

# Arizona intrudes on church governance

Thomas J. O'Brien resigned last month as Bishop of Phoenix, following his arrest for leaving the scene of a fatal accident. Just a few weeks earlier, he had signed a historic agreement with the Maricopa County Attorney on behalf of the state of Arizona.

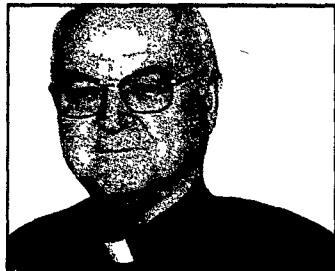
In that agreement the bishop, in essence, cooperated with the state in changing his episcopal job description.

First, a canonical official known as the moderator of the curia would have "the responsibility for dealing with issues that arise relating to the revision, enforcement and application of the sexual misconduct policy" that will be operative throughout the diocese. The bishop would not have the authority to overrule or otherwise modify decisions in these matters.

Second, a newly created position of youth protection advocate shall have responsibility for the implementation and enforcement of the sexual-misconduct policy. The youth protection advocate, without the consent of the bishop, has the power to report allegations of sexual abuse to law enforcement.

Third, with input from the Maricopa County Attorney's office, a "special counsel" was to have been employed. Any advice the attorney gives the youth protection advocate "will not be subject to approval by anyone within the Diocese."

Fourth, before the diocesan policy on sexual mis-



Father Richard McBrien

## Essays in Theology

conduct is to be considered final, it is to be reviewed and modified as necessary, with input from the Maricopa County Attorney's office and the general public.

There are other terms, but these four represent the most obviously intrusive initiatives taken by the state of Arizona into the internal affairs of the Diocese of Phoenix and into the exercise of local episcopal authority.

As David Gibson pointed out in a recent op-ed piece in *The New York Times*, "If church leaders continue to stonewall, then prosecutors will force them, at the point of an indictment, into compromises that will in the long run do more to undermine the church's structure and spirit" (6/7/03).

Bishop O'Brien had to agree to these extraordinary terms as a condition of escaping criminal indictment and a possible prison term. He was compelled to acknowledge in a written public statement that "he allowed Roman Catholic priests under his supervision to have contact with minors after becoming

aware of allegations of criminal sexual misconduct," and that he transferred these "offending priests to situations where children could be further victimized." Both admissions were in direct contradiction to the bishop's previously repeated denials and assurances on the matter.

What particularly upset many Catholics in Arizona was the bishop's refusal in a subsequent news conference to admit that he had committed any crime or that he had even done anything wrong.

A poll conducted by a local television station showed that a majority of viewers favored the bishop's resignation, even before the tragic auto accident. According to news reports, Bishop O'Brien did try to submit his resignation to the pope before signing the agreement with the state of Arizona, but was informed by the apostolic nuncio, Archbishop Gabriel Montalvo, that it would not be accepted.

A similar situation existed in Boston last year. It was said that Cardinal Law's first offer of resignation was refused because the Vatican did not want to appear vulnerable to the pressure of public opinion.

Obviously, the Vatican waited too long in both cases. As a result, the church's spirit and structural integrity suffered further erosion.

Father McBrien is a professor of theology at the University of Notre Dame.

## Sees need for Catholics to trust bishop

To the editor:

I would like to take an opportunity to show my respect to Bishop Matthew Clark, Father John Mulligan and Father Joseph Marcoux.

Bishop Clark is the shepherd of our flock in the Diocese of Rochester. He through much research, time and effort has decided to renovate the Cathedral. He has made this decision and is doing nothing immoral in this endeavor. We as Catholics need to trust in him. I know that there are many concerns but none of them are things that go against the rules of the church.

I understand that people are upset. It is not easy for any of us. I am a parishioner of the Cathedral and the renovations have made things difficult for my family. But we must persevere and we must have faith in our trusted leader.

I am so tired of hearing so many people complain about this. I have been out at public functions and have heard all kinds of comments. I have been asked what parish I belong to at events I have attended and as soon as I open my mouth and say Sacred Heart Cathedral — I am made to feel defensive.

I am a member of the parish and yes I will reap the benefits of the newly renovated Cathedral but it is a church that all people of the diocese can use at times. Please put your dif-

ferences aside now and accept that Bishop Clark has decided to do this and trust in him.

Joanne Brown  
 Wyndale Road  
 Rochester

## Are we free to change?

To the editor:

I thought I'd add my two-cents to the Great Free Will Debate, as manifested in recent *Courier* pages as the Great Homosexuality Debate, the latter being one incarnation of the former: Are homosexuals "free" to be heterosexuals?

It seems to me interesting to transpose the question: are heterosexuals "free" to be homosexuals? Can the straight reader of this note seriously imagine him or herself freely, without revulsion, bedding down with someone of the same sex? As a staunch and honest heterosexual I find the thought abhorrent, completely unimaginable. I'm no more "free" to take a male lover than I'm free to kill my cat: both are "possible," both are unthinkable.

I imagine homosexuals probably feel the same way about sex with heteros. How "free" are they to feel otherwise?

Peter Dzwonkoski  
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 Rochester

## Says column ignored pope

To the editor:

In the *Catholic Courier* of June 12, Father Richard P. McBrien once again urged dismissal of the Catholic Church's discipline of mandated celibacy for priests of the Latin rite. "The rule of celibacy," he sneers, "is regarded, at least implicitly, as more important than making the Eucharist available to every Catholic." While ostensibly praising Pope John Paul II's new Encyclical *Ecclesia de Eucharistia*, he ignores everything the same Pope has written in praise of and defense of the Church's

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