolan said: “They [the authors of the framework document] did not feel Rome was supporting them in dealing with this issue ... they were meeting an onslaught of complaints, and Rome was pulling any particular solid ground that they had from under them”.

The 1922 and 1962 Vatican instructions on dealing with allegations of clerical child sex abuse demanded absolute secrecy in the conduct of investigations. The secrecy was so pervasive that, to some, it seemed to demand that the complaint also be kept secret from the state authorities.

Canon 1341 states that the bishop is to “start a judicial administrative procedure, for the imposition or the declaration of penalties, only when he perceives that neither by fraternal correction nor reproof, nor by any methods of pastoral care, can the scandal be sufficiently repaired, justice restored, and the offender reformed”.

The Murphy Commission notes: “This canon was interpreted to mean that bishops are required to attempt to reform the abusers in the first place.” In Dublin, efforts were made to reform abusing priests by sending them to therapeutic centres. But, according to the commission, “the archdiocese seems to have been reluctant to go beyond the reform process, even when it was abundantly clear that the reform process had failed”.

But, more tellingly, the commission stated they “could find very little evidence, particularly in the early decades of the commission's remit, of any attempt by church authorities to restore justice to the victims”.

It says the question of harm to the victims never seemed to have been considered by the archdiocese.

In considering whether a person is guilty of the “worst crime”, canon law states a person must have “deliberately” violated the canon law. In considering the issue of guilt under canon law, the Canon Law Society of Britain and Ireland has commented: “Among the factors which may seriously diminish their imputability (guilt) in such cases (cases of clerical child sexual abuse) is paedophilia ...

“Those who have studied this matter in detail have concluded that proven paedophiles are often subjected to urges and impulses which are in effect beyond their control .. .because of the influence of paedophilia (the abuser) may not be liable, by reason of at least diminished imputability (guilt) to any canonical penalty or perhaps to only a mild penalty, to a formal warning or reproof or to a penal remedy.”

The commission says it “finds it a matter of grave concern that, under canon law, a serial child abuser might receive more favourable treatment from the archdiocese or from Rome, by reason of the fact that he was diagnosed as a paedophile”.

What all this says is that the issue is not just a matter of negligence or complicity in clerical child sexual abuse on the part of individual bishops - it is the culture of the Catholic Church, a culture shaped by the church authorities in Rome and transmitted and refined in dioceses.

A culture that hides the Church’s own guidelines concerning what it itself rhetorically said was the “worst crime”; that caused the Vatican authorities to pull the ground from priests who were trying to draft guidelines on abuse; that prioritises the abusers over the abused; that has been essentially indifferent to the harm caused to abuse victims; that regards paedophiles as objects of sympathy and compassion.

A few more episcopal resignations, with a presumption that these settle the matter, is just a continuance of the culture of denial of the Catholic Church’s institutional and cultural complicity in the criminality of clerical child sexual abuse.

The Holy Roman and Apostolic Church is the problem.

The Case of the Pope, Geoffrey Robertson QC, Penguin Books, London, 2010

ANSWERS TO QUESTIONS CATHOLICS ARE ASKING, Tony Coffey, Harvest House Publishers, Oregon ,2006

Breaking the Silence, One Garda's Quest to Find the Truth, Martin Ridge, Gill & Macmillan, Dublin, 2008 order from Gill & Macmillan, Hume Avenue, Park West, Dublin 12

PAPAL SIN, STRUCTURES OF DECEIT, Garry Wills, Darton Longman and Todd, London, 2000

Putting Away Childish Things, Uta Ranke-Heinmann, HarperSanFrancisco, 1992

THE POWER AND THE GLORY, Inside the Dark Heart of John Paul II's Vatican, David Yallop, Constable, London, 2000

The Womb and the Tomb, Hugh Montifiore, Fount – HarperCollins, London, 1992

Sex, Priests and Secret Codes, Thomas P Doyle, A W R Sipe and Patrick J Wall, Volt Press, Los Angeles, California, 2006

Son of Joseph, The Parentage of Jesus, Geoffrey Parrinder, T & T Clark, Edinburgh, 1992

God Is Not Great, The Case Against Religion, Christopher Hitchens, Atlantic Books, London, 2007