

Interview with Cardinal Roger Mahony

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NCR senior correspondent John A. Allen Jr. interviewed Cardinal Roger Mahony on the sidelines of a meeting of the College of Cardinals in Rome Nov. 26. Following is the transcript of that interview.

NCR: You've just concluded a \$660 million settlement in Los Angeles designed to end your litigation related to the sexual abuse crisis. Do you feel any sense of relief?

Mahony: I actually don't look at it that way. Having met with dozens and dozens of victims, over 70 so far, I believe that the closure of this is so important for them. I didn't realize how much more they'd been through, even by filing lawsuits. They had to fill out these claimant questionnaires and say all kinds of things about their personal lives. Their attorneys asked them to do videos of their experience. They've had to bare their soul, which for many of them reopened a lot of the past. Most of them see the settlement as the last time they'll have to go through all this.

Secondly, they see the settlement, as I do, as a ratification that they were harmed. This is a public acknowledgment that they were harmed, even though the language of the settlement may not use the terms "fault" and "no fault," it is a ratification, an acknowledgement by the church, that you were harmed. While money doesn't resolve the past, it is an acknowledgement, and I think that's very important for them.

You've said that you didn't want this payout to compromise the pastoral capacities of the archdiocese, especially in terms of closing parishes or schools. Is it actually going to work out that way?

In terms of parishes and schools, there really is no impact as such. There will be an impact, however, in terms of the services the archdiocese provides to our various entities. What we've been doing is gradually diminishing staff by attrition. As people leave, we don't replace them. I've been really gratified by the response of our departments. I've told them that we've got to prioritize what we do. We can't do everything we used to do, so the question is, what should we be doing? I've said that our matrix is the synod of three years ago and its six pastoral initiatives. That's our vision and our direction. You have to look at what you're doing, and ask, is this a priority in light of the synod's directions for the archdiocese?

[Note: The 2003 synod in the Los Angeles archdiocese identified six initiatives: evangelization, structures for participation and accountability, education and formation, ministry and lay leadership, the Eucharist and the sacraments, and social justice.]

We've sold our building on Wilshire Boulevard at a very good price. We've also signed a lease for four floors of the building. We had twelve floors. When we were given the building, we moved into it as is. We just took the space the way it was, which was a huge amount of space, way more than we ever needed. Over the years, we've lost a lot of people who haven't been replaced, so we need that space even less. What's going to happen is that the new landlord will build out four floors for us, so it will all be new, frankly a lot better than what we had. There will be workstations for everyone, but everybody will have less space.

But you don't have to move the chancery.

That's right. The core, essential services in the archdiocese will continue from there, but with fewer people. We'll have to learn multi-tasking, in today's parlance.

Is there any area in particular where Catholics in Los Angeles will feel the pinch?

Some of it will be a matter of working more efficiently. We've got a grant, for example, for some of the formational training programs, such as catechetics, youth ministry, liturgy, and so on, to do a videoconferencing system for the whole archdiocese. We own and operate a number of microwave television towers in the archdiocese. We have leased some of the bandwidth to wireless companies. As part of that contract, they agreed to help us with technology. They asked, 'What can we do?' We said that the best thing, with the traffic in Los Angeles, the price of gas, and our expansive territory, is to have one video-conference location in each of the 20 deaneries. We're going to have it. Nine of them are all done. We're having our first formal use of it this week. Fr. Pat Mullen from the seminary is doing a presentation.

This saves the expense of doing on-site presentations?

That's right, or the expense of people having to come into a central location. Nine deaneries are on-line now, and after the holidays the other 11 will come on-line. That means that in every deanery, there's a location where people can come into those formation sessions. This will save us a lot of money, because the person only has to give this once. They don't have to go twenty times to various locations, or bring people to various locations. Of course, we'll record it and it can be rebroadcast too. So, this is going to be extremely helpful.

I've also reminded our leadership that we have trained huge numbers of people, master catechists, master liturgists, master Bible teachers ... you name it. We've had really intense programs over the years. Now, we're going to have to ask them to give back. They have to help us do things out there in their local areas.

So part of your cost-cutting strategy is, in effect, out-sourcing?

That's right. We've made the investment in these good people, and they're now going to help us.

It's a bit like the bishops' conference, which is also downsizing and outsourcing some of its work?

Yes, and we're also out-sourcing some of our administrative tasks ... for example, the collection of bills and the mailing of bills and all that. We don't need to do that. We can get that service done better and cheaper by having others do it. So as people leave that office, we're able to source it out.

What about property?

We're selling 52 properties. It isn't just the chancery.

These are properties that were basically unused?

Yes.

So you don't have to cut existing operations because of these sales?

That's right.

As matter of church law, alienation of property requires approval of the Holy See. Specifically, it goes to the Congregation for Clergy, and because this involves settlements related to sexual abuse, it also has to go to the Secretariat of State. What has your experience been in dealing with the Vatican on these issues?

They've been extremely supportive, most helpful. We've had no problem whatsoever. Of our total settlement, we've only needed to get permission to alienate \$200 million. I've just come from a meeting in the Congregation for Clergy to discuss it.

The rest is coming from insurance companies and religious orders?

Yes, and some of it is also internal borrowing. There are internal funds from which we can borrow. That's not alienation of property, because it's ours and we're paying ourselves back.

Would you say the Vatican has been on a learning curve with these issues? I remember five years ago, there was real opposition here to the idea of large cash payouts, fearing that it would simply invite more litigation.

Some get it, and some don't. I would say that the Congregation for the Doctrine of the Faith and the Congregation for Clergy people get it.

Because those two offices have been on the front lines of this issue, the CDF for the doctrinal and disciplinary issues, and Clergy for the money?

That's right. Cardinal Hummes particularly has been extremely helpful. [Note: Brazilian Cardinal Claudio Hummes is Prefect of the Congregation for Clergy.] Cardinal Rodé has been very helpful. [Note: Slovenian Cardinal Franc Rodé is Prefect of the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life, popularly known as the Congregation for Religious.] He gave us the key principle this past May when he was here. He said the religious institutes must bear full responsibility for their members and the dioceses for their members. He said that's the only formula that's going to work, and that's the formula we've been following. Some of the other folks, in some of the other offices, the ones from whom we had the most skepticism, are now happily retired!

There are those who charge that you've just spent \$660 million of church money essentially to save yourself the personal embarrassment of a deposition or a jury trial. How do you respond to that?

First of all, I respond with a very big smile. Part of our strategy, and our settlement judge knew this all along, is that the only way to get insurance companies to settle is when it will cost more not to settle. The only way that can happen is to get a verdict from a jury. Therefore, we purposefully chose cases with huge coverage amounts and went to the court, more than a year ago, and got them set for trial. People say we're afraid of a trial? We're the ones who got the cases set for trial. We wanted them set for trial. It was the fact of that date approaching that finally broke things loose.

In fact, the day we had the formal presentation of the settlement in court – Monday, July 16 – was the date the first trial was to start. A week before that, the Monday before that, the insurance guys wanted no part of this. The settlement judge met with them all and said, 'Well, if you don't want to participate and you want to go to trial next Monday, I would suggest you go home and get ready for trial. There's no sense sitting around here. The judge dismissed them and left the courtroom. They didn't leave. The bailiff came back later and told the judge, 'You know those

guys you sent home? They're all still here.' He let them sit for an hour or two. In the end, they blinked.

Secondly, with respect to me testifying, 95 percent of these cases occurred before I came and I would have very little to say. In fact, the first case concerned a fellow who was very ill when I arrived and died within my first year. I wouldn't be able to tell them anything about it. Actually, I was looking forward to it, because I was going to use the opportunity to explain what we've done to make sure this doesn't happen again. I was looking forward to it. I had no problem with the idea of testifying.

You've already been deposed, yes?

Not that much. I think I've only had two or three depositions, but I enjoy depositions. Basically, the reason that I haven't been deposed is because I wasn't here for most of these cases.

Some of that has to do with the lifting of the statute of limitations in California, so that the litigation in some cases involves events well before your time?

The cases spread out over 75 years. In fact, if you look at our web site, we have put up a graph in PDF format that shows exactly when all these cases occurred. It's an identical bell curve to the John Jay study for the church in the United States, as it is for the public schools, the Boy Scouts, and everybody else. Nobody knows why the 1950s, 60s and 70s produced all of this. Nobody knows. That's why the bishops have funded this "causes and context" study with the John Jay people. I've heard all kinds of suggestions, but I don't know. Some say, for example, 'This started when television started.' There are so many theories.

You can't say that it's the new formation or the Second Vatican Council, because most of our worst offenders were actually formed in the 'good old days.'

Although you weren't in Baltimore for the bishops' meeting, you know that the preliminary oral report from the John Jay team suggests that the crisis was driven by broad social forces rather than internal church factors.

I think it's going to be very interesting to see what they can discover.

Let me shift gears. You took part in the business meeting of the College of Cardinals with the pope on Friday, devoted largely to the issue of Christian unity. Did you hear anything new?

I thought that Cardinal Kasper's report was a really good overview of where we are. I thought it was extremely helpful. It was clear and crisp. He also pointed out where the obstacles and challenges remain. What I found fascinating was that the cardinals were all into this topic. I think at first some thought that Kasper would give his report, then there'd be a comment or two, and then there would be other issues. Actually, basically the whole day, even the evening, was all on this. I found it very, very helpful. Some situations seem to have improved, others have become more difficult. It is a long road still. There have been complicating factors, obviously. The crisis among the Anglicans, in our case the Episcopalians, for example ... there are factors that create problems in some areas, and in others the situation is better. For example, with the Patriarch of Moscow, the situation is better than it was before. Of course, it could only go up from where it was!

Granted that there was a genuine interest in the subject, but at the level of content, did you hear anything new?

No, nothing new. We got these panoramas from cardinals from various parts of the world. It seems to me that in the United States, we're up to steam as well as, or perhaps better than, anybody. In our own archdiocese, we've had dialogues going for decades with all the major groups ... the Evangelicals, the Orthodox, you name it, all the Protestant communions. It involves, first of all, trust and relationship-building. Any breakthrough is going to come that way.

As I listen to both the ecumenical experts and bishops from various parts of the world, it seems to me that a gradual shift has been taking shape, away from putting most of our eggs in the basket of formal theological dialogue, to more practical cooperation in terms of common witness on shared values and socio-cultural concerns. Does that seem right?

Absolutely. Just to give you one vivid example in the archdiocese, we have in the inner city a really large Central American parish, St. Thomas the Apostle. Right next to it is Santa Sophia, the Los Angeles cathedral for the Greek Orthodox. We had an arson fire at St. Thomas the Apostle and it was closed for almost a year. The fire was on Friday night, and the next Sunday I went to celebrate Mass out in the parking lot with the parishioners. You know who was there? The pastor from next door along with the Greek Orthodox Archbishop from San Francisco, who came down for the Mass. They loaned their facilities to the parish. It was just phenomenal.

In fact, I joked with the archbishop, saying, 'If you and I wanted, we could just declare unity and let the folks in Istanbul and Rome figure out how to make sense of it. We could just deal with them later!' The fact is, we do so much together on so many fronts. That was brought up many times on Friday in the meeting. ...

There was also discussion about purification of memories. We all have got to move on about who said what, and did what, and when.

Unfortunately, that's not something the Catholic church can control all by itself.

That's right, sure. Of course, every situation is different. With the Orthodox and the Anglicans, they represent a lot of churches, but with some kind of structure and unity among themselves. One of our difficulties is with so many groups, certainly the Evangelicals, there's no structure. There's a loose federation, but you almost have to have relations with each individual congregation.

Of course, while the Orthodox may have structures of leadership in theory, they often struggle with them in practice. Look at what happened in Ravenna, when the Russian Orthodox pulled out of the Catholic-Orthodox dialogue – not because of anything Catholics did, but because of a dispute with Constantinople over Estonia. In the end, the Catholic church has only a limited capacity to influence that kind of thing.

That's right, absolutely.

How did you find the Holy Father?

I found him very alert. As usual, the way he can sum up everything at the end of a session is just incredible. He listens, he's obviously taking notes. At the end of the morning and evening sessions, he just gave a few points that captured well the discussion, where we were.

But he didn't announce any new initiative?

No. There were some suggestions from cardinals that perhaps we need another summit.

You mean like the inter-religious summits in Assisi under John Paul II?

Yes, but nobody really thought we're ready for that at this point.

Speaking of the pope, is there any part of you that's disappointed that Benedict XVI won't be coming out to the West Coast when he comes to the United States?

I'd love to have him come to our cathedral, I really would. But I know realistically that with his age and so on, it wouldn't be possible. When the United Nations invited him, I said, 'He's going to go to the United Nations. They're not going to program him to come to the West Coast. It's just not going to happen.'

What do you think the importance of the visit will be next April?

It will be the first time the American people see him a little bit more up-close. Of course, it will depend in part on what he has to say.

What message will you be looking for?

I would hope that he would recognize the vitality of the church in the United States, particularly the vitality of parish life. I hope he'll talk about lay involvement, lay leadership, and lay ministry as a plus, a real plus ... (laughs) As opposed to that document from the eight dicasteries! [Note: the reference is to a 1997 Vatican document issued by eight Vatican offices raising concerns about the assumption of ministerial roles by laity.] I hope he acknowledges that this is where the church is growing, and that we're going in the right direction. I maintain that this is why we're not Italy or France or someplace else, because we've been able to do that. John Paul II acknowledged that all the time, so I hope Benedict will emphasize that.

I think it's also important to acknowledge the faith of our people, especially during the six or seven years of this crisis. Our people have remained so faith-filled. They realize that the church is not about perpetrators of sexual abuse, it's about Jesus Christ and His abiding presence with the church. That's the core. It's not about us people along the way or various segments of history, it's the presence of Christ. I've been in awe of the faith of our people, the way that they've rallied around their priests and been so supportive of their priests in the parishes. ... I think the Holy Spirit does that for us.

Do you think Benedict XVI will have to address the sexual abuse crisis while he's in the United States?

Oh, absolutely. I think it's a unique opportunity for him to do that. He's got to. He cannot avoid that. Where he does it, I'm not sure. I would hope he says something in both homilies to these large gatherings of the Catholic faithful, not just the meeting of the bishops. That isn't going to be helpful. I think he needs to say something in the public arena to our people. I think he needs to make it clear that he understands. I must say, I think he does. He was most helpful at the CDF in getting things changed that we needed changed in order to move things along. So, I'm hoping that in those two arenas, he'll say something. [Note: Benedict XVI is expected to celebrate public Masses in Nationals Stadium in Washington, D.C., and Yankee Stadium in New York.]

Finally, you're very familiar with the growing cultural diversity of the American church. What do you think it means for the United States to have a cardinal in the southwest?

I think it's extremely important. It's a recognition of the large presence of a vibrant Catholic population in the United States. It's also a recognition that things have changed over the last hundred years. The accumulation of Catholics is no longer along the northeast corridor. It is now in the south, the southwest and the west. This is a recognition of that. I would hope that next time around, or some time around, there would be another one. Atlanta, for example, would be a good choice. I think that would be really helpful.

The tricky part is, do they discontinue some of the old cardinalial sees in the United States?

They're probably going to have to, aren't they?

They probably have to.

Because broadening the focus to the global level, the United States is already over-represented in the College of Cardinals. We have 13 cardinal-electors now, which is four more than all of Africa, even though Africa has twice the Catholic population of the United States.

That's right, really. Something has to change. But the appointment in Houston is a great sign. Last night I was at Cardinal DiNardo's dinner with the people from Houston, and they are just beside themselves. The media interest in Texas has been just tremendous. It's great to see.