

This report is about sexual abuse.
These comments are on a general level,
also contain descriptions of specific cases of sexual abuse.

Report on the pilot project on the history of sexual abuse in the Roman Catholic Church in Switzerland since the middle of of the 20th century

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Thanks to

Countless people have contributed in many ways to the realization of this report in its present form. We would like to thank everyone who has helped us to bring this pilot project to a successful conclusion within a year.

Over the course of the past year, we had to find our way around an unfamiliar landscape: The Roman Catholic Church and its subdivisions, its customs, its traditions and the church hierarchies formed an unfamiliar framework for us as researchers at the beginning. We also first had to get to know the various archives and their files and familiarize ourselves with the conditions and context of the written traces of sexual abuse in the Catholic Church. It would not have been possible to write this report without those people inside and outside the church structures who supported us in these learning processes and our research with advice and practical tips and who created good conditions for our work. We would also like to thank all the people who discussed topics with us, discussed fragments of text or critically reviewed them, thus improving the final result time and again.

Special thanks are due to the committed victims of sexual abuse in the Roman Catholic Church. Numerous victims, both individually and as part of the two victim organizations Interessengemeinschaft für Missbrauchs Betroffene im kirchlichen Umfeld (IG- MikU) and Groupe Soutien aux personnes abusées dans une relation d'autorité religieuse (SAPEC), have repeatedly taken the time and have been in contact with us throughout the entire project with advice, criticism and sometimes also with the necessary persistence. Without them, their many years of work prior to the pilot project and their comprehensive support over the course of the last year, the implementation of this project would never have been possible.

We would also like to thank all the contemporary witnesses who gave us their time to tell their stories and give us access to their private archives. Their trust was by no means a matter of course and they made it possible for us to gain important new insights. On the research side, we were also able to count on a diverse and constructive environment. We were able to draw on ideal conditions and support at the University of Zurich and the international networking with Germany within the framework of the "Arbeitskreis Missbrauchsforschung" and with France complemented our Swiss perspective in various respects. We would also like to thank the members of the Scientific Advisory Board of the Pilot project for their dedicated and critical support and advice.

Finally, we hope that with this report we can open the door to a comprehensive discussion of abuse in the Catholic Church and that research will not stop here.

Vanessa Bignasca, Lucas Federer, Magda Kaspar and Lorraine Odier

Foreword

In January 2020, we met with representatives of the Roman Catholic Church in Switzerland for the first time at the University of Zurich to discuss the framework, content and organization of a possible research project on the historical analysis of sexual abuse in the Catholic Church. Previously, the Roman Catholic Church had waited a long time, put off those affected with promises and struggled internally over the option of a scientific study. For too long.

We continued the conversation. It seemed urgent to us to use historical and scientific methods to make an initial attempt to systematically shed light on a situation that was extremely stressful for many of those affected, their families and friends. It was clear to us from the outset that only a pilot project was an option at first, partly to test the church's willingness to cooperate. In addition, a pilot project also offered the opportunity to test new forms and structures for organizing historical research together with the Swiss Society for History (SGG).

On May 1, 2022, a trilingual research team, supported by two students, began its work and completed this report one year later. An advisory board elected by the SGG supported the pilot project with its expertise. PD Dr. Sandro Guzzi-Heeb (University of Lucerne, President), Prof. em. Dr. Felix Hafner (University of Basel), Prof. Dr. Astrid Kaptijn (University of Fribourg), PD Dr. Sonja Matter (University of Bern), Prof. Dr. Anne-Françoise Praz (University of Fribourg) and Prof. Dr. Markus Ries (University of Lucerne) took final note of the report on 12 May 2023 after receiving valuable feedback.

Zurich, May 2023

Monika Dommann and Marietta Meier

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List of abbreviations

CASCE	Commission diocésaine "Abus sexuels dans le contexte ecclésial"
CDEAS	Commissione di esperti in caso di abusi sessuali in ambito ecclesiale
CECAR	Commission d'Ecoute, de Conciliation, d'Arbitrage et de Réparation
CEF	Conférence des évêques de France
CIASE	Commission indépendante sur les abus sexuels dans l'Église
CORREF	Conférence des religieux et religieuses de France
CIC	Codex Iuris Canonici
IG-MikU	Interest group for people affected by abuse in the church environment
INSERM	Institut national de la santé et de la recherche médicale
KOVOS	Conference of religious congregations and other communities of consecrated life in Switzerland
LGF	Lausanne-Genève-Fribourg
NGGB	New spiritual communities and movements
	RKZ Roman Catholic Central Conference of Switzerland
SAPEC	Soutien aux personnes abusées dans une relation d'autorité religieuse
SBC	Swiss Bishops' Conference
SKF	Swiss Catholic Women's Federation
	VOS'USM Association of Major Superiors of Religious Orders in Switzerland

1. Introduction

Zt the beginning of the 1960s, the priest G. A. was sentenced to two years in prison for "repeated and continued fornication with and in front of children". This was already his second conviction: first in He had sexually abused at least 67 children in a parish in central Switzerland under the diocese of Chur and then in the Central Plateau under the diocese of Basel, according to court documents. After his first conviction, those in charge of the Catholic Church did not see to it that he was removed from office, but allowed him to continue in pastoral care, including contact with children, and deliberately tried to cover up his actions by transferring him. After his release from prison, G. A. enjoyed a successful career: he was elected pastor and was able to work in various parishes for almost forty years.

The life story of the priest G. A. is by no means an isolated case: there were many cases of sexual abuse by Catholic clergy and church employees in Switzerland in the 20th century. Many of those affected are still struggling with the immense consequences of these experiences today. For a long time, those responsible in the Church did not acknowledge this pain; they trivialized, concealed and covered it up. In doing so, they protected the perpetrators and willingly accepted that further cases of abuse would occur.

In December 2021, representatives of the Swiss Bishops' Conference (SBC), the Conference of Religious Orders and Other Congregations of Consecrated Life in Switzerland (KOVOS) and the Roman Catholic Central Conference of Switzerland (RCC) on the one hand and the Department of History at the University of Zurich on the other signed an agreement to investigate sexual abuse in the Roman Catholic Church (hereinafter referred to as the "Catholic Church") since the mid-20th century.¹ In contrast to similar studies commissioned in other countries, this pilot study not only included all dioceses in all language areas of Switzerland in the investigation, but also the structures under state church law and the religious congregations, which meant that the Catholic Church in Switzerland could be examined as a whole. For the first time, an independent research team was able to systematically examine files on cases of sexual abuse in the Catholic Church in the various church archives. This study thus lays the foundation for future research into the history of sexual abuse committed by Catholic clergy, church employees and members of religious orders in Switzerland since the mid-20th century. This report offers an overview of the existing and accessible sources, provides preliminary findings on the archival situation and, based on this, identifies possible ways of cutting back on research.

¹ The corresponding contract can be viewed online: <https://missbrauchkirchlichesumfeld.ch/>, as of 20.04.2023. It defines the scope of the research team's work as well as the purpose and subject of the pilot project.

for further research. Suggestions are made as to how and on what source basis more systematic work can be done on the topic, and possible questions and methods for subsequent research projects are discussed.

The project leaders were contractually guaranteed complete scientific independence and freedom of research and teaching by the sponsors. The authors of the study were able to work independently and were not influenced in any way in their research. For this report, around two dozen archives in institutions of the Catholic Church and outside were consulted and tens of thousands of pages of files on abuse cases were collected, read and in some cases analyzed. In addition, dozens of discussions and interviews were held with those affected, with experts and with church representatives. The research team used various methods to communicate with those affected in order to meet their different needs: from guided *oral history interviews* to telephone conversations and the recording of written statements. Finally, hundreds of media reports on the topic and on specific cases were compiled. The documents from this research work will be handed over to a yet-to-be-determined non-church archive for long-term storage in order to ensure scientific traceability.

As expected, evidence of a wide range of cases of sexual abuse was found - from problematic transgressions to the most serious, systematic abuse. As part of the one-year pilot project, 1,002 cases of sexual abuse within the Roman Catholic Church in Switzerland were identified and partially analyzed.² These provide an initial and preliminary impression of the sheer number of people affected, the omnipresence of the problem and its distribution across all institutions of the Catholic Church. In addition to the 1,002 cases, thirty cases of sexual abuse were also identified in the analyzed files in which the accused persons have or had a connection to a Swiss institution of the Catholic Church, but the act itself took place abroad.³

Cases of sexual abuse are documented for the whole of Switzerland and for the entire period under review. Their number tended to decrease over the course of the study period. Just under 22% of the cases evaluated occurred between 1950 and 1959 and over 25% between 1960 and 1969.⁴ Around a tenth of the cases could be attributed to each of the following three decades. Finally, 12% of cases occurred between 2000 and 2022.⁵

2 A "case" refers to a specific constellation of an affected person with an accused person and can range from a one-off event to several years of regular sexual abuse.

3 The SBC's expert committee has also published figures on sexual abuse within the Catholic Church in recent years. In 2021, it reported a total of 380 reports of sexual abuse to the diocesan specialist bodies for the years 2010 to 2020 - whereby reports could also include cases that occurred decades ago. These figures compiled by the Catholic Church are significantly lower than the number of accused and affected persons identified as part of the pilot project. This is partly due to the fact that only the reports between 2010 and 2020 were statistically recorded and these could also include several cases. In addition, these figures do not take into account relevant archive holdings such as the secret archives. SBC expert panel "Sexual assaults in the church environment", statistics on reports 2010-2020.

4 Other studies have also found a concentration of first offenses in the 1960s. Cf. Frings; Grossbölting; Grosse Kracht et al, *Macht und sexueller Missbrauch*, p. 297; Dill; Täubrich; Caspari et al, *Aufarbeitung Bistum Essen*, p. 25.

5 In approximately 11% of the cases, the time of the offense was not known on the basis of the available documents.

It should be noted that cases of abuse are often only reported decades later. It is therefore possible that a considerable number of cases after the turn of the millennium have not yet been reported.

A total of 510 accused persons and 921 victims were identified. 149 accused persons could be assigned to two or more victims, while 361 accused persons could be proven to have sexually abused one person. In 39% of cases, the person concerned was female, in just under 56% of cases male and in 5% of cases the gender could not be clearly determined based on the sources. With a few exceptions, the accused were men.⁶ Of the files evaluated during the pilot project, 74% reported sexual abuse of minors, with the entire age spectrum represented: from abuse of infants and pre-pubertal children to post-pubertal young adults. 14% of the abuse involved adults and in 12% of the cases the age could not be clearly determined. This means that at least one in seven cases involved an adult. This is all the more significant because many previous studies on sexual abuse in the Catholic Church have focused exclusively on minors and thus failed to take into account a relevant proportion of those affected.

The corpus of sources analyzed included (former) secret archive holdings, the archives of the specialist committees on "sexual assault" and holdings on "problematic" priests. The cases identified therein are undoubtedly only the tip of the iceberg: numerous archives could not be evaluated last year, including a large number of archives from religious congregations, documents from the work of diocesan committees, but also holdings from Catholic schools, boarding schools and homes.⁷ In addition, the focus was on church archives, while state archives were only considered in addition.⁸ These are likely to contain further cases of abuse that could not previously be recorded.

A complete picture of the extent of sexual abuse in the church environment would not be possible even if all archive holdings were fully evaluated. In fact, not all cases of sexual abuse have left traces in the archives that can still be found today. The destruction of files can be documented for two dioceses, and in the others it can also be assumed for certain periods of time due to the provisions of canon law. There is also partial evidence that reports from those affected were not consistently recorded in writing and that not all reports found their way into the archives.⁹ Based on the findings from dark field research, it can finally be assumed that

could not be determined. The earliest point in time at which the abuse took place was taken into account for the evaluation of the time of the offense, even if this extended over several years.

6 Women as perpetrators of sexual abuse (of children) have so far been virtually ignored by research. This has been changing in recent years. See Independent Commission for the Investigation of Child Sexual Abuse, *Child Abuse by Women*.

7 Due to the methods used and the limited analysis of sources, the present case numbers cannot be compared with those from other research projects, such as those from France or Portugal. For example, both the French and Portuguese studies used quantitative as well as qualitative methods. Cf. CIASE, *Violences sexuelles France 1950-2020*; Comissão Independente para o Estudo dos Abusos Sexuais de Crianças na Igreja Católica Portuguesa, *Dar voz ao silêncio*; Rössler, *Portugals Bischöfe geben Zugang zu Archiven*, in: *Frankfurter Allgemeine Zeitung*, 12.02.2022.

8 The diocese of Lugano is an exception: here, due to the small volume of church holdings on sexual abuse, initial research has already been carried out in non-church archives.

9 Z. E.g. report by the person concerned L. T. to the diocese of Basel in 2008. See also Chapter 3.

only a small proportion of cases of sexual abuse were ever reported to church or state authorities.¹⁰

The extent of the gaps in the archives is illustrated by the case of the priest G. A. mentioned at the beginning. The court documents found, which document sexual abuse of 67 children, relate to only six years of his work. However, G. A. worked in various parishes for decades. What happened during these years, and whether there were also cases of sexual abuse there, remains in the dark with the available sources.

Due to the source situation, the limited selection of sources and the associated limited number of cases, only preliminary and limited statements can be made in this context. In future research projects, further archive holdings must be consulted and the database expanded so that more detailed statements can be made about the quantitative dimension of sexual abuse in the Catholic environment and temporal and geographical accumulations can be verified. Statements and reports from those affected and contemporary witnesses will also be of great importance in this regard, which should be compared with the church archives.

Behind the 1,002 cases analyzed are countless individual stories. Some of them are recounted on the following pages. With the help of case studies, the underlying structures of sexual abuse, possible patterns and explanatory approaches will be presented, put into context and made understandable. On the one hand, the case studies serve to generate new insights and, on the other hand, to describe or understand already known facts.¹¹ These case studies were selected according to the principle of maximum heterogeneity in order to show the range of sexual abuse in the environment of the Catholic Church. On the one hand, examples were considered in which elements could be proven in a large number of cases, and on the other hand, unusual cases were also included in certain aspects. In order to capture the broad spectrum of the topic, various forms of abuse as well as cases from different periods of the investigation period were also described.

The protection of personal rights and data protection regulations were taken into account in this report. Data and information on the persons concerned and the accused have been adapted so that no conclusions can be drawn about their identity. In addition, place names and dates have either not been mentioned or have been slightly altered. Excluded from these anonymizations are holders of church cadre positions such as bishops, auxiliary bishops or abbots, who appear in the report with their full names.¹²

On the terminology

This study addresses a wide range of sexual assaults: from verbally abusive behavior to serious violations of physical integrity such as rape or sexual assault.

¹⁰ Cf. Stadler; Bieneck; Pfeiffer, Representative survey on sexual abuse; Witt; Glaesmer; Jud et al, Trends in child maltreatment in Germany.

¹¹ On scientific work with cases or case studies and the possibilities of generalization, see Flick; Von Kardoff; Steinke, Qualitative Forschung; Guzzi-Heeb, Generalisierbare Fallbeispiele?; Hackler; Kinzel (eds.), Paradigmatische Fälle.

¹² The anonymization concept can be found online: <https://missbrauchkirchlichesumfeld.ch/>, status: 20.04.2023.

defilement.¹³ The sexual assaults discussed also vary greatly in terms of their temporal dimension: They include both one-off assaults and long-term, repeated sexual abuse.

Numerous different terms are used in the discourse surrounding these offenses. In particular, the concept of violence has been increasingly extended to sexual assault in recent decades.¹⁴ In fact, the expansion of the concept of violence from a purely physical injury to the crossing of a psychological or symbolic boundary makes it possible to historicize the offence, the meaning of which has shifted over time and can differ from society to society.¹⁵ According to the historian Francisca Loetz, violence achieves the humiliation and subjugation of the other person - also in a sexual dimension.¹⁶ In a scientific context, the broad term "sexual violence" or "sexualized violence" has therefore become established in German-speaking countries in recent decades.¹⁷

Although the concept of violence, as defined by Loetz for example, goes beyond the description of physical violence, other researchers advocate the use of a different terminology in connection with sexual abuse in the church environment. With regard to religious specifications and from a perspective that focuses on the church environment, theologians Ute Leimgruber and Doris Reisinger, for example, criticize what they see as the association of the term violence with physical violence and argue that no obvious physical violence is used in the case of assaults in the church context, as this is not necessary in many cases due to the perpetrators' position of power and spiritual justification. However, due to spiritual, emotional, financial or structural power relations, a consensus that legitimizes sexual contact can often be ruled out in these constellations. Perpetrators would often make their "victims" in these constellations "submissive" beforehand, those affected would feel "chosen" and the (physical) closeness would be justified by a sacred context. Leimgruber and Reisinger argue that the term "sexual abuse" is better suited to those acts "[...] in which the perpetrator does not openly use violence, but instead embeds the assault in supposedly appreciative interactions." Referring to the statement by the former director of the German Canon Law Institute Klaus Mertes, they speak of a particularly often "specifically Catholic flavor". Sexual abuse in a clerical environment could result in particularly lasting traumatization due to this embedding.¹⁸ However, this does not exclude the possibility that there were also a large number of cases of sexual abuse in the Catholic Church environment in which perpetrators openly exercised physical and psychological violence.

¹³ Defilement differs from sexual assault and rape mainly in that the victim is already incapable of resisting and fundamentally unable to defend him/herself against unwanted sexual contact (Art. 191 StGB).

¹⁴ On the concept of violence, see Imbusch, *Der Gewaltbegriff*.

¹⁵ Loetz, *Sexualized Violence*, pp. 15-19.

¹⁶ Loetz, *Violence in the History of Mankind*, p. 103.

¹⁷ Scientifically, the two terms "sexual violence" and "sexualized violence" must be distinguished in German: "Sexual violence is about 'sexual interests that are enforced in a (not always overtly) violent manner'. This refers to acts in which sexual interests are enforced against the will of the person concerned, the motive for the act is of a sexual nature. Sexualized violence is violence that makes use of sexual means. This therefore involves very different intentions that are to be achieved through an act of sexual violence." Grossbörling, *The Guilty Shepherds*, p. 30.

¹⁸ Leimgruber; Reisinger, *Sexual abuse or sexualized violence?*

With reference to this discussion, but also with reference to the choice of terms used by victim organizations, this study is mainly based on the term "sexual abuse".¹⁹ This term is also frequently used in common parlance and in public discussions on the topic.²⁰ Nevertheless, it is not easy to grasp: Various definitions are discussed in the research literature, ranging from "narrow" to "broad" and from "normative" to "clinical" definitions and encompassing correspondingly different acts and situations.²¹ In very general terms, the concept of "sexual abuse" can be defined as encompassing all acts that violate people's right to sexual self-determination. The key point here is that the term is also applied to assaults against adults in the present study, i.e. it is not limited to those against minors.²²

The definition of this right to self-determination has been subject to historical changes and "sexual self-determination" has only been used as a legal term for several decades.²³ An investigation into sexual abuse in the Catholic Church must fundamentally take this historical context into account. When analyzing sexual abuse in a religious context, it is also important to note that the boundary between consensual relationships and voluntary sexual contact is not always clear. Numerous priests did not keep their vow of celibacy and had sexual relationships during the period under investigation. However, priests in particular, who take on pastoral tasks, find themselves in an asymmetrical relationship with the women and men in their care, whereby this power imbalance is an essential prerequisite for sexual abuse.

There is also debate in the media, but also in the scientific community, about the designation of persons affected by sexual abuse. Various media outlets use both the term "victim" and "affected person", whereby "victim" is now rarely used in the German-speaking scientific context, except to emphasize that the persons concerned are not responsible for the abuse committed.²⁴ Because various people have stated that they do not wish to identify themselves as victims, the term "affected person" is used in this report.

Structure of the study

This report is the conclusion of a pilot study intended to lay the foundation for future research into sexual abuse by Catholic clergy and church employees. It is expressly not a completed study, but on the contrary an initial outline of possible research areas and projects. The study is structured accordingly: It begins with a brief localization

¹⁹ French: abus sexuel, Italian: abuso sessuale.

²⁰ Grossböling, *The Guilty Shepherds*, p. 29.

²¹ Bange, *Definition and frequency of sexual abuse*, p. 30.

²² Leimgruber; Reisinger, *Sexual abuse or sexualized violence?*

²³ In legal terms, the offenses considered in this study include: sexual acts with children under the age of 16 (Art. 187 StGB), sexual acts with dependents (Art. 188 StGB), sexual assault (Art. 189 StGB), rape (Art. 190 StGB), defilement (Art. 191 StGB), exhibitionism (Art. 194 StGB) and sexual harassment (Art. 198 StGB), sexual acts with inmates, prisoners, accused persons (Art. 192 StGB) and exploitation of distress (Art. 193 StGB).

²⁴ Grossböling, *Die schuldigen Hirten*, p. 31. However, "victim" is still a central concept in criminal law and thus also in jurisprudence.

in the international history of research on sexual abuse in the Catholic Church and the broad contours of the public debate on the topic, known as the "abuse scandal", since the 1980s. It becomes clear that the pilot study in Switzerland was carried out late in international comparison, but that it pursues an exceptionally comprehensive approach, as it refers to all Swiss institutions of the Catholic Church.

A significant part of the study is then devoted to the structures of the Catholic Church in Switzerland. This third chapter introduces the various sacramental and state-church units, outlines the religious orders in Switzerland and names other institutions, associations, communities and movements that should also be considered in any future study of the topic. In connection with the treatment of the structures of the Catholic Church, there is also an examination of the respective archives and their relevance for research into sexual abuse. The specifics of the respective dioceses, the significance of individual archive holdings and the research conditions found in the institutions are also discussed in this chapter.

Although their experiences are discussed throughout the report, Chapter 4 focuses on those affected by sexual abuse in the church environment. It was they who forced those responsible in the church to take action through individual reports, testimonies, complaints or notifications. In addition, it was those affected who joined together in organizations that systematically built up the necessary pressure on those responsible in recent years and thus helped to initiate this pilot study.

The fifth chapter proposes a possible future structure for the research.

Based on international research findings and the data already analyzed, three social spaces were defined and differentiated in which sexual abuse occurred in the environment of the Catholic Church in Switzerland during the period under investigation: Abuse in pastoral work, in the context of the Church's social charitable and educational commitment and within religious orders and similar faith communities. Finally, the last chapter traces how those responsible in the Catholic Church in Switzerland dealt with cases of sexual abuse. While this approach was perpetrator-centered and cover-up-oriented for much of the 20th century, the church's reactions slowly changed from the beginning of the new millennium. The report ends with a conclusion and concrete recommendations to those responsible in the Catholic Church in Switzerland on how the source base can be secured and expanded for subsequent research projects. This should provide the basis for further scientific research and public debate on the subject.

and looking to the future.

2 The history of the abuse scandal: From the Boston Globe to the pilot study

Dhe present study was preceded by decades of media and academic research into the topic of sexual abuse in the Roman Catholic Church. This should be briefly presented below.²⁵

"The 'point of no return', the turning point in the development from which there was no going back to the old conditions, was the now legendary revelation of a system of cover-up and transfer of perpetrators in the Archdiocese of Boston by a team of journalists from the Boston Globe at the beginning of 2002, "²⁶ wrote theologian Wilhelm Damberg about the beginning of the international abuse scandal in the Catholic Church. At this time, however, intensive research and reporting on the topic of sexual abuse of minors in the Catholic Church had already been going on for decades in the USA and Ireland. In 1985, the Doyle Report published in the USA was the first investigation into the problem based on a case study of a priest.²⁷ It was found that the Boston diocese had spent a total of 10 million dollars to cover up its sexual abuse. A few years later, in 1989, the first "survivors" network was founded in the USA, the *Survivors Network of those Abused by Priests* (SNAP), which still exists today.

In 1994, there was also a public outcry in Ireland following the so-called "Brendan Smyth" case, a priest who had sexually abused 90 children over decades. In 1997, the Prime Minister of Ireland publicly acknowledged the responsibility of the Irish government for the systematic abuse, mainly because government institutions had also been directly involved due to the close links between the state and the church. For example, children who were cared for in the Irish institutional system were in most cases looked after in church institutions. Due to the cases of abuse that came to light in this institutional system, those responsible made efforts in the following years to advance research into the sexual abuse of minors within the Irish Catholic Church. In 2002, an official investigation was commissioned which, based on the individual experiences of those affected, looked at the institutions and structures that had enabled the sexual abuse of thousands of minors.²⁸

²⁵ For an overview of the history of the abuse scandal from an international perspective, see Damberg, *Geschichte eines internationalen Skandals*.

²⁶ *Ibid.*, p. 6.

²⁷ Peterson; Mouton; Doyle, *The Problem of Sexual Molestation*.

²⁸ Commission to Inquire into Child Abuse: *The Ryan Report*. On the history of the emergence of national commissions of inquiry into violence in the context of coercive measures in various countries, see Sköld; Swain; Wright, *Examining Abusive Pasts*.

In the years that followed, dozens more investigation reports were published in Ireland and the USA. These were mostly legal in nature and were accompanied by journalistic background articles and investigative reports, which primarily traced individual cases and the dynamics of silence and cover-ups. It is worth taking a look at the driving forces behind these publications: Due to the close intertwining of state and church, in Ireland the process of coming to terms with the past was primarily driven by state officials. In the USA, on the other hand, courts and lawyers forced church representatives to disclose documents and prepare reports, driven at least in part by the strong tradition of damage claims in the USA. In general, it can be said that representatives of the Catholic Church in both countries themselves remained inactive and appeasing for a long time.

As a result of the abuse scandal in the USA and Ireland, the German Bishops' Conference adopted guidelines in 2002 on how to proceed in cases of sexual abuse of minors.²⁹ However, public discussion of the topic only began when media reports about cases of sexual abuse at the Canisius College in Berlin appeared in early 2010.³⁰ As a result, several dioceses reviewed their personnel files since the Second World War. The Archdiocese of Munich and Freising, for example, worked together with a law firm, which published its report in December 2010.³¹ In 2011, the German Bishops' Conference commissioned a criminological research project, which was discontinued two years later due to differences with the contractor. In 2014, the Bishops' Conference then commissioned a research consortium of four institutes to conduct an interdisciplinary study (the so-called MHG study), which was published in 2018.³²

In the following years, more and more studies were published on individual dioceses. In addition, numerous other smaller projects were carried out on church institutions. The spectrum ranges from forensic psychiatric to socio-scientific and historical studies. Almost all of them focus on the sexual abuse of minors, but pursue such different objectives and approaches that the results are difficult to compare. What is striking is the large number of legal expert opinions that (also) assess the (criminal) legal responsibility of decision-makers. Since 2020, the Commission for Contemporary History in Bonn has bundled the strands of research from various disciplines following the conference "Catholic Dark Spaces"³³ and explicitly explored the potential of historiographical approaches. In spring 2021, a "Working Group on Abuse Research" was formed under the aegis of the Commission for Contemporary History, which has contributed to the networking of previously fragmented research projects and will also open up more opportunities to link research across diocesan boundaries in the future. One of the latest publications, which is also one of the first completed, explicitly historiographical studies, deals with the diocese of Münster.³⁴

²⁹ German Bishops' Conference, Guidelines for dealing with sexual abuse.

³⁰ Heimbach-Steins, Power. Abuse, p. 228.

³¹ Westpfahl; Spilker; Wastl, Archdiocese of Munich and Freising in the period from 1945 to 2009.

³² Dressing; Salize; Dölling et al, Sexual abuse of minors in the field of D. K.

³³ See the conference proceedings Aschmann, Katholische Dunkelräume.

³⁴ Frings; Grossböling; Grosse Kracht et al, Power and sexual abuse. The study presents twelve case studies covering the period 1945-2020 and the various regions of the diocese, establishes quantitative correlations, looks at various groups of actors and highlights the breaches of duty committed by the diocese's personnel managers.

Against the backdrop of various revelations, particularly in the context of the "Preynat-Barbarin affair"³⁵, the French Bishops' Conference (CEF) and the Conference of Religious of France (CORREF) also commissioned an independent commission to investigate sexual abuse in the French Catholic Church in 2018. The interdisciplinary commission's report was published in 2021 and covered the period from 1950 to 2020.³⁶ It was based on historical and sociological research and focused on structural aspects as well as geographical and historical differences in sexual abuse in the Catholic Church in France. This report stands out from other studies because it uses a quantitative analysis to compare the prevalence of sexual violence by members of the Catholic clergy with the prevalence in other areas of society (family, school, sports activities, other religions). The results show that minors in the environment of the Catholic Church in France are and were far more affected by sexual abuse than in other areas of society - apart from the family.³⁷ Scientific studies have already been carried out in other European countries such as the Netherlands, which also allow quantitative statements to be made on the occurrence and frequency of sexual abuse by Catholic clergy.³⁸ In Austria, as in Germany, there was an intensive public debate about abuse from 2010 onwards and representatives of the Catholic Church subsequently introduced a framework, ombudsman offices and aid payments to those affected.³⁹ However, no detailed scientific study on the topic has been carried out to date. In Poland, on the other hand, the societal thematization is significantly less advanced and there is still no open discussion of the topic by the church and therefore no broad-based studies.⁴⁰ In Italy, too, apart from a report by the Italian organization Rete l'ABUSO, no independent studies have been carried out to date.⁴¹ Only a report published by the Italian Bishops' Conference in 2022 provides a limited insight into the cases that were reported to the Italian dioceses' reporting offices.⁴² In Spain, the Catholic Church has also so far refused to conduct scientific research into sexual abuse in its environment.⁴³ The situation is different in Portugal: here, the Portuguese Bishops' Conference decided in 2022 to

³⁵ The priest Bernard Preynat was convicted of numerous sexual assaults on minors and Cardinal Philippe Barbarin, then Archbishop of Lyon, was held responsible for not passing on the facts known to him to the criminal justice system. The affair was taken up by the victims' association "La parole libérée", whose story was the subject of a journalistic report and a film. See Tabet, *Grâce à Dieu*; Ozon, *Grâce à Dieu*.

³⁶ CIASE, *Violences sexuelles France 1950-2020*.

³⁷ Bajos; Ancian; Tricou et al, *Sociologie violences sexuelles catholique France*.

³⁸ Langeland; Hoogendoorn; Mager et al, *Childhood sexual abuse by representatives of the Roman Catholic Church*.

³⁹ Austrian Bishops' Conference, *Framework Order for the Catholic Church in Austria*.

⁴⁰ Guzik, *An Unfinished Story of Conversion*; Mandes, *Clerical Sexual Abuse in an Illiberal State*.

⁴¹ Rete l'ABUSO: Report sugli abusi in Italia, <https://retelabuso.org/2023/02/01/report-sugli-abusi-censisce-418-preti-pedofili-in-italia-in-calabria-i-casi-sono-21/>, as at: 18.04.2023.

⁴² CEI: Primo Report sulle attività di tutela nelle Diocesi italiane, in: *Chiesacattolica.it*, 17.11.2022, <https://www.chiesacattolica.it/primo-report-nazionale-sulle-attivita-di-tutela-nelle-diocesi-italiane/>, status: 18.11.2022.

⁴³ However, the Spanish newspaper *El País* carried out extensive research on this topic from 2018 and has collected almost 1,000 cases to date: Domínguez; Núñez, *Todos los Casos Conocidos de Pederastia en la Iglesia Española*, in: *El País*, <https://elpais.com/especiales/pederastia-en-la-iglesia-espanola>, as at: 30.04.2023.; Kellner, *Spaniens katholische Kirche: Opfer sexueller Gewalt fordern Aufklärung*, in: *Deutschlandfunk*, 10.02.2022, www.deutschlandfunk.de/opfer-sexueller-missbrauch-katholische-kirche-spanien-100.html, as at: 30.04.2023.

archives to an independent commission of inquiry, which has already been able to identify almost 5,000 victims as part of its investigation.⁴⁴ The abuse scandal in Germany was also noticed in Switzerland. Although various cases of abuse had already become public knowledge beforehand, the number of reports in the Swiss media increased from the beginning of March 2010 and more and more cases from all parts of the country came to public attention.⁴⁵ In Thurgau, a priest was arrested and abuse was also reported from the Disentis and Einsiedeln monastery schools.⁴⁶ Initially, those responsible in the Swiss Catholic Church, and in particular the Swiss Bishops' Conference, did not officially comment on the numerous cases that kept the Swiss public in suspense. Although the Einsiedeln Abbot Martin Werlen and Norbert Brunner, the President of the Bishops' Conference, made statements in various media, they did so on their own behalf and not on behalf of the Bishops' Conference.⁴⁷ Their statements were also contradictory and showed little unity within the Catholic Church regarding how to deal with cases of sexual abuse within its ranks.⁴⁸ It was not until 31 March 2010 that the SBC issued an official statement: Dubbed a "mea culpa" in the media, the country's top leaders apologized to their faithful.⁴⁹ In a statement, they said: "We must admit that we underestimated the extent of the situation. Those responsible in the dioceses and religious congregations have made mistakes. We apologize for these mistakes."⁵⁰

Among the numerous media reports on abuse in the Catholic Church in German-speaking countries in 2010, the documentary film *Das Kinderzuchthaus* by Beat Bieri, which was dedicated to the events in the Rathausen children's home in the canton of Lucerne, played a special role.⁵¹ On the one hand, it triggered numerous other reports throughout the country; on the other hand, it drew attention to the problematic everyday life in the orphanages, which led to calls for investigations and forced the state authorities to take action.⁵²

⁴⁴ Comissão Independente para o Estudo dos Abusos Sexuais de Crianças na Igreja Católica Portuguesa, *Dar voz ao silêncio*; Rössler, *Portugals Bischöfe geben Zugang zu Archiven*, in: *Frankfurter Allgemeine Zeitung*, 12.02.2022.

⁴⁵ In various regions of Switzerland, there had already been an accumulation of reports and media coverage in previous years, as well as increased attention to the issue, for example in eastern Switzerland in 2002 and in French-speaking Switzerland in 2008.

⁴⁶ Schoch, *Pfarrer in HaL genommen*, in: *Thurgauer Zeitung*, 23.12.2010, www.thurgauerzeitung.ch/ostschweiz/pfarrer-in-haL-genommen-ld.175970, as at: 20.04.2023; *Abt des Klosters Disentis schaltet Polizei ein*, in: *20min*, 22.03.2010, www.20min.ch/story/abt-des-klosters-disentis-schaltet-polizei-ein-265318997730, as at: 20.04.2023; *Kloster Disentis. Sex allegations against monk*, in: *Blick*, 21.03.2010, www.blick.ch/schweiz/graubuenden/kloster-disentis-sex-vorwurfe-gegen-moench-id45948.html, as at: 20.04.2023; *Abuse: Sexual assaults also in Einsiedeln monastery*, in: *Luzerner Zeitung*, 19.03.2010, www.luzernerzeitung.ch/zentralschweiz/missbrauch-sexuelle-uebergriffe-auch-im-kloster-einsiedeln-ld.62309, status: 20.04.2023.

⁴⁷ "A complaint against a pastor used to be unimaginable", in: *Neue Zürcher Zeitung*, 13.03.2010, www.nzz.ch/werlen_missbrauch_interview-ld.882594, as of 05.03.2023.

⁴⁸ While Abbot Martin Werlen called for a "register of paedophiles kept centrally in Rome", Norbert Brunner emphasized that he did not see the benefit of such a list and also underlined that this would not be a "good idea".
is "a matter for each individual diocese". "Pedophile register finds support", in: *Luzerner Zeitung / Zuger Zeitung*, 22.03.2010.

⁴⁹ The "Mea culpa" of the Swiss bishops, *Swissinfo*, 31.03.2010, www.swissinfo.ch/ger/gesellschaft/das--mea-culpa--der-schweizer-bischoefe/8590234.

⁵⁰ Declaration of the Swiss Bishops' Conference, in: *kath.ch*, 31.03.2010, www.kath.ch/newsd/erklarung-der-schweizer-bischofskonferenz/, Status: 05.03.2023.

⁵¹ Bieri, documentary "Das Kinderzuchthaus", 25.03.2010, <https://www.srf.ch/play/tv/dok/video/das-kinderzuchthaus?urn=urn:srf:video:c12f8ece-cad9-439f-b7ee-770e0c62ac67>, as of 20.05.2022.

⁵² Hinnen, *Rathausen: Children's home. Compensation for victims possible*, in: *Luzerner Zeitung*, 07.04.2010, www.luzernerzeitung.ch/zentralschweiz/luzern/rathausen-kinderheim-entschaedigung-fuer-opfer-

In the following years, various studies were carried out throughout Switzerland, focusing on homes, schools and the religious communities responsible.⁵³ The Catholic Church also reacted. While it had already published initial guidelines on dealing with sexual abuse in the church environment in 2002 following the revelations in the USA and the reaction of those responsible in the Vatican at the time, it renewed these in 2009, 2014 and 2019.⁵⁴ These guidelines provided for standardization in the way individual dioceses and religious congregations deal with reports of victims of sexual abuse.

Indirectly related to the topic of sexual abuse in the Catholic Church was the debate about the so-called "Verdingkinder" and the orphanage and institutional system in Switzerland in the 20th century. In 2013, the Federal Council apologized to those affected by forced welfare measures,⁵⁵ which on the one hand initiated numerous research projects in this area,⁵⁶ and on the other prompted those affected to look into their past in the various Catholic institutions and to hold church dignitaries to account.

In 2010, the first Swiss organization for victims of sexual abuse in the Catholic Church, SAPEC, was founded. In the years that followed, this group exerted considerable pressure on Catholic dignitaries: On the initiative of SAPEC, the independent reporting body for cases of sexual abuse Commission d'Ecoute, de Conciliation, d'Arbitrage et de Réparation (CECAR) was founded in 2016. Also in 2016, the SBC and the VOS'USM created the Commission for Compensation for Victims of Statute-barred Sexual Abuse in the Church Environment, which from then on made compensation payments to those affected. At the same time, the Catholic Church made efforts in the area of prevention, drew up guidelines and obliged its members to take part in awareness-raising events and prevention courses.⁵⁷

In 2021, the non-profit association Interessengemeinschaft für Missbrauchs Betroffene im kirchlichen Umfeld (IG-MikU) was founded, which, together with SAPEC, put pressure on church leaders.

-In addition to an independent reporting office, it also called for an investigation into sexual abuse in the past. The pilot project, which comes to an end with this report, marks the provisional conclusion of this public debate on the subject.

[moeglich-ld.24237](#), as at: 20.04.2023; Media release City of Lucerne: Opening anniversary of 200 years of inpatient education in Lucerne, 12.05.2011, www.stadtluern.ch/aktuelles/newsarchiv/143357, as at: 20.04.2023.

⁵³ For the state of research, see chapter 5b.

⁵⁴ Guidelines of the SBC and the Association of Major Superiors of Religious Orders in Switzerland, 2019, www.bischoef.ch/wp-content/uploads/sites/2/2020/11/1-SBK_RichtlinienssexuelleUebergriffeCES-USMrev.4Ma-erz2019_190509_e.pdf, status: 28.04.2023.

⁵⁵ Federal Council apologizes to the victims of compulsory welfare measures, www.admin.ch/gov/en/start/documentation/media-releases.msg-id-48480.html, as at: 09.04.2023.

⁵⁶ See National Research Program "Care and Coercion", <https://www.nfp76.ch/de/qIHICGNcfOnOR9UH/seite/das-nfp/portraet>, as at: 20.04.2023; Sinergia project of the SNSF: Placing Children in Care, www.placing-children-in-care.ch/, as at: 20.04.2023; Independent Expert Commission on Administrative Care, www.uek-administrative-versorgungen.ch/, as at: 09.04.2023; Bignasca, Ricerca misure coercitive e collocamento extrafamiliare nel Ticino.

⁵⁷ For the history of Swiss victims' organizations, see Chapter 4b. The founding of the Compensation Commission and CECAR is described in Chapter 6d. For the reactions of the Catholic Church, see Chapter 6.

3 The structures of the Catholic Church and its archives

Bhen researching sexual abuse in the Catholic Church, the question arises from the outset as to where these abuses may have left traces. To answer it

an overview of the Catholic archival landscape in Switzerland is essential. This is the only way to identify the opportunities, obstacles and specific problems that a historical investigation of sexual abuse in the Catholic Church environment is confronted with. This in turn requires a certain understanding of the structures of the Catholic Church in Switzerland.

In the following, the various ecclesiastical entities in Switzerland are briefly presented, their structures and archival features are discussed and specific problems in relation to the pilot project are identified.⁵⁸ The dual structure of the Catholic Church in Switzerland and the significance of these state-church legal entities are also discussed. Other structures and associations relevant to the investigation of sexual abuse within the Catholic Church are then named: Catholic associations and organizations, foreign-language Catholic missions in Switzerland and new spiritual communities and movements.

a. Dioceses

The territory of Switzerland is divided into six Roman Catholic dioceses and thus into six independent institutions, each of which is exempt, i.e. directly subordinate to the Vatican.⁵⁹ The Swiss Bishops' Conference (SBC), which was founded in 1863 as the world's first assembly of bishops of a country, serves as the coordinating body.⁶⁰ Each of these dioceses has its own structures, its own responsibilities, its own position on the present pilot study and - of particular importance for a historical project - its own archives.⁶¹

⁵⁸ On the specific difficulties of church sources with regard to traces of sexual abuse, see Burkard, *Umgang mit sexuellem Missbrauch durch Kleriker*, pp. 283-332.

⁵⁹ Bishop; Arx, Bistümer, in: *Historical Dictionary of Switzerland* (HLS).

⁶⁰ Swiss Bishops' Conference: History, in: *Schweizerische Kirchenzeitung* (SKZ) 48, 01.12.1983, www.bischoefe.ch/wir/geschichte/, as at 14.03.2023. In addition to numerous committees, working groups and councils, two Ordinaries' Conferences assume a coordinating function for the respective language areas. Cf. Swiss Bishops' Conference: Deutschschweizerische Ordinarienkonferenz (DOK), www.bischoefe.ch/wir/dok/, status: 14.03.2023; Swiss Bishops' Conference: Conférence des ordinaires de la Suisse romande (COR), www.bischoefe.ch/wir/cor/, status: 14.03.2023. On the function and structure of the SBC: Schweizer Bischofskonferenz: Funktion und Struktur der SBK, www.bischoefe.ch/wir/funktion-und-struktur-der-sbk/, status: 14.03.2023.

⁶¹ Bishop; Arx, Bistümer, in: *Historical Dictionary of Switzerland* (HLS).

The Roman Catholic Church is based on its own legal system, known as canon law. Among other things, this regulates the storage of documents within ecclesiastical institutions. With regard to diocesan archives, it stipulates that all diocesan and parish documents must be carefully stored and that access to these archives must be reserved for the bishop and his highest representatives.⁶² Canon law also provides for a secret archive to which only the bishop has access.⁶³ Among other things, files from ecclesiastical criminal proceedings should be stored in this secret archive. Ecclesiastical criminal law is based on the principle that "[...] the Church, independently of all human authority, possesses the inherent and appropriate right to punish and condemn."⁶⁴ In this criminal law, sexual abuse of minors under the age of 16 has been explicitly classified as a moral offense since 1917 and was therefore sanctionable under canon law throughout the entire investigation period. Any procedural acts were to be stored in this secret archive.⁶⁵ Art. 489 §2 of canon law stipulates: "Every year, the documents of moral offense cases in which the guilty parties have died or which were concluded with a verdict ten years earlier are destroyed; a brief summary of the offense with the text of the final verdict is kept." The obligation to keep archives and the implementing provisions are, however, strictly adhered to to varying degrees by the bishoprics in Switzerland.

These practices and traditions of archiving in the Catholic Church thus reflect the traditional culture of discretion, secrecy and secrecy that has prevailed in the Catholic Church over the centuries, as historians Anne-Françoise Praz and Stéphanie Roulin have pointed out.⁶⁶ The provisions on the destruction of files that are still in force today not only hinder research (because they can legitimize the disappearance of files), but can also have a dramatic impact on those affected, who can no longer view their files or can only view them in part.

A special feature of the pilot project was the contractual assurance that the research team would also be given access to the respective secret archives of the dioceses. The team was granted this access.

Diocese of Lausanne, Geneva and Fribourg

The diocese of Lausanne, Geneva and Fribourg (LGF) is the largest diocese in French-speaking Switzerland and has comprised the cantons of Geneva, Vaud (with the exception of the Chablais region, which belongs to the diocese of Sion), Fribourg and Neuchâtel since 1924. During the period relevant to this study, five bishops served in the diocese of LGF.⁶⁷ The current bishop, Charles Morerod, was appointed in 2011.

⁶² Can. 486 - § 1 CIC and 3 CIC; Can. 487 - § 1 CIC.

⁶³ Can. 490 - § 1 CIC.

⁶⁴ Rinser; Streb; Dudeck, *Abschlussbericht Aufarbeitung Mecklenburg*, pp. 16-17. At the beginning of the Church's penal provisions in Can. 1311 CIC it is also explicitly stated: "It is the Church's inherent and proper right to rebuke the faithful who have committed crimes by means of penalties."

⁶⁵ Can. 2359 - § 2 CIC 1917.

⁶⁶ Praz; Roulin, *Démanteler une culture du secret*, pp. 36-40.

⁶⁷ François Charrière held office from 1945 to 1970, followed by Pierre Mamie (1970-1995), who was responsible in particular for implementing the decisions of the Second Vatican Council. Benedictine Amédée Grab, then auxiliary bishop of Geneva, succeeded him in 1995 for three years before being appointed bishop of the diocese of Chur in 1998. Bernard Genoud was consecrated bishop in 1999 and served until his death in 2010. Cf. Coutaz, Lausanne (diocese), in: *Historical Dictionary of Switzerland* (HLS).

The LGF diocese currently comprises around 230 parishes,⁶⁹ various religious orders and numerous congregations, the vast majority of which are based in the canton of Fribourg.

The archive holdings of the diocese of Lausanne, Geneva and Fribourg, which have been the responsibility of the respective chancellor since 1987, have been catalogued very differently depending on the period. For the most part, complete inventories exist for the Middle Ages and the modern era. The contemporary archives, on the other hand, are neither inventoried nor classified and have no signatures. The secret archive of the diocese is being dissolved by order of the bishop and the holdings stored in it are to be transferred to the regular archive. There are currently only a few documents left in the cabinet, which represents the secret archive and is located in an adjoining room of the bishop's private apartment.

The regular diocesan archive holdings are stored in various rooms, cellars and offices at the diocese headquarters, which is why access to documents and the search for documents is difficult and depends entirely on the knowledge of the diocesan archivist. This makes it difficult to check whether the files are complete or whether documents have been lost or destroyed. In 2020, the diocese had to initiate an internal investigation to clarify the disappearance of a document that was of great importance for the investigation of a case of sexual abuse.⁷⁰

Like the archives in general, the archive holdings documenting cases of sexual abuse and its treatment by church authorities are scattered across various rooms or computers in the diocese and are not recorded using a finding aid. Following various scandals involving the diocese and research for an investigation into sexual abuse at the Marini Institute, an orphanage in Montet, those responsible at the diocese felt compelled to take a closer look at the priests' personnel files. When transfers or appointments were due, the relevant documents were reviewed by the archivist and a specialist employed specifically for this purpose. Those that contained signs of conflicts between the priest and canon law (such as breach of celibacy, problems with authorities, etc.) or with civil or criminal law were subsequently kept separately.⁷¹ The review of personal files was later extended to all priests about whom rumors were circulating. The separated files included not only cases of sexual abuse, but also problematic alcohol consumption and embezzlement of funds. The archive of the diocesan expert committee was mainly merged with this collection for "problematic priests". The relevant meeting minutes are stored digitally by an employee of the diocese.

Here, too, several organizational logics exist side by side: some documents are sorted by the name of the priest, others by the names of the persons concerned, and some cases of abuse are found in fonds

⁶⁸ For Charles Morerod, see Dr. Charles Morerod, www.bischoefe.ch/mgr-dr-charles-morerod/, as at 20.04.2023.

⁶⁹ Diozösen, cartography and figures, <https://diocese-lgf.ch/de/kartographie-und-zahlen/>, as at: 23.03.2023.

⁷⁰ Cf. B.: Dreimal wurde der Bischof informiert, in: Freiburger Nachrichten, 16.07.2020, www.freiburger-nachrichten.ch/dreimal-wurde-der-bischof-informiert/, as at: 15.04.2023.

⁷¹ Such lists and sorting systems also exist in other dioceses. The respective employees decided which personnel dossiers were to be separated or marked as problematic on the basis of different criteria. Up to now, there has been no institutionalized procedure that can be traced in writing and that applies to all archives.

of schools, homes and boarding schools. In addition to these holdings, the archives of the *Offizialate* (church courts) and the personal files of deceased priests could also contain dossiers relevant to the investigation. Given the current archive situation, it is therefore only possible to examine the documents through time-consuming reading and analysis of individual files.

Despite this difficult archive situation, the research team was able to view all files as requested and benefited from the active support of the archivist Nathalie Dupré and the registrar ad interim, Laure-Christine Grandjean. Rita Menoud, responsible for analyzing files and conducting internal investigations and a member of the "Sexual Assaults in the Church Environment" commission, was also an important support for the research team.

Diocese of Sion

The diocese of Sion comprises the canton of Valais with the exception of the parish of St. Gingolph, which belongs to the diocese of Annecy in France, the district of Aigle, which belongs to the canton of Vaud, and the abbey area of St. Maurice, which includes the communes of St. Maurice, Finhaut, Salvan and Vernayaz.⁷² During the period under review, four bishops succeeded each other. Bishop Jean-Marie Lovey has held office in Sion since 2014.⁷³

The bishop, the episcopal council and the Catholic Church have historically held an important position in the power structure of the canton of Valais.⁷⁴ The influence of the Catholic Church is still strong today: in 2021, just over 65% of the canton's population described themselves as Roman Catholic.⁷⁵ However, as in the other dioceses, the number of parishes decreased during the period under review. The bilingual diocese of Sion had 150 parishes in 2021, divided into 19 pastoral sectors for the French-speaking part and 17 pastoral sectors for the German-speaking part.⁷⁶ The archives of the diocese of Sion are systematically inventoried and the holdings are listed in an accessible inventory. Unfortunately, the archive material is stored in inadequate rooms in terms of conservation, but in suitable boxes and is classified and organized in a systematic and professional manner.

Documents relevant to the present investigation were found on the one hand in the personal files of priests and on the other hand in the secret archive, in which in particular the files of priests who are or were the target of a canonical or criminal investigation or who came to the attention of the church authorities in some other way are kept. The contents of this archive have not been inventoried and the documents in it are not classified. The overwhelming majority of the documents on sexual abuse, its discovery and the diocese's handling of it are not classified.

⁷² Diocèse de Sion: Geography, <https://www.cath-vs.ch/le-diocese/eveche-administration/geographie/>, as at: 20.04.2023.

⁷³ Nestor Adam was bishop from 1952 to 1977 and thus responsible for the implementation of the Second Vatican Council. After his resignation in 1977, Bishop Henry Schwery was appointed his successor and remained bishop of the diocese of Sion until he was appointed cardinal in 1991. He was succeeded in 1995 by Bishop Norbert Brunner, who was to serve for almost 20 years until he was succeeded by Bishop Jean-Marie Lovey in 2014. Lovey is a canon of the Great St. Bernard and was Superior General of the Congregation until his episcopal consecration. Cf. Zenhäusern, Sion (diocese), in: Historical Dictionary of Switzerland (HLS).

⁷⁴ Kalbermatter, Landrat (VS), in: Historical Dictionary of Switzerland (HLS).

⁷⁵ Federal Statistical Office, Religious affiliation by canton. www.bfs.admin.ch/bfs/de/home/statistiken/kataloge-datenbanken.assetdetail.23985070.html, as at 20.04.2023.

⁷⁶ Diocèse de Sion: Organization, <https://www.cath-vs.ch/le-diocese/eveche-administration/organisation/>, Status: 07.04.2023.

of the subject matter can be found in this secret archive. The majority of the files of the specialist committee are also deposited there.⁷⁷ However, the existing files were all created by Bishop Norbert Brunner and Bishop Jean-Marie Lovey and therefore only cover the period after 1995. Although the secret archive does not contain any documents from their predecessors, some of the investigations document cases of abuse from earlier decades and thus provided an insight into cases from these periods.

In the diocese of Sion, it can therefore be proven that files from the local archives were regularly destroyed, as prescribed by canon law. In accordance with the requirements, a document was drawn up in each case on which the date of destruction, the date of the destroyed document and the reasons for the investigation were recorded.⁷⁸ This makes it possible to draw conclusions about the diocese's destruction practices on the one hand and to identify the priests who committed abuse on the other. What remains unknown in these cases, however, is the type of abuse, the number of people affected and the actions of those responsible.

During the visits to the bishop's residence in Sion, the research team was able to view the diocesan archives and the secret archives without restrictions, was given access to all documents and databases and was able to count on the support of the archivist Sabine Leyat, the Vicar General Richard Lehner and Bishop Jean-Marie Lovey.

Diocese of Chur

The diocese of Chur is the second largest diocese in Switzerland. During the entire period under review, it encompassed the cantons of Graubünden (diocese region of Graubünden), Schwyz, Uri, Obwalden, Nidwalden (diocese region of Urschweiz) as well as Glarus and Zurich (diocese region of Zurich-Glarus). Until 1997, the Principality of Liechtenstein also belonged to the diocese of Chur, after which it was established as the independent archbishopric of Vaduz.⁷⁹ Six different bishops and an apostolic administrator held office during the period under review.⁸⁰

In the diocese of Chur, two special features relevant to the pilot project should be noted: Firstly, the current Bishop Joseph Maria Bonnemain has been dealing with the Catholic Church's handling of cases of sexual abuse for decades. He was entrusted by Bishop Grab and Bishop Huonder with the canonical investigation of suspected cases, was vice-official from 1982 and from 1989 onwards was the official of the diocese of Chur.⁸¹ From the 1980s, he was also in charge of the secret archive, which contains a comparatively large number of files on cases of sexual abuse. There is also a separate archive of the specialist committee, which consists of several folders with case files.

Secondly, the complicated situation with the Archbishopric of Vaduz should be noted. Its foundation and thus the secession of the Principality of Liechtenstein

⁷⁷ More recent cases are in the hands of the bishop, the vicar general or the president of the expert committee.

⁷⁸ Archive secrètes Sion, Inventaire.

⁷⁹ Henrici, Events and Experiences, pp. 82-86.

⁸⁰ Bishop Christianus Caminada (1941-1962), Bishop Johannes Vonderach (1962-1990) and Bishop Wolfgang Haas (1990-1997) held office in Chur during the period under review. Haas was succeeded by Bishop Amédée Grab (until 2007) from 1997, who was followed by Bishop Vitus Huonder (2007-2019) in the diocese of Chur, which had been reduced in size to include the Principality of Liechtenstein. A short transitional period with an apostolic administrator (Pierre Bürcher) was followed in 2021 by the current Bishop Joseph Maria Bonnemain. See Fischer, Diocese of Chur, pp. 249-266.

⁸¹ Müller, On the appointment of Dr. Joseph Bonnemain as the new Bishop of Chur. Information office of the Opus Dei prelature in Switzerland. The head of the ecclesiastical court is referred to as

the Official.

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stein after centuries of belonging to the diocese of Chur took place without consulting the auxiliary bishops or Wolfgang Haas, who had been appointed archbishop, by the then Pope John Paul II. At the same time, the former deanery of Liechtenstein⁸² was dissolved in 1998 and its files transferred to the Liechtenstein National Archives.⁸³ Some of the archival holdings of the Diocese of Chur relating to the Principality of Liechtenstein were removed from the archives in Chur and transferred to Vaduz, although it is still unclear today which sources were taken with them. What is clear is that large parts of the files are no longer accessible in Chur. This situation presents researchers with a special source problem: for a large part of the period under study (1950-1997), the areas of the Principality of Liechtenstein belonged to the Diocese of Chur. However, the source situation was subsequently changed in such a way that research into sexual abuse in this region of the diocese is significantly more difficult and in some cases downright impossible.

The diocese of Chur has an episcopal archive with modern archive facilities and finding aids, which is managed by the diocesan archivist Dr. Albert Fischer, who fully supported the research team's investigations. In most cases, files are available on the parishes located in the diocese as well as on the personnel. Other source categories relevant for future research on sexual abuse, such as bishops' council and staff council minutes, were consistently archived. The three vicariates general of the diocese also have their own archives. The Vicariate General of the Zurich-Glarus diocese region in particular has a historically derived autonomy and functioned practically independently of the Bishop of Chur for certain periods of the study period.⁸⁴ There were 310 parishes in the diocese of Chur in 2023.⁸⁵

It must also be assumed that some files were destroyed in the diocese of Chur during the period under investigation. According to contemporary witnesses, the former Bishop Huonder regularly shredded files of unknown content in his office during his time in office. The current Bishop Bonnemain was unable to confirm this action by his predecessor or has no knowledge of it.⁸⁶ The extent to which files may have been destroyed and by whom must therefore be clarified in future research projects.

Diocese of St. Gallen

The diocese of St. Gallen is one of the smaller dioceses in Switzerland.⁸⁷ It encompasses the entire canton of St. Gallen as well as the two half-cantons of Appenzell Innerrhoden and Appenzell Ausserrhoden.⁸⁸ Five bishops were in office during the period under review.⁸⁹ Markus Büchel has been Bishop of St. Gallen since 2006.

⁸² A deanery is an association of several parishes that remain legally independent. The Liechtenstein deanery was formed in 1970 from the former episcopal vicariate and the Liechtenstein chapter of priests. Cf. Näscher, Dekanat Liechtenstein, in: Historisches Lexikon des Fürstentums Liechtenstein; Althaus; Haydn-Quindeau, Dekanat, in: Lexikon für Kirchen- und Religionsrecht.

⁸³ Fischer, Diocese of Chur, pp. 157-159.

⁸⁴ Henrici, Events and Experiences, pp. 82-86.

⁸⁵ Diocese of Chur, Statistics Diocese of Chur, www.bistum-chur.ch/info/statistik/, as of 27.03.2023.

⁸⁶ Email from Bishop Bonnemain to the contractors, 10.03.2023.

⁸⁷ DuL; Grosser; Odermatt, Bistum St. Gallen, pp. 1001-1065.

⁸⁸ Ibid, pp. 1001-1008; Diocese of St. Gallen: History, www.bistum-stgallen.ch/bistum/geschichte, as at: 24.02.2023.

⁸⁹ Joseph Meile, 1938-1957; Joseph Hasler, 1957-1976; Otmar Mäder, 1976-1994; Ivo Fürer, 1995-2006; Markus Büchel, 2006-present. Cf. DuL; Grosser; Odermatt, Bistum St. Gallen, pp. 1029-1032; Bistum St. Gallen: Bischöfe Bistum St. Gallen, www.bistum-stgallen.ch/bistum/bischoefe/, as at: 24.02.2023.

The episcopal archives of the Diocese of St. Gallen are professionally managed. The archives are largely stored in a room above the sacristies of the Cathedral of St. Gallen. This location does not meet the highest climatic requirements for archives, but apart from this, the holdings are carefully stored and packed in acid-free boxes. There are directories and archive plans for the holdings. Like those responsible in other dioceses, the current episcopal archivist, Stefan Kemmer, has compiled a directory of "problematic priests". This directory contains random archive finds that point to perpetrators, but also cases that have been dealt with in the media and their accused. Such directories are of great value because the search for fleeting traces in the fonds - which can be a small remark in an otherwise inconspicuous personal file - is enormously time-consuming and by keeping a directory, the clues from years or decades of working with the fonds can be found in one place. The research team also received full support from the archivist.

The secret archives of the diocese of St. Gallen are small and contain very few files on immorality proceedings. There could be various reasons for this: Either the secret archives have been kept very inconsistently and unsystematically since the middle of the 20th century, or the existing holdings were partially destroyed in the past without the actually prescribed case summaries. It is possible that both assumptions are partly correct.

A special feature of the Diocese of St. Gallen is the early establishment of a specialist committee on "Sexual Assault". A large number of case files have been handed down from the activities of this committee since 2002. The archive of the diocesan expert committee of St. Gallen is also managed by the episcopal archivist Stefan Kemmer - albeit in a clearly delimited activity. The archiving of these documents is exemplary. The cases are neatly organized: a cover sheet that lists the accused, those affected, those involved and members of the expert committee that dealt with the case makes investigations much easier. This is not only of great value for research projects, but is also indispensable for the work of the expert committees. Only if it is ensured that information, previous allegations, reports and rumors as well as cases that have already been dealt with can be retrieved and consulted at any time, even without continuity of personnel, can the work of the expert committees be guaranteed to be meaningful.

Diocese of Basel

Today, the diocese of Basel is the largest diocese in Switzerland and comprises ten cantons. After its establishment in 1888, the diocese of Lugano was de jure linked to the diocese of Basel and was headed by an apostolic administrator until it became independent in 1971. Today, the diocese of Basel stretches from parts of western Switzerland to north-eastern Switzerland. Around an eighth of the parishes are located in the French-speaking area.⁹⁰ The number of Catholics in the diocese grew particularly strongly in the period after the Second World War due to the influx of foreign workers. Today, there are over 1,200 pastoral workers for one million believers in around 500 parishes.⁹¹

⁹⁰ Feller-Vest; Ries, Basel (diocese), in: Historical Dictionary of Switzerland (HLS).

⁹¹ SPI, The Diocese of Basel, <https://kirchenstatistik.spi-sg.ch/die-schweizer-bistuemer/>, as at: 20.04.2023; Diocese of Basel, The Diocese of Basel, www.bistum-basel.ch/ueber-uns, as at: 20.04.2023.

In order to administer this high number of faithful, the diocese is divided into three diocesan regions: St. Urs (AG, BL, BS), St. Verena (BE, JU, SO) and St. Viktor (LU, SH, TG, ZG). These diocesan regions are in turn divided into various pastoral areas, which provide pastoral workers with common pastoral concepts, some of which are still being developed.⁹² There are also missions in other languages in the various cantons.⁹³ Six bishops were in office during the period under review.⁹⁴ Felix Gmür has been in office since 2011 and has also presided over the Swiss Bishops' Conference (SBC) since 2019.⁹⁵

The archives of the Diocese of Basel are currently undergoing a transformation. The majority of dossiers have been managed online since 2018. The archive was renovated a few years ago and now has state-of-the-art premises that meet the highest standards of storage. Holdings are still being transferred from the old location to the new archive, with finding aids having to be migrated to the comprehensive archive database. All holdings relevant to the subject matter at hand - be it personnel dossiers of church employees, holdings relating to parishes, but also files and minutes relating to various committees - have been consistently and professionally managed and archived.

The diocese of Basel transferred its secret archive to the regular archive at the beginning of the 2000s. Today, a separate collection still contains personal dossiers of priests who have violated certain secular or ecclesiastical laws or norms. Accordingly, dossiers of priests who were accused, charged and/or convicted of sexual abuse can also be found here. These files date back to the 1930s and suggest that documents relating to sexual abuse cases were not systematically destroyed in the diocese of Basel.

The personnel files of ^{the}⁹⁶ church employees currently incardinated to the diocese are located in the office of the personnel department. In addition to her work as HR manager, the head is also responsible for the contact point of the working group on satisfaction and is therefore responsible for the expert committee on sexual assault in the diocese of Basel and its archive. Reports and applications received by the specialist committee are stored there exclusively in paper form. The minutes of the meetings of the specialist committee, on the other hand, are available in digital form. In her dual function, the personnel officer also has a file of dossiers of persons who must undergo a special examination if they are employed by the diocese.

The project team was given full and uncomplicated access to all of the archive's holdings and ongoing documentation. In addition, the archivist provided a list of references to cases of sexual abuse that he had come across in the course of his work. As in the other dioceses, the good cooperation with the archivist Rolf Fäs and the personnel officer Donata Tassone-Mantellini should be emphasized here.

⁹² Diocese of Basel, Structure of the diocese, www.bistum-basel.ch/ueber-uns/struktur, as at 27.03.2023.

⁹³ Diocese of Basel, Missions, www.bistum-basel.ch/ueber-uns/struktur/missionen, as at 30.04.2023. For more on the missions, see Chapter 6a.

⁹⁴ Franz von Streng (1936-1967), Anton Hänggi (1967-1982), Otto Wüst (1982-1993), Hansjörg Vogel (1994-1995) and the current Cardinal Kurt Koch (1996-2010). Leimgruber; Ries; Fink et al, Bishops of Basel.

⁹⁵ SBK, Mgr. DDr. Felix Gmür, www.bischoefe.ch/mgr-dr-felix-gmuer/, status: 27.03.2023.

⁹⁶ Incardination is the admission of a Roman Catholic cleric to a superior authority within the Church and the resulting mutual legal relationship.

Diocese of Lugano

The parishes in the area of present-day Ticino were subordinate to the dioceses of Milan and Como until 1884 and were then apostolically administered by the former bishop of Basel. The diocese of Lugano was initially founded unofficially in ¹⁸⁸⁸⁹⁷ and remained linked to the Bishop of Basel. It was not until 1971 that the apostolic administrator was granted the title of bishop. Due to the resignation of Valerio Lazzeri, another apostolic administrator was appointed in the diocese of Lugano in 2022: the auxiliary bishop of the diocese of LGF, Alain de Raemy.⁹⁸

The archive situation in the diocese of Lugano is more complicated than in the other dioceses. Over the past year, it has required numerous checks, queries and inquiries, as well as collaboration between various diocesan employees and with the research team. For many years, the diocese's historical archive was managed by untrained archivists. To this day, there is no inventory of the holdings and the archive boxes are only summarily organized by topic. The support of the current archivist, who has been in office since November 2018, was therefore indispensable for the research work. The holdings are currently being further reorganized with the support of a part-time scientific employee. It is therefore possible that further documents useful for the research team's work will come to light in the future.

The ongoing personnel and administrative documentation of the diocese is kept in the chancery. However, the diocese's historical archive is central to research into sexual abuse in the diocese of Lugano. This is divided into three areas: Firstly, there is the public archive, which is freely accessible and contains holdings on various institutions of the diocese such as schools and children's and youth facilities of religious communities, on parishes and, above all, on deceased priests. The latter files were searched in the past for priests who were considered "problematic" at the time of the search, with the resulting new collection being transferred to the secret archive. Secondly, the historical archive contains confidential documents that are not accessible to the public (e.g. about priests who have come into conflict with the diocese, but not because of cases of sexual abuse), as well as valuable objects and devotional objects. Thirdly, the secret archive contains the dossiers that were of greatest interest to the pilot project. These dossiers contain the "confidential cases"⁹⁹ of diocesan or extra-diocesan priests and religious. They were recently reorganized by the current archivist, Father Carlo Cattaneo. The "confidential cases" boxes contain several dozen dossiers which, however, document not only cases of sexual abuse, but also otherwise problematic behavior in the eyes of the Church, such as relationships with adult women or men.

These "confidential cases" reveal a central difficulty of the source situation in the diocese of Lugano: the documents stored in them are often fragmentary due to archiving practices, which makes it difficult to reconstruct the cases of abuse. Various sources also give rise to suspicions,

⁹⁷ This was done unofficially, as the Federal Constitution prohibited the founding of new dioceses in 1874.

⁹⁸ Before Valerio Lazzeri took office in 2013, the following bishops were active in the diocese of Lugano: Giuseppe Martinoli (1971-1978), Ernesto Togni (1978-1985), Eugenio Corecco (1986-1995), Giuseppe Torti (1995-2004), Pier Giacomo Grampa (2004-2013). Cf. Moretti, Lugano (diocese), in: Historical Dictionary of Switzerland (HLS).

⁹⁹ Italian: "Casi Riservati".

that the gaps identified are also due to the destruction of documents in the mid and late 1990s, the extent of which has not yet been precisely clarified. In 1995, according to a letter from the Vicar General to the Apostolic Nuncio, a priest was ordered by the then Bishop Eugenio Corecco "[...] to burn what was in [the bishop's] drawers about the priests [...]. What was found in the secret archives was preserved, but without the documents kept by Bishop Corecco, which, as mentioned, were burned."¹⁰⁰ The priest in question was contacted by the research team and denied having received the order to destroy correspondence on the subject of sexual abuse.¹⁰¹ These contradictory claims make it impossible to trace the destruction of documents with certainty. In addition, another priest¹⁰² of the diocese wrote in a note in 1999:

I have completed the work assigned to me, which took about ten months. It was a task that I carried out according to the evangelical criterion of "mercy", removing all documents that cast even a shadow on the people concerned. My opinion, formed during the work, is that these documents should not be kept and that, on the basis of can. 489.2, should be destroyed. They do not serve the history of the diocese [...]
P. S. The documents examined concern the last hundred years.¹⁰³

Canon law (CIC 489.2) requires that "the files of criminal cases in moral proceedings whose defendants are deceased or which have been closed by conviction for a decade are to be destroyed". In the present case, it is no longer possible to ascertain whether the employee adhered to these - actually very specific - requirements or whether he acted in the sense of a subjective "Mercy" decided on the retention of documents. Moreover, it was not possible to determine who issued this order and what the scope and significance of the destroyed documents were. Although the same paragraph of canon law also provides for the retention of "a brief report of the facts with the wording of the final judgment" when files are destroyed, no corresponding documents could be found.¹⁰⁴

Another peculiarity of the archives of the Diocese of Lugano is the lack of an organized archive for the files from the activities of the diocesan expert committee on sexual assault, which is probably due to the limited number of cases dealt with by the committee. After various clarifications, including with affected persons, it was possible to identify the protocol of the specialist committee from 2020 and the files of the four persons who reported to the specialist committee between 2016 and today. These documents have now been transferred to the diocese. Further holdings from

¹⁰⁰ Archivio Segreto Diocesi di Lugano, Dossier personale di C.H., Lettera del vicario generale Oliviero Bernasconi al Nunzio Apostolico Karl-Joseph Rauber, 04.03.1997. Italian original: "bruciare quanto era nei suoi cassette riguardante i sacerdoti [...]. Quanto nell'archivio segreto è rimasto, ma senza la documentazione trattenuta da Mgr Corecco e, come detto, bruciata."

¹⁰¹ Email from B. L. to the research team, 13.04.2023.

¹⁰² It was not possible to establish why this task was assigned to this person and what function they held within the diocese at this time. In an earlier period, she was diocesan librarian and vice chancellor.

¹⁰³ Archivio Segreto Diocesi di Lugano, Dossier personale di C. H., Nota dattiloscritta di B. I., 22.07.1999. Italian original: "Ho concluso il lavoro assegnatomi e che è durato circa dieci mesi. È stato un impegno che ho svolto con il criterio evangelico della 'misericordia', togliendo tutti quei documenti che gettassero anche un'ombra sugli interessati. Il mio parere, maturato lungo il lavoro, è che questi documenti non vengano conservati e che prendendo come norma il can. 489,2 siano distrutti. Non servono per la storia della diocesi [...]. P. S. I documenti esaminati concernono gli ultimi cento anni."

¹⁰⁴ See diocese of Sion.

of the work of the expert committee are not known.¹⁰⁵ The fact that the expert committee of the diocese of Lugano only dealt with so few cases can hardly be attributed to the fact that only very few cases of sexual abuse took place in Ticino during the period under investigation. Rather, they point to a strong reluctance on the part of those affected to report cases of abuse to the expert committee in Ticino, which is also reflected in the lack of organizations for those affected, such as those that exist in French- and German-speaking Switzerland. These theses need to be clarified in future studies.

In view of the gaps identified and the limited scope of the diocesan archive holdings on sexual abuse, the research was extended to archives outside the church, such as the State Archives of the Canton of Ticino. In addition, the diocese of Lugano once again demonstrated the necessity and importance of systematically collecting oral testimonies in order to document cases of abuse in the church environment.

In 2020, 186,000 Catholics belonged to the diocese of Lugano, spread across 255 parishes.¹⁰⁶ While the faithful only come into contact with the diocese and its staff in specific moments, Catholic religious life takes place primarily within the parishes, which are presented in the following chapter.

b. Parishes

The central pastoral structure of the Catholic Church are the parishes and the associated parishes under state church law. The parishes form the social and liturgical framework in which the faithful come into contact with each other as well as with the clergy and other church employees. At the beginning of the study period, Catholic parishes comprised a significant proportion of the Swiss population. At that time, there were thousands of parishes, although their number and the number of faithful belonging to them declined over time.

In the middle of the 20th century, almost half of the Swiss population consisted of Catholics and the other half of Reformed Christians. Both denominations lost percentage shares over the course of the study period, with membership of the Protestant Reformed Church tending to decline more rapidly. In 1960, 52.7 % of the permanent resident population of Switzerland were Protestant Reformed and 45.4 % Roman Catholic. In 1980, 45.3 % of the Swiss still described themselves as Reformed and 46.2 % as Catholic; by 2000, the proportions had fallen to 33.9 % and 42.3 % respectively. Finally, in 2020, only 21.8 % belonged to the Reformed denomination and 33.8 % to the Catholic denomination.¹⁰⁷

The parishes and the respective parishes have their own structures, administrative apparatuses, premises and archives. Over the course of the past year, the project team contacted several parishes and parishes and asked them for information about their archive holdings. All of them were cooperative, responded and provided more or less detailed descriptions of their holdings. It became apparent that there is a wide variety of practices with regard to the storage of documents.

¹⁰⁵ No such documents were available until Fabiola Gnesa took office in 2009, as no cases were reported to the Commission.

¹⁰⁶ Diocese of Lugano, in: kath.ch, www.kath.ch/bistum-lugano/, status: 05.04.2023.

¹⁰⁷ Federal Statistical Office, Religious affiliation since 1910, Permanent resident population aged 15 and over, 27.01.2023, www.bfs.admin.ch/bfs/de/home/statistiken/bevoelkerung/sprachen-religionen/religionen.assetdetail.23985049.html, as at: 17.02.2023.

The reason for this is that difficulties had to be discussed with church personnel at the diocesan level. This is due to the fact that difficulties with church personnel had to be discussed at the diocesan level, which meant that in many cases the parishes did not deal with sexual abuse and therefore did not produce any large specific file collections.

Due to the large number, a systematic evaluation of all parish archives is hardly possible, even in future research projects. However, the sources in the parish archives can provide valuable information about power relations and dynamics within parishes as well as certain personnel issues and should therefore be used to investigate the social and ecclesiastical context of sexual abuse. It should be noted that in recent years more and more parishes have been merged or combined into so-called pastoral care units, and new archive regulations and new designations have been introduced with these new administrative units.¹⁰⁸

c. Vatican and apostolic nunciature

The entire Roman Catholic Church is a hierarchical organization centralized in Rome. The Pope, the head of the Catholic Church, holds supreme power: he appoints bishops and cardinals, can convene councils (church assemblies) and pass or amend church laws. All ecclesiastical office holders of the Catholic Church in Switzerland are directly or indirectly subject to the Pope and his authority.

The Holy See is represented abroad by the Apostolic Nunciature. The Pope's papal envoy, the nuncio, has a dual function: On the one hand, he is the diplomatic representative of the Holy See and thus has the usual functions of an ambassador. In addition, he mediates between bishops, clergy and the Curia and verifies the suitability of candidates in bishop elections and appointments.

Finally, he informs the Holy See about the Catholic Church in the country in question, if necessary also in the event of violations of church legislation.¹⁰⁹ The

Vatican, its authorities and its archives are centralized.

The archives of the administration of the Catholic Church are of great relevance for the investigation of sexual abuse in Switzerland. Of particular interest is the archive of the Dicastery for the Doctrine of the Faith in Rome, where all reports of sexual abuse of minors since 2001 should be deposited.¹¹⁰ Older documents on sexual abuse could also be located in papal archives, as cases of sexual abuse had to be sanctioned under canon law during the entire period under investigation - although practice differed significantly from theory, as will be shown in Chapter 6b.

As it was not possible to request and consult archives abroad as part of the pilot project, the apostolic nunciature was asked to provide access to its archives. As the diplomatic representation of the Holy

¹⁰⁸ SPI, The Swiss dioceses, 2022, <https://kirchenstatistik.spi-sg.ch/die-schweizer-bistuemer/>, as at 04.04.2023.

¹⁰⁹ Surechat, Nunciature, in: Historical Dictionary of Switzerland (HLS).

¹¹⁰ Grossbölting, Die schuldigen Hirten, pp. 72-73. Until June 2022, the Dicastery for the Doctrine of the Faith was called the Congregation for the Doctrine of the Faith. With the Motu Proprio "Sacramentorum Sanctitatis Tutela" of 2001, a mandatory reporting obligation to the Congregation for the Doctrine of the Faith was introduced for all bishops in the world, thereby centralizing prosecution and central supervision of the same. The obligation to report concerns all suspected cases of abuse of minors under the age of 18 where the accused is a cleric, i.e. a deacon, priest or bishop.

As the Holy See is responsible for all correspondence between Switzerland and the Vatican, it should also have documentation of these cases. Due to concerns about the diplomatic protection of the nunciature, the research team's request was answered in the negative.¹¹¹ Despite repeated assurances of transparency from Pope Francis and other Vatican officials¹¹², the doors to a scientific examination of the past remain closed to independent researchers. A request for access to the archives at the Dicastery for the Doctrine of the Faith in the Vatican is still pending. Access to this archive is an important desideratum for future research projects - as is access to the archives of the Dicastery for the Clergy, the Dicastery for the Bishops and the Dicastery for the Institutes of Consecrated Life and the Societies of Apostolic Life in Rome.

d. Units under state church law

The state-church legal entities are democratically organized units that support, organize, finance and manage the work of the church legal entities. Historically, they emerged from religious associations and similar legal entities of the faithful of a parish, which managed the employment of the clergy and the infrastructure used by a parish. In many places, the legal entities under state-church law emerged historically from the corresponding local parishes and are an expression of the recognition of the Roman Catholic Church under public law, which prescribes a democratic organization of the faithful.¹¹³

State-church units can be found at various levels of church organization. The parishes have their equivalent in the parishes. Similar to the merger of parishes into pastoral areas, there are mergers of parishes into parish associations. At cantonal level, there are cantonal bodies under state-church law, whereby those located in the same diocese work closely together. This follows from Swiss religious law, which places the regulation of the relationship between religions and the state in the area of responsibility of the cantons.¹¹⁴ The cantonal church organizations in Switzerland have in turn been united since 1971 in the Roman Catholic Central Conference of Switzerland (RCCS), which works closely with the SBC at federal level.¹¹⁵

Despite this nationwide structure, the dual system differs significantly from canton to canton and therefore also from diocese to diocese. The dioceses of Chur, Basel and St. Gallen all have a pronounced dual structure at all levels of the church. In the diocese of LGF, the associated cantons have opted for different forms of cooperation between the state and religious communities. Geneva (1907) and Neuchâtel (1914)

¹¹¹ Letter from Apostolic Nuncio Martin Krebs to the research team, 24.02.2023.

¹¹² See for example: Franziskus scha@ "päpstliches Geheimnis" bei Missbrauch ab, in: Der Spiegel, 17.12.2019, www.spiegel.de/panorama/papst-franziskus-scha@-paepstliches-geheimnis-bei-missbrauch-ab-a-1301690.html, as at: 20.04.2023.

¹¹³ Diocese of Basel, Dual Church System, www.bistum-basel.ch/ueber-uns/duales-kirchensystem, as at: 30.04.2023.

¹¹⁴ Kosch, Römisch-Katholische Zentralkonferenz Schweiz, p. 16.

¹¹⁵ RKZ - Roman Catholic Central Conference, Portrait, www.rkz.ch/wer-wir-sind/portraet/, as at: 27.03.2023.

The cantons of the canton of Lugano chose the complete separation of church and state, which is why there are no corporate bodies under state-church law. Instead, associations under private law perform the tasks assumed in other cantons by the structures under state-church law. In the canton of Vaud, however, the Roman Catholic Church was placed on an equal financial footing with the Protestant Church in 1970 and recognized as a state-church corporation in 2003. At the parish level, however, associations under private law also take over the otherwise state-church tasks. Finally, in the canton of Fribourg, the state has recognized the Roman Catholic Church and the Protestant Reformed Church as having public law status since 1982.¹¹⁶

The diocese of Sion is also special in terms of state church law: in the 1973 cantonal constitution of the canton of Valais, the Roman Catholic and Reformed churches were recognized as institutions under public law, but the original plan to create parishes was ultimately not implemented. This means that there is no dual system in the canton of Valais. The same applies to the canton of Ticino, where the church is also recognized under public law at cantonal level, but the familiar state-church structures are missing.¹¹⁷

The dual system is relevant to the issue of sexual abuse in at least two respects. Firstly, in most cantons (with the exceptions mentioned), the parishes are the employers of church employees on the pastoral side and are therefore also responsible for their employment, dismissal and payment. Secondly, the parishes and their democratically elected bodies have the right to decide on the employment of clergy and other church employees working in the respective parish. The dual system of the Catholic Church in Switzerland therefore has a significant influence on the possibility of sanctioning sexual abuse and it is necessary to examine whether and to what extent the structures of state-church law can serve as a "supervisory authority" for the ecclesiastical units. In the Catholic Church environment, the thesis is sometimes put forward that the dual structure of the Roman Catholic Church in Switzerland, which exists in many cantons, could tend to prevent abuse.¹¹⁸ This thesis is taken up in Chapter 5a in the context of a case study.

e. Religious orders and congregations

In addition to the diocese and parish structure, there is a second, equally traditional Catholic landscape: that of religious orders and congregations. Having grown historically and closely linked to the developments of the Catholic Church, the religious landscape and its hierarchies are complex. Some of the religious orders active in Switzerland are subordinate to a bishop, others directly to the Pope. Two form their own territorial abbeys, whose abbots therefore have rights and duties similar to those of a bishop (Einsiedeln and Saint-Maurice). In each case, however, the religious orders exist as a separate sphere of the Roman Catholic Church, which is largely independent of the diocesan clergy.

¹¹⁶ Coutaz, Lausanne (diocese), in: Historisches Lexikon der Schweiz (HLS); RKZ - Römisch-Katholische Zentralkonferenz, Sonderregelungen, www.rkz.ch/kirche-und-recht/zusammenspiel/kr-zs-akk/, as of 27.03.2023.

¹¹⁷ RKZ - Römisch-Katholische Zentralkonferenz, Sonderregelungen, www.rkz.ch/kirche-und-recht/zusammenspiel/kr-zs-akk/, as at: 27.03.2023; RKZ - Römisch-Katholische Zentralkonferenz, Kirche und Recht - Hintergrund, www.rkz.ch/kirche-und-recht/hintergrund/, as at: 27.03.2023.

¹¹⁸ Lang, Täterschutz, in: History Reloaded, <https://blog.bazonline.ch/historyreloaded/index.php/3567/taeterschutz-unter-maennern-gottes/>, as at: 14.04.2023.

The diversity of "Catholic religious orders and communities of consecrated life" in Switzerland is great. They are divided into contemplative and apostolic communities and range from small groups to large international associations. This internationality is a particularly important aspect for an investigation of these structures, as some of the relevant archives are located abroad, which can make access to them more difficult. There are currently a total of 153 religious communities and congregations in Switzerland.¹¹⁹

Of importance for the present project is the distinction between apostolic orders, which have a mission and accordingly perform work in society, and monastic orders, which live in seclusion in the monastery, in prayer and work, almost exclusively among themselves. Today, two thirds of all religious orders in Switzerland are women's orders, and women clearly outnumber men in the Roman Catholic religious landscape.¹²⁰

Most of the religious orders present in Switzerland are organized in KOVOS, which is an umbrella organization that promotes the exchange of information and cooperation between the religious orders.¹²¹ It should be noted that KOVOS - like the bishops - has no direct authority over the religious orders and can at most make recommendations. Larger religious congregations have their own management and supervisory structures, which in many cases are held by the provincial council (religious leadership). The provincial therefore acts as the Ordinary and in this function exercises jurisdiction over the associated religious congregations. Accordingly, the religious congregations are visited at regular intervals by representatives of the provincial council or the Federation and their procedures are evaluated in accordance with the customary regulations of the order.¹²²

The great diversity of religious orders is reflected in the archives. Practically every religious order or order-like community has its own tradition with its own archiving practices. As part of the pilot project, a selection of religious congregations was visited in order to record the respective peculiarities of the congregations and to obtain information about the archive situation in discussions with religious superiors.¹²³ In the process, it became clear that the archives of the religious orders differed greatly from one another due to their different traditions of writing. While, for example, the Benedictines in Einsiedeln, the Augustinian Canons in St. Maurice, the Sisters of Mercy of St. John of

¹¹⁹ Email from KOVOS secretary Prisca Zurrón to the research team, 17.04.2023.

¹²⁰ For statistics on the Swiss religious orders, see SPI, men's orders, <https://kirchen-statistik.spi-sg.ch/maennerorden/>, women's orders, <https://kirchenstatistik.spi-sg.ch/frauenorden/>, as at 28.02.2023.

¹²¹ KOVOS is made up of the member associations of the men's orders (VOS'USM), the German-speaking monastic women's orders (VOKOS), the German-speaking apostolic women's orders (VONOS), the French-speaking monastic women's orders (UCSR), the French-speaking apostolic women's orders (USMSR) and the Italian-speaking women's orders (ADRL). About the mission: KOVOS, Statutes of 30.10.2019.

¹²² For most structures of the Catholic Church, there is a so-called duty of visitation by the ecclesiastical superiors subject to supervision. For example, the diocesan bishop has the right and duty to visit the monasteries located in the territory of his diocese as well as the parishes and foreign-language parishes under his jurisdiction in certain areas. Visitations by religious superiors and by papally appointed apostolic visitators are also provided for monasteries. Compliance with church order, fulfillment of the order and adherence to church doctrine are checked. Platen; Schwab, Visitation, in: Lexikon für Kirchen- und Religionsrecht.

¹²³ Religious superiors were entrusted with the leadership of a religious institute. They are referred to differently in different communities. Cf. Meier, Ordensoberer, in: Lexikon für Kirchen- und Religionsrecht.

While the Sisters of the Holy Cross (hereinafter referred to as the Ingenbohl Sisters) and the Sisters of the Holy Cross (hereinafter referred to as the Menzing Sisters) or the provincial office of the Capuchins in Lucerne have extensive, well-organized and long-term archives, elsewhere there are only very few sources from hundreds of years of the order's existence - a few yearbooks and rudimentary chronicles.

This in turn has an impact on the possibilities of investigating these institutions and possible sexual abuse in their environment. Some religious communities have already commissioned investigations into sexual abuse (Capuchins, Benedictines) or more generally into possible misconduct in the context of their social activities (Ingenbohl Sisters). These investigations, in turn, have resulted in archival collections (mainly in the form of confidential statements), which contain many references to cases of sexual abuse. In addition, various religious orders keep dossiers on their members. In some cases, "problematic" members have already been noted in the archives, which simplifies further research into these potential or suspected perpetrators and already provides initial clues as to where to look in the often extensive holdings relating to sexual abuse.

f. Other relevant structures, communities and institutions

In the contract between the sponsors and the contractors of the pilot project, it was defined that the study should clarify "[...] which facts and which church institutions, organizations, communities and movements should be included in the further research in addition to the institutions represented by the sponsors and how this inclusion can take place."¹²⁴ In the following, such structures relevant to research into sexual abuse in the context of the Catholic Church in Switzerland are presented and the hurdles that may need to be overcome in order to be included are explained.

Catholic clubs and associations

The daily lives of people in the Catholic Church in Switzerland have been characterized by the

In the 19th century, Catholicism was shaped not only by the parishes and the associated pastoral care, but also to a large extent by Catholic associations and societies.¹²⁵ This so-called "associational Catholicism" or "milieu Catholicism" is also understood as the "social form of the church"¹²⁶. This must be included in an investigation that deals with the "environment of the Roman Catholic Church", as it played a major role within Catholicism during the second half of the 20th century and continues to do so today, as well as playing a not inconsiderable role in society as a whole. Catholic associations and federations underwent major changes during the period under study.

¹²⁴ SBK; RKZ; KOVOSu. a., Vertrag SBK-RKZ-KOVOSund UZH, https://missbrauchkirchlichesumfeld.ch/wp-content/uploads/2021/12/Pilotprojekt-sexuelle-Ausbeutung_Vertrag-zw-SBK-RKZ-KOVOS-und-UZH_d_def_210930_original_E.pdf.

¹²⁵ More general studies on the social and ecclesiastical significance of Catholic associations can be found primarily in relation to Germany, see: Krauss; Ostermann, *Verbandskatholizismus?; Schäfers, Verbände oder Akteure*, pp. 2-35.

¹²⁶ Weibel, *Organization Church Switzerland*, in: *The Encyclopedia of Christianity*, pp. 88-92.

subject to changes: From 1950 onwards, popular Catholicism tended to enter a phase of upheaval and partial decline.¹²⁷

Catholic children's and youth associations are of particular interest for research into sexual abuse in the Catholic Church. The first specific children's and youth groups emerged in the Catholic milieu in Switzerland in the 1930s, the best known of which are Jungwacht and Blauring - which worked closely together from the 1970s and merged in 2009.¹²⁸ Also important is the Association of Catholic Scouts, which established itself within the scout movement and united local groups with a Catholic identity in this actually denominationally neutral association.¹²⁹ Both Jungwacht- Blauring and Catholic Scouts are linked to the Catholic Church not only ideologically, but also in terms of personnel via the so-called presidents. A president used to have a leadership function within the Jungwacht, Pfadi or Blauring group and served as a link between the local groups and the respective parishes. Today, his role is increasingly seen in this "hinge task" and less in the daily leadership of the groups. To this day, the presidents are often employed by the parishes, although their work is also carried out on a voluntary basis.¹³⁰ The composition of the presidents has changed: until the 1990s, most of them were parish priests or vicars in the respective parishes, but today they are mostly lay people and non-ordained parish employees who hold this office.¹³¹

The cases of sexual abuse evaluated for the project document multiple links between accused and affected persons and these Catholic associations for children and young people. It has been proven that the unsupervised access of clerics to children and adolescents in their function as presidents of these associations was used in several cases for repeated pedosexual abuse.¹³²

Both Catholic Scouting and Jungwacht-Blauring are limited to German-speaking Switzerland and are organized on a strongly federal basis. Even if there are smaller central archives, the archives and documentation of the respective local groups are of greater relevance for the investigation of cases of sexual abuse within these associations. These archives are generally not professionally managed, are therefore only partially indexed and structured and differ drastically between the local groups.

The structures of Catholic children's and youth associations have become more professional in recent decades.¹³³ Today, many places have prevention concepts and clearly defined procedures in cases of sexual abuse.¹³⁴ This awareness of the relevance of the topic is also reflected in the willingness to cooperate: the federal leadership of Jungwacht-Blauring, for example, reacted very positively to the pilot project and actively supported the work on this pilot study.

127 Ibid.

128 Jungwacht Blauring Schweiz, schub.verband, Jubla sein, p. 18-19.

129 VKP - Verband Katholischer Pfadi, <https://www.vkp.ch/>, status: 06.03.2023.

130 Jungwacht Blauring Switzerland, schub.begleiten, Share your point of view.

131 Discussion between the research team and the federal leadership of Jungwacht Blauring Switzerland, 16.11.2022. In Germany, the interdenominational Association of Scouts and Guides is seeking to investigate sexual abuse in the scouting movement. Cf. Mayer, Pfadfinder wollen sexuelle Übergriffe aufarbeiten, in: Süddeutsche Zeitung, 01.09.2021, <https://www.sueddeutsche.de/panorama/pfadfinder-missbrauch-aufarbeitung-1.5398356>, as at: 17.04.2023.

132 Cf. chapter 5a; Chur Secret Archives, dossier K. M.

133 Discussion between the research team and the federal management of Jungwacht Blauring Schweiz, 16.11.2022.

134 Jungwacht Blauring Schweiz, schub.verantwortung, being a role model.

Although not traditionally established as an association, the altar servers' groups should be mentioned alongside these associations. These are coordinated by the Swiss-German working group for altar server pastoral care and are in contact with each other across the region. The altar servers are also connected to the respective parishes via presidents.¹³⁵ Both the international research literature and the Swiss cases evaluated indicate that altar servers were exposed to an increased risk of becoming victims of paedosexual abuse in the course of their liturgical activities.¹³⁶ Clarifications, for example on specific altar server archives in the parishes, are an important desideratum that will have to be addressed in future research projects.

Various Catholic associations should also be considered in future research projects. One important Catholic organization, for example, is Caritas Switzerland. It was founded in 1901 as an amalgamation of various social charities, which were created in response to the social hardships of the population associated with industrialization. There were links to apostolic religious communities, which were also active in social welfare and education.¹³⁷ Another large Catholic association is the Swiss Catholic Women's Association (SKF). Founded in 1912, the association aimed to organize Catholic women and promote their political and social power both socially and within the church. In addition, the SKF united various social and charitable projects, most of which were specifically aimed at women and children.¹³⁸ Finally, the Kolping Society of Switzerland is also part of Catholicism. This organization, which is structured as a social association, is divided into so-called families and was socially significant in Catholic areas, especially in the first part of the study period.¹³⁹ These Catholic associations could become relevant for the investigation of sexual abuse in the Catholic Church environment primarily due to their function within the social charitable commitment of the Catholic Church. However, a comprehensive study of the significance and activities of these associations is still pending.¹⁴⁰

Catholic institutions

In the 20th century, the Catholic Church and its affiliated associations and federations operated facilities in various areas of health and educational care as well as social and economic welfare, mostly on behalf of or together with state institutions. In 1931, there were 600 so-called Catholic "institutions" in Switzerland.¹⁴¹ The number of these

¹³⁵ Swiss-German working group for altar server ministry, Damp, www.damp.ch/, status: 06.03.2023.

¹³⁶ Various studies indicate that altar servers are particularly at risk. The German MHG study, for example, shows that almost 30% of those affected were active as altar servers. Cf. Dressing; Salize; Dölling et al, *Sexueller Missbrauch an Minderjährigen im Bereich der D. K.* p. 140; Grossbölting; Grosse Kracht; Frings et al, *Macht und sexueller Missbrauch*, p. 318.

¹³⁷ Altermatt, *Caritas Switzerland*, pp. 15-42.

¹³⁸ Ammann, *FrauenBande*.

¹³⁹ Kolping Switzerland, Homepage, <https://www.kolping.ch/index.php?>, Status: 06.03.2023.

¹⁴⁰ This commitment and the forms of sexual abuse found therein are discussed in detail in Chapter 5b.

¹⁴¹ The 1931 book by Kissling; *Caritas Switzerland, Die Katholischen Anstalten der Schweiz*, still provides the only overview of the Catholic institutional landscape in Switzerland. In 1931, it counted 115 health care institutions, 178 educational institutions and

institutions is likely to have decreased significantly between 1931 and the beginning of the study period in 1950. The reasons for this lie in the expansion of the welfare state, the takeover of welfare and health services by the state and the progressive professionalization of the social and educational system over the course of the 20th century. Nevertheless, it can be assumed that several hundred Catholic-run or at least Catholic-influenced institutions in the areas of education and welfare existed in Switzerland between 1950 and the 1980s.

In these institutions, children and young people came into contact with clerics and other members of the church, as they were often run by diocesan priests in collaboration with members of religious orders - mostly members of apostolic women's orders. The respective sponsors of the institutions and the responsibilities in the Catholic institutional system were complex in many cases: in many cases, state authorities were the initiating and funding body and also provided the infrastructure. In many cases, they were run privately, for example by associations, but were committed to Catholic principles and also saw themselves as Catholic institutions. The dioceses also played an important role in some cases, for example when they appointed directors or sat on the administrative committees.

Catholic institutions often have their own archive holdings, some of which are kept in state archives. Sexual abuse in Catholic institutions and the available archive holdings are discussed in detail in Chapter 5b.

New spiritual communities and movements

Together with the aforementioned loss of importance of Catholic associations and federations, the worldwide emergence of so-called "new spiritual communities and movements" (NGGB) can be observed.¹⁴² This term covers associations of believers who lead a common life of faith, cultivate a common spirituality and at the same time strive for a renewal of faith.¹⁴³

The various NGGBs do not all have the same status under canon law, but they do have similarities that enable a collective understanding of the phenomenon.¹⁴⁴ According to Catholic doctrine, NGGBs are "inspired" by the Holy Spirit, who works through a "founding person" who has received a "charism". This results in a spirituality that is unique to the respective movement or community. NGGBs often present an "unusual image" from the perspective of the whole church and focus on the "new evangelization", i.e. the giving of new life.

care, and 285 social and economic welfare institutions as well as 22 other homes. From 1932, these institutions were united in the Catholic Association of Institutions (SKAV), which also published a magazine. See Seglias, *Heimerziehung*, p. 186.

142 The communities mentioned are summarized in this study with the term "New Spiritual Communities and Movements", which is also dominant in the Catholic theological literature, and abbreviated to NGGB, because the associations of believers are primarily of interest phenomenologically and on the basis of their practice, and the theological subtleties and boundaries, on the basis of which different terms are and have been used, are not of great relevance for the present research project. For an overview of the conceptual history of communions within the Catholic Church. See Metzloff, *Jugendpastoral*, pp. 11-12.

143 Schweizerisches Pastoralsoziologisches Institut (SPI), *Neue Gruppierungen im Schweizer Katholizismus*, p. 26. The emergence of the NGGB is "[...] closely connected in terms of time and content with the conciliar renewal movement of Vatican II [...]" Poblitzki, *Plurivocational Charism*, p. 149.

144 On the various possible statuses under canon law, see Aymans, *Kirchliche Vereinigungen*.

new believers. Furthermore, they usually have a "plurivocational structure", which means that members of "all ecclesiastical walks of life" are represented in it.¹⁴⁵ In Switzerland, there are a large number of NGGBs, ranging from large movements with several thousand members (and a "circle of friends" of tens of thousands, such as the Focolare movement) to very small communities such as the Fraternité Eucharistein, which has a few dozen members.¹⁴⁶

The NGGBs are of particular interest for an investigation into sexual abuse within the Catholic Church for various reasons: NGGBs form (partially) autonomous structures within Catholicism in Switzerland, are papally "accredited" within the Catholic Church and are therefore allowed to operate their own prayer rooms, their own spirituality and their own places of coexistence that are not affiliated with a parish or a diocese.¹⁴⁷ This creates specific spaces in which abuse of power, sexual and spiritual abuse are possible. Furthermore, NGGBs are often internationally organized and thus partially escape the control of the Catholic hierarchy.

Finally, what many NGGBs have in common is that their founders are the spiritual and sometimes also organizational heads of the respective church. Critical voices speak of sect-like structures within the Catholic Church in relation to certain NGGBs. The strong focus on individual leaders and the narrative of their being chosen by the Holy Spirit encourage various forms of abuse, including sexual abuse.

The structures of the NGGB also have an impact on the occurrence of cases of sexual abuse in practice. A quantitative study carried out by the French Institut national de la santé et de la recherche médicale (Inserm) shows a significant increase in cases of sexual abuse in the second half of the 1980s, just as many of the NGGBs that emerged in the 1970s were developing into larger organizations.¹⁴⁸ Last year, several cases of abuse in NGGBs in French-speaking Switzerland came to light, particularly in the communities of Eucharistein and Verbe de Vie, the latter of which was even closed down as a result of the incidents.¹⁴⁹

For the pilot project, NGGBs active in Switzerland were contacted, including the aforementioned Eucharistein, but also Chemin Neuf, the Focolare Movement, Foyers de Charité, the Loretto Community, the Schoenstatt Movement, the Community of the Beatitudes and the Congrégation Saint Jean. Involving the NGGB in a future investigation into sexual abuse in the Catholic Church will have to overcome certain hurdles. According to the research carried out, it can be assumed, particularly in smaller communities, that the archives are very small and sometimes incomplete and that the willingness to cooperate is limited.

¹⁴⁵ Poblitzki, *Plurivocational Charisma*, p. 150.

¹⁴⁶ For an overview of the movements and communities in Switzerland, see Schweizerisches Pastoralsoziologisches Institut; Schweizerische Katholische Arbeitsgruppe "Neue Religiöse Bewegungen" (NRB), *Neue Gruppierungen im Schweizer Katholizismus*, p. 29. Various lines of conflict within the church are also shown, which result from the activities of the NGGB parallel to the parish structure of the Catholic Church and from the strong focus of individual NGGB on their leaders.

¹⁴⁷ In French-speaking Switzerland, however, various cases have been documented in which members of an NGGB have taken over traditional parishes due to the shortage of priests.

¹⁴⁸ Bajos; Ancian; Tricou et al, *Sociologie violences sexuelles catholique France*.

¹⁴⁹ Page, *La communauté du Verbe de Vie sera dissoute* - Portail catholique suisse, in: cath.ch, www.cath.ch/newsf/la-communaute-du-verbe-de-vie-sera-dissoute/, status: 09.04.2023; Parvex, *Abus au sein d'Eucharistein - Graves dysfonctionnements dans une communauté catholique*, in: 24 heures, 22.01.2023, www.24heures.ch/graves-dysfonctionnements-dans-une-communaute-catholique-218080835399, status: 09.04.2023.

schaft is low. Larger NGGBs such as the Focolare Movement or the Loretto Community, which is particularly strong in Austria but also popular among young people in Switzerland, have established their own prevention and reporting structures and issued their own guidelines for the prevention of sexual abuse, partly due to past cases of abuse.¹⁵⁰ These communities are likely to be more productive in terms of the archive situation for research and those responsible have offered their cooperation in principle.¹⁵¹

In March 2023, the Vatican reacted to the specific constellations of the NGGB. The previously applicable rules for dealing with cases of sexual abuse were extended so that "[...] laypeople who are or have been presidents of international associations of the faithful recognized or established by the Apostolic See' are also responsible under canon law [...]".¹⁵² They must allow investigations into suspected offences of sexual abuse and must not obstruct them, otherwise they are liable to prosecution. This is the Vatican's response to frequent cases of sexual abuse in those NGGBs that were not previously affected by the Pope's provisions because they were led by laypeople.¹⁵³

Foreign-language missions in Switzerland

Migration has had a significant impact on the Catholic Church in Switzerland since the 1960s. The economic upswing after the Second World War, which led to a sharp increase in labor migration, primarily from southern Europe, brought a large number of new members to the Catholic Church in Switzerland and significantly slowed the relative decline in the proportion of Catholics in the Swiss population as a whole since the 1990s.¹⁵⁴ From the 1960s onwards, a considerable proportion of the new arrivals from Catholic countries found a religious and cultural home in newly founded so-called Catholic missions in Italian and Spanish. In the following decades, these were followed by Eastern European, English-speaking and Portuguese missions, which were formed from the corresponding migration movements.¹⁵⁵ These communities, which are now large in number, were later supplemented by minority missions for immigrants from India, Sri Lanka, the Philippines and other countries.¹⁵⁶

For long stretches of the period under study, the foreign-language missions organized a relevant part of church structures for Catholics.

¹⁵⁰ For the Focolare Movement, see: www.fokolar-bewegung.ch/de/seite/praevention-missbrauch; for the Loretto Community, Prevention work in the Loretto Community, <https://loretto.at/praevention/>, as at: 20.4.2023.

¹⁵¹ Written reply from the delegates of the President of the Focolare Movement (Maria Magerl and Roberto Rossi), 26.10.2022; e-mail from Tanja Pürro, Regional Manager Loretto Switzerland, 10.03.2023.

¹⁵² Pope extends measures against abuse in the Church, in: tagesschau.de, 25.03.2023, www.tagesschau.de/ausland/europa/papst-vatikan-107.html, as of 27.03.2023; Pope Francis, Lettera Apostolica in forma di "Motu proprio" del Sommo Pontefice Francesco "Vos estis lux mundi" (Aggiornato), in: Bollettino - Sala Stampa Della Santa Sede, 25.03.2023, <https://press.vatican.va/content/salastampa/it/bollettino/pubblico/2023/03/25/0227/00486.html>, as at: 27.03.2023.

¹⁵³ Ibid.

¹⁵⁴ SPI church statistics, Religious affiliation and migration background, Figure 1.26, Church statistics, 2021, <https://kirchenstatistik.spi-sg.ch/religionszugehoerigkeit-und-migrationshintergrund/>, as at 31.03.2023; SPI church statistics, Religious landscape in Switzerland, Figure 1.34, Church statistics, 2021, <https://kirchenstatistik.spi-sg.ch/religionslandschaft-schweiz/>, as at 31.03.2023.

¹⁵⁵ The five largest communities of other languages are currently organized in their own national coordinations. Cf. Migratio, National coordinations of the five largest communities of other languages, www.migratio.ch/migrationspastoral/koordinationen/, as at 03.04.2022.

¹⁵⁶ Foppa, Christian Migration Communities Switzerland, pp. 133-140.

and Catholics in Switzerland.¹⁵⁷ With migratio, which was an independent association until 2009 and is now an office of the Swiss Bishops' Conference, the SBC has its own specialist office for pastoral care of migrants. Unlike today, the Catholic Church did not initially strive for the participation of migrant believers in the local churches of Switzerland in the "pastoral care of foreign language speakers". Rather, a kind of separate language pastoral care was conceived as temporary pastoral care for foreigners, because it was assumed that they would leave Switzerland again after a few years. This provisional conception of the pastoral care structure explains why missions in Switzerland grew as parallel ecclesiastical structures without integration into the regular structures and responsibilities of the Swiss Catholic Church and are still characterized by this today.¹⁵⁸

Immigration has therefore significantly changed existing structures and relationships within the Catholic Church. As a result, new problem constellations have arisen with regard to sexual abuse. For example, there are certain structural features in the foreign-language missions that tend to increase the potential for sexual abuse, prevent people from talking about it and make sanctioning and prevention more difficult. Through the care provided in the mother tongue by pastors from the respective country of origin, but also through the provision of social services such as the organization of childcare or leisure activities, the foreign-language communities were often inward-looking, celebrated their own church services and held their own social events.¹⁵⁹

In many of these migrant Catholic communities, clerics were also highly revered, which made any criticism more difficult. This was reinforced by the fact that clergy held migrants in a certain esteem as some of the few authority figures in Swiss society and the church was one of the few spaces where immigrants could experience respect and community.¹⁶⁰

Furthermore, there was little or no control of the foreign-language missions by Swiss dioceses or by the mission societies or congregations responsible in some cases over long stretches of the period under investigation. For priests who were transferred to Switzerland from foreign dioceses, there is at least the suspicion that the bishops responsible were also "problematic" clerics or even clerics convicted of sexual abuse were sent to care for migrant communities in Switzerland. This suspicion needs to be examined in future studies.¹⁶¹

Finally, it can be assumed that, due to the factors mentioned above, cases of sexual abuse in foreign-language missions that came to light were rarely reported to the responsible Swiss diocese and that, as a result, only a few sources can be found in the diocesan archives. In combination with the numerical size of the mission parishes, these

¹⁵⁷ For the different canonical statuses of migrant communities, see Wetz, *Migrantenpastoral in der Schweiz*, pp. 10-23.

¹⁵⁸ Bünker, *Christian Migration Communities*, pp. 111-130.

¹⁵⁹ "Migrant communities with a high proportion of people from the first generation of immigrants therefore generally focus primarily inwards, i.e. on the organization of the community and the members with their diverse needs. In doing so, they take on an important civic task, yet they are often criticized for their allegedly segregative behaviour. However, this inward orientation usually softens with the second and third generation [...]." Baumann-Neuhaus, *Migration and Faith*, pp. 47-48.

¹⁶⁰ Interview with Isabel Vasquez, National Director of migratio, 20.02.2023; Interview with Arnd Bünker, Institute Director SPI, 07.12.2022.

¹⁶¹ Ibid. see chapter 6a.

At the same time, however, these factors suggest that there may have been a high number of cases of sexual abuse within the missions in Switzerland between 1950 and the present. However, these are clearly underrepresented in the archive holdings analyzed for the pilot project.

This makes it all the more important to attempt to reduce this "blind spot" in research into sexual abuse in the Catholic Church in subsequent research projects. In order to supplement the missing sources in the dioceses, the archives of the foreign-language missions in particular should be included and *oral history interviews* conducted.¹⁶²

162 To date, much of the information on prevention services or on the specialist committees of the dioceses is only available in the national languages (and even here in varying quality) and is therefore not directly accessible to a considerable number of Catholic believers in Switzerland. This could be changed with relatively simple means by adapting the materials and processes through translations into other languages and the provision of the necessary interpreting capacities for counseling sessions or notifications.

3. the structures of the Catholic Church and its archives

4 Affected persons and organizations of affected persons

B individuals affected by sexual abuse in the Catholic Church are important actors in addressing and uncovering cases, both in a clerical and a secular context.

Reports of abuse forced church leaders to make a decision: They could either try to deny or cover up the abuse - in other words, deny what had happened, defame those affected or those who reported it and, where necessary, transfer perpetrators, or they could confront and sanction the accused person if the allegations were substantiated or the acts were admitted. In most cases in which those responsible in the Catholic Church were confronted with cases of sexual abuse, it began with the testimony of a person affected.

The testimonies of those affected also played an important role in the public discussion of sexual abuse in a Catholic environment. In some cases, reports of abuse were disseminated in the media and were often the only starting points for more comprehensive research on the topic, given the silence and secrecy of the institutions.¹⁶³ Finally, those affected and their experiences are also of central importance for scientific analyses of the conditions and consequences of sexual abuse in the Catholic Church.¹⁶⁴

a. Individuals affected

The vast majority of documents on sexual abuse that can be found today in the various church archives originally stem from a report by a person affected or their relatives. This applies first and foremost to the files of the diocesan specialist committees, which have the task of processing reports from those affected and forwarding them to the national satisfaction commission.¹⁶⁵ However, the same can also be observed for the holdings of the church archives, such as the personnel files of church employees accused of abuse, or for the files from church proceedings in the secret archives. Here too, the documentation was initiated by the persons concerned in the vast majority of cases, even if the relevant documents were written by the accused, superiors or ecclesiastical and secular authorities.

¹⁶³ Cf. e.g. Weik, "Fast jede Woche missbraucht", in: St. Galler Tagblatt, 09.04.2013; Zimmermann, Sexueller Missbrauch in der Katholischen Kirche. The traces of my church, in: Die Zeit, 19.10.2022.

¹⁶⁴ Cf. e.g. Dill; Täubrich; Caspari et al, Aufarbeitung Bistum Essen; CIASE, Violences sexuelles France 1950-2020; Commission to Inquire into Child Abuse, The Ryan Report.

¹⁶⁵ See chapter 6c.

Nevertheless, written documentation in the area of sexual abuse is rare. It is well known that only a few people talk about their experiences of abuse and only a tiny fraction of those affected report sexual abuse.¹⁶⁶ In addition, the documents that can be found in church archives mainly reflect the church's perspective. Since these files are of personnel dossiers, they predominantly focus on the perpetrators and therefore primarily document the consequences for the accused, whereby the perspective of the persons affected remains underexposed. As a result, the sources in the church archives are rarely helpful with regard to the experiences of those affected. This is also evident in the 1,002 cases analyzed: Of those affected, the identity of only just under 70 % can be determined from the files, while just under 90 % of the accused could be identified.

In an investigation into sexual abuse in the environment of the Catholic Church, it is therefore necessary to compare the statements of those affected with the church and state documents found. Although no public call for victims has yet been launched in the context of this pilot project, various affected persons have contacted the research team, as a result of which almost two dozen interviews have been conducted. In addition, several of the interviewees made their personal archives available to the research team. In some cases, the accounts of those affected stand in stark contrast to the written sources and the documents in church and state archives. For example, one victim who was abused as a child by a vicar reported that he had only told the court president a small part of what he had actually experienced. The sexual abuse he experienced went far beyond what he reported to the court as an eight-year-old, both in terms of type and frequency.¹⁶⁷ The fact that those affected - often out of shame - omit or trivialize information about abuse is also documented in the psychological research literature on sexual abuse.¹⁶⁸

Various studies have documented the immense long-term consequences of sexual abuse for those affected and have shown that sexual abuse experienced in the past has an impact on mental and physical health as well as on sexual, relationship and social life. Post-traumatic stress disorders, anxiety and personality disorders and addictions are also common.¹⁶⁹ These consequences and the effects on the lives of those affected can only be meaningfully recorded through their stories. In addition, victims' accounts can also provide an insight into the social dimension of the consequences of sexual abuse, which remains underexposed in many other sources. The victim mentioned above, for example, reported how those around him reacted to the abuse he had experienced: the father reproached his son for what had happened. After the court hearing, he insulted his son:

"I was ashamed of myself, you're a sack of dirt."¹⁷⁰ As a result, the

¹⁶⁶ For adolescents, see Eisner; Manzoni; Ribeaud, *Gewalterfahrungen von Jugendlichen*. See also Dressing; Salize; Dölling et al, *Sexueller Missbrauch an Minderjährigen im Bereich der D. K.* p. 326.

¹⁶⁷ Archive of the diocesan expert committee of the diocese of Basel, dossier A.J.

¹⁶⁸ Cf. for example: Tschan, *Missbrauchtes Vertrauen*, p. 152; see also: Kavemann; Graf-van Kesteren; Rothkegel et al, *Erinnern, Schweigen und Sprechen*.

¹⁶⁹ Blakemore; Herbert; Arney et al, *Institutional Child Sexual Abuse*; Greenfield; Marks, *Identifying experiences*; Murray; Nguyen; Cohen, *Child Sexual Abuse*.

¹⁷⁰ In this context, the term "Säubub" can best be translated into standard German as translate "dirty boy".

assaults - apart from a few indirect accusations by the father such as: "We've already had enough to be ashamed of because of you" or the remarks of a neighbor's wife "Did he do it with you too?" - completely tabooed.¹⁷¹

Once again, victims of sexual abuse were defamed both by church employees and in their social environment and had to endure accusations of complicity, provided that what had happened was not completely taboo. Their reports make it possible to understand how silence was encouraged and demanded and the mechanisms by which those affected failed when they tried to make themselves heard. In addition, personal testimonies make it possible to record difficulties in investigations within the Catholic Church, but also by the judiciary in cases of sexual abuse. The latter includes, in particular, the statute of limitations and the fundamentally difficult evidence situation in sexual offenses.

Conversations with those affected and contemporary witnesses draw attention to important aspects to be investigated. Historical research uses the *oral history* method to gain and record knowledge about what happened.¹⁷² These interviews are less concerned with gaining reliable information about acts that may have occurred a long time ago, but rather with gaining more general knowledge about the nature and duration of the abuse and the consequences for those affected and their social environment.

The effects of abuse on those affected have hardly been researched to date. Such cases influenced the family, classmates, later partners, but also the wider social environment of those affected. The effects of abuse on life in parishes and communities have also hardly been considered in research to date. In the Catholic environment, perpetrators were often public figures who played a central role in the life of a community. It can therefore be assumed that cases of abuse - but also their concealment - have left traces. *Oral history interviews* with parishioners could make an important contribution to finding out how abuse was talked about or kept quiet and what impact this had on a community. However, researchers are confronted with obstacles here, partly because silence about sexuality has been encouraged and demanded for centuries. The files of the various diocesan expert committees show that decades of silence passed before those affected, as well as their relatives, were able to speak out about their experiences of abuse to people they knew or did not know. Accordingly, *oral history interviews* are only possible if those affected are willing to talk about the abuse they experienced.

b. Affected organizations: SAPEC and IG-MikU

Recognizing the experiences of those affected is an ongoing struggle. As already mentioned, their voices have - consciously or unconsciously - repeatedly not been heard, their stories not taken into account and the issue of

¹⁷¹ Archive of the diocesan expert committee of the diocese of Basel, dossier A. J.

¹⁷² For the basics of oral history, see Wierling, *Oral History als Bewegung*; Niethammer, *Fragen - Antworten - Fragen*. Although researchers working with oral history rightly note that only very unreliable knowledge about events and happenings can be gained through oral testimony, oral history offers an important supplement to written sources.

dealt with scientifically or politically without their involvement.¹⁷³ Victims and their organizations were largely responsible for the fact that church authorities dealt with sexual abuse in the first place and took appropriate measures over time: By exposing abuse and the serious consequences for individuals, they forced decision-makers to take action, whether through the establishment of expert committees and satisfaction commissions or the commissioning of studies.

In Switzerland, two groups representing the interests of those affected have succeeded in forcing representatives of the church and state institutions as well as academia to address the issue and begin to address the broad field of sexual abuse in their area of responsibility: The Swiss pioneer was Groupe SAPEC (Soutien aux personnes abusées dans une relation d'autorité religieuse), which was founded in 2010 and is mainly active in French-speaking Switzerland. Even in the early months, the group networked with numerous Catholic dignitaries, made demands and thus contributed significantly to various initiatives in French-speaking Switzerland. An important milestone in 2016 was the founding of CECAR, an independent contact point for those affected by abuse, which was largely due to the initiative of SAPEC.¹⁷⁴ The group also carried out various research projects, organized numerous round tables with those in positions of responsibility and networked internationally with other organizations for those affected. Finally, the members accompanied those affected in their contacts with the church authorities and created discussion groups to facilitate exchange.¹⁷⁵ While the group initially focused on those affected by abuse by priests of the Catholic Church, it is now open to all persons who have suffered abuse by religious authorities, regardless of the religion or religious group in question. affected are open.

The non-profit association Interessengemeinschaft für Missbrauchs Betroffene im kirchlichen Umfeld (IG-MikU) was founded in 2021 in response to the need to establish an interest group in German-speaking Switzerland. The association supports those affected by sexual and/or spiritual abuse in a church environment and their self-help groups in organizational and financial matters. The association also represents the interests of those affected vis-à-vis church bodies and their specialist committees, as well as state authorities and media representatives.¹⁷⁶

The two victim organizations SAPEC and IG-MikU are networked with each other and exchange information on a selective basis. There are also points of contact and selective cooperation with the independent contact point for victims of abuse CECAR and the prevention committees of individual dioceses.

173 Issues relating to the involvement of those affected are increasingly being discussed in science today, with a shift towards increased participation of those affected in the development of research projects and central research processes. These developments also affect other areas, are not complete and their challenges and potential are currently the subject of lively debate. Cf. e.g. Justke, conference "Wege, Möglichkeiten, Grenzen? Research on sexualized violence in the church context and questions of participation of those affected", www.hsozkult.de/event/id/event-133793, as at: 10.04.2023. Cf. also: Independent Expert Commission on Administrative Care, Organized Arbitrariness.

174 See chapter 6d; Groupe SAPEC: Vers la CECAR 2014- 2017.

175 Groupe SAPEC, Nos actions, <https://groupe-sapec.ch/nos-actions/>, as at 18.04.2023.

176 The statutes of IG-MikU, www.ig-gegen-missbrauch-kirche.ch/verein_igmiku/statuten, as at: 12.03.2023.

To date, there is no comparable organization or interest group in Ticino.

The two stakeholder organizations IG-MikU and SAPEC also played a central role in this study. Some of the members and board members opened their private archives to the research team, thus enabling an important comparison of the corpus of sources in the church archives. In addition, the researchers were contacted by various victims of sexual abuse within the Catholic Church as a result of the media reports on the pilot project. Both SAPEC and IG-MikU kindly made themselves available to support these victims. In addition, they supported the research project throughout its duration with their knowledge and extensive experience in dealing with sexual abuse in the Church.

4. affected persons and organizations of affected persons

5. spaces of abuse

Dhe breadth of the present study, which covers not only a single diocese or a specific religious order, but all six Swiss dioceses, the religious congregations, the state-church units and other structures of the Catholic Church made it possible to look at sexual abuse across institutional boundaries and geographical units. This enabled a more detailed understanding of the mechanisms, patterns and frequencies of sexual abuse in the Catholic environment than would have been the case for a more limited scope of investigation. It is therefore of great importance for future research projects that this promising starting point is maintained.

By looking at the entire Catholic Church in Switzerland, patterns can be identified with regard to the occurrence and conditions of sexual abuse in this complex institution, which has a rich history and is closely interwoven with society. Based on the files analyzed so far and with a view to the international research landscape, it is proposed to distinguish three different social constellations in which sexual abuse occurred in the environment of the Catholic Church over the course of the period under investigation. Specific patterns of power constellations emerge in these three spaces. In addition, the historical conjunctures of abuse differ within these spaces and thus pose different challenges for future research.

Internationally, sexual abuse in the area of responsibility of the dioceses, which often also represent the geographical and institutional framework of the respective investigations, has received a great deal of attention.¹⁷⁷ Although not exclusively, research has focused in particular on sexual abuse that was carried out in the broad context of the pastoral work of the clergy and church employees.¹⁷⁸ In the cases evaluated for Switzerland, certain areas of pastoral work can be identified that appear to be particularly susceptible to sexual abuse: pastoral care (situations such as confession or counseling), the liturgy (especially the context of the ministry of altar servers) and education (especially religious education). The activities of priests in the context of children's and youth associations should also be mentioned here. In the cases evaluated for the pilot project, pastoral work was the most frequent area of abuse, accounting for well over 50% of cases.

In Ireland, on the other hand, research into sexual abuse within the Catholic Church focused less on the area of pastoral care and more on Catholic schools and homes.¹⁷⁹ Here, the Church in the 20th century was

177 Cf. e.g. Dill; Täubrich; Caspari et al, *Aufarbeitung Bistum Essen*.

178 The German MHG study, for example, differentiates further within this pastoral care. See Dressing; Salize; Dölling et al, *Sexueller Missbrauch an Minderjährigen im Bereich der D. K.*

179 Commission to Inquire into Child Abuse: *The Ryan Report*.

closely interwoven with the state and took on many welfare and educational tasks in society. In Switzerland, too, the church - especially in Catholic cantons and in the first half of the study period - assumed central social functions in the areas of education and welfare. It is advisable to take a separate look at sexual abuse in the context of these activities of the Catholic Church and its conditions, because it was based on specific power relationships and constellations of responsibility and must therefore be distinguished from abuse in the context of pastoral work. Approximately 30% of the cases analyzed could be attributed to Catholic homes, schools, boarding schools and similar institutions.

Finally, international research points to another field in which cases of sexual abuse in the Catholic Church environment emerged during the period under investigation. However, this field has so far remained underrepresented both in the provisional figures of abuse presented and in the public debate and therefore requires special attention: religious orders and similar communities as well as new spiritual communities and movements.¹⁸⁰ Cases of sexual abuse within these communities have so far received little attention, partly because research has focused primarily on minors (and males) affected and in this area it is mainly adults - especially adult women - who are affected. In religious orders and similar communities, there are specific power constellations that favor abuse and pose particular challenges for research, because there are many gaps in the available sources in this area. This also becomes clear when looking at the figures: only just under 2% of the cases analyzed took place within religious orders and similar religious communities.

These three areas of abuse are discussed below and the structures and dynamics are presented using case studies from the files consulted. At the same time, the current state of research, the completeness of the archives already presented with regard to abuse in these areas as well as obstacles and possible perspectives for future research will be discussed.

a. Abuse in the context of pastoral care

As the figures collected indicate, a large proportion of the known cases of sexual abuse in the Catholic Church occurred in the context of pastoral work during the period under investigation. For the purposes of this rough classification, "pastoral" is defined very broadly and refers to the work of priests and other church employees in a parish assigned to them. The perpetrators consisted to a large extent of priests who worked as parish priests, vicars or chaplains¹⁸¹ in parishes and, to a lesser extent, an extended circle of church employees.

All age groups and genders were affected by sexual abuse in pastoral work, albeit to varying degrees. This large number of people affected is due to the fact that pastoral work has developed

¹⁸⁰ Wagner, #NunsToo, pp. 374-384; Hoyeau, Verrat der Seelenführer.

¹⁸¹ A parish priest is a priest who has been assigned a parish over which he presides. A vicar or chaplain is an "assistant clergyman" who has been ordained to the priesthood but does not lead a parish of his own, but supports a pastor in his work. Cf. Hallermann; Greifenstein, Pfarrer, in: Lexikon für Kirchen- und Religionsrecht; Hallermann; Otto, Pfarrvikar, in: Lexikon für Kirchen- und Religionsrecht; Weinberger; Anapliotis; Balla, Priester, in: Lexikon für Kirchen- und Religionsrecht.

the work of the church is not directed at specific population groups. All structures under church and state church law were involved in the handling of pastoral abuse cases: Parishes, foreign-language missions, the respective parishes, the relevant dioceses and papal authorities in Rome. This indicates the large number of archives that are potentially relevant for research into sexual abuse in pastoral care. The diocesan archives are of particular importance here, but the archives of the parishes, foreign-language missions, the Jungwacht-Blauring, altar servers' groups and state church bodies should also be considered.

Until the 1990s, it was common for priests to be active in various functions in a parish: As pastors, religious education teachers, presidents of Jung-Wacht-Blauring or the Catholic Scouts, as well as chairmen of Catholic clubs and associations. This was not only accompanied by a very powerful position, the diverse employment - especially in the pedagogical field and without any protection concepts - also opened up opportunities for sexual abuse. The underlying manipulation resulted, among other things, from the role of the clergy in society: Catholic pastoral care is significantly shaped by the religiously based position of the Catholic priest.¹⁸²

Case study clericalism

A revealing example of sexual abuse in the context of pastoral care - and in particular how it was dealt with - is the case of K. M. In 1986, in a town in Graubünden with a few thousand inhabitants, it became known that in the previous years the then pastor had assaulted a number of boys. The priest had been popular, committed and relatively young. He led the youth organization, went on excursions with the altar boys and girls and other children in the village and taught religion at the local school. He was regarded as a good priest who could preach, listened to the concerns of the people and cared about his parish.¹⁸³

However, it soon emerged that the priest had taken some of the boys from the parish on trips lasting several days in his camper van, during which he sexually abused the boys. Although these abuses had presumably been known for some time, they were only reported to the secular authorities in 1986. Criminal proceedings were subsequently opened at the cantonal court of Graubünden. In 1989, K. M. was sentenced to 12 months in prison with a suspended sentence of two years.

The fact that this comparatively lenient sentence was handed down is due to an interpretation of the events by the Cantonal Court of Graubünden that was favorable to the accused. In its reasons for the verdict, it can be read: "One of the fourteen cases was such that the court needed goodwill towards the accused in order not to assume an act similar to sexual intercourse, i.e. no homosexual intercourse".¹⁸⁴ In that case, the sentence would have been significantly higher. The trial received extensive media coverage: Major newspapers such as Blick wrote about the "fornicating pastor".¹⁸⁵

182 From the 19th century onwards, the inner-Catholic trend of ultramontanism in particular turned priests (and the Pope) into authoritarian and practically infallible figures. Lang, The stronger the clerical power, the worse the abuses, in: NZZ Magazin, 31.07.2021.

183 Secret archive of the diocese of Chur, documents on the case in the K. M. dossier.

184 Ibid.

185 "Unzucht-Pfarrer zum Aids-Test!", in: Blick, 20.04.1988.

One day after the verdict was handed down, a leading member of the Graubünden Catholic Church - the canton's Catholic body - wrote a letter to the then episcopal vicar of the diocese. The letter explained and commented on the judgment against K. M., but also looked to the future. The Graubünden Catholic Church saw this in pastoral work for K. M..

I told you this with the intention that you would like to find a pastoral position for Pastor [K. M.]. However, it must not consist of looking after young people. Furthermore, care and prudence dictate that he remain in constant psychiatric or at least psychotherapeutic treatment [...].¹⁸⁶

At the time of the verdict, K. M., who had been dismissed as a parish priest after the assaults became known, had already resumed a priestly function. He had returned from Graubünden to his home town in the diocese of LGF. After the allegations became known, he was banned from pastoral or liturgical work by the diocese of Chur.¹⁸⁷ Nevertheless, after returning to his home town, he began saying mass five times a week in a nearby girls' institute for the twenty Ingenbohl sisters working there.

In the home region, however, it was felt that the young, committed priest was understretched in this new position and should be available for more extensive pastoral duties. This was encouraged by the lack of suitable priests in Switzerland. As early as the 1940s, the number of ordinations no longer kept pace with the growth in the overall Catholic population.¹⁸⁸ In the 1960s, the number of candidates for the priesthood plummeted, which meant that pastoral care for the faithful could no longer be guaranteed everywhere.¹⁸⁹ The parish priest of K. M.'s home town wrote in a personal letter to the Vicar General of Chur: "But this modest priestly ministry cannot satisfy a priest of his age and with today's acute shortage of priests, as I always hear in conversation with [K. M.]." He went on to point out to the Bishop of Chur his responsibility towards K. M.: "An incardinated diocesan priest - even if he was absent - still belongs to the diocesan clergy, to whom the bishop has a 'father and shepherd task' [...]."¹⁹⁰

K. M. did not subsequently return to the diocese of Chur, but remained in his home town after the verdict. He lived in his caravan and worked as a temporary and part-time priest in various parishes in the surrounding area. There were no restrictions on his pastoral duties: K. M. held school services, celebrated First Communions and heard children's confessions. He also worked as a religious education teacher and spent time alone with pupils in this capacity. The church leaders in the congregations were concerned about the earlier condemnation of

¹⁸⁶ Archive of the Basel Personnel Office, dossier K. M.

¹⁸⁷ Archive de l'Evêché LGF, personal file K. M.

¹⁸⁸ Schweizerisches Pastoralsoziologisches Institut (ed.), *Gemeinden ohne Pfarrer am Ort*, p. 21.

¹⁸⁹ The shortage of priests, together with other erosion processes in the Catholic Church, may have led to a quantitative decrease in cases of abuse by priests over the decades, for example in the area of work with altar servers - where there are fewer priests, there are fewer cases of abuse. Grossbörling; Grosse Kracht; Frings et al, *Macht und sexueller Missbrauch in der katholischen Kirche*, p. 342, pp. 389-390; Husistein, *Rückgang des Priestertums*, pp. 69-84. A parallel development can be observed in West Germany from the mid-1960s. Cf. Grossbörling, *Der verlorene Himmel*, pp. 247-248.

¹⁹⁰ Archive de l'Evêché LGF, personal file K. M.

K. M. and to some extent this knowledge may also have been widespread among the population. For example, the former priest of the hometown remarked: "In the parish [...] there was no more talk of the earlier events. It was as if grass had grown over it."¹⁹¹

It was not until 2008 that the case was referred to again due to a person who was related to one of those affected by K. M.'s deeds and was disturbed by his activities in the region. Upon investigation by the Chur Bishopric, it became clear that despite the court conviction in 1989, no ecclesiastical proceedings had ever been brought against K. M. and no sanctions or conditions had been imposed in a binding form. Even though no further abuses became known between the conviction and 2008, a priest with a court-recognized history of abuse ("repeated and continued fornication") and a psychiatrically certified paedophilic disposition was employed in pastoral care without restrictions during those years. K. M. continued to have unsupervised and regular contact with children and adolescents. Despite public discussion of the case and the seriousness of the acts, those responsible in the church failed to exercise any care or caution in this case and thus accepted further cases of abuse.

It is also striking that shortly after the conviction, various responsible parties became involved in the discussion about K. M.'s future in pastoral care and an intensive debate developed about K. M.'s welfare. Voices concerned about a repetition of the assaults cannot be found in the sources. Moreover, neither the prevention of further incidents nor the search for alternatives to pastoral care were taken into account.

Nevertheless, it was not the case that the church protected K. M., while the parishioners ostracized the accused. It was not only the regional church of Graubünden and the local clergy who wanted K. M. to continue working in pastoral ministry - despite the court conviction and the admitted abuse. Many supportive voices could also be heard from the population, calling for K. M. to stay and emphasizing his positive characteristics and commitment. In February 1988, for example, a letter to the editor appeared in the Bündner Zeitung under the title "It is so easy to condemn someone across the board" - the accused K. M. is defended in it, the newspapers and their reporting on the case are described as "sensationalist".¹⁹² Letters addressed directly to the bishop from the immediate period after the abuse became known also report of "fond memories" in K. M.'s Jungwacht group and of the fact that the bishop had been given the opportunity to continue his work.

"bad stories are not to be believed". And another person wrote to the bishop: "Whatever you, gracious Lord, have to do in your office, please act as leniently as possible, in view of the many good things that Father [K. M.] [...] has also accomplished." And even the parents of the children concerned, who wrote a joint letter to the bishop, justified their demands and their request for support: "We would like to state that we have never denied the merits of the pastor [K. M.], that he has done so much good.

¹⁹¹ Archive de l'Evêché LGF, personal file K. M.

¹⁹² "It is so easy to condemn someone across the board", in: Bündner Zeitung, 02.02.1988; Geheim- archiv des Bistums Chur, Dossier K. M.

but we will never and must never tolerate what [...] has happened to our children."¹⁹³

*The case shows a typical pattern of diffusion of responsibility: while K. M. remained incardinated in the diocese of Chur, i.e. the bishop there was in principle responsible for him, he worked for years in the diocese of LGF, where he was involved in pastoral care at local level as a temporary priest. Neither of the two dioceses monitored the implementation of psychotherapy, nor was K. M. accompanied or his behavior monitored at regular intervals.*¹⁹⁴

It is remarkable that mechanisms of protection and reintegration into the pastoral ministry through transfer could obviously still function at the end of the 1980s and despite media coverage by tabloid media. However, the obstacles were greater than in previous decades. K. M.'s lawyer noted in a letter to the Vicar General of Chur: "I would like to remind you that Father [K. M.] is not the only priest to come into conflict with criminal law in this regard. However, it used to be easier to resolve cases through transfers and even avert legal proceedings, which is no longer possible today."¹⁹⁵

This case study therefore shows that Catholic priests held a special position in society. To a certain extent, they were immune to criticism of their actions or deeds. The understanding that priests were of special grace meant that their misdeeds were either played down or covered up by the church "base". At the same time, clerics were protected by their superiors - who had a "pastoral role" towards them. This clerical position of power, which can be subsumed under the term clericalism, forms an important basis for sexual abuse in the context of pastoral care.¹⁹⁶

This position of power of the clergy also meant that in many cases those affected remained silent or, if they decided to report their experiences, were not heard or even defamed by those around them and the community. The following examples illustrate this point by showing that even parents of affected children were in some cases prepared to remain silent about the sexual abuse of their children.

Case study: Silence of the community

*In the 1970s, after thirteen years working in a parish in Valais, the priest R. G. left his parish in a hurry one day and retired. He had previously worked for forty years as a priest in various positions in different parishes in the region. A few months later, a criminal investigation was opened against him for "sexual offenses" against children and "causing public nuisance".¹⁹⁷ Various documents indicate that mothers of affected children had filed a complaint.*¹⁹⁸

¹⁹³ Secret archives of the diocese of Chur, dossier K. M.

¹⁹⁴ Archive de l'Evêché LGF, personal file K. M.

¹⁹⁵ Chur Secret Archives, dossier K. M. See chapter 6a.

¹⁹⁶ Dressing; Salize; Dölling et al, Sexueller Missbrauch an Minderjährigen im Bereich der D. K. pp. 10-11; Bucher, Was ist Klerikalismus?, in: katholisch.de, 10.09.2018, www.katholisch.de/artikel/18833-was-ist-klerikalismus, Status: 20.04.2023.

¹⁹⁷ Valais State Archives, CH AEV, 1805-2014/38, P 1972/149, doc. 57.

¹⁹⁸ This was also mentioned by a victim in his book about abuse from the age of five by the priest. Cf. Falcioni, L'établi de la vie.

As part of the police investigation, 27 children were questioned and all reported similar incidents with the priest, ranging from inappropriate gestures to touching under clothing. These sexual abuses occurred during religious education lessons, during activities in the rectory, during the preparation for mass in the sacristy, but also in the cemetery. The various cases extended over the entire duration of the priest's work in the parish and over several generations of those affected. For example, eight young women who were already of age at the time of the investigation also reported inappropriate gestures towards their classmates during their school days. Finally, R. G. was also heard as part of the investigation. He partially admitted to the incidents, even though he tried to play down his actions at the same time.

On this basis, the investigating judge summoned the parents of the underage children to present their children's statements and find out whether they were prepared to press charges. However, out of 27 pairs of parents, only two mothers were prepared to appear as joint plaintiffs and demand compensation. According to the police report, the other parents stated that they had nothing to accuse the priest of or did not want to be involved in the further proceedings. Only three parties asked to be informed about the verdict.¹⁹⁹ It is also interesting to note that of the fourteen parents who came forward, six mentioned that their child had already informed them about the incidents shortly after they had happened.

In this example, cases of sexual abuse were reported by those affected, admitted by the accused, proceedings were initiated and the allegations were recognized by the public prosecutor. Nevertheless, it was apparently difficult for the vast majority of those affected and their parents to expose themselves, which is why they preferred to refrain from reporting and thus also from receiving compensation.

Various dynamics were at work in this case: on the one hand, several parishioners used cover-up and defamation strategies and exerted pressure on those affected and their parents. One victim reported that the mothers' reports had stirred up various conflicts in the village and that the women who had filed the complaints and several of the children concerned had been put under strong pressure by other parishioners to withdraw their accusations.²⁰⁰ On the other hand, the priest was an authority figure, a "representative of God" who played a special role in the parish. In addition, he also held various positions of power at a secular level, which made it difficult to address the abuses. In the Catholic canton of Valais, for example, parish priests were members of the school commission.²⁰¹

The refusal of parents to appear as joint plaintiffs in criminal proceedings against the priest of their parish is an example of the difficulties faced by many victims of sexual abuse in the Catholic Church in making their voices heard. Various studies have shown that children who reported abuse were often not believed and were even less likely to take action. The Inserm report from France, which was compiled by the Independent Commission on Sexual Abuse in the Catholic Church in France, shows that around 20% of people who were sexually abused as children were not believed.

¹⁹⁹ The investigation file kept in the state archives contains the summonses of 14 parents who were called for questioning for 19 children. It is not known what happened to the other parents, whether the judge did not summon them or whether they did not appear.

²⁰⁰ Falcioni, L'établi de la vie.

²⁰¹ Valais State Archives, CH AEV, 1805-2014/38, P 1972/149.

were abused had spoken to someone close to them about it immediately after the incident. However, in the majority of cases, no further steps were actually taken, even if the victims were believed.²⁰²

Case study priest as teacher

Similar constellations in a Catholic environment were also encountered in the second half of the 20th century in the canton of Ticino.²⁰³ The cleric A. B. was a teacher at the Ticino seminary and grammar school and also gave private music lessons. He was also involved in leisure activities and summer camps as part of the Catholic Youth Action "Azio- ne cattolica giovanile".²⁰⁴ He committed the first documented cases of sexual abuse during his music lessons, which he gave in remote rooms of church facilities or in his own home. However, the parents of one of the eight-year-old girls affected decided not to report the abuse to the authorities in this case either. On the one hand, they tried to prevent further acts of abuse against their child by writing a letter to the priest stating that they would no longer send their child to his classes. On the other hand, they informed the bishop about harassment by the priest, whereupon he issued the priest with an "absolute ban on [...] teaching young people"²⁰⁵. Although the priest asked the family and the bishop for forgiveness, he emphasized to the girl's father that, as a good Christian, he should not have denounced him.²⁰⁶

The bishop's measure had little effect and the priest abused further minors over the following five years. Only then were criminal proceedings initiated following a complaint from another girl. The girl had confided to the juvenile court "that she had been the victim of certain dirty advances by a priest who had given her lessons with her mother's consent".²⁰⁷ The court proceedings were facilitated by A. B.'s immediate admission of guilt. and ended with the criminal court sentencing him to two years' imprisonment for repeated "acts of fornication" and "lewd acts similar to sexual intercourse" committed over a period of five years against six minors aged between 8 and 15. The full sentence was suspended and replaced by placement in a psychiatric institution, as a psychiatric report confirmed that the convicted person had a diminished capacity for reasoning.²⁰⁸

202 Bajos; Ancian; Tricou et al, Sociologie violences sexuelles catholique France.

203 Due to an anonymization agreement, it is not possible to provide a more precise chronological classification for this case study. Archivio Segreto Diocesi di Lugano, "Casi riservati - preti diocesiani", anno riservato, "Verbale dell'amministrazione apostolica di Lugano".

204 Archivio storico diocesano, "Preti defunti", dossier A. B., undated, "Notizie della vita di A. B."; Archivio della Magistratura dei minorenni, Inchiesta del Magistrato dei minorenni, ^{no} 176, anno riservato, esibito ^{no} 134, "Rapporto d'inchiesta preliminare giudiziaria della Pubblica Sicurezza, posto di Lugano".

205 Italian original: "proibizione assoluta di ricevere [...] dei ragazzi per dare loro lezioni", "Verbale dell'amministrazione apostolica di Lugano", Archivio storico diocesano, sezione archivio segreto, "Casi riservati - preti diocesiani", anno riservato.

206 Archivio del Tribunale penale Cantonale, dossier A. B., Dossier del Giudice Istruttore.

207 Italian original: "di essere stata vittima di certe sporche attenzioni di un sacerdote presso il quale sua madre la collocava perché prendesse lezioni 'Rapporto d'inchiesta preliminare giudiziaria della Pubblica Sicurezza, posto di Lugano'", Archivio della Magistratura dei minorenni, Inchiesta del Magistrato dei minorenni, ^{no} 176, anno riservato, esibito ^{no} 134.

208 Archivio del Tribunale penale Cantonale, dossier A. B., "Sentenza della Corte delle Assise Criminali".

However, the case was not yet closed with this judgment. What happened afterwards reveals the dynamic between ecclesiastical and political power, which has also been observed in other cases and should be examined in more detail in future research projects. In this case, the bishop at the time approached the then director of the Ministry of Justice to obtain preferential treatment for the cleric by suggesting that he be placed in the nursing home of the private psychiatric clinic in Viarnetto instead of the cantonal psychiatric clinic in Mendrisio (ONC). The request was rejected, but this did not stop the bishop from approaching the State Council again to speed up the priest's release from the ONC. The priest remained in the diocese until his death.²⁰⁹ He apparently worked as a parish worker in the following years and was even authorized to perform marriages before spending the rest of his life in a retirement home.²¹⁰

The analysis of this case allows various conclusions to be drawn. Firstly, the priest used targeted strategies to approach the families and thus the minors. In his report, the investigating judge noted that the majority of the children concerned grew up with a single mother.²¹¹ During the preliminary investigation, it was assumed that the mothers saw the priest as a person of reference and, above all, a confidant to whom they could entrust their children when they had to work.²¹² It is also likely that the free music lessons were a strategy of the priest to gain the trust of the grateful mothers, whose financial situation would not have allowed them to provide their children with certain leisure activities.²¹³ In addition, this relationship of trust facilitated the priest's ability to include the children concerned in other activities such as summer camps or leisure activities at which he was also present. These aspects, as well as the reverence he instilled in the schoolgirls, are confirmed in the judgment handed down by the Criminal Court:

What is certain and sufficiently proven is the great reverence, sometimes even fear, that this priest, who was revered by the mothers and imposed on the young schoolgirls by their mothers as a teacher, aroused [...].²¹⁴

This leads to the second observation: as in the previous example, the parents refrained from pressing charges. The documents show that here, too, this decision was largely influenced by the social environment and was due, among other things, to the lack of support from family members. In one case where the daughter of a divorced mother was abused, the mother reported during police questioning how her relatives sided with the clergyman. She had noticed,

209 Other convicted clerics were transferred to Italy, in particular to the Villa San Giuseppe Institute (retreat house for clergy) in Intra in the province of Novara, which is run by the Congregatio sacerdotalis filiorum cordis Jesu, an institute that deserves further investigation in view of its function.

210 Archivio storico diocesano, "Prete defunti", dossier A. B., "Notizie della vita di A. B."

211 Archivio della Magistratura dei minorenni, Inchiesta del Magistrato dei minorenni, n° 176, anno riservato, esibito n° 134, "Rapporto d'inchiesta preliminare giudiziaria della Pubblica Sicurezza, posto di Lugano".

212 Archivio del Tribunale penale Cantonale, dossier A. B., Dossier del Giudice Istruttore.

213 Inchiesta del Magistrato dei minorenni, n° 176, anno riservato, esibito n° 134, "Verbale di interrogatorio della Magistratura dei minorenni".

214 Italian original: "Certo e largamente provato è comunque nella fattispecie il sostanziale sentimento di soggezione, talvolta perfino di paura, che incuteva sulle giovanissime allieve questo sacerdote venerato dalle rispettive mamme e dalle mamme loro imposto quale insegnante [...], anche quando qualcuna d'esse esprimeva il desiderio di interrompere le lezioni", Archivio del Tribunale penale Cantonale, dossier A. B., "Sentenza della Corte delle Assise Criminali".

*that her daughter had changed and at some point it occurred to her that something might have happened between her and the Father:*²¹⁵

*[...] I asked my mother for advice, even if only vaguely, but she advised me against it. [...] My personal opinion was therefore to leave the matter alone, but to create a distance between the girl and the priest. Instead, after a while my mother told my sister, a nun [...] who vehemently defended Don A. B.. This led to a complete break in relations between my daughter and me and the two of them, which continues to this day.*²¹⁶

*Thirdly, church officials tried to settle the matter within the church first - an approach that has already been observed in other studies on this topic.*²¹⁷ *Finally, the bishop also tried to influence secular authorities in order to guarantee the best possible conditions for the perpetrator in the event of punishment.*

The three case studies presented here underline the need to comprehensively contextualize cases of sexual abuse in order to understand the structural conditions, the processes involved in dealing with sexual abuse and the specific Catholic characteristics. However, such a contextualization should not only look at how the church dealt with cases of abuse, but also at society and its views on sexuality, childhood and religion at the time.

In all three cases, the special position of power and prestige of the clergy meant that the priests were not sanctioned by the church, or only slightly, and that they were not prevented from continuing to sexually abuse children. In addition to maintaining the cleric's position of supremacy, the various actors were also concerned with protecting the reputation of the church, which would have suffered if the acts had become known. On the one hand, church officials covered up the acts of abuse, while on the other hand, parishioners and even parents were unable to take consistent action against the accused priests in these cases. Thus, a wall of silence was erected which, in addition to the shameful event, made it difficult for those affected to report cases of abuse, as they had to fear that they would not be believed.²¹⁸

However, there were also cases in which the church "grassroots" were able to defend themselves against "problematic" priests. This is due to a special feature of pastoral work in Switzerland, which in many places is characterized by the dual structure of the Catholic Church. In some places, the sources show that the division of responsibility and power as well as the democratic structure of the state-church part of the church were able to prevent the patterns of concealment, concealment and transfer just discussed in certain cases.

²¹⁵ Archivio della Magistratura dei minorenni, Inchiesta del Magistrato dei minorenni, ^{no} 176, anno riservato, esibito ^{no} 134, "Rapporto d'inchiesta preliminare giudiziaria della Pubblica Sicurezza, posto di Lugano".

²¹⁶ Italian original: "[...] mi ero accorta che mia figlia [...] non era più la stessa e il suo atteggiamento mi faceva supporre che ci potesse essere qualcosa che però non riuscivo ad individuare. Solo nel 19[...] per ragioni che è inutile ora riferire, mi ero fatta un'idea che tra mia figlia ed il don A. B. ci fosse qualcosa di più che non un semplice rapporto tra insegnante e allieva. Ne parlai con mia madre per un consiglio, seppure vagamente, ma ne ebbi argomenti di dissuasione. [...] Pertanto il mio parere personale era di lasciar perdere la cosa allontanando però la ragazza dal sacerdote. In turn, after some time, my mother told it to my sister, then at the school [...], who then took the differences of Don A. B. Così che tra me e mia figlia e loro due ci fu una rottura completa di rapporti che vige tutt'ora.", Archivio della Magistratura dei minorenni, Inchiesta del Magistrato dei minorenni, ^{no} 176, anno riservato, esibito ^{no} 134, "Verbale di interrogatorio della Magistratura dei minorenni".

²¹⁷ Praz; Avanzino; Crettaz, Institut Marini, p. 85.

²¹⁸ Ibid, pp. 51-52, pp. 79-80.

Case study dual system

A well-documented example of this can be found in the diocese of Chur. The priest F. R. was ordained in the 1950s at the age of 33 and then worked as a vicar in various Zurich parishes. From 1965 at the latest, F. R. wrote various letters and applications for a parish position in the diocese. Despite the lack of priests mentioned in some of these letters, F. R. did not receive one. Resigned, he wrote to the bishop and the vicar general responsible in 1970:

After I also had to receive a rejection from [a parish in the canton of Zurich], I was determined to go to another diocese. A few years ago I was told I was still too young to become a priest. Then I applied to five places: [...]. The new vicar general, to whom I am very grateful, made an honest effort on my behalf. But anonymous obscurantists always knew how to advise the inquiring church pastors against me, even though the people held me in high esteem everywhere I went. Everyone has faults and everyone has enemies. I was never allowed to know who they were and what they could accuse me of. Under these circumstances, I have no chance of becoming a pastor in a suitable place in the diocese.²¹⁹

In their rejections, the parishes disregarded the episcopal recommendation to elect F. R. in each case. Based on the evidence, it is probable that cases of sexual abuse had become known or were at least rumored. Attentive members of the church council (elsewhere referred to as the parish council) were unable to elect a problematic priest as pastor, even against the will of the bishop, and thus acted as a corrective. The correspondence on the case shows that both the priest concerned and the vicar general became increasingly perplexed with each lost election and presumably - if a small Zurich parish had not later elected F. R. as parish priest after all - the pressure for a different "solution" to the problem would have increased over time. It can be assumed that in other cases this pressure was even greater and forced the bishop to take measures against the perpetrator.

b. Abuse in the context of the Church's charitable and educational activities

The second area in which numerous cases of sexual abuse within the Catholic Church in Switzerland were identified during the period under investigation is educational and social/charitable activities. Based in part on centuries-old traditions, members of the Catholic Church were heavily involved in the areas of care, welfare, education and other social and charitable institutions in the 20th century. Catholic schools, homes and institutions were particularly widespread in Catholic cantons. As already mentioned in chapter 3d, diocesan priests worked as principals, monks as teachers and nuns as care home staff.

The vast majority of such Catholic homes have not yet been scientifically researched. However, some studies that have already been carried out provide initial insights into the dynamics that prevailed in the Swiss home system. For example, the situation in the church-run educational institutions in the canton of Lucerne has already been relatively well researched. Under the impression of numerous media reports on abuses in Catholic

219 Episcopal Archives of the Diocese of Chur, personnel dossier F. R.

institutions in the ^{canton}²²⁰, studies were commissioned by various responsible parties from 2010 onwards to investigate the history, everyday life in the institutions and, in some cases, physical, psychological and sexual abuse.²²¹ Subsequently, responsible parties from both state authorities and Catholic religious congregations in other parts of the country also had the past of their institutions investigated and commissioned corresponding studies.²²²

Many of these studies took a predominantly descriptive approach, focusing on the history of the respective home and, at best, everyday life there. Some of the studies were also based on oral history interviews and conversations with former children in care, and in some cases also with the care staff at the time. Numerous former residents who were interviewed as part of these studies reported not only physical and psychological abuse but also sexualized violence as part of everyday life in the home, although the focus of the investigations was not on this topic.²²³

There is also already some evidence in the existing literature about the perpetrators in Catholic homes. These were predominantly male, but the social structure was broadly diversified: institutional staff at all levels were represented, from secular employees such as gardeners or teachers to various priests and the director.²²⁴ Former residents and other children in the home were also accused, as were sisters and superiors.²²⁵

Many of these works highlight the special dynamics in children's homes that enabled or facilitated abuse for both the caregivers and other employees of the homes.²²⁶ These include, in particular, the authority and proximity of the caregivers to the children,²²⁷ the closed operation of these facilities and the low level of external supervision.²²⁸ Added to this was the increased vulnerability of the children, who were placed outside their families, in most cases lived in these homes involuntarily and were already socially ostracized due to their family constellation.²²⁹ Their everyday life was characterized by an inconstant environment and, in conjunction with this, by the lack of authorities or confidants to whom they could turn.

220 The documentary film "Das Kinderzuchthaus" by Beat Bieri was particularly influential.

221 Akermann; Furrer; Jenzer, Report on children's homes in the canton of Lucerne. The anthology Ries; Beck, *Hinter Mauern. Fürsorge und Gewalt in kirchlich geführten Erziehungsanstalten im Kanton Luzern*, Zurich 2013; Unabhängige Expertenkommission Ingenbohl: *Ingenbohler Schwestern in Kinderheimen*. Also on the canton of Lucerne, but no contract research: Walker, *Kinder- und Jugendsiedlung Utenberg*.

222 Akermann; Jenzer; Meier et al, *Kinderheim und Sekundarschule St. Iddazell*; Akermann; Jenzer; Meier et al, *Kinder im Klosterheim*; Hafner; Janett, *Draussen im Heim*.

223 Akermann; Furrer; Jenzer, *Bericht Kinderheime im Kanton Luzern*; Akermann; Jenzer; Meier et al, *Kinderheim und Sekundarschule St. Iddazell*; Akermann; Jenzer; Meier et al, *Kinder im Klosterheim*; Hafner; Janett, *Draussen im Heim*. A study presented a variety of positive feedback: Independent Expert Commission Ingenbohl, *Ingenbohl Sisters in Children's Homes*.

224 Akermann; Jenzer; Meier et al, *Kinderheim und Sekundarschule St. Iddazell*; Akermann; Jenzer; Meier et al, *Kinder im Klosterheim*.

225 Hafner; Janett, *Outside the home*.

226 Droux; Praz, *Placés, déplacés, protégés*; Praz; Avvanzino; Crettaz, *Les murs de silence*.

227 Some authors speak of situational logic. Cf. Terry; Freilich, *Understanding Child Sexual Abuse by Catholic Priests*. Others speak of opportunity logic. Cf. Tricou, *Des sœurs et des hommes*.

228 Praz; Avvanzino; Crettaz, *Institut Marini*; Böhm; Zollner; Fegert et al, *Child sexual abuse in the context of the Roman Catholic Church*.

229 Ammann; Schwendener, *"Zwangslagenleben"*.

children affected by abuse.²³⁰ In addition, the lack of sex education, the taboo nature of the topic and thus also limited language made it difficult to name violations of bodily integrity.²³¹ Anne-Françoise Praz, Pierre Avvanzino and Rebecca Crettaz name such factors in their work *Enfants placés à l'Institut Marini de Montet* (FR). Discriminations, maltraitances et abus sexuels, which is the only one to focus specifically on sexual abuse in such institutions.²³²

Many of these aspects lost relevance during the period under review between 1950 and 2023. In particular, the development of new forms of pedagogy during the 1970s led to an opening of these institutions to the outside world.²³³ In addition, the number of religious institutions decreased over time and since 1977 they have been subject to supervision and licensing by state authorities. In the second half of the 20th century, educational principles finally developed, which led to a greater concern for children and a stronger consideration of their concerns.²³⁴

Various circumstances make research in the area of the Catholic Church's socio-cultural and educational activities difficult: limited access to sources, sometimes neglected archives, the great effort required for interviews with contemporary witnesses, the sometimes very sparse written sources and the large number of homes to be considered all require an enormous amount of time. Against this background, it is not surprising that the majority of the investigations carried out to date have been research projects.²³⁵ Without exception, these research projects were the result of public interest and were triggered by media coverage. In fact, however, there is still a great deal of potential for in-depth research, as there are countless previously unprocessed sources in both church and other archives. Throughout Switzerland, there were numerous Catholic children's homes, schools and similar institutions that have not yet been considered in research.

Case study: St. Iddaheim children's home

One such children's home was the St. Iddaheim in Lütisburg in the canton of St. Gallen. It was founded in 1876 as a "Catholic orphanage" by the priest Jakob Bonifaz Klaus.²³⁶ The "Catholic" aspect of the orphanage was particularly important to Klaus, who wanted to protect "the interests of Catholic (church) education" while at the same time improving the situation of the "poor youth". Together with three Menzing sisters, Klaus was already looking after over 70 children in 1879 and ran the orphanage's own school. In the years that followed, the number of children increased, as did the number of nurses and other employees at the home. The school had its own

230 The National Research Program (NRP) "Welfare and Coercion - Past, Present, Future" is also closely related to issues of institutional care: NRP 76, Portrait, www.nfp76.ch/de/qIHicGNcFOnOR9UH/seite/, Status: 20.04.2023. A study on the canton of Lucerne was also published as part of this project: Bloch; Bannwart; Krüger et al, "Fatale Fürsorge", pp. 93-106.

231 A synthesis is offered by: Klein, Experiences of children in institutions run by the church, A lack of sexuality education and taboos are not just a problem in care homes, but can also occur in the family environment.

232 Praz; Avvanzino; Crettaz, Institut Marini; Praz; Avvanzino; Crettaz, Les murs du silence.

233 Hafner, Pädagogik, Heime, Macht, pp. 190-233.

234 Praz, De l'enfant utile à l'enfant précieux; Odier, Métamorphoses de la figure parentale.

235 An exception are anniversary publications such as: Baumann, Versorgt im Thurhof, or the monograph: Walker, Kinder- und Jugendsiedlung Utenberg, which, however, only deal with sexual abuse in passing.

236 Jakob Bonifaz Klaus also founded the St. Iddazell children's home in Fischingen. Cf. Akermann; Jenzer; Vollenweider et al, Kinderheim und Sekundarschule St. Iddazell. S. 20-21.

*Agricultural land, which was cultivated with the help of the children and primarily served to supply the orphanage.*²³⁷

*The institution was administered by a private association, which was mainly recruited from the Toggenburg clergy. It was financed on the one hand by the issue of symbolic shares and on the other by private donations, with Klaus himself providing larger sums of money.*²³⁸ *After the Second World War, the character of the institution changed from a pure orphanage to an educational home, where children from so-called "broken homes" were also accommodated. Also at this time, however, it became increasingly difficult to find enough Menzing sisters to work at the home and so "secular" staff were increasingly employed.*²³⁹ *While a prelate, Johann August Frei,*²⁴⁰ *had been appointed director of the home in 1927 and a diocesan priest had followed in 1971,*²⁴¹ *he was replaced by a secular director in 1986 - the increasing shortage of priests meant that the bishop could no longer provide a diocesan priest as director.*²⁴²

*In 2012, allegations concerning St. Iddaheim were made public for the first time. A former resident of the home, who had lived there between 1959 and 1965, made serious accusations: Not only had he been systematically physically abused through corporal punishment, he also accused the home's director of sexual abuse. He claimed that the manager had always grabbed the boy under the blanket in the dormitory.*²⁴³ *As a result of the media coverage, other victims came forward who also reported that everyday life in the home was characterized by physical violence.*²⁴⁴

*At that time, the expert committee of the Diocese of St. Gallen had already been aware of reports concerning St. Iddaheim for ten years. In total, at least twelve possible victims and six accused persons were reported to the St. Gallen and Chur specialist committees by several independent bodies and at different times. Both boys and girls were affected. Various cases of sexual abuse by a member of the order and chaplain who had worked in the home for decades were reported for the years from 1958 to 1986.*²⁴⁵ *The most serious forms of sexual abuse by one of the directors are documented for the period between 1978 and 1988. And for the period between 1964 and 1971, assaults by an educator at the home and by the gardener were also reported to the church.*

²³⁷ Sterren; Oberholzer, Katholische Waisenanstalt St. Iddaheim zu Kinderdörfli Lütisburg, pp. 54-56.

²³⁸ In addition, the institution charged so-called "boarding fees", which were calculated per child per day and paid either by relatives or orphanage authorities. In the years after the Second World War, the Canton of St. Gallen increasingly stepped in to help finance larger building projects. Cf. Sterren; Oberholzer, Katholische Waisenanstalt St. Iddaheim zu Kinderdörfli Lütisburg, pp. 54-56.

²³⁹ Ibid, pp. 53-74.

²⁴⁰ Frei was regarded as a "pioneer of Catholic residential care" in Switzerland, advocating individualized care for the inmates and dividing the home into smaller units that were to function like families, each headed by a sister. Cf. *ibid.*, pp. 53-74; Dora, Frei, Johann, in: *Historisches Lexikon der Schweiz (HLS)*; Hafner, *Missbrauch in Heimen*, pp. 223-225.

²⁴¹ Osterwalder, *The Christmas Priest*, in: *St. Galler Tagblatt*, 26.01.2011.

²⁴² Sterren; Oberholzer, Katholische Waisenanstalt St. Iddaheim zu Kinderdörfli Lütisburg, pp. 53-74.

²⁴³ *Abused and tortured in a home*, in: *20 Minuten*, 23.11.2012.

²⁴⁴ Zwingli, *Kanton in der Pflicht*, in: *20 Minuten*, 26.11.2012, www.20min.ch/story/der-kanton-ist-in-der-pflicht-489657771897, status: 20.04.2023.

²⁴⁵ In the first edition of this report, the religious was incorrectly referred to as a "Capuchin". However, the accused in question was not a member of the Capuchins (OFMCap), but belonged to the Missionaries of the Holy Family (MSF). The research team apologizes for this error.

Finally, older residents also reportedly abused their younger roommates.²⁴⁶ There are also reports of severe physical abuse, beatings with broomsticks, being forced to eat food or injuries with sharp objects and, in some cases, sexualized violence such as beatings on the bare bottom or the removal of clothing by the Menzing sisters in the home. Former victims also reported that personal gifts were stolen by the sisters or that food deprivation was used as a punishment. Although most of those affected agreed that not all of the sisters practised violence, there was repeated talk of malicious sisters who even took pleasure in violence.²⁴⁷ The sisters themselves evidently recognized to some extent that they were only partially able to uphold the religious ideals and values they upheld. For long stretches of their work, they seem to have been overburdened and sometimes dissatisfied with their fate as nuns.²⁴⁸

Various former inmates unanimously reported that complaints or reports were not taken seriously within the home hierarchy. Reports of sexual assault were punished with beatings and accusations. The perpetrators were not called to account, but were defended and protected. The clergy in particular were regarded as "holy" in this respect.²⁴⁹ Based on the description of the incidents in the reports, the diverse and important functions of the accused and their many years, sometimes decades, of service, it can be assumed that a very high number of sexual abuses at St. Idda's were experienced but never reported to the diocese.

The main features of the descriptions of St. Idda's Home, the experiences of inmates and the work of clerics and nuns in this Catholic institution are consistent with the reports and scientific studies on other Catholic homes. They tell of a sometimes unloving environment and an everyday life characterized by violence. Even though the director Johann Frei, who as president of the Association of Homes for Children and Adolescents chaired a commission of inquiry into the Rathausen children's home in 1949, harshly criticized the military rules, punishments and mass operation there, "his" home also remained a patriarchal organization in which humility and submission were required.²⁵⁰

The situation of the nuns was also similar to that in other homes. An investigation into the St. Iddazell children's home came to the conclusion that the sisters were confronted with enormous workloads and had to look after the children around the clock, without breaks or Fridays off. In addition, they were often not sufficiently trained for their work and in

246 Archive of the diocesan expert committee St. Gallen, dossier Iddaheim, dossier X. C., dossier R. L.; archive of the diocesan expert committee Chur, folder "Meldungen diözesanes Fachgremium 2".

247 Archive of the diocesan expert committee St. Gallen, dossier Iddaheim, dossier X. C., dossier R. L.; archive of the diocesan expert committee Chur, folder "Meldungen diözesanes Fachgremium 2".

248 In 1974, for example, a psychotherapist working in the home wrote to the provincial councillor in Menzingen: "In any case, it is disconcerting when women over 40 rebel in an adolescent manner against their monastic existence instead of drawing consequences like adults (e.g. leaving the monastery or getting married.) As a professional, I have to ask whether we can really justify taking children from broken homes any longer and entrusting them to even more neurotic educators than their parents?", Archive Institute Menzingen, St. Iddaheim folder.

249 Archive of the diocesan expert committee St. Gallen, dossier Iddaheim, dossier X. C., dossier R. L.; archive of the diocesan expert committee Chur, folder "Meldungen diözesanes Fachgremium 2".

250 Hafner, Abuse in care homes, pp. 223-225.

There were no opportunities for retreat or privacy in the home. Among other things, this laid the foundations for excessive demands and various forms of violence.²⁵¹

Women from religious orders such as the Menzing or Ingenbohl Sisters were employed in Catholic homes because they performed the work for very low wages. Money was scarce in the homes, which was not only due to a lack of funding. The historian Wolfgang Hafner noted in an article on abuses in homes that the lack of financial resources was also ideological, "because poverty was praised in accordance with the ideas of 'Caritas'. Procuring sufficient money for the homes - especially from state agencies - was long perceived as an expression of frowned upon materialistic thinking."²⁵²

The excessive demands placed on the nuns, some of whom were deployed against their will and despite a lack of staff and training in the education of children and adolescents, some of whom were traumatized and came from difficult backgrounds, is thus in turn a direct consequence of an ideal of poverty deeply rooted in Catholic charitable endeavours and ultimately a centuries-long exploitation of these women's willingness to sacrifice.²⁵³ This distinguished the social and charitable part of the church's social commitment, which was characterized by large women's communities, from the parallel existing pedagogical projects, which were primarily aimed at male children and young people and were supported by male orders.

Case study of the Salesian religious community

*Founded in the second half of the 19th century by the priest Don Bosco, the Salesian community of Don Bosco, for example, has made it its mission to get boys off the streets and provide them with an education and vocational training. With this mission, the Salesians have spread to numerous countries and are now one of the largest religious communities in the Catholic Church.*²⁵⁴

*Switzerland was also an important place of activity for the Salesians. As part of the Italian emigration, the community first settled in eastern Switzerland and later also in western Switzerland in the cantons of Vaud, Valais and Fribourg. In Italian-speaking Switzerland, they played an important role in education, particularly with the Collegio in Mendrisio, which was later moved to Balerna and Maroggia, the Collegio Papio in Ascona and the Istituto Elvetico in Lugano.*²⁵⁵

Various cases of sexual abuse have been documented for the institutions in French-speaking Switzerland and Ticino. However, tracing the religious brothers who worked as teachers at these schools and the responsibilities behind the institutions is fraught with great difficulties. On the one hand, any investigation into cases of abuse in these educational institutions is made more difficult by the history of the individual institutions themselves, as can be seen in the case of the Collegio Papio in Ascona. Founded by Cardinal Carlo Borromeo in 1584 as a papal college, it was closed in the 20th century.

251 Akermann; Jenzer; Vollenweider et al, *Kinderheim und Sekundarschule St. Iddazell*, pp. 120-132.

252 Hafner, *Abuse in care homes*, p. 225.

253 Jäggi, *Diocese of Basel History*, pp. 114-118.

254 Salesians of Don Bosco, Don Johannes Bosco, www.donbosco.de/Ueber-uns/Don-Bosco, as at: 20.04.2023.

255 Sonego, Salesianer, in: *Historical Dictionary of Switzerland (HLS)*.

The Collegio Papio was run by various ecclesiastical communities and bodies: from 1894 to 1910 by the Salesians,²⁵⁶ then by the Benedictines (1924-1964) and finally, from 1965, by the diocese.²⁵⁷ To reconstruct a case in this institute, it is therefore necessary to know the complex history of the Collegio Papio and to search through a large number of collections and fragmentary documents in the institute's archives, the secret archives of the diocese, the state archives and the archives of the religious community. In addition, a priest was also transferred to Argentina after his conviction.²⁵⁸

This mobility of religious further complicates the investigation of cases of abuse. This is shown by the case of G.H., director of the Collegio Don Bosco in Maroggia, who was sentenced to four months' probation in January 1978 because he had "lasciviously" molested a pupil. According to a contemporary newspaper report, a further case of abuse against a pupil was uncovered during the investigation, which took place when G.H. was a teacher at the Istituto Elvetico di Lugano between 1974 and 1975.²⁵⁹ In this case, the priest responsible could be traced through research across institutional boundaries. Such investigations into accused persons were made impossible in other cases, as the example of the Collège de la Longeraie shows.²⁶⁰

In 2020, the LGF expert committee received several reports of sexual abuse from the early 1970s by Salesians at the Collège de la Longeraie, a boarding school near Morges in the canton of Vaud.²⁶¹ The statements of those affected, some of whom only came forward after 40 years, left no doubt about the cases of abuse, but were imprecise with regard to the names of the accused priests. The chairman of the expert committee and the bishop then turned to the Salesian provincial to obtain additional information for an application to the national reparations commission. To do so, they needed confirmation of the presence of those involved and, consequently, the names of the children living in La Longeraie at the time and the religious working there. However, the expert committee only received incomplete answers and no list of the friars who had been active in La Longeraie at the time.²⁶² The lack of willingness to cooperate on the part of the religious orders and the difficulty of accessing private institutional archives are among the greatest obstacles to investigating cases of sexual abuse, not only for church officials but also for scientific research.

Despite the difficult source situation, further research in this area of educational and welfare institutions is urgently needed. In the 20th century, there were numerous apostolic religious congregations whose activities were embedded in the context of Catholic charitable initiatives in the field of education and welfare and for whose institutions evidence of cases of sexual abuse was found in this research project. The Sisters of the Holy Cross from Menzingen, who were entrusted with the management of numerous institutions for orphans, have already been mentioned.

256 Planzi, *Il Collegio Papio di Ascona*, pp. 62-63.

257 *Ibid.*, p. 26.

258 Einsiedeln Abbey Archives, Assaults folder, H. T. case.

259 *Condannato l'ex direttore del "Don Bosco" colpevole di atti di libidine su minori*, in: *Il Dovere*, 11.01.1978.

260 Archives de l'Evêché LGF, Dossiers personnels, Dossiers Longeraie et E. C.

261 French-speaking Swiss television also covered life at La Longeraie boarding school in a report: Luisier, *La vie en internat*.

262 Archives de l'Evêché LGF, Dossiers personnels, Dossiers Longeraie et E. C.

²⁶³ In Ticino, the Santa Maria di Pollegio Institute should also be mentioned, which was run by the Servi della Carità (Opera Don Guanella) and where, for example, the Guanellian Father E. F. was sentenced to three and a half years in HaL in 1961 for abusing eleven boys under the age of 14.²⁶⁴ Various male orders²⁶⁵ such as the Benedictines²⁶⁶ or the Somasci,²⁶⁷ whose activities in various educational establishments were also found to involve cases of sexual abuse and need to be investigated more closely, also operated in the same diocese.

It could prove insightful to examine Catholic social and educational commitment not only in individual institutions or cantons, but also in a broader context, taking into account the underlying social and religious structures and their ideological and political foundations. The questions to be raised are who benefited from the system of Catholic welfare and Catholic pedagogy, who had decision-making powers and responsibilities, and how these structures offered protection in cases of criminal offenses and could be used, for example, to cover up long-standing pedosexual offenses. In addition, the role and responsibility of the state in the accommodation, control and financing of the homes must be included in an investigation. Finally, the relationship between specifically Catholic concepts of pedagogy, but also of child welfare and care, and the abuses and sexual abuses in such homes must be clarified.

c. Abuse in religious communities and similar religious forms of life

A third area in which cases of sexual abuse occurred in the Catholic Church during the period under investigation and which requires separate consideration is religious communities. In principle, an analysis should include both traditional religious congregations and the congregations that have become increasingly important since the 1970s.²⁶⁸

The issue of sexual abuse within such communities has long remained largely underexposed, even internationally. However, reports from those affected who have left the respective communities, as well as investigative research and documentary films on the subject, have slowly brought the issue to the surface in recent years - both with regard to traditional religious communities²⁶⁹ and with a view to new spiritual communities.²⁷⁰ Very little research exists in this area for Switzerland and, in particular, personal reports or known cases are still practically unknown.

²⁶³ Gandolla, *Scuole e opere assistenziali*, pp. 312-313; Archiv Institut Menzingen.

²⁶⁴ Caratti, "Mia madre fu sterilizzata", in: *La Regione*, 11.04.2019; *Gli orfani del Collegio Santa Maria a Pollegio adescati*, in: *Libera Stampa*, 16.06.1961; Interview with I. B., 06.09.2022; Abächerli, *Attività caritative cattoliche in Ticino*, p. 80.

²⁶⁵ For a list of the communities present in Ticino, see Codaghenko, *Storia religiosa del Cantone Ticino*.

²⁶⁶ For example, in the Collegio Papio, Ascona: Archivio Procura Pubblica Sopracenerina, *Accuse*, 1954, dossier H. T.; Archivio segreto Diocesi di Lugano, *Casi riservati, Religiosi extradiocesani*, dossier H. T.

²⁶⁷ For example, in the Istituto Francesco Soave, Bellinzona. Archivio Commissione diocesana d'esperti, *Dossier S. U.*

²⁶⁸ For NGGB, see chapter 3f.

²⁶⁹ Quintin; Raimbault, *God's Abused Servants*.

²⁷⁰ Röhl, *Pope Benedict XVI - Defender of the Faith*.

exist. Only very few cases of such abuse within religious communities have been reported to the specialist bodies to date.

To date, only three religious communities in Switzerland have commissioned studies or investigation reports on sexual abuse within their ranks. The pioneer was the Benedictine community of Einsiedeln Abbey. Shortly after cases of sexual abuse were reported in the media, the Abbot of Einsiedeln, Martin Werlen, commissioned a commission of experts in 2010 to investigate sexual abuse in the religious community. The lawyers consulted investigated a total of 24 cases, 15 of which were criminally relevant. The forty victims included both minors and adults. However, the investigation report focused on charitable activities for society and did not take into account the corresponding dynamics and possible abuses within the local community. The report was not published, but the results were communicated to an interested public at a press conference.²⁷¹

Another investigation was commissioned by the Ingenbohl sisters and published in 2013. Although this study was able to prove misconduct by religious sisters in their charitable work, it did not focus specifically on sexual abuse or on abuse within the religious community.²⁷² In 2017, the Swiss Capuchin Province set up an independent commission to investigate a particularly serious case of a priest who abused dozens of children over decades and was repeatedly transferred by his superiors. In addition to a recapitulation of the case, the commission also investigated the measures taken by the ecclesiastical and secular authorities.²⁷³

Of the NGGBs active in Switzerland, the Focolare Movement and the L'Arche community have so far carried out investigations into cases of sexual abuse in their community. Based on a series of acts of abuse by a Focolare clergyman in France, an investigation report of around one hundred pages was published in 2022, which focused on sexual abuse of minors within the internationally active organization. Even if the investigation has no direct reference to Switzerland, it offers insights into the structures and power relations within the organization and shows how these were used by a member to commit sexual abuse year after year.²⁷⁴ Based on the investigation, the movement also produced an accounting report in 2023.²⁷⁵

An investigation published in 2023 into L'Arche, which is also based in Switzerland, arose from massive allegations of sexual abuse within the community, including against its founder, Jean Vanier. What is special about the Ark project is that it is a project for people with and without disabilities to live together, which adds a specific additional dimension of power and exploitation.²⁷⁶

271 15 monks were guilty of sexual assault, in: kath.ch, 27.01.2011, www.kath.ch/newsd/15-moenche-machten-sich-sexueller-uebergriffe-schuldig/, as of 20.04.2023.

272 See Chapter 5b; Independent Expert Commission Ingenbohl, Ingenbohl Sisters in Children's Homes.

273 Papaux; Python; Mause, excerpt from UK report "Joël Allaz case".

274 Dross; Nolan, report sexual abuse focolare movement.

275 Focolare Movement, Towards a culture of integral protection of the person.

276 Granger; Jeammet; Michel et al, Control and Abuse, <https://commissiondetude-jeanvanier.org/commissiondetudeindependante2023-empriseetabus/index.php/en/home-english/>, as at: 20.04.2023.

International research on the subject in both traditional and new religious communities therefore indicates that there may also have been numerous cases of sexual abuse within Catholic communities in Switzerland. The manipulation underlying the sexual abuse took place within such communities with an intense life of faith on the basis of differentiation from society, the spiritual exaltation of individual figures (spiritual abuse by the spi-ritual²⁷⁷, for example), through usually extremely strict moral concepts and clearly visible internal organizational power relations.²⁷⁸ Especially in new spiritual communities, the presence of a charismatic and spiritual leader is central, which favours problems of spiritual legitimization of sexual abuse.²⁷⁹ Furthermore, religious communities and also many NGGBs are hierarchically organized and based on values such as devotion, obedience and fidelity. There are strong, long-term spiritual and organizational power structures (e.g. superiors who determine the work and lives of their sisters).²⁸⁰

In most cases, religious communities and structures similar to religious orders are also at least partially autonomous units with their own rules and dynamics. During the pilot project, the impression arose, for example in the discussions held, that many religious congregations are critical of outside interference - including from the church hierarchy - and prefer to solve problems internally. The traditional religious communities have also been in drastic decline for decades. They are shrinking every year, are over-aged and lack human and financial resources, in many cases just to maintain basic functioning. The age of the religious and the lack of personnel mean - so the impression - that dealing with possible cases of sexual abuse in the past or with problems in their own structures is not seen as urgent or particularly relevant.

Two further problems became apparent in women's communities: firstly, some women's communities do not consider sexual abuse to be a matter of particular concern to them. They place this primarily with the men's communities and secular priests. On the other hand, in some cases, the women's communities do not have a detailed tradition of writing and therefore have no or only very sparse archives that can be used to research sexual abuse. Only a few cases of sollicitation²⁸¹ between a spiritual director and a member of the order are documented in the archives consulted, because they represent a particularly serious violation of Catholic canon law.²⁸²

Despite the difficulties of investigating sexual abuse in religious orders and order-like communities, there is also fundamental research potential here. The following case study shows how monastic sexual abuse could take place and which

277 A spiritual director is a priest who provides spiritual guidance for life in a monastery. He is the pastor and confessor of the members of the order. He is particularly important in women's orders because only he is allowed to say mass as a priest. Monastery and pilgrimage church. Cf. Maria Hilf Gubel, About us, <https://kloster-gubel.ch/ueber-uns/>, as at: 20.04.2023.

278 Lassus, promise and betrayal.

279 Hoyeau, Betrayal of the Soul Guides.

280 Wagner, #NunsToo, p. 382.

281 Sollicitation refers to sexual assault in the context of confession. Cf. Congregation for the Doctrine of the Faith, Instruction, www.vatican.va/resources/resources_crimen-sollicitationis-1962_en.html, status: 20.04.2023.

282 Episcopal Archives of the Diocese of Basel, personal file B.F.

difficulties, but also the potential that arises when investigating such a case. Due to a special constellation, the following case revealed what is normally negotiated within the structures of religious orders or even exclusively in private between their members: Sexual and sexualized contacts occur within and around religious communities. However, there are also repeated cases of sexual abuse.²⁸³

Case study of abuse within a community

In 2007, the visitor of a contemplative monastery contacted the specialist committee of the relevant diocese because a personal dispute between two sisters had come to light during his visitation. When the visitor questioned the parties involved, it became clear that sexual acts between the two sisters had been a trigger for the dispute, which had been going on for years. The two parties differed in their assessment of the extent to which these were voluntary and mutual or unwanted by one side and part of a relationship of dependency. Both sides confirmed that, years before the report, Sister T. had visited Sister F.'s room at night, although the latter had not explicitly consented to the subsequent sexual acts. Years later, Sister F. increasingly struggled with the moral and spiritual subjective implications of the contacts she remembered as unwanted and forced, whereupon an already smouldering conflict between the two sisters intensified to the extent that the two could no longer stay in the convent at the same time.

The minutes of the conversations that the expert panel had with the two sisters and their prioress give a small insight into life behind the convent walls: Envy, resentment, quarrels, bad mouthing behind the backs of others and long-term alliances and hostility were just as much a part of everyday life in the community as prayer, retreat and contemplation.²⁸⁴

When, even before the sexual contact, Sister T. increasingly sought physical contact with Sister F., F. already found this disturbing, according to her own statement. However, Sister T. justified the touching by claiming that it was a gesture of love.²⁸⁵ Here, patterns of ritual justification of actually unwanted touching are recognizable from the literature.²⁸⁶ Sister T., on the other hand, denied that she had ever coerced or persuaded F. to touch her. Rather, the sexual contact had been consensual and had happened several times without Sister F. feeling abused. It was only when the influence of an important male cleric brought a "medieval morality" into the convent and the "devil" was "at play" everywhere that Sister F. fell into a religious delusion.²⁸⁷ The expert panel ordered a discussion and psychological support for the sisters

²⁸³ Wagner, #NunsToo, pp. 374-384.

²⁸⁴ Archive of the specialist committee of a diocese (not named for the protection of those affected), dossier Conflict between two sisters.

²⁸⁵ Ibid.

²⁸⁶ Haslbeck; Hürten; Leimgruber, Missbrauchsmuster, in: feinschwarz.net, 19.12.2022, www.feinschwarz.net/missbrauchsmuster/, as of 20.04.2023; Wagner, #NunsToo, pp. 374-384.

²⁸⁷ Archive of the specialist committee of a diocese (not named for the protection of those affected), dossier Conflict between two sisters.

and then, at the request of the person concerned and after consultation with the prioress, closed the case.

This case took place within the framework of a closed religious community whose internal dynamics are only partially comprehensible from the outside and in which psychological problems, theological justifications, strict (sexual) morals and the understanding of roles and authority as a member of the order were intermingled. The dispute between the two sisters was not limited to the accusation of sexual abuse, but encompassed the entire life of the order: questions of personal vocation, the direction of the convent or communal life were among the central lines of conflict between the two sisters. Physical contact and the resulting sexual abuse were part of this world and represented a further dimension of the conflict.

Research into sexual abuse within religious orders and other spiritual communities is also challenging in terms of the source situation: in many cases, the archives of such communities are small and incomplete. And if they do exist, it can be assumed that there are only a few written sources on sexual abuse due to the aforementioned specifics of the communities. However, this must be examined on a case-by-case basis. Previous investigations have shown that most NGGBs do keep archives, but according to their own statements, these do not contain any files on sexual abuse.²⁸⁸ Traditional contemplative religious communities also have archives in many cases that can be consulted, but it can also be assumed that they are not very rich on the subject.

It can also be assumed that appeals by victims to active members of the communities would ensure little response. This means that contacting former members of such communities remains one of the few ways of obtaining information about the inner workings and any sexual abuse. It will have to be clarified to what extent targeted appeals supported by religious authorities could create the necessary trust so that certain reports can be collected despite the closed nature of the communities.

d. Catholic specifics of abuse

There is no doubt that sexual abuse does not only occur within the Catholic Church. Birgit Aschmann writes in the introduction to an anthology published in 2022:

Sexual abuse in the Catholic Church has been the subject of particularly intense debate in recent years. Nevertheless, there is no doubt that other institutions or sports clubs are no less affected and that most sexual assaults on children occur in the immediate family environment. The analysis of abuse in the 'Catholic dark rooms' is not about a quantitative 'more or less bad'. Rather, the question is whether significant differences can be detected in the various 'subsystems'. But what then is the specific feature of the 'Catholic dark rooms' or what is the - as Klaus Mertes has called it - 'Catholic taste'?²⁸⁹

Like research into the frequency and forms of sexual abuse, the identification of such Catholic peculiarities is not a closed process. Nevertheless, research in recent decades has already

²⁸⁸ See chapter 3f.

²⁸⁹ Aschmann, Catholic Dark Spaces. An introduction, p. XV.

certain characteristics of the Catholic Church were identified that shaped the type, form and frequency of sexual abuse in this environment and the reactions to it. Discussions, the research literature and work with the source material as part of the pilot study led to the crystallization of certain characteristics that have shaped abuse in the Catholic Church in Switzerland since 1950 and are "specifically Catholic". Above all, the spiritual, social and economic power constellations of the Catholic Church should be mentioned.²⁹⁰ The examples given have shown how such power constellations can encourage abuse and thus confirm various studies in this area.²⁹¹ Although power does not automatically lead to abuse, abuse without power is unthinkable. A fundamental shift in perspective is therefore required, away from an interpretation of abuse as an "individual deviation" of the perpetrator towards a systematic consideration of the connection between sexual abuse and power relations.²⁹²

In parishes, especially in schools and homes, but also in religious communities, Catholic clerics and other church employees held powers that led to a problematic, highly asymmetrical relationship with their charges.²⁹³ These concentrations of power still run through the hierarchical levels of the Catholic system today. In his book *The Guilty Shepherds*, published in 2022, historian Thomas Grossbölting writes that it is "[...] the ^{pastoral} power²⁹⁴ of the perpetrator that secures him influence over his victims. And in many cases, it was the bishop's clerical solidarity [...] that led to crimes and wrongdoing not being passed on to the public prosecutors, but being covered up within the clergy."²⁹⁵ The priest and former official and vicar general of the LGF diocese, Nicolas Betticher, also writes in his book *Trotz Allem. Macht, Missbrauch, Verantwortung in der katholischen Kirche*:

The question of power in the church is more topical than ever. How can it be that a priest alone should be responsible for the three powers called the Munera (offices)? And even more so the bishop, who carries the full priesthood within him? How can he simultaneously bear ultimate responsibility for teaching, sanctification and leadership in his diocese? How can he be the supreme judge and at the same time the father of his priests and fellow Christians? How can he be legislator and at the same time head of personnel and conflict manager?²⁹⁶

To a certain extent, priests - and to a particular extent the bishops - therefore simultaneously form the legislative, executive and judicial branches of government in their area of power. Added to this is their role as a caring and forgiving

"fathers", which stands in stark contrast to the role of judicial and thus punitive power. These role conflicts show how problematic the sanctioning of perpetrators of abuse was for those responsible in the Catholic hierarchy. For many decades, the result was a trivialization and cover-up of sexual abuse.

²⁹⁰ Kna, Strong power imbalance leads to abuse; in: Jesuits in Central Europe, www.jesuiten.org/news/starkes-machtgefuelle-fuehrt-zu-missbrauch, as at: 20.04.2023.

²⁹¹ Praz; Avvanzino; Crettaz, Institut Marini, p. 71; Böhm; Zollner; Fegert et al, Child sexual Abuse in the Context of the Roman Catholic Church, pp. 653-656.

²⁹² Praz; Avvanzino; Crettaz, Institut Marini, p. 72.

²⁹³ Ibid, p. 55.

²⁹⁴ "Pastoral power" is a term coined by Michel Foucault that refers to the specific shepherd-flock relationship between the priest and his congregation. Foucault, *Omnes et singulatim*, pp. 188-219.

²⁹⁵ Grossbölting, *The Guilty Shepherds*, p. 177.

²⁹⁶ Betticher, *Despite everything*, pp. 32-33.

This social, political, legal and economic accumulation of power in one person also adds a further dimension: The clerical position of power of a priest, which manifested itself in a supposed infallibility of all actions, added a spiritual dimension to cases of sexual abuse.²⁹⁷ For those affected, spiritual abuse not only means a serious violation of physical integrity, but also of basic psychological and religious trust.

Spiritual abuse is closely linked to the already discussed concepts of "spiritual power" and, specifically for the Catholic Church, to forms of clericalism. With Doris Reisinger's book *Spiritueller Missbrauch in der katholischen Kirche (Spiritual Abuse in the Catholic Church)* from ²⁰¹⁹²⁹⁸ at the latest, the term has also found its way into internal church ^{debates}²⁹⁹ and the public debate on sexual abuse in the Catholic Church.³⁰⁰ Reisinger defines the term as "[...] that spiritual abuse is the violation of spiritual autonomy and that spiritual autonomy is a fundamental right of self-determination of every human being."³⁰¹ For example, perpetrators exploit the search for spirituality and for God in order to gain favor with people and to increase their power over them. One victim who testified in the French press about spiritual abuse in the Saint-Jean community spoke of "little things that accumulate and lead to humiliating the person, directing them and gradually robbing them of themselves".³⁰²

Spiritual abuse is of interest to this study because it often serves as a starting point for other forms of abuse - especially sexual abuse - legitimizing it in a sacred and ritual context and thus making the person concerned submissive.³⁰³ The Dominican brothers Thomas and Marie-Dominique Philippe are an example of this. At the end of the 1950s, they each founded their own religious communities in France, although they had already been convicted of sexual abuse. Those affected reported serious sexual abuse in these communities. As part of the Saint Jean community, which was founded by Marie-Dominique Philippe, he exerted influence on the members of the community with the help of his propagated theology of "love-friendship" and thus made them compliant for sexual abuse. Spiritual abuse enabled him to legitimize and defend the sexual abuse he committed.³⁰⁴

Spiritual and sexual abuse is also encouraged by widespread taboos in the Catholic Church. Catholic sexual morality in particular is an important characteristic that has an impact on how sexual abuse is dealt with and talked about.³⁰⁵

²⁹⁷ Praz; Avanzino; Crettaz, Institut Marini, p. 72.

²⁹⁸ Wagner, *Spiritual abuse in the Catholic Church*.

²⁹⁹ Wagner; Schönborn; Meinig, *Guilt and Responsibility*.

³⁰⁰ Zafar, "Gott will dir seine besondere Gnade schenken" in: WDR, 15.11.2022, www1.wdr.de/nachrichten/spiritueller-missbrauch-manipulation-katholische-kirche-100.html, as at: 20.04.2023.

³⁰¹ Wagner, *Spiritual abuse in the Catholic Church*, p. 22.

³⁰² "Des petites choses qui s'accroissent viennent humilier la personne, la diriger, la déposséder petit à petit d'elle-même." Casgrain, "Je n'ai pas été violé, mais victime d'abus spirituel", in: cath.ch, 16.03.2021, www.cath.ch/newsf/je-nai-pas-ete-violee-mais-victime-dabus-spirituel/, status: 20.04.2023.

³⁰³ Haslbeck; Hürten; Leimgruber, *Missbrauchsmuster*, in: feinschwarz.net, 19.12.2022, www.fein-schwarz.net/missbrauchsmuster/, as at: 20.04.2023.

³⁰⁴ Cavalin, *L'Affaire*.

³⁰⁵ Aschmann, *Catholic Dark Spaces. An Introduction*, p. XVI.

An important aspect of Catholic sexual morality in the religious environment is the commitment of the clergy and members of religious orders to a celibate life.³⁰⁶ There is evidence that the vow of celibacy was broken by numerous priests and members of religious orders in Switzerland during the period under study. The most famous example is Hansjörg Vogel, who was elected Bishop of Basel in 1994. He resigned in 1995 because a woman he "knew from before" was expecting a child. After his resignation, he withdrew from church work.³⁰⁷ This is by no means an isolated case: numerous documents in the church archives, but also the existence of groups such as Zöfra - the association of women affected by celibacy in Switzerland³⁰⁸ - and their high number of members show that a remarkable number of priests did not adhere to the commandment of celibacy during the period under investigation. Various interviews show that celibacy was insufficiently addressed in the training of priests and members of religious orders for a long time, even though very young people commit themselves to lifelong abstinence.³⁰⁹ Problems arising from sexual abstinence on the one hand, and from the lifelong lack of a physical and sometimes emotional relationship on the other, were shifted to the private and individual sphere, and the challenges of this were ignored.

"Trials" should be resolved through faith, prayer and the support of God.

As most forms of sexuality were forbidden according to Catholic sexual morality, canon law did not provide any real gradations of offenses. Thus, until the amendments to canon law in 1983, "homosexual misconduct" by clerics was considered a particularly serious offense, ranking alongside sexual abuse and sodomy.³¹⁰ Although homosexuality was considered a criminal offense at the end of the 19th century, it was not considered a criminal offense.

Although homosexuality was no longer strictly persecuted in the 20th century, representatives of the Catholic Church continued to convey a homophobic culture in which the rejection of homosexual inclinations and same-sex relationships played an important role.³¹¹ In fact, however, various studies indicate a significantly higher proportion of homosexual men in the Catholic context compared to the population as a whole.³¹² Despite the outlawing of homosexuality, church institutions thus attracted numerous people whose lifestyle they actually condemned - the church offered a refuge from the violence that it itself helped to spread.³¹³ Studies in this area are correspondingly difficult.

These specific features of the Catholic Church need to be examined more closely in future studies. It must be clarified what favors abuses in the Catholic Church, what distinguishes them from abuses in other areas - what the specific "Catholic flavor" is. This requires

306 Ibid; Dressing; Salize; Dölling et al, Sexueller Missbrauch an Minderjährigen im Bereich der D. K. S. 12.

307 Leimgruber; Ries; Fink, Bishops of Basel, pp. 399-400.

308 Association of women affected by celibacy, www.zoefra.ch/, as at: 20.04.2023.

309 A pioneering study on this topic was published as early as 1955: Crottogini, Werden und Krise des Pries terberufes.

310 Congregation for the Doctrine of the Faith, Historical Introduction, www.vatican.va/resources/re-sources_introd-storica_ge.html, as at: 20.04.2023.

311 For the current state of research on internalized homonegativity in the Catholic Church, see Schläfli, Religious and LGBTQIA+, pp. 11-12.

312 Grossbölting, Die schuldigen Hirten, p. 119; Martel, Sodom; Rothe, Gewollt. Loved. Blessed; Tri-cou, Des soutanes et des hommes.

313 Notes from Guilhem Lavignotte. Mail to the research team dated 17.03.2023.

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In addition to the dimension of spiritual abuse, Catholic sexual morality, which for centuries dictated how sexuality should be lived in a society, and thus prevented abuses from being discussed and sanctioned, should also be examined in more detail.

6 How the Catholic Church deals with sexual abuse

Bn the subject of sexual abuse in the Catholic Church, the same paraphrases are repeatedly used both in academic research and in media reporting

the way those responsible in the church dealt with the relevant cases: It can often be read that cases of sexual abuse were shrouded in a "silence" that was maintained by those affected, those who knew about it and those responsible.³¹⁴ The silence in relation to sexual abuse was always accompanied or framed by specific actions by those responsible in the church.³¹⁵ The historian Thomas Gross-börling writes about this:

For many decades, [the American bishops] did not want to hear those affected and turned them away, did not pass on information received about abuse to the prosecuting authorities, but instead covered up the perpetrators, sent them to questionable therapies and repeatedly transferred them to other places. This was not done to prevent the perpetrators from committing further crimes, but primarily to avoid public attention and avoid the scandal.³¹⁶

As part of the pilot project, it was only possible to conduct a cursory examination of how those responsible in the Catholic Church in Switzerland deal with sexual abuse. On this basis, various active strategies used by church leaders to deal with cases of sexual abuse and their cover-up are discussed below. The use of such strategies changed over the course of the investigation period and differed depending on the type of abuse and the person responsible. Moreover, the various approaches were not mutually exclusive, but complemented each other or were applied one after the other.

A central strategy was the transfer of offending priests - both within Switzerland and abroad. This was intended to prevent the public discussion of abuses and limit social knowledge of the offences committed by Catholic clerics and other employees. Especially when minors were sexually abused, the Church's criminal law was applied in some cases. This is therefore presented on the following pages, as are the aforementioned

314 Keupp; Straus; Mosser et al, Silence. Revealing. Aufarbeitung; Richte, Courageously breaking the silence, in: Appenzeller Volksfreund, 03.03.2022.

315 In certain situations, however, those affected and, above all, those who knew about the perpetrators and the abuse they committed did not simply remain silent. Rather, in some cases, various forms of knowledge and speech have developed which, while avoiding the concrete naming of the facts, nevertheless conveyed information, for example when pupils warned each other not to encounter a specific cleric alone. These forms of speech should be included in future studies. Cf. Dill; Täubrich; Caspari et al, Aufarbeitung Bistum Essen, pp. 66-67.

316 Grossbörling, The Guilty Shepherds, pp. 127-128.

Transfer strategies. From 2002 onwards, clear changes in the way those responsible in the Catholic Church dealt with cases of sexual abuse were noticeable. In the context of the international abuse scandal, so-called specialist bodies were introduced in Switzerland to serve as contact points for those affected. Later, an independent contact point supported by the church, a reparations commission and prevention concepts were added.

a. Transfers and mission transfers

within Switzerland

Transfer of priests who do not comply with the ecclesiastical, secular or social rules and regulations were a frequently used and canonically prescribed means of dealing with those responsible in the Catholic Church over long periods of the period under investigation.³¹⁷ In the area of sexual abuse, the diverse interests of the Catholic Church and its dignitaries were often placed before the welfare and protection of parishioners. This is illustrated by the following example of a priest whose pedosexual tendencies became apparent early on in his life and who lived them out for decades without the knowledge of his superiors and in various parts of the country without appropriate control. The priest G. A. mentioned in the introduction was repeatedly transferred to other parts of Switzerland in the course of his career as a priest. Even after he had been convicted several times, the church leaders continued to use him for pastoral care. In doing so, they accepted that further cases of sexual abuse would occur.

Case study of a transfer within Switzerland

G. A. was born in central Switzerland in the 1920s and, after studying theology, was ordained a priest in the diocese of Chur in the 1950s. His serious difficulties in dealing with sexuality and with minors became apparent as early as his first post in the canton of Zurich. While the documents in his personal dossier are silent on these events, he revealed in a curriculum vitae he wrote himself years later: "[Dr. U], Bisch.Kommissar heard that I had gone too far with children from a father and had myself transferred as quickly as possible [...]. This happened after 3 ½ years [sic!] of work."³¹⁸

No further details about this report or the children involved can be found in the church archives. G. A. was subsequently transferred several times until he was elected parish assistant in a parish in central Switzerland in 1954.³¹⁹ He himself later wrote that the Bishop of Chur, Christian Caminada, already knew "about his weakness" at this time.³²⁰ This However, "weakness" was apparently neither addressed nor did it lead to consequences, which had serious consequences for a large number of minors.

³¹⁷ Burkard, Umgang mit sexuellem Missbrauch durch Kleriker, p. 306. Transfers are also carried out in other cases. Such a change of church office can also take place at the request of the holder of the office or at the decision of the competent authority (even against the will of the holder, e.g. due to a necessity or an associated benefit for the church). Cf. e.g. Can. 1748 CIC.

³¹⁸ Episcopal Archives of the Diocese of Basel, personnel dossier G. A.

³¹⁹ Episcopal Archives of the Diocese of Chur, Dossier Pfarrei [...].

³²⁰ Episcopal Archives of the Diocese of Basel, personnel dossier G. A.

should have. One contemporary witness reported that G. A. had an extensive library and offered to lend books to the children. In this way, he was able to "pimp" various children.³²¹ After just a few months of working in central Switzerland, criminal proceedings were opened against G. A. and he was sentenced to one year in prison with a suspended sentence of five years for "indecent with children".

After G. A.'s conviction, the priest of the parish in Central Switzerland wrote to the Bishop of Chur:

*The cantonal interrogation judge's office [...] interrogated 24 girls and 3 boys from the lower schools. I was able to inspect the files and there are about 5 cases of a serious nature as a result of direct mutual contact, while the others are of a more harmless nature. It went through the village like a fire and I took a stand as best I could from the pulpit on the following Sunday. It must have had an effect, because it suddenly went quiet. I also explained my attitude of hiding and concealing the unfortunate matter and people understood. That was a difficult Sunday.*³²²

He remarked to the children concerned: "According to the teachers and the religious education teacher, the children do not seem to have suffered any further damage, as they are happy to do their duty as before." Nevertheless, G. A. was forced to leave the parish after his conviction, but this was usually for "health reasons". Accordingly, the local chronicle of the parish "expressed the well-deserved thanks of the people and authorities to the departing priest and wished him a speedy recovery."³²³

G. A. was initially placed in a priests' home in the canton of Graubünden. Despite his conviction, he was not restricted in his work and was able to continue doing temporary work from there. In the months that followed, those responsible at the diocese of Chur eagerly sought a new position for the convicted priest. However, various possibilities all had to be rejected because the respective parish priest or the local population had learned of G. A.'s past and did not want to employ him.³²⁴ In June 1961, the bishop wrote to G. A.:

*I have tried to get you appointed as chaplain in [...]; but there has been direct opposition because of what has become known against you. Your appointment is impossible. The only correct thing is that you are looking for a position outside the diocese. I am prepared to recommend you to the diocese of Basel. After some time, when the five years are well over, you can return.*³²⁵

The Bishop of Chur was therefore not only explicitly in favor of G. A. continuing to work in parishes and thus with children, but also used targeted strategies to prevent social resistance against the offending priest. By transferring him to another diocese, he hoped that the matter would be forgotten and that the convicted priest could return to his home diocese. This is how the transfer of

G. A. to the diocese of Basel. The canon in charge of the diocese of Basel knew about his "moral misconduct with children" and his sentence of one year's imprisonment. Nevertheless, he gave G. A. a position as vicar in a small parish in the canton of Solothurn. He informed the pastor there G. A. himself said of his "weaknesses".³²⁶

321 Conversation with Josef Annen, 05.01.2023. The term "umetäple" corresponds to standard German "touching" or "groping".

322 Secret archives of the diocese of Chur, dossier G. A.

323 Episcopal Archives of the Diocese of Chur, Dossier Pfarrei [...].

324 Episcopal Archives of the Diocese of Basel, personnel dossier G. A.

325 Secret archives of the diocese of Chur, dossier G. A.

326 Episcopal Archives of the Diocese of Basel, personnel dossier G. A.

A boy who was affected at the time contacted the Basel diocese's expert committee 55 years later. He reported how G. A. had invited interested schoolchildren to his meeting room in the rectory to show them his stamp collection in the very first month of his work in the parish in Solothurn. A.J., who was an altar boy and young guard at the time, stayed longer than the other children, which was to be his undoing. G. A. subsequently abused A.J. regularly by touching him in the genital area and - as the victim only dared to testify decades later - also abused him orally.³²⁷ The priest learned of this and another case and reported the assaults to the diocese, which in turn had no consequences for G. A.³²⁸

After two years, G. A. moved as chaplain to a parish sixty kilometers away. The pastor of this new parish apparently knew nothing of G. A.'s past, which enabled him to abuse numerous other children. In 1961, G. A. was again charged by the public prosecutor's office with having "committed lewd acts other than sexual intercourse" with children under the age of 16. The court judgment named 40 children by name. The abuses involved a total of 30 girls and 10 boys and covered a broad spectrum of assaults: Numerous children he touched or "tickled" in the genital area, some he forced to touch his member or rub it until ejaculation. All the children listed in the court document were between seven and twelve years old. In 39 cases, he was finally sentenced to two years in prison for "repeated and continued fornication with and in front of children, some of whom were his pupils".³²⁹

While the victims and their relatives had to bear the consequences for years, for the convicted G. A. these were limited to a few years. During his time in prison in the early 1960s, G. A. wrote several letters, which are included in his dossiers. In one letter to the canon, G. A. asked how "the church superiors, the church" felt about his "transgressions" and noted himself that pastoral care as before was no longer an option "so that I can avoid direct contact with the child from the outset".³³⁰ The canon's reply is astonishing in view of the seriousness and frequency of his crimes:

Through your offense you are in 'infamia iuris' as well as 'infamia facti'. According to canon law, the case should be reported to Rome. We do not usually do this so that priests can be reassigned somewhere more easily after serving their sentence.³³¹

Once again, therefore, the episcopal ordinariate³³² did not speak out in favor of preventing further possible acts of abuse, but instead considered reinstating the perpetrator at a later date. Church officials thus consciously accepted the possibility that a convicted offender could abuse further children, and thus explicitly and in full awareness ignored the requirements of canon law to report the case to the Congregation for the Doctrine of the Faith. Only the permission requested by G. A. to celebrate Holy Mass was granted.

327 Archive of the diocesan expert committee Basel, Dossier A.J.

328 Episcopal Archives of the Diocese of Basel, personnel dossier G. A.

329 Episcopal Archives of the Diocese of Basel, personnel dossier G. A.

330 Ibid.

331 Ibid.

332 The episcopal ordinariate is the part of the diocesan curia that is responsible for the administration of the diocese. There is also the Offizialat, which is responsible for the judicial system. Cf. Dennemarck, Diözesankurie, in: Lexikon für Kirchen- und Religionsrecht.

*was not granted, as the Ordinariate did not want to contradict the applicable canon law on this point. However, the bishop's regret for this decision was expressed several times.*³³³

*No further cases of abuse are documented after that. The files reveal that G. A. served as a hospital chaplain in Germany for three years. He then returned to Switzerland and worked in various parishes in the cantons of Zurich and Chur and finally in the Principality of Liechtenstein from the 1970s until shortly before the turn of the millennium. The personnel dossiers no longer contain any information about these positions. A substantial part of the personnel file in his home diocese of Chur has disappeared. Consequently, nothing can be found about his further life in Eastern Switzerland and his activities in various parishes in the Principality of Liechtenstein. His obituary did not mention the sentences of hatred, some of which lasted several years, and presented a curriculum vitae of a meritorious priest who had worked in various parishes.*³³⁴

This example illustrates very well how those in positions of responsibility in the Catholic Church not only protected a criminal convicted of pedosexual offenses for decades, but even enabled him to commit further abuses by transferring him. G. A. behaved abusively towards children from the very beginning of his career and sexual abuse is documented from many subsequent places of work. The canon of Basel not only allowed G. A. to continue his assignment, he neither informed the relevant parishes nor did he restrict G. A.'s sphere of activity by sending him to work with the elderly or to provide pastoral care in hospitals, as in other cases. After G. A. had been sentenced twice, he first became a vicar and then even a pastor in the Principality of Liechtenstein. As the Archdiocese of Vaduz did not take part in the pilot project, it was not possible to view the documents that are presumably held there.

International transfers

All clerics of the Catholic Church belong to a spiritual home association. This incardination represents a "spiritual, personal and at the same time economically oriented relationship between the Ordinary and a cleric".³³⁵ So although every diocesan priest is incardinated to a diocese, he has the option of accepting a position outside his home diocese - with the permission of the relevant bishops. It is also possible for church employees to change their incardination with the permission of the bishop. This practice is and has been used not only within Switzerland, but also internationally, and offered delinquent priests the opportunity to evade the control of the bishops even more. National, cultural and linguistic borders prevented the flow of information that would have been essential for priests with criminal convictions. The following case study will illustrate how such international transfers worked and what consequences they could have.

³³³ Episcopal Archives of the Diocese of Basel, personnel dossier G. A.

³³⁴ Episcopal Archives of the Diocese of Chur, personnel dossier G. A.

³³⁵ Müller; Ohly, *Katholisches Kirchenrecht*, p. 244.

Case study of a transfer across national borders

Father K. S. was born into a German-speaking family in Romania in 1945 and was ordained a priest in a Romanian diocese in 1967. His life then took him via Austria to Germany and finally to Switzerland. In 1985, he was incardinated to the diocese of Basel and thus excardinated from his diocese in Romania.³³⁶ In 1988, he took up a position as parish priest in a small parish in the canton of Bern, where he was to work for almost 20 years.

In 2005, the priest K. S. changed his diocese affiliation and left the diocese of Basel for "personal reasons" and was incardinated in a diocese in Romania. Two years before the change of diocese, a victim had contacted the diocese of Basel and reported several cases of sexual abuse by K. S., both at home and in the context of his activities with the Jungwacht and as an altar boy.³³⁷

A few months after the report by the victim M. O., the accused priest K. S. was summoned to the diocese of Basel and confronted with the accusations of the 9-year-old victim, who had testified that K. S. had forced him to kiss on the tongue.³³⁸ The accused defended himself by stating that although he had given M. O. a kiss on the mouth, he could not remember a French kiss, but did not want to rule it out "for the sake of automaticity". K. S. signed a declaration stating that there had never been "any form of sexual contact between him and children/young people". This settled the matter for the time being for the diocese of Basel; no further consequences are apparent from the files.³³⁹

In the years after 2005, several other victims and informants contacted the Basel diocese, all of whom reported similar incidents: During his active time as a priest, K. S. had invited minors to the sauna and asked them to undress in public as part of youth group outings.³⁴⁰ With his change of diocese to Romania, however, K. S. made it more difficult to sanction such assaults. As these had occurred on the territory of the diocese of Basel, Bishop Kurt Koch, who was in office at the time, would nevertheless have been obliged to bring the allegations to the attention of the public prosecutor's office on the basis of the guidelines of the SBK that came into force in 2002. In addition, he was instructed by the renewed ecclesiastical criminal and criminal procedure law³⁴¹ to carry out or arrange for a canonical preliminary investigation in the event of suspicion of sexual acts by a cleric with minors and to send the results of the investigation to the Congregation for the Doctrine of the Faith for further steps. The reasons why this did not happen are not clear from the documents consulted.

Three years after his excardination from the diocese of Basel, the authorities of the Swiss diocese tried to remove K. S. from the Basel area anyway. Although K. S. was incardinated in Romania, he continued to live in the territory of the diocese of Basel. The episcopal vicar responsible for Basel reported the accusations against K. S. to the diocese in Romania and asked the bishop there to bring K. S. back. The latter replied: "[K. S.] has since been incardinated into our diocese, but is retired, free to take up residence at his own discretion.

336 Episcopal Archives of the Diocese of Basel, personnel dossier K. S.

337 Archive of the diocesan expert committee Basel, dossier M. O.

338 Ibid.

339 Episcopal Archives of the Diocese of Basel, personnel dossier K. S.

340 Archive of the diocesan expert committee Basel, dossier W. A.; Archive of the diocesan expert committee Basel, dossier N.E.

341 Motu Proprio "Sacramentorum Sanctitatis Tutela" of April 30, 2001. On territorial jurisdiction in criminal matters Can. 1412 CIC.

can choose. I cannot deprive anyone of this right".³⁴² As Bishop Kurt Koch had excommunicated the priest from the diocese of Basel, he therefore had no way of influencing his place of residence. At this point, however, he would also have been obliged to report the alleged criminal acts to the secular and ecclesiastical authorities.

Only after another victim had come forward did those responsible at the Basel diocese send a registered letter to K. S. demanding that he report himself. K. S. had already asked the person concerned for forgiveness and admitted his actions. The dossier of the Basel expert committee ends with K. S.'s assurance that he had reported himself.³⁴³ It is not clear from the documents whether charges were actually filed, nor are there any indications in the relevant state archives.³⁴⁴

The K. S. case contains many elements that are also known from other, earlier cases. The dossiers in the diocese of Basel document abuses from various times against several accused persons. Those responsible at the diocese reacted inadequately to the allegations and initially did not sanction the accused in any way. What is special, however, is that it is difficult to trace the life of K. S., as he studied and worked in different countries and the flow of information between the various dioceses appeared to be limited. The regular crossing of national borders also enabled K. S. to further evade the bishops' duty of supervision, which was often not exercised anyway.

The case thus shows how international changes of diocese could affect the possibilities of sanction and the perpetrators' scope of action in cases of sexual abuse. As in the example of a national transfer, accused persons were able to evade possible accusations and state or church prosecution to a certain extent. Only a limited exchange between the various dioceses regarding the allegations against K. S. is evident in the documents, which in principle did not take place with the intention of preventing further abuse. It is evident that those responsible in the diocese knew both of the accusations of the various parties concerned and of the accused's admission that he had actually committed the acts. The fact that the change of diocese was a purely formal act, probably aimed at avoiding sanctions, is shown by the fact that K. S. continued to live as a private individual in the territory of the diocese of Basel even after his ex-communication.³⁴⁵ Finally, cases of international changes of diocese show the difficulties for possible investigations into cases of abuse that go beyond national borders, as the corresponding scope of the investigation is often bound by national borders. Corresponding dossiers on the K. S. case in Austria, Germany and especially in Romania could therefore not be consulted for the present investigation.

It should be noted that in the present case, the extremely good source situation in the diocese of Basel made it possible to trace the sequence of transfers and thus also the concealment of acts of abuse. The strategy of transfers, even across linguistic borders, was - as all the evidence indicates

³⁴² Archive of the diocesan expert committee Basel, dossier N. E.

³⁴³ Archive of the diocesan expert committee Basel, Dossier D. L.

³⁴⁴ Episcopal Archives of the Diocese of Basel, personnel dossier K. S.

³⁴⁵ Archive of the diocesan expert committee Basel, dossier N. C.

This was applied systematically and in a large number of cases in various dioceses. However, it is not always possible to reconstruct the chains of transfer or find evidence of corresponding instructions from those responsible in the church.

Missions

The case of S. V. shows that priests accused of abuse were sometimes deliberately transferred abroad by church officials in order to avoid prosecution by secular authorities. A police investigation was opened against him, although the very brief dossier does not reveal the facts of the case. However, it does contain a letter, presumably from the early 1950s, from an unknown person to the bishop, in which there are references to sexual abuse of minors.

A police investigation [...] is underway. He will be asked to hand himself in [...]. If the case is not time-barred, he will be sentenced, usually not conditionally. [France extradites such delinquents without distinction of the age limit of the seduced. Luxembourg, Belgium, Holland, etc., only up to the age of 14 years of age, Portugal not until the age of 13 in South America. [...].] A lawyer said to us: he considers the scandal less serious if [S. V.] remains hidden and does not come than if a judgment is passed and published in the newspapers. Rebus sic stantibus, we therefore do not want to force [S. V.] to turn himself in. But it would perhaps be safer if he could be oc- culte in Louxembourg, for example with a parochus or with the Redemptorists.³⁴⁶

The unknown author guaranteed in the letter that he would pay for the upkeep of S. V. and recommended that the letter be burned. It is not clear from the dossier whether S. V. was actually sent to Luxembourg. However, the letter suggests that the international church networks and the legal situation in other countries were actively used by Swiss officials to avoid criminal investigations and to cover up sexual abuse.

The "Fidei Donum" encyclical was particularly relevant for such international transfers. In this missionary encyclical, Pope Pius XII had called in 1957 for diocesan priests to be released from their dioceses in order to work in areas affected by a shortage of priests, primarily overseas.³⁴⁷ In 1972, the Swiss Bishops' Conference approved the "Guidelines for Fidei Donum Priests", in which the local churches were asked to "realize communion and missio for their part".³⁴⁸ On this basis, priests were sent from Switzerland to Africa, Asia and South America in the years that followed.

As the Fidei Donum priests were released from the control of their bishops on the one hand and, on the other hand, traveled into a social structure that often did not sanction sexual abuse by European priests or only sanctioned it slightly, numerous opportunities for various forms of abuse opened up. The Association of German Dioceses commissioned the lawyer Bettina Janssen to conduct a study on behalf of the German Fidei Donum priests. As part of this study, she identified various cases of sexual abuse that reached all the way to the top cadre of the Co-

³⁴⁶ Episcopal Archives of the Diocese of Basel, personnel dossier D. K.

³⁴⁷ Janssen, Examination of the files of the Fidei Donum Coordination Office, p. 12.

³⁴⁸ Swiss Bishops' Conference, Fidei Donum, <https://www.bischoefe.ch/gremien-und-dienststellen/fidei-donum/>, as at: 20.04.2023.

ordination office.³⁴⁹ For Switzerland, such an investigation of transfers of offending priests to the missions is still pending. However, the pilot project identified initial documents that point to cases in which priests from Switzerland are accused of sexual abuse abroad.³⁵⁰ These documents should be examined in greater depth in their international contexts in a follow-up project.³⁵¹

b. The application of ecclesiastical criminal law

As already discussed in Chapter 3, the Church has its own ecclesiastical law, the so-called *Codex Iuris Canonici* (CIC). During the period under investigation, ecclesiastical law and, in particular, the ecclesiastical criminal law contained therein regulated the Catholic Church's handling of cases of sexual abuse and, in particular, the punishment of the respective perpetrators - at least in theory. Even in the CIC of 1917 and before, the sexual abuse of minors was a clear and serious criminal offense under canon law. In the study on the diocese of Münster published in 2022, the authors write in this context

While the handling of priestly offenders by the diocesan leadership was usually characterized by leniency, secrecy, cover-ups and sometimes sanctions, it was clear that the sexual abuse of minors always constituted a punishable offence. The first *Codex Iuris Canonici* of 1917 and additional instructions already qualified sexual abuse as a serious offense, albeit motivated by the protection of the 'holy sacraments', the ordination of priests and confession, and not for the protection of children.³⁵²

What is striking in the cases evaluated for the pilot project is that, despite this basis in canon law, there was practically no application of church criminal law in cases of sexual abuse for long stretches of the investigation period.³⁵³ Even when a bishop forwarded a report of sexual abuse to the competent ecclesiastical court, as in a case from 1968, proceedings were apparently avoided. In that case, the chairman of the ecclesiastical court of the diocese of Basel wrote to an informant who had reported a suspected case of sexual abuse against minors to the bishop:

Your main concern was to make the ecclesiastical superiors aware of the dangers for other children. We will therefore not be conducting any proceedings against the Father in the ecclesiastical court. We have merely drawn the attention of the superiors, i.e. Father Provincial, to the facts of the case so that he can take the necessary precautionary measures.³⁵⁴

This was not an isolated case: as described in G. A.'s case study, even after a priest had been convicted by a "secular" court, no additional ecclesiastical proceedings were initiated and no report was sent to the Vatican. Instead, the Basel canon in charge wrote to the accused: "The case would have to be sent to Rome in accordance with canon law.

³⁴⁹ Janssen, Examination of the files of the Fidei Donum Coordination Office.

³⁵⁰ Cf. Episcopal Archives of the Diocese of Basel, expert committee dossier E. A., F. S. and M. U.

³⁵¹ Archives of the diocesan expert committee Basel, dossier Z. L., O. J. and E. D.

³⁵² Frings; Grossbölting; Grosse Kracht et al: Power and sexual abuse, p. 496.

³⁵³ In the dioceses, the officialdom is responsible for the ecclesiastical court system. In most cases, the corresponding archives of the official offices only contain documents relating to marriage annulment proceedings.

³⁵⁴ Episcopal Archives of the Diocese of Basel, personal dossier D. N.

be reported. We don't usually do this so that the priests can be used again somewhere more easily after serving their sentence. "³⁵⁵

In another case from the 1980s, the then Bishop of St. Gallen, Otmar Mäder, wrote that he would have to "[...] threaten a priest with legal proceedings if necessary. I have enough material now. However, this is a path that I do not appreciate because it takes an extraordinarily long time. Because it is only possible via Rome. "³⁵⁶ In this case, too, no canonical proceedings can ultimately be proven.

From 2010, the year in which numerous cases of abuse were publicly discussed in Switzerland, the obligation to conduct church criminal proceedings and to report cases of sexual abuse of minors to Rome was implemented more consistently. In the diocese of Basel, Bishop Felix Gmür wrote about a case that was reported to the expert committee in 2018: "Even though the accusations of alleged sexual abuse from 1995-1998 were already time-barred under civil and ecclesiastical law, I was obliged, as Bishop of Basel, to open a canonical preliminary investigation on [...] 2019 in accordance with cc 1717-1719 CIC and [...] to submit a report to the public prosecutor's office in Emmenbrücke on the basis of Art. 187 StGB and Art. 188 StGB. "³⁵⁷ These currently valid rules on how the Catholic Church deals with cases of sexual abuse, which obliged Bishop Gmür to take this action, can be found in the Vatican's "Substantive Norms on Offenses Reserved to the Congregation for the Doctrine of the Faith". It should be noted that individual regulations were only included in the norms over time and were therefore not previously sanctioned by the Congregation for the Doctrine of the Faith³⁵⁸ and therefore did not have to be reported to Rome. For example, an offense against the sixth commandment committed by a cleric with a minor was only explicitly included in the catalog in 2001 and an obligation to report it within the Church was only introduced in 2019.³⁵⁹

However, the classification and sanctioning practice of sexual abuse by church courts on the basis of the CIC is still hardly accompanied by a societal perception of the severity and significance of such offenses. The affair surrounding a Jesuit³⁶⁰ discussed in the media in France clearly shows how much leeway canon law still leaves today and how unsuitable it is as a tool for sanctioning cases of sexual abuse.

In 2018, the first canonical investigation into allegations of spiritual and sexual abuse against the Jesuit took place. In a questioning, a woman accused him of having committed sexual assaults and subsequently absolving a person involved. This *absolutio complicitis* is translated into German as "absolving an accomplice". The Congregation for the Doctrine of the Faith punished the Jesuit - albeit exclusively - for the offense.

³⁵⁵ See Chapter 6a; Episcopal Archives of the Diocese of Basel, personnel dossier G. A.

³⁵⁶ Episcopal Archives of the Diocese of St. Gallen, personnel file R. L.

³⁵⁷ Archive of the diocesan expert committee Basel, E. C.

³⁵⁸ The former *Congregation for the Doctrine of the Faith* has been known as the *Dicastery for the Doctrine of the Faith* since June 5, 2022.

³⁵⁹ Grossbölting, *Die schuldigen Hirten*, pp. 71-74. See chapter 3c. All clerics and members of an institute of consecrated life or a society of apostolic life who have knowledge of a case of a possible sexual offense by clerics or religious were explicitly obliged to "report the fact in good time to the Ordinary of the place where the acts are said to have taken place or to another Ordinary in accordance with can. 134 CIC and can. 984 CCEO.", Art. 3 § 1 Motu Proprio *Vos estis lux mundi* of 7.5.2019.

³⁶⁰ Rivallain, *Comprendre l'affaire Rupnik*, in: *La Vie*, 27.12.2022, www.lavie.fr/christianisme/eglise/comprendre-laffaire-rupnik-en-six-grandes-questions-85968.php, as of 20.04.2023.

The Congregation of the Doctrine of the Faith did not lift the statute of limitations for the second offense, absolution - with the maximum penalty in the Catholic Church: excommunication. For the offense of sexual abuse, the Congregation for the Doctrine of the Faith did not lift the statute of limitations and accordingly did not pursue the accusations any further. The excommunication pronounced was lifted in the same month, which is often the case with this punishment if the perpetrator confesses. The fact that the perpetrator had absolved a "complicit" person was thus punished under canon law in this case, while no canon law proceedings were even initiated with regard to the sexual abuse of around twenty women.³⁶¹

Similar cases have also been documented in Switzerland. For example, consulted sources reveal a case from the diocese of St. Gallen in which the accused priest was also convicted of an *absolutio complicitis* by the Congregation for the Doctrine of the Faith in 2019, confessed his remorse and was released from the previously pronounced excommunication in the same standard procedure as described above.

What is remarkable about this punishment is that the person to whom the perpetrator gives absolution is also the person affected by the sexual abuse. In this logic, the person concerned is complicit in the sexual abuse experienced. In the Swiss case, however, the dicastery lifted the statute of limitations on the acts and, in addition to excommunication, the retired priest was prohibited from continuing to exercise the priesthood and from contacting the victim due to the sexual abuse committed. However, the *absolutio complicitis* weighed significantly more heavily in the church's logic than the years of sexual abuse of a minor and was therefore punished much more severely. The reaction of the accused shows that this attitude can have an influence on the behavior of clerics. While he made no further reference to the sexual abuse, he defended himself in several letters against the accusation of *absolutio complicitis* - presumably aware of the possible serious consequences.³⁶²

c. Specialist committees "Sexual assault" from 2002

When the Catholic Church's approach described in the previous chapters, which consisted mainly of concealing and covering up cases of abuse and transferring accused and convicted clerics, caused more and more scandals, those responsible felt compelled to act. Under pressure from a number of high-profile cases that caused great public outrage in the early 2000s, the Swiss Bishops' Conference formed a specialist group on the subject in 2001. At the end of 2002, the SBC issued its first "Guidelines for the dioceses of the Swiss Bishops' Conference on sexual assault in pastoral care". This not only addressed the conduct of dioceses when sexual assaults are discovered, but also the "establishment of an expert committee on sexual assaults in pastoral care [...] consisting of representatives of the church and experts on the psychological, social and legal aspects of sexual assaults in pastoral care".

³⁶¹ Lebrun, Affaire Rupnik, in: La Vie, 21.02.2023, www.lavie.fr/christianisme/eglise/affaire-rupnik-15-nouvelles-victimes-30-ans-dabus-et-une-procedure-interminable-87113.php, as of 20.04.2023.

³⁶² Secret archives of the diocese of St. Gallen, folder criminal proceedings S.N.

The "Committee on Sexual Abuse" was established in 2003.³⁶³ This committee met for the first time in 2003.³⁶⁴ This was accompanied by at least an implicit acknowledgement of the problem and the responsibility of the church for sexual abuse within its structures.

The SBC's expert committee is still central to coordinating the efforts of the Catholic Church in Switzerland in the area of sexual abuse. Today, representatives of the Church and experts sit on it. To this day, this expert committee is responsible for the SBC's guidelines on sexual abuse and updates them as required, advises the SBC on the topic, can be consulted for training and further education efforts and is available for consultations with church institutions and those responsible. However, the SBC's expert committee has no authority to issue directives, but merely makes recommendations and formulates proposals.³⁶⁵

Adjustments were also made at the diocesan level during the 2000s. The diocese of St. Gallen was the first to set up a specialist committee on sexual assault. In 2002, the case of a priest who had abused several male minors in Uznach in the 1980s and 1990s became known in this diocese. In July 2003, he was sentenced to 4.5 years in prison by a district court for "multiple sexual acts with children" and "multiple sexual coercion".³⁶⁶ The public outrage over the case and the mass of media inquiries in spring 2002 led to the appointment of an expert committee within the diocese of St. Gallen - consisting of a representative of the diocese and three external experts - to receive reports, support those affected and advise the bishop on questions and cases of sexual abuse.³⁶⁷

In the years after 2002, specialist committees were gradually formed in other dioceses. These remain a central pillar in the Church's handling of cases of sexual abuse to this day. This is reflected in the reporting data on the cases evaluated. The cases known from the files show that those responsible in the Catholic Church were aware of cases of sexual abuse in their structures throughout the entire period under investigation and that 30% of the cases investigated had already become known before 2002. Nevertheless, the effects of the introduction of the specialized bodies are clearly visible. 65% of all cases evaluated were only reported after the specialist bodies were established, although only around one fifth of cases occurred between 2002 and 2022. It should be noted that it is by no means unusual for victims to be unable or unwilling to talk about their experiences until decades after the crime.

³⁶³ Swiss Bishops' Conference: Sexual assault in pastoral care. Guidelines for the dioceses, 05.12.2002. Online: www.bistum-chur.ch/wp-content/uploads/2013/12/Doc_abus_sexuels_d.pdf, status: 04.04.2023.

³⁶⁴ Archive of the SBC Expert Committee, Annual Report of the Expert Committee 2003.

³⁶⁵ Swiss Bishops' Conference, Expert Committee "Sexual Assaults in the Church Environment", www.bischoefe.ch/gremien-und-dienststellen/fachgremium-sexuelle-uebergreif-im-kirchlichen-umfeld/, as at: 20.04.2023.

³⁶⁶ Archive of the diocesan expert committee of St. Gallen, dossier G. I.

³⁶⁷ Lüchinger, "The violations never become time-barred", in: St. Galler Tagblatt, 04.09.2018.

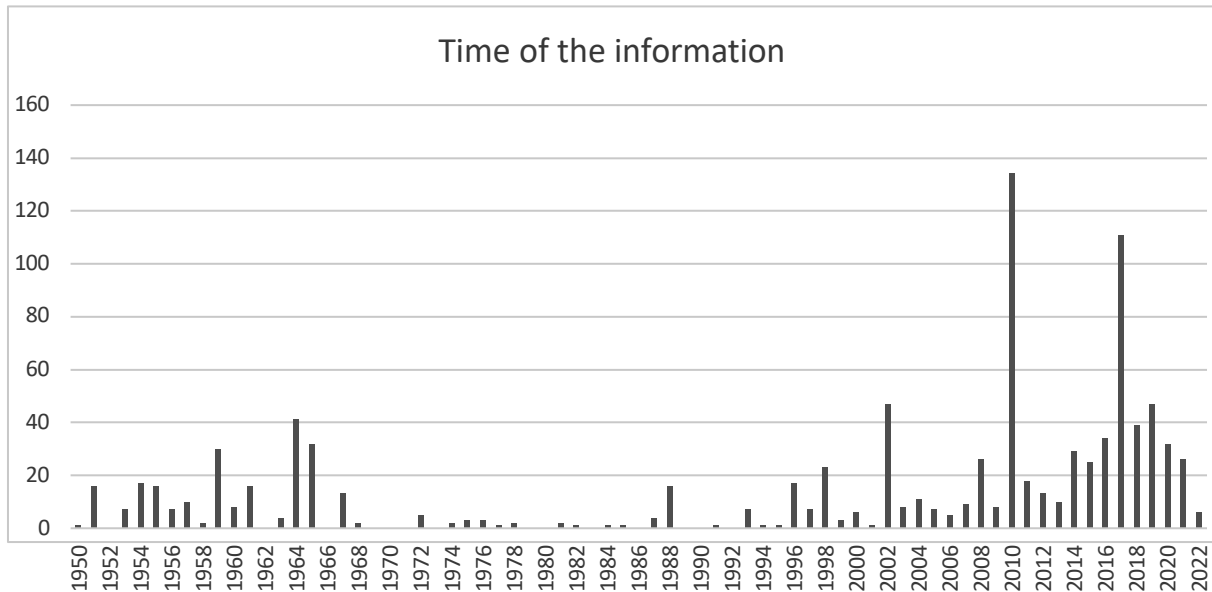


Fig. 1: Number of evaluated case reports per year, 1950-2022, n=1002.

Whilst the media and scientific trends in the topic of sexual abuse of children since the end of the 1970s³⁶⁸ have not yet been reflected in more frequent reports of sexual abuse in the Catholic Church, the societal trend of the topic in the 21st century is clearly visible. The number of reports increased significantly in 2002, 2010 and 2017, which can be attributed to the media's focus on sexual abuse in the church context in these years.³⁶⁹

The influence and importance of the expert committees for addressing sexual abuse in the church environment are therefore clearly visible. However, the introduction of the specialist committees did not run smoothly and had to overcome a great deal of resistance in order for the positive effects to unfold. The case presented below illustrates the structural inadequacies and mechanisms of protecting an accused person, delaying clarification and trivializing the facts of the case in the early years of the existence of the specialist committee in the diocese of St. Gallen. The behaviors documented in this case study were by no means new in 2002 but, as already described, were the usual strategy in the second half of the 20th century in cases of allegations of sexual abuse. For long stretches of the period under investigation, however, these behaviors, correspondence and instructions have not survived, or only in part. Partly because they were never published, partly because they were deliberately or accidentally destroyed in the course of time.

However, with the establishment of the expert committee in St. Gallen, these processes have now been documented. Measures, statements and reasons given by a bishop who was confronted with a substantiated suspicion against a priest were recorded in writing in the present case. These materials provide a detailed insight into the mechanisms within the diocese as well as the beginnings of a specialist committee and the associated questions regarding its remit and disputes about awareness of the problem and necessary competencies.

³⁶⁸ Cf. Matter, The sexual age of consent, pp. 320-353.

³⁶⁹ In 2002, 44 cases were reported; in 2010, 134 cases were reported and in 2017 there were 111 reports.

Case study on the development of the St. Gallen expert committee

In the first year of its existence, the St. Gallen Expert Committee dealt with twelve cases of sexual abuse. One of these concerned the priest E. M. A woman had come forward in April 2002 and reported both assaults experienced by E. M. in her childhood and transgressive behavior by the same priest in adulthood.

There were also rumors of assaults in a children's home that the priest E. M. regularly visited.³⁷⁰ The specialist committee informed the then Bishop Ivo Fürer of the allegations, whereby the collegial tone in the correspondence suggests a close relationship between the bishop and the accused priest and the latter held an important function within the diocese of St. Gallen in addition to his work in a parish. As the only immediate measure Bishop Ivo Fürer issued a visiting ban for the aforementioned children's home.³⁷¹

The accusations against E. M. seemed to be dispelled after discussions with the expert panel: the accused priest justified his behavior and placed it in the context of the time, while the director of the children's home, a Catholic nun, was unable to confirm any information or suspicions regarding possible assaults by the priest. At this point, the expert panel recommended that the ban be lifted, as the suspicion of sexual assault had not been substantiated.³⁷²

Just a few weeks later, a woman told a member of the expert panel that she had worked at the children's home in question during the 1990s and reported stories from other employees and children. In these, the indications of sexually abusive behavior by the priest E. M. became more concrete: Children reported "strange kisses with their tongues", grabbing under nightgowns when going to bed and caregivers told of children who suddenly wanted nothing more to do with the returning visitor. On the basis of these concrete suspicions, the St. Gallen expert committee formulated three demands to the bishop: the resignation of the priest from his function in the diocese, a review of the priest's life and work with specialists, a written communication from the bishop about the measures that had been taken and the handing over of a confirmation of a therapy recording by the accused priest.³⁷³

Bishop Ivo Fürer must have then confronted the accused with the accusations, as he responded in two letters, which were also sent to the expert panel. In these letters, he explained why the allegations made could not be true and also commented in detail on the approach of the expert panel, which prejudged and cornered him and had no legal basis or authority to demand measures such as therapy.

The bishop also replied to the expert committee in a letter in January 2003. In it, he did not respond to the panel's demands, but primarily asked follow-up and further questions: "Strange kisses" were interpreted as kisses with tongues, could this be clarified more precisely? Could the situation with the nightgowns, which was disputed by priest E. M., be clarified again in a discussion? Could the children's reactions also be

370 Archive of the diocesan expert committee of St. Gallen, file E. M.

371 Ibid.

372 Minutes of the meeting of the diocesan expert committee of St. Gallen, meeting 3, 25.09.2002.

373 Minutes of the meeting of the diocesan expert committee of St. Gallen, meeting 4, 11.12.2002.

*have other causes? How did the expert panel assess the credibility of the two women who had made the accusations?*³⁷⁴

The expert committee responded in a written statement on February 6, 2003:

*The information that we have passed on to you and [E. M.] are statements made by third parties, the truth and credibility of which we have not verified in detail. It is our understanding that carrying out further clarifications, as you suggest in your letter, would go beyond the scope of the expert committee, which cannot assume the role of an investigating authority. (Cf. point 11 of our internal paper 'Procedure': 'It is not the task of the advisory body to clarify the incident in every detail and, as it were, to take the place of the state investigating authority.) [...] Otherwise, we will not take any further steps in the matter.'*³⁷⁵

The possibilities of the St. Gallen expert committee were thus exhausted for the moment. Shortly afterwards, Bishop Ivo Fürer turned to the newly founded expert committee of the Swiss Bishops' Conference with a request for advice on how to proceed in the case of E. M. - presumably without informing his own diocesan expert committee. The expert committee of the SBC took a clear position in a letter in February 2004:

- 1. The accusations are specific and clearly exceed what can be explained in the context of a caring or pastoral relationship with non-sexually colored affection.*
- 2. The accusations come from various sources.*
- 3. The two statements made by the accused do little to rule out the possible validity of the accusations. On the contrary, the statements give rise to psychological concerns (no clear, direct denial of decisive points, but long statements that this or that was not even possible, which is considered a classic lie signal [...]).*³⁷⁶

*Subsequently, the expert committee recommended that the SBC report the matter to the religious congregation, seek a preliminary investigation and inform those affected of the possibility of filing a complaint under state law. This procedure was fully supported by the St. Gallen expert committee. Despite this clear assessment, no further steps were documented by Bishop Ivo Fürer. A preliminary investigation was not initiated and the case was not reported to the Congregation for the Doctrine of the Faith in Rome, as far as can be ascertained from the available documents.*³⁷⁷

More than six months later, the expert committee of the SBK in St. Gallen asked what had happened to the case and the recommendations made. The response from the expert panel member hinted at the resignation that must have spread in the meantime in view of the standstill and the lack of any measures in the expert panel:

*Due to new information from a person affected by the situation in the home, another conversation with [E. M.] took place in May 2004. In this conversation, [E. M.] admitted that he had gone too far, but qualified this statement by saying that different standards would apply today. Bishop Ivo Fürer will obtain a 'declaration of no objection' on the person of [E. M.] via a specialist and trusted person of the diocese. There is currently no further need for action on the part of the specialist committee.*³⁷⁸

374 Archive of the diocesan expert committee of St. Gallen, file E. M.

375 Ibid.

376 Ibid.

377 Ibid. This is an example of why the possibility of a comparison with the archival holdings of the Nunciature and the Dicastery for the Doctrine of the Faith would be important.

378 Archive of the diocesan expert committee of St. Gallen, file E. M.

However, just three months later, another woman who had been accommodated in the aforementioned children's home in the 1980s contacted the expert committee. She reported transgressive behavior when going to bed and other girls who had told of assaults. In October 2005, the specialist panel received the next report: a woman phoned and reported that she had had to lie in bed with E. M.. Among the children, E. M. had the nickname "Father Täschele". The Catholic nuns at the home did not respond to the problems, but reacted to the accusations with violence. The accused justified himself at a meeting and showed no consciousness of guilt, but did mention that he had not entered the children's home since the ban on visits and that he would "soon" resign his pastorate.³⁷⁹

He actually gave up this parish post, but in July 2006 the accused was instead appointed chaplain of a pastoral care unit in the canton by Bishop Ivo Fürer. The accused remained employed in his function in the diocese until 2009, after which he resigned from this post - presumably for health reasons.

In April 2010, there was renewed movement in the "cause" of E. M. On the one hand, he celebrated a service together with Bishop Markus Büchel, who was newly consecrated in 2007. This led to a strong emotional reaction from a victim of abuse, who then contacted the expert panel. Secondly, the Chur expert panel dealt with a case of suspected sexual abuse that took place at the end of the 1970s in a parish in the St. Gallen Rhine Valley. The chaplain in that parish at the time was E. M.³⁸⁰

Based on these new indications, the expert panel became active again. For the first time - eight years after the first indications of sexual abuse by the priest - the expert panel was able to consult further documents such as the accused's personnel dossier. Up to this point, the expert panel had had no access to episcopal documents and no authority to carry out investigations or checks. According to the logic of the institution, this was reserved for a canonical procedure or a preliminary investigation, which was never carried out despite the recommendation.

A letter from the 1970s was found in the personnel file, in which the priest told the then bishop about fantasies that were within the scope of criminal law and then asked for help. In May 2010, the expert committee summarized its findings in a letter to Bishop Markus Büchel:

An exchange of letters between [E. M.] and the then bishop from 1977 (personal file) shows that [E. M.] was aware of his problem at the time and the subsequent danger to third parties and asked for help. It is not on record that he received this. In 2002, the specialist committee dealt with the problem on the basis of specific allegations. At that time, however, it had no knowledge of the above-mentioned correspondence, which made it unnecessarily difficult to assess the situation. Nevertheless, the expert committee correctly assessed the situation at the time and requested concrete measures from Bishop Ivo in a letter dated March 27, 2002. The Swiss expert committee, which also dealt with the matter at the request of Bishop Ivo, confirmed in a letter dated February 6, 2006 that concrete measures were necessary in this case. Today we have to conclude that the diocese management has not taken any of the recommended measures.³⁸¹

379 Ibid.

380 Ibid.

381 Archive of the diocesan expert committee of St. Gallen, file E. M.

The verdict of the expert committee was therefore clear and unequivocal: despite repeated warnings and requests for measures to be taken, none were forthcoming. In a discussion with Markus Büchel, the main topic of discussion was the functioning and competencies of the expert committee:

In this context, the question arises as to the existence of a secret archive. Bishop Markus assures that there is no secret archive for information that is relevant to the specialist committee. He is also of the opinion that all relevant information must be made available internally. [A member of the expert committee] emphasizes that this is an indispensable prerequisite for the responsible and accountable work of the expert committee.³⁸²

Eight years after the establishment of the expert committee, an essential basis had now been created which made it possible for this committee to actually function in a meaningful way for the assessment and treatment of reported cases of sexual abuse.

In December 2010, another meeting was held between two members of the expert committee and the bishop. The positions were once again clearly stated in the minutes:

The situation [E. M.] has still not been clarified and is therefore unresolved. The potential danger still exists. [...] The expert committee urgently recommends that Bishop Markus remove [E. M.] from the parish. A place of residence should be sought where [E. M.] can no longer pose a threat. [...] The specialist committee can no longer represent to the outside world that all consequences have been drawn in the diocese. It formally hands over responsibility to Bishop Markus.³⁸³

After at least two more meetings of the expert committee and the renewed report to the bishop, things slowly began to move. In spring 2012, E. M. was transferred from the pastoral care unit to a monastery.³⁸⁴ This brought a ten-year story, in which a large number of affected persons reported independently and over the entire period to the St. Gallen expert committee, to a (provisional) conclusion with a restrained measure. Despite this measure, E. M. was regularly deployed as a pastor in various parishes in the years that followed. Eucharistic celebrations with Chaplain E. M. are still documented in January 2023.

As already mentioned, this behavior is not an isolated case. In this case, the introduction of the expert committee meant that the processes were recorded and made comprehensible, making it possible to reconstruct the case. In this case, it is particularly serious that, despite repeated insistence by both the diocesan and the national expert committee, no measures were taken for years, even when the accusations became repeated, more concrete and more verifiable.

It can therefore be concluded that the introduction of a specialist committee does not automatically lead to a sensible and victim-focused approach to dealing with reports of sexual abuse. A specialist committee can only function and perform its task if, firstly, other areas within the institution are coordinated with it and, secondly, it is given the necessary competencies for its work. It is also essential that there is far-reaching transparency within the institution. The prerequisites were not yet in place in St. Gallen in 2002, nor in the years that followed. After that, however, the speed and

382 Ibid.

383 Ibid.

384 Ibid.

the decisiveness of the response to cases of sexual abuse in the Diocese of St. Gallen.

This development shows that the establishment of the expert committee in St. Gallen was a pioneering milestone despite initial difficulties. For the first time, the panel of experts was a place where those affected could describe their experiences and state their demands, and in many cases helped them to receive the psychological and pastoral help and support they needed. The expert committee also actively supported the demands and requests of those affected (albeit not always successfully) and in some cases also helped to identify the accused.

To this day, the diocesan specialist committees differ significantly from one another and exhibit varying degrees of professionalization. In some cases, there is a lack of clear regulations on procedures, and sometimes their implementation fails. In addition, there is only very limited communication and coordination between the individual specialist committees. It is also sometimes difficult for those affected to understand which specialist body is responsible for them: does the place where the abuse took place or the place where they now live count? Who is responsible for abuse by members of religious orders? A lot of uncertainty and frustration could be avoided in these matters with clear communication on the various websites.

Expert committee diocese of Chur

For the diocese of Chur, the available records document the activities of the diocesan expert committee "Sexual Assaults in the Church Environment" from 2007 onwards, whereby in previous years the current Bishop Joseph Maria Bonnemain also played a similar role in the diocese of Chur as secretary of the SBC expert committee. The expert committee of the Diocese of Chur was and is made up of experts as well as church representatives and a member of the Bishop's Council.

There is room for improvement in the Chur diocese's specialist committee's record-keeping. The documents from the diocese's activities stored at the diocese headquarters indicate certain gaps that appear to be due to a lack of documentation regulations. Some of the cases are extensively documented, including correspondence, while in other cases only a few files have survived. The files on cases are held by the individual members during processing and not all cases are likely to have been completely transferred to Chur. The diocese should clarify the whereabouts of the archival records. The research team generally recommends that all Swiss dioceses exchange information on the documentation and archiving practices of the specialist committees.

Expert committee of the diocese of Basel

The expert committee of the diocese of Basel was also founded in 2002,³⁸⁵ whereby the processes - similar to the case of St. Gallen - were not very professionalized at the beginning. According to its own statements, it was confronted with the "first serious"³⁸⁶ case of sexual abuse in 2010 and subsequently established processes and structures to enable employees to respond to victims.

³⁸⁵ Interview with Donata Tassone-Mantellini, responsible for personnel in the diocese of Basel, 05.12.2022.

³⁸⁶ Episcopal Archives of the Diocese of Basel, personnel dossier A.D.

and what they have experienced. The protection concept against sexual assault in the church environment - prevention and intervention has been in force since July 1, 2020. Victims of sexual abuse by church employees can report the incident either to a counselor of the diocese or directly to the independent coordinator. If a report is made, the further procedure depends on whether the reported case is already time-barred or not. In a case that is not time-barred and in which an active church employee is accused, a lawyer examines a report in accordance with the applicable criminal law and, if necessary, requests the responsible Ordinary to initiate it.³⁸⁷ Cases that are already time-barred under secular law are dealt with by the contact point of the Working Group on Compensation, which clarifies the needs of the person concerned and, if desired, initiates an application for compensation payment in accordance with the guidelines of the Compensation Fund.³⁸⁸

The diocese of Basel has a multilingual area of responsibility. For several years, cases of French-speaking victims were informally forwarded to the specialist committee of the diocese of LGF, which dealt with them. Accordingly, those responsible at LGF sent German-language cases to the diocese of Basel for treatment. The new HR manager, who took up her post in 2020, speaks French and Italian as well as German, which is why she handles all cases independently, but is still in contact with her colleagues from the LGF diocese.³⁸⁹

Expert committee diocese LGF

At the beginning of the 2000s, several people in the diocese of LGF also came forward in the wake of the media abuses mentioned above. Some of the cases were published in the press, which forced the church leaders to take action: Bishop Bernard Genoud decided to set up a commission to advise him on processing the complaints received, investigate the abuse and develop preventive measures. This Commission SOS Prévention was headed by a former investigating judge who had specialized in sexual violence, particularly against children, worked independently and acted as a complement to the civil justice system.³⁹⁰ The commission consisted of five members, all of whom worked in the field of sexual violence. In addition to the president, it included another examining magistrate, a psychiatrist, a lawyer and a priest who ran a rehabilitation center for drug addicts. The commission therefore differed from other specialist bodies in that it was not primarily made up of church employees. A total of sixty people were looked after.

However, when Charles Morerod took office, the commission was dissolved in 2012.³⁹¹ On the initiative of the Groupe SAPEC, an organization of people affected in French-speaking Switzerland, and in collaboration with Bishop Morerod, the

³⁸⁷ Diocese of Basel, Übergriff, was tun, www.bistum-basel.ch/mitarbeitende/uebergreif-was-tun/uebergreif-was-tun, as of 20.04.2023.

³⁸⁸ Diocese of Basel, Anlaufstelle Genugtuung, www.bistum-basel.ch/mitarbeitende/uebergreif-was-tun/uebergreif-was-tun/anlaufstelle-genugtuung, as at: 20.04.2023. See Chapter 6d.

³⁸⁹ Interview with Donata Tassone-Mantellini, 05.12.22.

³⁹⁰ Mauron, François: Françoise Morvant. "La commission sera indépendante", in: Le Temps, 02.02.2008. Online: www.letemps.ch/suisse/francoise-morvant-commission-sera-independante, status: 10.04.2023.

³⁹¹ The exact circumstances of this dissolution must be clarified in future research projects.

CECAR - a commission independent of ecclesiastical authorities - was established to deal with reports of sexual abuse and submit applications to the national compensation fund for those affected.³⁹² Also in 2016, in the wake of the publication of the study on the Marini Institute,³⁹³ a new commission was set up, the Commission diocésaine Abus sexuels dans le contexte ecclésial (CASCE). This was the diocese's response to the revelations triggered by the publication of the study and to the requirements of the Swiss Bishops' Conference. The CASCE is headed by the Vicar General of the diocese and initially consisted mainly of people responsible for the diocese, supported by a psychotherapist. Today, the commission also includes a former cantonal judge, a specialist in canon law and, more recently, a specialized employee who was formerly a police officer in charge of investigations for the vice squad and later for the canton's child protection service.

Thus, between 2012 and 2016, there was no body specialized in sexual abuse issues in the diocese of LGF. During this time, Bishop Morerod personally received those affected and, in some cases with the help of the archivist, carried out his own investigations, as evidenced by the correspondence in the personal files of accused priests.

Expert committee diocese of Sion

The specialist committee "Sexual abuse in the church environment" of the diocese of Sion was set up by Bishop Norbert Brunner in 2009. The reported cases were mainly to be dealt with by him and Vicar General Richard Lehner, who divided the language regions of the diocese between them. External persons were also available if required. By 2016, however, no one had reported to the specialist committee, according to their own information.³⁹⁴

In 2015, after Jean-Marie Lovey had taken over the office of bishop from Brunner a year earlier, a new specialist committee was set up, consisting of external persons and laypeople, which was to deal with both language regions in a uniform manner. In fact, however, the contact person for reports was still Vicar General Lehner, who therefore continued to decide on the respective course of action in cases of sexual abuse. If the accused priest was still alive, a preliminary investigation was initiated, the results of which were presented to the bishop. If the priest was already deceased, a process of reparation was initiated, in which an application to the National Reparation Fund was also examined.

In order to comply with the guidelines of the SBC, the working methods of the expert committee were reorganized in January 2022. It was now composed without the participation of the bishop and the vicar general. According to the new rules of procedure, it now consists of "at least five members and should cover the psychological, social and legal aspects of sexual assault from a professional perspective."³⁹⁵ In addition, it is now divided into a "contact group", which receives those affected and clarifies their concerns, and an "expert group", which offers the members of the contact group professional (legal, psychological, etc.) support. According to the regulations, the tasks of this commission are: "to provide those affected by assaults in the church environment with a

³⁹² See chapter 6d.

³⁹³ Praz; Avvanzino; Crettaz, Institut Marini.

³⁹⁴ Interview with Jean-Marie Lovey and Richard Lehner, 29.01.2023.

³⁹⁵ ASCE, Regulations of the Expert Committee of the Diocese of Sion.

to provide a place of refuge; to advise and support persons who have been victims of sexual assault in the church environment [...]; to prepare applications for satisfaction [...]; to compile as far as possible the files required for the canonical preliminary investigation. "³⁹⁶

Expert committee diocese of Lugano

The Commissione di esperti in caso di abusi sessuali in ambito ecclesiale (CDEAS) of the diocese of Lugano was established during the episcopate of Bishop Pier Giacomo Grampa and has been chaired by the juvenile judge Fabiola Gnesa since 2009. According to the latter, no cases of sexual abuse were reported to the commission until 2016.³⁹⁷ As a result of the new guidelines issued by the Swiss Bishops' Conference in 2014, the commission was reorganized under Bishop Valerio Lazzeri.³⁹⁸ The press also called for cases to be reported.³⁹⁹

The procedure of the specialist committee of the diocese of Lugano does not differ significantly from the other specialist committees: Contacts with affected persons are made by two specialists in psychology and/or psychiatry, who record the statements and, if desired, forward them to the CDEAS, which initiates the relevant proceedings.⁴⁰⁰ At present, the commission is composed exclusively of lawyers and psychologists.⁴⁰¹

Specialist committees of the religious communities

In the first two decades of the 21st century, many religious communities also underwent a development in their response to reports of sexual abuse. The structures set up differ depending on the religious order and are therefore very heterogeneous. Some religious orders, such as the Swiss Capuchin Province, have created contact points for reporting sexual abuse and have based their response on the official guidelines of the SBK.⁴⁰² Others, such as the Menzingen Sisters, have involved external experts in the process and, even before the creation of the Satisfaction Commission, carried out appropriate investigations of reports and in some cases also paid out contributions to those affected.⁴⁰³ Others have made agreements with the specialist bodies of the diocese in whose territory the religious community is located in order to deal with reports of sexual abuse in accordance with the guidelines of the SBC. This is the case, for example, with the territorial abbey of St. Maurice of the Augustinian Canons Regular, which has the relevant reports processed by the specialist committee of the diocese of Sion.⁴⁰⁴ Others have not set up any structures, either because it is a small religious community or because any social activities, for example in schools or homes, have already been taken into account.

396 Ibid.

397 Interview with Fabiola Gnesa, Chairwoman of CDEAS, 02.09.2022.

398 Ibid.; Interview with the Chairwoman of CDEAS and representatives of the Diocese of Lugano, 18.11.2022.

399 Silini, Vittime di abusi sessuali, in: Corriere del Ticino, 18.01.2017.

400 Archivio Commissione diocesana d'esperti, Regulation CDEAS, 15.02.2019.

401 The current diocesan chancellor, Secretary Andrea Cavallini, completes the commission.

402 Swiss Capuchin Province, Sexual Assault, www.kapuziner.ch/sexuelle-uebergriffe/, as at: 20.04.2023.

403 Archive Institute Menzingen, e.g. case dossier K. L. and M. L.

404 Interview with Jean-Marie Lovey and Richard Lehner, 29.01.2023.

a long time ago or because those responsible are of the opinion that there have been no abuses in their ranks.

Similar to the diocesan expert committees, the varying degrees of professionalization in dealing with cases of sexual abuse should be noted here. Depending on which religious community was responsible for the sexual abuse, those affected were confronted with different consequences and compensation payments. These different approaches need to be investigated further and form an important desideratum for future research projects.

d. CECAR and Compensation Commission from

2016 CECAR

The founding of CECAR was preceded by years of efforts to and state officials to set up an independent commission to deal with reports of sexual abuse within the Catholic Church. With recourse to the practice established in Belgium at the time, the victims' organization SAPEC issued a memorandum in 2013 calling for the state to play an active role in dealing with reports of sexual abuse in the church environment, but also in other institutions. After requests were sent to various members of parliament in French-speaking Switzerland, an initial meeting took place in spring 2014 between representatives of the Swiss National Council, SAPEC and the Bishop of LGF, Charles Morerod. As a result, a working group was established, which set up the CECAR, the Commission d'Ecoute, de Conciliation, d'Arbitrage et de Réparation - Commission for Hearing, Conciliation, Arbitration and Reparation.⁴⁰⁵

Similar to the specialist committees of the dioceses, CECAR can receive reports of time-barred cases of sexual abuse by church employees and submit applications to the national satisfaction fund. Affected persons are supported by an interdisciplinary committee, which has the task of listening to the person concerned, recording their expectations and, if possible, working towards mediation.⁴⁰⁶ CECAR sees itself as a neutral body that is independent of the authorities of the Catholic Church and is intended to offer those affected a place to listen, exchange views and seek mediation with the accused or, if this is not possible, with the accused's superior.⁴⁰⁷ It is supervised by a commission made up of a member of the Church, a member of SAPEC and three independent persons.⁴⁰⁸

Compensation Commission

Also in 2016, the SBC created the "Compensation for victims of sexual assaults within the church" commission, which formally began its work in 2017. Its establishment was preceded by discussions with church leaders and the SAPEC organization for victims. The establishment of the commission was a reaction to the fact that in the

⁴⁰⁵ CECAR, Historique, <https://cecar.ch/historique/>, status: 20.04.2023.

⁴⁰⁶ CECAR, list of the comités, <https://cecar.ch/2016/07/01/liste-des-conciliateurs/>, as at: 20.04.2023

⁴⁰⁷ CECAR, Historique, <https://cecar.ch/historique/>, status: 20.04.2023.

⁴⁰⁸ SAPEC, Accord entre Groupe SAPEC et institutions catholiques.

Switzerland, different regulations existed side by side and it was unclear where those affected should turn and how they would be compensated for the injustice they had suffered. The central task of the commission is to ensure that all victims of time-barred sexual abuse throughout Switzerland are treated equally with regard to financial compensation and that this does not depend, for example, on the size and financial strength of the diocese.⁴⁰⁹

The Compensation Commission and the associated fund have made it possible to pay out compensation of up to 20,000 Swiss francs to victims on a relatively low-threshold basis (after a plausibility check of the events recounted). This requires an application from one of the specialist bodies or CECAR.⁴¹⁰ Since 2021, state victim support agencies have also been able to apply for compensation.⁴¹¹ The commission therefore does not work directly with the victims: The case intake and plausibility check is carried out by the respective specialist bodies or victim support agencies, which submit their assessment to the Commission. If the Commission accepts the application, it distinguishes between "standard cases" and so-called "serious cases", whereby in practice a large proportion is classified as "serious" and the ratio has also shifted towards higher amounts of compensation over the years.⁴¹²

By the beginning of 2023, compensation had been paid out in 168 cases, for which a total of CHF 2.5 million was spent from the compensation fund earmarked for this purpose. The RKZ, the SBK and the VOS'USM pay into the fund. Since January 1, 2021, it is no longer only the facts of the case or the severity and frequency of the sexual abuse that are important when assessing the amount of compensation, but also the impact on the individual life of the person concerned.⁴¹³

e. Prevention

The above-mentioned specialist committees on sexual assault are primarily active in the area of intervention and only become active when an assault has already occurred. Based on the findings of general research on sexual abuse in institutions⁴¹⁴, it is clear that the Catholic Church has a significantly increased risk of sexualized violence in its environment.⁴¹⁵ However, this increased risk was not countered preventively for a long time and only a few prevention efforts could be identified for long stretches of the investigation period. It is only in recent years that the Catholic Church in Switzerland has placed an additional focus on prevention work in order to reduce the potential for sexual abuse.⁴¹⁶

Initial considerations that sexual abuse is not only an object of criminal sanctions under church law and an expression of individual

⁴⁰⁹ Interview with Liliane Gross, President of the Compensation Commission, 23.01.2023.

⁴¹⁰ Swiss Bishops' Conference, Genugtuungsfonds verjährte Fälle, www.bischoefe.ch/sbk-genugtuungsfonds-fuer-opfer-nach-staatlichem-wie-kirchlichem-recht-verjaehrter-faelle-sexueller-uebergriffe-im-kirchlichen-umfeld-schema/, as at: 20.04.2023.

⁴¹¹ SBK; RKZ; VOS'USM, Agreement between SBK, RKZ and VOS'USM; SBK; VOS'USM; RKZ, Actualization of the agreement between SBK, VOS'USM and RKZ.

⁴¹² Interview with Liliane Gross, President of the Compensation Commission, 23.01.2023.

⁴¹³ Ibid.

⁴¹⁴ Kindler, Prävention von sexuellem Missbrauch, pp. 351-362; Gründer, Sexueller Missbrauch in Familie und Institutionen.

⁴¹⁵ Enders, Respecting boundaries, pp. 129-146.

⁴¹⁶ Catholic denomination of the Canton of St. Gallen, Diocese of St. Gallen, Protection Concept Diocese of St. Gallen.

The idea that sexual abuse is not a weakness of individual clerics or church employees, but has structural causes, was expressed in the Catholic Church in Switzerland in 2002, when the SBK issued its guidelines "Sexual Assault in Pastoral Care. Guidelines for the dioceses". This included a chapter on "Measures for prevention".⁴¹⁷ These guidelines were revised in the following years and are now also supported by the VOS'USM. Between 2002 and 2016, the SBK supplemented its guidelines on prevention measures several times. Obtaining references and an extract from the criminal record became mandatory for future priests and candidates of religious congregations and when changing their place of work, training in the area of prevention was increased and dioceses were required to appoint prevention officers.⁴¹⁸ Since 2019, dioceses and religious congregations have also been required to develop suitable protection and prevention concepts if they do not yet have one.⁴¹⁹

However, the mere existence of regulations, protection concepts and guidelines on prevention does not mean that the considerations set out in them are actually implemented in an institution. There are many indications that the implementation of prevention concepts in the Catholic Church lags far behind theoretical considerations in most areas. However, positive efforts can also be observed. In some cases, for example, attempts are being made to impart the developed content to all employees through mandatory courses. However, prevention concepts can only be implemented successfully if the relevant managers consistently enforce their implementation in the areas for which they are responsible.

Prevention and protection concepts are currently still being planned for the state-church units, above all the cantonal regional churches and their members, which in many cases are the employing authority of the clergy and other church employees.⁴²⁰ The introduction of a basis for prevention on the state-church side is particularly important under labor law in certain situations, so that compliance with the fixed standards can be demanded.

The diocese of Chur recently took an additional step towards the most comprehensive preventive work possible with its own code of conduct on the "Prevention of spiritual abuse and sexual exploitation". The code of conduct must be signed by priests and other church employees.⁴²¹ This has caused a great deal of discussion within the priesthood, particularly because the code also includes sensitive topics such as dealing with sexuality or sexual orientation and focuses strongly on the intertwining of spirituality and power. The LGF diocese has also drawn up a corresponding document based on the Chur Code.⁴²²

This code of conduct reveals a central area of tension in prevention efforts within the Catholic Church. Many topics of the

⁴¹⁷ Swiss Bishops' Conference, Sexual Assault in Pastoral Care.

⁴¹⁸ Specialist committee "Sexual assaults in the church environment" of the SBC, prevention measures 2002 to 2016, www.bischoefe.ch/sbk-fachgremium-sexuelle-uebergriffe-im-kirchlichen-umfeld-prevention-measures/, status: 20.04.2023.

⁴¹⁹ Catholic denomination of the canton of St. Gallen, diocese of St. Gallen, protection concept diocese of St. Gallen; diocese of Chur, protection concept diocese of Chur.

⁴²⁰ Interview with Karin Iten, prevention officer of the diocese of Chur, 16.03.2023.

⁴²¹ Iten; Loppacher, Prävention Machtmissbrauch Bistum Chur.

⁴²² Landbö, Kopplung Spiritualität und Macht problematisch, in: katholisch.de, 21.02.2023, www.katholisch.de/artikel/43715-die-kopplung-von-spiritualitaet-und-macht-ist-hoechst-problematisch, as at: 20.04.2023.

prevention do not differ significantly from those in other areas of society. However, it is precisely the area of sexuality and the moral implications of the doctrine of faith that lead to specific *Catholic* problems and potential dangers. Theologically central and also church-politically emotionally charged topics such as Catholic sexual morality, the position of priests, including celibacy, or the sacrament of confession must inevitably be addressed in the sense of preventing sexual abuse and, according to experts, also adapted in some aspects, as they constitute an important part of the potential for manipulation within church structures. At the same time, they represent central positions of the Catholic Church. Although certain groups within the church are demanding changes, the responsible and authoritative body, the Vatican, does not currently appear to want to respond to this demand.⁴²³

This area of tension is well illustrated by the diocese of Chur. The training of priests in the Swiss dioceses was and is directly subordinate to the respective bishops and is therefore dependent on their personality and agenda. The former Bishop of Chur, Wolfgang Haas, for example, ended the integrated seminary in the 1990s, where prospective priests and pastoral assistants were trained together with pastoral assistants.⁴²⁴ From then on, he enforced his own criteria for priest training and selection without consideration. These consisted of ordaining as many young priests as possible and as conservative as possible - even those who were not considered suitable for the priesthood by those responsible for priestly training. The then auxiliary bishop Peter Henrici had this to say:

Obviously, he [Haas] was primarily pursuing his own interests, namely to have as many 'good' young priests as possible. This is probably where he made the biggest mistakes. They concerned the seminary and the theological college, where we as vicars general had no say. The bishop accepted unsuitable candidates for the priesthood, supervised them personally and even ordained one or two against the express advice of Reverend Peter Rutz.⁴²⁵

The training of church personnel is therefore of particular importance in the prevention of sexual abuse in an institution such as the Catholic Church. Here there is an opportunity to check people for their suitability for pastoral or other church work before they enter the church service and, if necessary, to make the necessary personnel decisions.

However, for the training of priests and members of religious orders in particular, no prevention efforts can be assumed for long stretches of the period under investigation, as well as serious shortcomings in addressing sexuality as part of the training. Various interviews indicate that sexuality was only rarely or not at all addressed in the training of priests and members of religious orders.⁴²⁶ In the diocese of Chur, a propaedeutic course was introduced under Bishop Amédée Grab at the end of the 1990s to clarify the vocation of prospective priests, in which topics such as sexuality were discussed and in some cases psychological assessments of the suitability of candidates were carried out. Under the more conservative Bishop Vitus Huonder, however, this practice was

⁴²³ Kaminski, "Am Zölibat muss gerüttelt werden", in: Migros-Magazin, 30.01.2023, <https://corporate.migros.ch/en/Magazin/2023/01/karin-Iten-verhaltenskodex-bistum-chur.html>, as at: 20.04.2023.

⁴²⁴ Interview with Josef Annen, 05.01.2023; Rauch, Josef Annen: "Haas' und Huonder's mortgage is burdensome", in: kath.ch, 25.05.2022, www.kath.ch/newsd/josef-annen-haas-und-huonders-hypothek-ist-belastend/, as at: 20.04.2023.

⁴²⁵ Henrici, Events and Experiences, p. 85.

⁴²⁶ Interview with Sister Scholastica Oppliger, 20.06.2022; interview with Josef Annen, 05.01.2023.

again.⁴²⁷ It is only in recent years that those responsible have become noticeably more sensitive in this regard. For example, the diocese of Lugano has been working with the Fondazione della Svizzera italiana per l'Aiuto, il Sostegno e la Protezione dell'Infanzia (ASPI) in Ticino since 2016. Since 2017, half-day prevention courses for priests and a two-day training course for seminarians have been organized.⁴²⁸ Other dioceses are also making similar efforts.⁴²⁹ However, changes in this area are very slow and repeatedly fail due to resistance from a church and its staff that are shaped by its moral and religious teachings.⁴³⁰ The training of priests, its structures and the content taught could not yet be examined in detail as part of the pilot project. There is a desideratum here that must be addressed in a future follow-up project.

427 Interview with Josef Annen, 05.01.2023; Rauch, Josef Annen: "Haas' und Huonders Hypothek ist belastend", in: kath.ch, 25.05.2022, www.kath.ch/newsd/josef-annen-haas-und-huonders-hypothek-ist-belastend/, status: 20.04.2023.

428 Fondazione della Svizzera italiana per l'Aiuto, il Sostegno e la Protezione dell'infanzia, Prevenzione in ambito ecclesiale, <https://www2.aspi.ch/attivita/formazione-ecclesiale>, Status: 20.04.2023.

429 For example: Prevention in the diocese of Basel, www.bistum-basel.ch/mitarbeitende/uebergreif-was-tun/praevention, as at: 20.04.2023; Protection concept in the diocese of St. Gallen, www.bistum-stgallen.ch/dokumente/schutz-und-praevention/, as at: 20.04.2023; Prevention of sexual abuse in the diocese of LGF, <https://diocese-igf.ch/de/praevention-von-sexuellem-missbrauch/>, as at: 20.04.2023; ASCE, Reglement Fachgremium Bistum Sitten.

430 The Catholic doctrine of morals and faith is laid down in the "Catechism of the Catholic Church". John Paul II, Catechism of the Catholic Church.

7. Conclusion

Dhe pilot project summarized in this report forms the basis for future research into sexual abuse committed by Catholic clergy and other church employees and members of religious orders.

Last year, fundamental questions regarding access to archives, the status of research and documentation of cases of sexual abuse within the Catholic Church and the efforts made to date to deal with and prevent them were clarified. With regard to Switzerland, this is the first systematic attempt to scientifically summarize and outline this topic.

As part of this pilot study, it became clear that the Catholic Church in Switzerland has a diverse archive landscape and that it contains a wealth of holdings that are relevant to the investigation of sexual abuse. As a first step towards an in-depth scientific examination of the topic, an overview was drawn up. This involved determining which archives and collections are of particular relevance to the investigation of this topic, how the structures of the church affect the structures of the archives and which Catholic institutions, associations, communities and movements should also be included in the investigation in the future.

The fonds consulted contain varying degrees of evidence of sexual abuse: the secret archives and the archives of the specialist bodies, for example, consist to a large extent of files that arose directly from the church's involvement with this topic. Other archives sometimes contain only very sparse direct evidence of sexual abuse, but can still provide indispensable information and clues to supplement the context or for further investigations.

For the most part, the project team was given the necessary access to the archives. With a few exceptions, there were no major obstacles to accessing the files and the vast majority of those responsible in the church generally complied with the promise to open the archives to researchers without restrictions. It will also be crucial in future studies that researchers have unrestricted access to files and to the wealth of knowledge available in the institutions. At the same time, however, it also became clear where the limits of the Catholic Church's willingness to cooperate as a transnational organization lie: a request for access to the archives of the Apostolic Nunciature of Switzerland was answered in the negative, and international experience also points to major obstacles when it comes to accessing the archives of the Roman Curia.

As part of the pilot project, 1,002 cases of sexual abuse in the Catholic Church since 1950 with 510 accused and 921 victims were identified - significantly more cases than have been publicly communicated by the Church to date. At least one in seven cases involved adults

Persons. So far, a very limited corpus of sources has been used to identify cases. It is very likely that further cases can be identified if additional sources and archives are taken into account. This will require further comprehensive source research in future research projects.

Nevertheless, initial conclusions could already be drawn about how the Catholic Church has dealt with sexual abuse since the middle of the 20th century. It became clear that those responsible in the church ignored, concealed or trivialized sexual abuse in most of the cases evaluated until the 2000s. When they were forced to act, they often did so not with the victims in mind, but to protect the perpetrators, the institution and their own position. In many cases, sexual abuse was "sat out", accused persons were transferred and those affected and those who knew about it were obliged to remain silent. As a result, those responsible in the church accepted that further cases of sexual abuse would occur.

The existence of canon law parallel to secular law further promoted this cover-up and concealment. In addition, the regulations of canon law regarding the retention and transmission of files have strongly influenced the file situation for research into sexual abuse in the church environment. The regulations that still exist today regarding the keeping of secret archives, in particular the regular destruction of documents, led to the destruction of files in several archives during the period under investigation. In others, such a measure must be assumed. This not only has a considerable impact on scientific research, but also on those affected who wish to view the documents concerning them. From the perspective of research and those affected, it is positive to note that the majority of Swiss dioceses have in recent years no longer or only partially implemented the provisions - both for keeping a secret archive and for destroying files.

A fundamental change in the handling, prevention and sanctioning of sexual abuse by those responsible in the Catholic Church can only be observed in the 21st century. Today, they punish abuse more consistently. The reasons for this are manifold and are part of an overall societal context. For example, there has been a change in the way sexuality and sexual abuse are dealt with.⁴³¹ In addition, the societal concepts of child welfare and child protection have changed significantly,⁴³² which has led to a change in legislation and case law. Finally, media coverage in recent decades has also contributed significantly to the fact that abuse in the Catholic Church is generally no longer tolerated today.

The case studies presented in this report have shown that the sources are very rich. Based on the results of the national and international research literature and the analysis of the cases already evaluated, it was possible to identify the first possible directions for future research projects, future thematic "avenues" and research objects that could provide new insights into sexual abuse in the Catholic Church. It is therefore proposed that the spaces and constellations of sexual abuse presented

431 Cf. Matter, The sexual age of consent.

432 Seglias, Home education - a historical perspective, pp. 54-56.

abuse and to work out parallels and differences.

When researching sexual abuse committed by clergy and other church employees and members of religious orders in the context of pastoral work, it will be particularly important to include all pastoral structures in Switzerland. The foreign-language missions organized a significant proportion of Catholics during the period under investigation, but have left relatively few traces in the diocesan archives. These should be supplemented. In addition, it became clear from the archive research to date that additional institutions and archives should be consulted for a comprehensive investigation of sexual abuse in pastoral care. Clubs and associations such as the Jungwacht-Blauring or the altar servers will be of particular importance. If their archives are taken into account, further dimensions of sexual abuse can be investigated that remain excluded if the focus is exclusively on the diocesan archives.

Since state authorities often delegated social charity and educational tasks to the church, especially in Catholic areas, future studies should examine the state's responsibility in this area in more detail and also focus on interfaces with research into coercive welfare measures. This raises the question of how sexual abuse was linked to Catholic pedagogy, the ideal of charity and the social visions associated with it. This (social) sphere of activity of the Catholic Church cannot be considered without taking into account a large number of Catholic associations and organizations such as Caritas or the Swiss Catholic Women's Association as well as the apostolic orders and congregations active in this field.

When investigating sexual abuse in closed or segregated communities with a common, intensive life of faith, researchers are confronted with a challenging source situation. In addition to "traditional" religious communities, it would also make sense to include the NGGBs, which have increasingly emerged since the Second Vatican Council and now have significant membership figures. In both cases, asymmetrical power relations, spiritual abuse, a strong inward orientation and thus cases of sexual abuse can be assumed, which have presumably left no or only very difficult to access written traces. The lack of written sources and the partial unwillingness of such communities to cooperate will be a significant challenge in future research projects.

The question of the Catholic specifics that may have favored sexual abuse in the church environment during the period under investigation has only been discussed so far. These include, for example, Catholic sexual morality, celibacy, gender relations within the Church, the ambivalent tension between the Catholic Church and homosexuality as well as the peculiarities of a Catholic milieu that tacitly accepted and in part supported the dynamics of concealment and denial described above. At this point, other scientific disciplines are also called upon to address these questions and contexts from a sociological, jurisprudential or theological perspective. The question of the extent to which the dual structure of the Catholic Church in Switzerland has influenced the possibilities of sexual abuse as well as its concealment and cover-up is also still largely unanswered.

The present study has shown where there are gaps, transmission problems and problem areas that are not accessible via the archives of the Catholic Church. This made it clear that the work with archive materials urgently needed to be supplemented with methods from *oral history* and empirical social research. Especially when it comes to cases of sexual abuse that were not reported to the church structures, statements and testimonies from those affected, those who knew about the abuse or the social environment are essential. The search for and recording of these statements is crucial in order to acknowledge the perspective, commitment and suffering of those affected and to seriously advance research into sexual abuse within the Catholic Church.

8. Recommendations and suggestions

Dhe sexual abuse of priests, members of religious orders and other church employees since the middle of the 20th century has caused immeasurable suffering. With the present study laid the foundation for scientific research into sexual abuse in the Catholic Church. However, numerous aspects remained unconsidered due to the narrow scope of the pilot study. In order to investigate the conditions, extent and consequences of sexual abuse in the Catholic environment, further research from various scientific disciplines is therefore needed to address the desiderata identified in various places in this report. However, in order to make such investigations possible, certain conditions must be met, such as a broad base of files and data on sexual abuse in the Catholic Church and the accessibility of all documents for research.

Firstly, the written archive sources must be supplemented by oral sources. To this end, the research team supports the call for an independent contact point that can be contacted by victims of sexual abuse, but also by relatives, informants, witnesses and contemporary witnesses, as well as an associated, targeted appeal to victims. As many victims do not want to confide their experiences to the church authorities, the creation of a contact point independent of the church would significantly increase the number of victims who report their experiences and are willing to make their experiences and knowledge of sexual abuse accessible to research. It would be important for such an independent contact point to make a clear distinction between the needs of research and those of the victims, for example with regard to support, long-term care or anonymity. Secondly, it is of central importance that no more thematically relevant documents are destroyed within church institutions in the future. As has been shown, numerous files containing evidence of sexual abuse have been destroyed in the past - partly with reference to the requirements of canon law. This is not only devastating for future research projects, but also for those affected, who were thus deprived of the opportunity to view their documents. All too often, canon law also served as legitimization to erase uncomfortable chapters of the past (at least at the level of the files) and to avoid dealing with serious misconduct and responsibilities.

to withdraw.

Thirdly, in addition to the completeness of the sources, the condition and organization of the archives and their holdings must also be taken into account. At present, researchers are confronted with an extremely heterogeneous archive situation in the various dioceses and religious orders. While some Catholic institutions provide state-of-the-art rooms for their archives, documents in others are stored in unsuitable environments. Also with regard to

There are considerable differences in cataloging and inventorying. The research team recommends that archives and archive staff be provided with sufficient resources to fully identify, inventory and classify historically valuable documents and to store them appropriately. This applies to archive collections in general as well as to documents documenting cases of sexual abuse. In all dioceses there are - partly in the secret archives, partly outside - lists or fonds that concentrate dossiers on so-called "problematic priests". These were each produced according to unclear, often subjective criteria and therefore represent the realities very differently and sometimes inadequately. There is great potential here for standardization and a common orientation towards archival *best practices* by those responsible for church archives.

Fourthly, it is crucial to provide access to church archives for those concerned and researchers from all scientific disciplines. The question of accessibility does not only concern the archives of the Catholic Church in Switzerland. The archives of the apostolic nunciature and those of the dicasteries for the doctrine of the faith, for the clergy, for the bishops and for the institutes of consecrated life in the Vatican also presumably contain important holdings that must be accessible if international research into sexual abuse in the context of the Catholic Church is to be seriously supported.

Fifthly, it is recommended that, in addition to historical research projects, a sociological, quantitative study be commissioned in order to be able to assess the extent of sexual abuse in the Catholic Church in Switzerland more precisely, similar to the CIASE study in France.

If these recommendations are implemented, the starting position for those affected, research and a social debate on sexual abuse will improve considerably.

8. Recommendations and suggestions

Church archives consulted

Diocese of St. Gallen

Episcopal Archives of the Diocese of St. Gallen

Secret Archives of the Diocese of St. Gallen

Archive of the diocesan expert committee of St. Gallen

Diocese of Chur

Episcopal Archives of the Diocese of Chur Secret

Archives of the Diocese of Chur

Archive of the diocesan expert committee Chur

Diocese LGF

Archives de l'Evêché LGF

Archives secrètes LGF

Diocese of Sion

Archives diocésaines Sion

Archives secrètes Sion

Diocese of Basel

Episcopal Archives of the Diocese of Basel

Archives of the Basel Diocesan Expert

Committee Archives of the Basel Personnel

Office

Diocese of Lugano

Archivio storico diocesano Lugano

Archivio segreto Diocesi di Lugano

Archivio Commissione diocesana d'esperti

9. List of sources

Swiss Bishops' Conference

Archive of the SBC expert committee

Religious communities

Einsiedeln Abbey Archives

Provincial Archives of the Swiss Capuchin Province in Lucerne

Archive Institute Menzingen

Archives de l'Abbaye Saint-Maurice

State Archives State

Archives of St. Gallen State

Archives of Aargau State

Archives of Valais

Archivio di Stato del canton Ticino:

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