

January 24, 2007 - Advocacy for sex abuse victims cost him his job, Gumbleton says

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At his last Mass as pastor of St. Leo Parish in Detroit, Auxiliary Bishop Thomas Gumbleton told the parish that he was being forced out of the position. "I'm sure," he said, "that it's because of the openness with which I spoke out last January concerning victims of sex abuse in the church."

"We're all suffering the consequences of that and yet I don't regret doing what I did," he said Jan. 21.

An archdiocesan spokesman, however, said church leaders were simply following existing protocol and that no auxiliary bishop in the country remained as a pastor of a parish after retirement age.

Parishioner Tony Gallucci provided NCR with a video clip of Gumbleton's Jan. 21 talk. The clip includes the last part of the bishop's homily from the last Mass. In it, he praises St. Leo's parishioners for working to build a parish community.

"My hope and my prayer today is ... that you will make it clear that you understand that you are the Body of Christ and that you are carrying out his work and that you will commit yourselves to continue this.

"We, as this parish community, must carry on the work of Jesus, and so I trust that that's what you will do even as I leave you."

Last year in Columbus, Ohio, Gumbleton testified in support of a bill that would have created a one-year "look back" period for civil cases involving sexual abuse of a minor by extending a statute of limitations from two years past a victim's 18th birthday to 20 years. During that testimony, Gumbleton revealed that when he was a high school seminarian in the 1940s, he had been sexually abused by a priest on the seminary faculty.

Gumbleton said that was first time that he had talked about the abuse.

The bill that Gumbleton was testifying in favor of was opposed by the bishops of Ohio, and bishops in other states -- including Pennsylvania, Maryland and New York -- were opposing similar bills in local legislatures.

After his revelation, Gumbleton called the church to greater accountability over the sex abuse scandal. In a homily at St. Leo's last year, he called the abuse scandal a terrible evil within the church.

He said then, "I've been overwhelmed by the number of people who have responded to me, many of them victims, survivors of violence either from within the church or sometimes from within their families as children. Surely that is a shattered moral order, especially when it happens within the community of disciples of Jesus and is perpetrated by those who are to be the leaders in that community."

Gumbleton has been active in movements against war, militarism and nuclear weapons going back to the Vietnam era. He helped write the U.S. bishops pastoral letter on peace and nuclear weapons in the 1980s and served as president of Catholic peace group Pax Christi USA from 1972 to 1991. He has made numerous trips to conflict areas around the world, including multiple trips to Iran and Haiti.

He has also been an outspoken advocate for women serving in the church and for greater openness to gays and lesbians.

Gumbleton was informed Dec. 17 that he would be replaced as pastor of St. Leo's. His replacement was named in an open letter from Detroit's Cardinal Adam Maida delivered to the parish the afternoon of Jan. 20. The letter named Fr. Gerard Battersby as pastoral administrator of the parish effective Jan. 22. Battersby is also serving as formation director at the archdiocese's major seminary.

Gumbleton, 77, has served at St. Leo's since 1983. At Mass Jan. 22, he repeated that he was being forced out of the parish. "It's certainly not my will. I did not choose to leave St. Leo's," he said. He noted that some of his classmates continue to serve as pastoral administrators in the archdiocese as do other priests even older than he.

Ned McGrath, spokesman for the Detroit archdiocese, told NCR that those who argue for Gumbleton "staying on as parish administrator totally ignore the protocol that is involved with bishops."

All bishops must resign at age 75, and when the Vatican accepts that resignation, the bishop must relinquish all pastor responsibilities, he explained. McGrath said he checked other major diocese across the United States and found no bishop or auxiliary who continued as a pastoral administrator after the Vatican had accepted his resignation.

Gumbleton's "current status is the standard, not the exception," McGrath said.

"That rule, by the way, was implemented as the result of Vatican II," McGrath said. "Bishop Gumbleton's friends and supporters -- and the bishop himself -- can argue against it, but it's been in place for some 40 years and shouldn't be surprising to anyone."

But "there is no such provision in canon law," said Oblate Fr. Francis Morrissey, professor of canon law at St. Paul University in Ottawa, Canada.

Because Gumbleton's resignation has been accepted, he cannot lay claim to the rights of his former office, Morrissey told NCR. And as a parish administrator, he has no rights of tenure. "He is there at the bishop's, the cardinal's 'pleasure' ... and he can be removed without cause," Morrissey said.

However, he added, "They could leave him in as administrator if they wanted to. They are not obliged to remove him."

McGrath also told NCR, "Bishop Gumbleton can come back to the parish at any time to celebrate Mass or gather with the parishioners. As Cardinal Maida's letter says, he can still function as a priest and bishop, and when needs and his schedule permit, he will be doing Confirmations."