

CORPUS Pensions Advocacy Campaign Report
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With support from the estate of the Rev. John K. Connell of the Archdiocese of Boston to the CORPUS Pensions Advocacy Campaign, the Emmaus Institute, Inc., which administers that program, has endeavored to provide pension advocacy assistance services to the resigned priests community in the USA since January 2009 until the present. Prior support in the decade of the nineties for our advocacy and assistance nationwide came primarily from the Trinitas Foundation which was located in Greater Boston. Other support came from interested individuals in the CORPUS community.

The overarching goal of the Resigned Priests Pension Advocacy Campaign is to insure that every Roman Catholic Diocese in the United States provides all priests, active and resigned, a retirement pension commensurate with their years of service to the Church as a matter of right and justice. Local goals of the campaign should be guided by the policy and conditions extant in each particular diocese. It should be noted that the process of securing a just pension for all priests in a diocese will depend on a number of variables; the most important being the disposition of the bishop to this issue. It will take perseverance and organization sometimes even years to achieve favorable results. One's goals should be calculated to take small steps in a focused campaign in concert with other resigned priests, canonically active priests and laity who support the cause.

At the present time, not quite one third of all Roman Catholic dioceses in the United States include resigned priests in their pension plans as a matter of right. This issue has been thoroughly litigated. The courts have consistently refused to intervene in Church affairs citing the First Amendment to the U. S. Constitution concerning the free practice of religion. Your local ordinary may well tell you that there is no obligation imposed by Canon Law on the diocese to provide a pension or other social security measures for resigned priests; only for "priests in good standing." However, Sections 1 & 2 of Canon 281 of the Code of Canon Law do impose a duty on the Church to give just remuneration for the services of clerics and provide for clerics in illness, incapacity and old age. Most certainly it can be argued with a measure of authority that a pension is a part of a cleric's just remuneration for years of service to this diocese. The duty to care for clerics in illness, incapacity and old age nowhere uses the caveat that this applies only to "priests in good standing." In fact the overwhelming weight of precedent shows that many priests fallen from the category of "good standing" through some transgression or character flaw have continued to receive financial support from their diocese, including a pension.

Beyond the Code of Canon Law, the 1971 Synod of Bishops' Document **Justice in the World** and the United States Conference of Catholic Bishops' 1986 **Pastoral Letter on Catholic Teaching and the U. S. Economy** both teach that as a matter of justice those who serve the Church, including clergy, are entitled by right to remuneration for their labor that is sufficient for a life of dignity and to social benefits as provided by other employers in our economy. It is clear from these writings that the Bishops of the US Dioceses have in the past recognized and endorsed that justice entitles all clergy to be paid for their labor in a way that is in accord with all employers in the United States. That not only requires just wages but also encompassed those other measures commonly used by US employers to provide for the social security of workers including a retirement pension. The Church is not exempt from providing just wages and a retirement in simple dignity free from want and poverty for all its employees including clergy. However, life is not lived in suspended animation. It is often messy and takes unexpected turns.

Archdiocese of Boston

Originally it was our intent to focus significant energies in the Archdiocese of Boston since Fr. Connell was a Boston priest. To that end efforts were undertaken. Contact was made with Sean Cardinal O'Malley in July 2009 whose secretary informed me that at the Cardinal's request "those who assist the Cardinal with matters pertaining to canon law and clergy personnel will review the letter and provide a response." I have received no response to date. When I wrote again in October 2009 I was ignored. I contacted several senior priests who were my colleagues with a view towards establishing an advocacy base amongst the canonical clergy. They declined to assist. I began to realize that they like myself are senior priests and their energies are not what they once were. I participated in the Year for Priests observance with my local pastor at a large archdiocesan event. Although I was warmly received by some priest friends nothing came from contacts I made there. In addition, we responded to requests for assistance from resigned priests. The context for these activities was the financial maelstrom caused by the clergy sexual abuse which disrupted everything financial. The Boston Globe has detailed much of that including the expose of the lack of funding of retirement benefits for currently in service canonical priests and lay persons.

In the May of 2009 Cardinal O'Malley mailed a detailed, legalistic 17 page "decree of promulgation" that those priests on sick leave would only receive 60% of their stipend in addition to their healthcare stipend. The archdiocese stated in its Annual Report that the "clergy pension fund was its largest liability and its most significant financial concern." It described the plan as underfunded by \$114 million and warned that it would run out of money in 2011 unless restructured. In July 2009 the Archdiocese raised the retirement age for priests from 70 to 75.

Perhaps the most sensational was the law suit brought against Cardinal O'Malley by the Daughters of St. Paul in order to withdraw from the Archdiocesan pension program reported by the Boston Globe on March 21, 2011 and the charges brought against the Archdiocese by its former chancellor, David W. Smith on March 29, 2011 who asked the Attorney General and the Secretary of State to name a trustee to oversee the Archdiocese's retirement funds. Mr. Smith

spoke of his “My concern is that there are 10,000 people out here who have worked their whole lives for the church at submarket wages, and those people are being put at risk” after the Archdiocese sought to buy out lay pensioners at a reduced rate.

I sought the assistance of a powerful former Boston Catholic politician, who I know and had had some friendly dealings with in the past during my employment in Boston, in an effort to bring together some significant attorneys and other power brokers in the City. He told me that he had no desire to help and returned all my material. An attorney with a background in labor relations and M.Div. whom I hired as a policy analyst told me that the former office holder did that because to retain the materials might be perceived as a sign of interest or involvement.

In February 2010 I hired an attorney with experience in labor law and an M.Div. to assist me as a policy analyst and advocate. Following a period of brief orientation to our materials, he responded to several requests from resigned priests for assistance which we received by mail, phone and visits. He conducted two national surveys of the CORPUS data base using Constant Contact and had a 20% response rate. However, as it turned out no one of the twelve who indicated an interest in participating actually agreed to participate in an organized local effort in their own diocese which was, of course, disappointing. We have reported earlier to the CORPUS community on the Surveys. He worked on our Inclusive and Exclusive Diocesan Pension Program Lists updates. It verified what we have observed over the years. That is, that the primary resource which we have for that information, the NFPC Compensation Surveys Report, **The Laborer is Worth of His Hire**, is not always reliable because the information supplied by the dioceses changes and is sometimes contradictory. He also prepared what we call a “Took Kit for Pensions Advocacy” which we have posted on the website. This includes the lists of Inclusive and Exclusive Archdioceses and Dioceses and those for which we have no information. He was employed by us for ten months on a part time independent contractor basis from January 2010 until November 2010.

Dioceses Assisted

We have provided assistance in the past year to priests related to the dioceses of Pittsburgh, Cleveland, Seattle, Youngstown and the Oblates of St. Francis de Sales.

VOTF

The Voice of the Faithful (VOTF) National Priests Support Working Group (PSWG) is led by married priest John Ryan resident of the Diocese of Bloomington, IL who served for 10 years as an Oblate of Mary Immaculate. The issue of pensions for priests was raised in the American Catholic Council post council review group. The current VOTF President, Dan Bartley, when president of the Long Island VOTF, was in correspondence with PAC about pensions for resigned priests. Conceivably the PSWG could be a locus within National VOTF which could serve as an advocacy center for PAC with the NFPC and the ACC.

Current Inclusive Dioceses

As of today we estimate that there are 66 dioceses out of 175 Latin Rite Dioceses and Archdioceses that included resigned priests in their retirement programs. This is our best estimate based on our review of four NFPC published reports, "The Laborer is Worthy of His Hire" a study of diocesan priests' compensation in the USA. The information provided by the participating dioceses changes.

Some Concluding Thoughts

Earlier energies to address the problem of denied earned pension benefits for resigning or resigned priests has largely dissipated. Here and there people ask for assistance. However, the financial condition of many dioceses is a significant obstacle to obtaining redress for this particular injustice. People are aging and are exhausted. I experienced that first hand when I attempted to organize a canonical priests' PAC support group in Boston. I realized that I was turning to people in their 70s and asking them to take up a cause for which they had little stomach even though they saw it as a matter of justice. They are just too tired to fight any more. I have had to content myself with the line from the poet John Milton: "They also serve who only stand and wait." That is how I feel now. I will continue to offer assistance to those who seek it. I met recently with Dr. Richard Young who was chair of the Trinitas Foundation which provided the bulk of the funding for our CORPUS Resigned Priests' Pensions Advocacy Campaign (CORPUS-PAC) from 1999 until 2008. We agreed that much good had been done and services offered. Not as much as we had hoped. But then we were dealing with cataclysmic conditions when the clergy sexual abuse scandal broke in 2002 and pushed everything else to the side. The support from the John K. Connell bequest has ended. As a result what we are able to provide is limited to consultation and referral.

On the CORPUS website we have provided some information which can offer some assistance and we have posted our lists of those archdioceses and dioceses which include and those which exclude resigned priests from their earned retirement benefits. We have also posted a list for which we have no information. I can be reached at corpuspensions@gmail.com or at 603-886-3760.