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How to Study Child Sexual Abuse Within the Institutional Framework? The Experience of the Catholic Church in Poland*

Abstract

Sexual abuse as a manifestation of personality disorders and a crime is shaped and committed in a specific social environment. The Institute for Catholic Church Statistics was the first in Poland to undertake systematic research on the problem of child sexual abuse. The scope of this research concerns the acts committed within Catholic organizations by priests and religious. In this chapter, we present Polish research on abuse and characterize the organizational framework of the Catholic Church in Poland. We highlight the public importance of research on child sexual abuse by priests. The focus of the chapter, however, is devoted to the methodological issues of quantitative sociological research on the sexual abuse of minors within Catholic organizations. We discuss the basic assumptions, methods and scope of collected data that concerns Poland. In an accessible and understandable way for a reader who has no knowledge of social sciences, we explain how the facts of child abuse by priests and religious are studied in Poland.

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Keywords

Child sexual abuse, Catholic organizations, institutional context of pathological behavior, scientific research on pathological behavior, institutional audit of pathological incidents.

The sexual abuse of minors is a multi-faceted phenomenon. It is the subject of psychological studies among other things, as a manifestation of a disorder, or of legal studies, as a crime which points to the need for adequate protection for minors and for detection and punishment procedures. The phenomenon of sexual abuse also always occurs in a social and institutional context. A particular institutional context for the abuse of minors is the Catholic Church with its network of organisations and institutions.

Interest in the issue of sexual abuse is part of a cultural shift in which issues of intimacy and sexuality play a particularly important role. In addition, the interest in sexuality is reinforced by the fact that issues of sexuality¹ and gender have also become political topics.² The first research interest in cases of abuse in the Catholic Church emerged at the end of the 1980s. The inspiration to undertake research on sexual abuse in the Church came largely from the widespread public interest in the topic. Particularly in 2002 and 2010 in the United States, paedophile scandals were one of the seven most popular topics attracting public attention and accounted for 2.1% of all media coverage.³ When individual cases of recidivism were reported in the media, public discourse began to focus on the institutional context of child sexual abuse.⁴ In the first instance, it was journalists who attempted to assess the scale of abuse and its institutional entanglement within the Church.

¹ K. Dobbelaere, A. Pérez-Agote (eds.), *The Intimate. Polity and the Catholic Church: Laws about Life, Death and the Family in So-Called Catholic Countries*, Leuven 2015.

² J. Casanova, *Religie publiczne w nowoczesnym świecie*, Kraków 2005; J. Casanova, *Catholicism, Gender, Secularism and Democracy. Comparative Reflections, w: Islam, Gender and Democracy in Comparative Perspective*, J. Cesari and J. Casanova (eds.), Oxford University Press, Oxford 2017, pp. 46–62.

³ Pew Research Center, *The Pope Meets the Press. Media Coverage of the Clergy Abuse Scandal*, Washington DC 2010, www.pewforum.org/2010/06/11/the-pope-meets-the-press-media-coverage-of-the-clergy-abuse-scandal (08.12.2020).

⁴ S. Rossetti, *A Tragic Grace. The Catholic Church and Child Sexual Abuse*, Liturgical Press 1996.

Very general statistics indicating the extent of sexual attitudes among priests began to appear in the public space. Most of the studies from that period do not meet the standards of representative methodology. They were conducted in a cursory and not very reliable way. Moreover, many media reports contained factual errors and unauthorized conclusions. As a consequence, misconceptions arose in public opinion about the scale of sexual abuse of minors in the Catholic Church, especially as regards the contemporary scale of the phenomenon. Many media reports failed to explain that most of the accusations of sexual abuse of minors concerning incidents from an average of 30 years ago.⁵ It is also worth noting the very important ideological context of the research on sexual abuse in Catholicism. Feminist activists and theologians, as part of their critique of religious “patriarchy”, have played an important role in examining sexual abuse in terms of exploitation, abuse and victimisation. In this paradigm, sexual abuse becomes a form of a model of social injustice and its condemnation a weapon in the struggle for symbolic power.⁶

At the end of the 1990s, scientific journals published the first results of research into sexual abuse by priests. A new impetus for research into the sexual abuse of minors in the Catholic Church was the establishment of official commissions of inquiry in many countries. In Ireland, for example, the problem of abuse was investigated by The Commission to Inquire into Child Abuse, whose report is known as the Ryan Report, the Dublin Archdiocese Commission of Investigation which published the so-called Murphy Report and the Diocese of Cloyne which also published its own report. In 2002, the Catholic Bishops in the United States approved a Charter for the Protection of Children and Young People and created a National Review Board, which was charged to “commission a descriptive study, with the full cooperation of our dioceses/eparchies, of the nature and scope of the problem within the Catholic Church in the United States, including such data as statistics on perpetrators and victims.”⁷ In Australia, a Royal Commission into the Institutional Responses

⁵ V. Miller, *Child Sexual Abuse Inquiries and the Catholic Church. Reassessing the Evidence*, Firenze 2021, p. 17.

⁶ P. Jenkins, *Clergy Sexual Abuse. The Symbolic Politics of a Social Problem*, in: J. Best (ed.), *Images of Issues*, New York 1995, Routledge.

⁷ *The Nature and Scope of Sexual Abuse of Minors by Catholic Priests and Deacons in the United States 1950-2002, (John Jay Report)*, Washington DC 2004. https://www.bishop-accountability.org/reports/2004_02_27_JohnJay_revised/2004_02_27_John_Jay_Main_Report_Optimized.pdf (30.04.2021).

to Child Sexual Abuse was established, in the UK, an Independent Inquiry into Child Sexual Abuse, and in New Zealand, a Royal Commission into Historical Abuse in State Care and in the Care of Faith-Based Institutions.

The institutional context of the phenomenon of abuse within Catholic institutions in Poland

The phenomenon of sexual abuse within the Catholic Church is conditioned by its institutional context. The specific institutional role of Polish Catholicism after the war consisted primarily in the symbolic and causal influence of the Catholic Church on the direction of social change.⁸ The social rooting of Catholicism was based more on local ties and religious rituals than on a network of developed organisations which, as in other countries of Western Europe after World War II, provided services of a primarily educational and charitable nature to a wide range of people. In 1950, the state authorities abolished the National Caritas Centre and the Church was left with no more than 16 institutions, including social welfare homes and children's homes. The only Catholic organisations that developed before 1989 were parishes. After 1945, Catholic religious education was very limited. The Church ran no more than eight schools, and religious instruction was limited to "catechetical points," organised to over ten thousand in number, in parishes and private homes. No more than 300 catechetical points operated in the public domain.⁹ The policy of the communist state towards homosexuals is also relevant to our issue, including police harassment and intimidation of priests because of their alleged homosexual tendencies.¹⁰

After the fall of communism in Poland, the number of Catholic schools in Poland grew steadily from 1989 but did not reach the scale of Catholic education systems in other countries. According to *Annuarium Statisticum Ecclesiae* in 1989, Poland, with a population of over 37 million Catholics, had only 52 Catholic nursery schools and 14 Catholic secondary schools, and

⁸ W. Sadlon, *Polish Catholicism between Tradition and Migration. Agency, Reflexivity and Transcendence*, Abington and New York 2021.

⁹ J. Żurek, *Polityka oświatowa państwa wobec Kościoła katolickiego w Polsce w latach 1961–1976* [manuscript], Warszawa 1996.

¹⁰ D. Zamiatała, *Zakony męskie w polityce władz komunistycznych w Polsce w latach 1945–1989*, Kielce 2011.

no Catholic primary schools. At the same time, in Spain, with a similar Catholic population, the total number of Catholic nursery, primary and secondary schools exceeded 5 700, and in France, with 30% more Catholics, the total number of nursery, primary and secondary schools was 152 times greater than in Poland. Even though the number of Catholic schools and nursery schools in Poland increased rapidly after 1989, the number of Catholic schools in Poland is proportionally lower than in other European countries. For example, in 2010, 540 Catholic schools in Poland were attended by 58,000 students,¹¹ i.e. approximately 1% of the total number of Polish students. However, it should be noted that since the academic year 1990/1991, more than 90% of Polish pupils attended Catholic religious education delivered by catechists, of whom approximately one third are priests.¹² Tables 1 and 2 show, after *Annuario Statisticum Ecclesiae*, the number of Catholic educational institutions in the five countries in 1989 and 2019.¹³

Table 1. Number of Catholic schools in selected European countries in 1989

Country	Number of Catholics in millions	Number of Catholic educational institutions				
		Nursery school	Elementary schools	Secondary Schools	Total	Per 1 million Catholics
Poland	36	52	–	14	66	1,8
Ireland	4,4	44	3 249	747	4 040	918,2
France	47	1 393	5 765	2 933	10 091	214,7
Spain	37	2 032	2 551	1 200	5 783	156,3
Portugal	9,8	342	174	141	657	67,0

¹¹ J. Jaroń, *Szkolnictwo katolickie i nauka religii*, in: P. Ciecielag, W. Sadłōń, P. Łysoń (eds.), *Kościół katolicki w Polsce 1991–2011, Rocznik statystyczny*, Warszawa 2014, pp. 231–234.

¹² W. Sadłōń, *Edukacja religijna jako kierunek badań interdyscyplinarnych*, in: S. Zaręba, I. Borowik (eds.), *Tradycja i innowacja w polu refleksji socjologii religii*, Warszawa 2016, Kontrast, pp. 109–126.

¹³ *Annuario Statisticum Ecclesiae 2019*, Sekretariat Stanu Stolicy Apostolskiej, Libreria Editrice Vaticana, Vatican 2021, p. 288.

Table 2. Number of Catholic schools in selected European countries in 2019.

Country	Numbers of Catholics in millions	Number of Catholic educational institutions				
		Nursery school	Elementary schools	Secondary schools	Total	Per 1 million Catholics
Poland	37	534	473	391	1 398	37,8
Ireland	5,6	138	3 222	571	3 931	702,0
France	48	2 930	4 092	2 419	9 441	196,7
Spain	43	1 821	1 946	1 897	5 664	131,7
Portugal	9	415	134	55	604	67,1

1. Sexual abuse in the public debate

Sexual abuse of minors, as the subject of a growing number of studies, is also a very important topic of public debate.¹⁴ The topic of sexual abuse by priests, which shapes the content of the discourse and debate on the Catholic Church, touches upon the very deep cultural roots of Catholic institutions. This is because the basis of religious institutions is trust and authority.¹⁵ This direct nature of religious ties is additionally overlaid by the public role of religious institutions, which is significantly weakened by the sexual abuse scandals.¹⁶

At the turn of the 20th and 21st century, the Catholic Church was to some extent synonymous with social capital as classical social virtues.¹⁷ Empirical studies of Polish society confirmed that Catholic religiosity manifested itself

¹⁴ It is therefore an important public issue according to Sławomir Nowotny's definition: "a public issue in the life of a community is any issue the object of which is to resolve either the purpose or manner of disposing of the common resources of that community, or changes in the sphere of its collective norms. [...] An important issue for the community is such an issue about which the dominant opinion in this community is the conviction that it should be solved". S. Nowotny, *Opinia publiczna*, in: *Encyklopedia socjologii*, Vol. 3, Warszawa 2000, pp. 15–22.

¹⁵ A. Collier, *On Christian Belief. A Defence of a Cognitive Conception of Religious Belief in a Christian Context*, Routledge 2013.

¹⁶ J. R. Formicola, *Clerical Sexual Abuse. How the Crisis Changed US Catholic Church-State Relations*, Palgrave 2014.

¹⁷ W. Sadłoń, *Kapitał społeczny a moralność*, in: J. Mariański (ed.), *Leksykon socjologii moralności*, Kraków 2015, pp. 272–277.

in attitudes of a moral nature and reduced such forms of self-destructive behaviour as smoking cigarettes, abusing alcohol and taking drugs.¹⁸ Piotr Sztompka characterised these relationships as follows: “due to long periods of foreign domination and oppression, it is the army and the Catholic Church that are regarded as the embodiment and depositories of the national struggle and as the centres for maintaining national identity, that have always occupied a prominent place on the list of institutions enjoying the greatest trust.”¹⁹

However, this exceptionally positive assessment of the Church quickly collapsed in the subsequent decades of transition after 1989. Already in 1992, the approval rate of the Catholic Church’s activities fell below 50%.

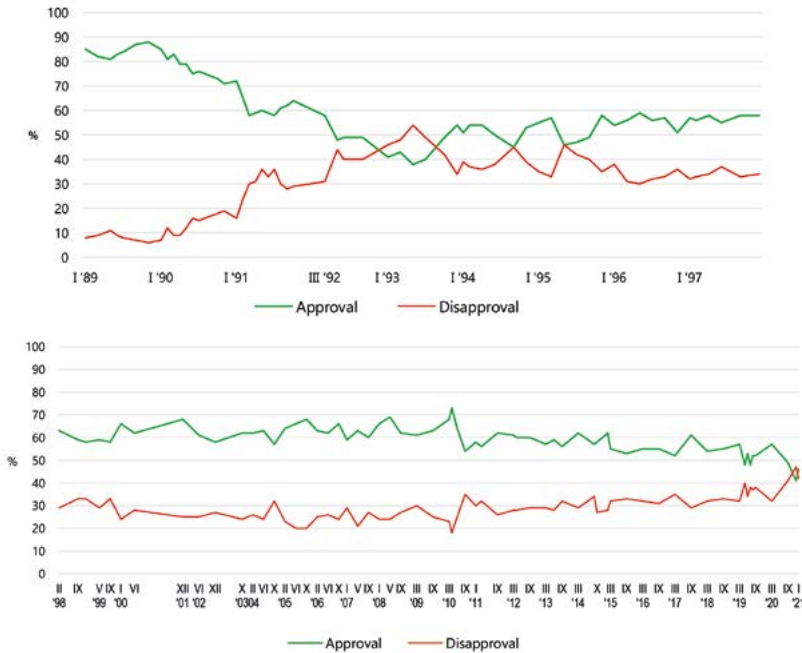


Figure 1. Changes in the evaluation of the activity of the Roman Catholic Church between 1989–1998 and 1998–2021

Source: M. Feliksiak, *Oceny działalności parlamentu, prezydenta, Trybunału Konstytucyjnego, policji i Kościoła*, CBOS 7/2021, pp. 8–9.

¹⁸ W. Sadłón, “Bardziej ubogo, ale przyzwoicie”. *Oddziaływanie religijnego kapitału społecznego w Polsce*, “Zeszyty Naukowe Katolickiego Uniwersytetu Lubelskiego” I (2014), pp. 11–29.

¹⁹ P. Sztompka, *Zaufanie. Fundament społeczeństwa*, Kraków 2007, p. 107.

At the turn of the century, the assessment of the Church improved slightly. Trust in the Church as a public institution in CBOS surveys in 2002 and 2004 remained stable (76% and 75% respectively). In 2008 it increased to 81%, then fell slightly (79% in 2008, 78% in 2010), to drop significantly to 69% in 2012 and stabilise at this lower level in the following few years (in 2016 – 70%).²⁰ However, in recent years there has been a marked weakening in approval of the Church's activities. In 2020, only 42% of respondents approved of the Church's activities, while 47% disapproved.²¹

The public discussion on the abuse of minors by priests and the assessment of the Church's response are probably not without significance in this assessment. Sławomir Mandes points out that the approach to sexual abuse within Catholic institutions is subject to a process of politicisation and is shaped in two stages. In the first stage, which lasted from 1990 to the beginning of the new millennium, the topic appeared only sporadically in the public space and was hardly covered by the media. The second stage, which began in 2018, saw a strong mobilisation of civil society, resulting in criticism of Catholic organisations, demonstrations and the promotion of media reports depicting victims of priest abuse.²²

The public debate on sexual abuse in the Catholic Church in Poland started later than in the USA and Western Europe. The first investigations into the sexual abuse of minors by Catholic priests in Poland took place at the beginning of the 21st century. Also, the issue of sexual attitudes of the priests became the first subject of journalistic inquiry in Poland. The first research on the sexual attitudes of Polish priests was conducted by Józef Baniak,²³ who clearly entered the journalistic debate on their morality. His research, often quoted in the media, was not treated as reliable even by journalists themselves.²⁴ In general, the issue of the sexual behaviour of Catholic priests was primarily dealt with by those with a strongly negative attitude towards the Catholic Church.²⁵

²⁰ M. Omyła-Rudzka, *Zaufanie społeczne. Komunikat z badań*, Komunikat CBOS 43/2020.

²¹ M. Feliksiak, *Oceny działalności parlamentu, prezydenta, Trybunału Konstytucyjnego, policji i Kościoła*, Komunikat CBOS 7/2021.

²² S. Mandes, *Clerical Sexual Abuse in an Illiberal State: The Case of Poland*, "Journal of Church and State" 1 (2020), pp. 110–134.

²³ E.g. J. Baniak, *Beżwrotność i czystość seksualna księży rzymskokatolickich w świadomości katolików świeckich i osób duchownych w Polsce. Założenia i rzeczywistość*, Kraków 2017.

²⁴ Cf. <https://www.ekai.pl/60-proc-ksiezy-zyje-z-kobietami-niejasne-badania-prof-baniaka/> (30.04.2021).

²⁵ M. Abramowicz, *Dzieci księży. Nasza wspólna tajemnica*, Warszawa 2018.

Survey research indicates that the issue of sexual abuse by priests has dominated the perception of the institution of the Church since as early as 2010. In 2013, the largest number of Poles (43%) considered “paedophilia by priests/clergy” to be the “problem facing the Catholic Church in Poland”. The indication of “homosexuality of priests/clergy” as the main problem also has a significant share in the distribution of answers (29%).

Table 3. Problems of the Catholic Church in Poland according to Poles

In your opinion, what problems does the Catholic Church in Poland face?	Percentage (N=904)
Paedophilia of priests/clergy	43
Homosexuality of priests/clergy	29
Church involvement in politics	28
The departure of believers from the Church – decline in religiosity	26
Too high a standard of living for priests/clergy	23
Too high fees charged for sacraments	22
Alcoholism among priests/clergy	19
Non-observance of celibacy by priests/clergy	18
Expression by priests of their political sympathies during sermons	16
Conflicts and divisions among the clergy	10
Hostility of most media towards the Church	6
Low income of some parishes	5
Lack of democracy within the Church	5
Insufficient involvement of lay people in parish activities	4
Underfunding of the Church	3
None is a serious problem	4
It is hard to say	5

Source: K. Pankowski, *O problemach Kościoła w Polsce*, CBOS BS 145/2013

How relevant the topic of child abuse by priests was in 2019 is evidenced by the fact that in 2019 36% of respondents indicated that they had watched Tomasz Sekielski’s film “Tylko nie mów nikomu”. “Just don’t tell anyone,” presenting abuse against children in the Catholic Church in Poland. In addition, there

was a particular public emotion about how the bishops in Poland²⁶ deal with this problem. 51% of respondents felt that the response of the Catholic Church in Poland to the disclosures of child sexual abuse by priests is “rather or definitely inadequate,” and 67% felt that it is “rather or definitely insufficient.”²⁷ More than half (57%) thought that the problem of paedophilia among priests is not exaggerated and a similar percentage (58%) said that “the scale of paedophilia among priests is much greater than it would appear from the already disclosed cases.” In addition, 87% of respondents agreed with the statement that “by insufficiently reacting to cases of paedophilia, the Church itself leads to the lowering of its authority.” The vast majority held both the priests who committed such acts and the bishops who concealed information about it responsible for cases of child sexual abuse by priests. Only 14% pointed to the responsibility of the perpetrators alone, and 8% to the responsibility of the entire Church. At the same time, 73% of respondents supported the establishment of a paedophile commission by the state. The majority of those (83%) expressing support for such a commission claimed that it should cover cases of paedophilia in all environments.²⁸

2. Research approaches to the phenomenon of sexual abuse

The study of the phenomenon of sexual abuse raises a number of methodological challenges. When considering these issues, it is worth starting from the distinction between research of a scientific type which may concern the phenomenon of abuse in general, and the audit of this phenomenon in a clearly defined framework – in a certain type of institution (families, care and educational institutions, youth organisations, etc.), in a specific institution (e.g. in the Church or its part, religious congregation, diocese, etc.), in a specific environment (e.g. entertainment industry),²⁹ etc. Both of these types of investigation have a similar overall

²⁶ A. Głowacki, *Reakcje opinii publicznej na informacje o przypadkach pedofilii wśród księży*, Komunikat CBOS 88/2019.

²⁷ A. Głowacki, *Reakcje opinii publicznej na informacje o przypadkach pedofilii wśród księży*, Komunikat CBOS 88/2019.

²⁸ A. Głowacki, *Reakcje opinii publicznej na informacje o przypadkach pedofilii wśród księży*, Komunikat CBOS 88/2019.

²⁹ The considerations presented in this text do not, by definition, refer to procedures for investigating cases of sexual abuse of minors in legal proceedings – whether canonical investigations in the Church or prosecutorial investigations in the state justice system. While

objective: to learn about a pathological phenomenon, and therefore share many methodologically relevant features. Which of these approaches should be used depends primarily on the objectives that the study of the phenomenon is to serve. When a reliable and as complete as possible diagnosis of the phenomenon in a specific time and institutional framework is needed, i.e. data on the number of cases, the number and characteristics of the victims and perpetrators, the circumstances of committing these crimes, the extent of recidivism or the ways in which the social and institutional environment reacts to them – it is advisable to carry out as complete an audit as possible covering the entire institution in a given period.

Research of the scientific type, on the other hand, is a way of acquiring scientific knowledge either for cognitive purposes (basic research in various disciplines: sociology, psychology, theology, law, criminology, etc.) or for practical purposes, such as:

- prevention in the formation of candidates for roles in which they may have to deal with children and young people (in the case of the Church, the formation of candidates for the priesthood);
- prevention in terms of early identification of predispositions to pathological behaviour, elimination of risky situations, etc;
- optimisation of the methods of recruitment to such work and decisions on entrusting direct care to children and young people;
- educating children and young people, parents, educators and guardians, as well as supervisors in institutions working with young people (e.g. parish priests) on how to prevent abuse and detect it as early as possible;
- optimising ways and means to mitigate negative consequences for victims;
- adapting management procedures in the audited institution to the requirements of child and youth protection.

The scope of information gathered in an audit and in a research study may be partly similar: some information gathered in an audit may serve the above-mentioned purposes of a scientific study, while the latter may also provide a diagnosis of the state of the phenomenon at a specific time and place. However, the differences between these two types of cognitive activity are important.

this does not exclude that some insights may also apply to such “investigations”; this will not be the focus of the authors’ attention.

A typical audit of the cases of abuse is conducted on behalf of (and usually commissioned by) the authorities of the institution concerned and consists of collecting (usually by means of a standardised form) data on the phenomenon recorded in the organisational units of that institution. The direct audit contractor may be an entity external to the audited institution – an auditing company, an ad-hoc committee, a research centre, etc., whose independence from the contracting authority increases the credibility of the audit results by excluding the possibility of pressure to obtain a desired result rather than a true picture.³⁰

A proper scientific study, on the other hand, should be conducted by an appropriate team of researchers-specialists in a given scientific field, usually on the own initiative of the scientific institution as an in-house study or as part of a broader research programme in which the institution participates. This, of course, does not exclude the possibility of commissioning such a study for practical purposes by the authorities of the institution interested in learning about the phenomenon, but the concept of the study and the choice of methodology to guarantee the reliability and credibility of the study must always be decided by the researchers. Such research may consist in the collection and analysis of data of the same type as in auditing, i.e. institutional data, but this will rarely be the main, let alone the only, source of research data.

The practical aspect of the difference between audit and scientific research indicated above, is the different nature of data sources. In the case of an audit, these are the organisational units of the audited institution, while in scientific research there is usually a need to obtain information from persons who are not in any formal relation (official, subordinate, etc.) to the entity conducting the research.

³⁰ As examples of this way of proceeding, one can mention: the report Sexual abuse of minors by Catholic priests and religious in the area of the German Bishops' Conference, published in 2018, commissioned by the German Bishops' Conference by a research consortium of the Universities of Mannheim, Heidelberg and Giessen (<https://www.ekai.pl/ponad-35-tys-przypadkow-pedofilii-w-niemieckim-kosciele/> 30.04.2021); the Independent Commission on the Child Sexual Abuse in the Church, published in 2018. The Independent Commission on Sexual Abuse in the Church (CIASE) completed in 2019 by Jean-Marc Sauvé at the initiative of the Episcopate of France (<https://klubjagiellonski.pl/2021/04/07/w-pelni-niezalezna-komisja-walczaca-z-pedofilia-w-kosciele-i-finansowana-przez-episkopat-francja-pokazuje-ze-to-mozliwe/>, 30.04.2021); the commission independent of the Dominican Order, set up by Decree of the Provincial of the Polish Dominican Province of 30.03.2021, and completed by Tomasz Terlikowski, to investigate “the actions of Father Paweł M., the reactions and negligence of the provincial authorities, and the mechanisms that were at work in this case” (<https://www.ekai.pl/dominikanie-powolali-komisje-ds-o-pawla-m-op/>, 30.04.2021).

This raises two issues that pose practical problems for those collecting data: one which is traditionally associated with the principle of “anonymity of respondents”, and today with extensive legislation under the banner of “protection of personal data”, and the other concerning the principle of “voluntary participation in research”. In scientific research (as well as in social and market research conducted by commercial centres), both principles apply: voluntary participation in research and anonymity of respondents. In other words, the researcher cannot force or oblige anyone to participate in the study, while the information provided within the framework of the study by the respondents, i.e. the people who took part in it, cannot be published or passed on to anyone outside the research team in a way that would make it possible to identify a specific person. The researcher has no choice in this regard.³¹

The issue is different in institutional auditing – here it is possible (and sometimes even necessary) to apply the principle of institutional discipline to the provision of information related to the activities of an institution’s organizational unit, e.g. in the form of the obligation of dioceses and religious jurisdictions to provide information about cases of child sexual abuse reported to them as part of an audit conducted by or on behalf of local church authorities.³² Church law also appears to be changing in this direction, currently obliging dioceses to send information to the Holy See about any cases of priests being accused of acts against the sixth commandment of the Decalogue with a child.³³

Within institutions, the principle of anonymity also works differently in auditing: it applies to the persons to whom the information gathered in the audit relates (e.g. perpetrators and victims in cases of sexual abuse), but not to direct institutional informants. This is because the information contained in the

³¹ In exceptional situations, where it would serve the purpose of the study, the researcher may ask the subjects for their consent to disclose their data (e.g. their image in the recordings of group interviews), but this must be done before proceeding with the actual study and this consent must be obtained in a clear manner (e.g. in writing). The principle of voluntariness obviously also applies to this consent.

³² The situation here is analogous to a financial and accounting audit carried out in relation to a group of companies comprising a number of entities with an independent economy, but which are obliged to present financial statements that are subject to an accounting audit.

³³ *Motu Proprio Sacramentorum sanctitatis tutela*, 2010 r., Article 6 § 1.

documents of an organisational unit does not relate to the person providing it as part of the audit and is therefore not considered as personal data.³⁴

3. Research on sexual abuse in Poland

The first attempts to study sexual abuse within the institutional framework of the Catholic Church in Poland, which have been undertaken for several years, have the character of an institutional audit and are conducted by a team of researchers gathered around the Institute for Catholic Church Statistics (ISKK). The first data on cases of child sexual abuse by certain priests and religious were collected in 2014 for the period 1990–2013 by Adam Zak, the KEP Coordinator for the Protection of Children and Young People. In 2018, the KEP Secretariat collected data on reported cases of abuse from 1 January 2014 to 30 June 2018 for the years 1950 to 1990 from all dioceses and male religious orders. The result of this work is two research reports.³⁵

In 2020, ISKK, in collaboration with the KEP Coordinator for the Protection of Children and Young People and the Office of the KEP Delegate for the Protection of Children and Young People, developed a new tool to collect information on reports of sexual abuse. Lawyers (Michał Królikowski, Jan Dohnalik) also participated in the consultation of the form. Using this tool, at the beginning of 2021, the Office of the KEP Delegate for the Protection of Children and Young People collected data on reports of child abuse received by all dioceses and male

³⁴ Unfortunately, the data protection provisions have recently been too often interpreted broadly, and overzealously applied to all situations of identifying individuals, even those acting in strictly official roles, and therefore on behalf of the institution and its official function, not their own. It is not uncommon that the position of an institution's legal services is geared solely towards minimising the risk of breaching the provisions of the notorious "RODO", to the extent that compliance would deprive the activity in question within the institution of its fundamental meaning.

³⁵ A. Żak, P. Krakowczyk, W. Sadłoń, *Wykorzystywanie seksualne osób małoletnich przez niektórych inkardynowanych do diecezji polskich duchownych oraz niektórych profesów wieczystych męskich zgromadzeń zakonnych i stowarzyszeń życia apostołskiego w Polsce. Wyniki kwerendy*. http://iskk.pl/images/stories/Instytut/dokumenty/ISKK_Wyniki_Kwerendy_opracowanie_final_correct.pdf (05.02.2022); S. Nowotny, W. Sadłoń, *Wykorzystywanie seksualne osób małoletnich przez niektórych inkardynowanych do diecezji polskich duchownych oraz niektórych profesów wieczystych męskich zgromadzeń zakonnych i stowarzyszeń życia apostołskiego w Polsce. Wyniki pogłębionej analizy danych do 30 czerwca 2018 r.* http://iskk.pl/images/stories/Instytut/dokumenty/ISKK_Wykorzystywanie_Etap_2_final_publicacja.pdf (05.02.2022).

religious jurisdictions in Poland between 1 July 2018 and 31 December 2020, which concerned acts committed between 1958 and 2020.³⁶

4. Methodological issues

As mentioned above, the very phenomenon of exploitation as a subject of research is not clearly defined and requires appropriate definition and operationalisation. (Hereafter, the term “research” will refer to both scientific and audit types of research, unless it is clearly stated that only one of them is being referred to). At this preliminary stage of the study preparation, it is worth considering some important dimensions of the phenomenon, which should be decided as to whether they are to be covered by observation (registration) or not. For the sake of focusing attention, this will be presented on the example of the phenomenon called “paedophilia in the Church”, but for the most part these issues apply accordingly to other areas of social life.

1. First of all, it should be decided whether the object of the research being registered in an individual case is to be the act itself against the sixth commandment of the Decalogue committed by the indicated clergyman with a minor, or also:
 - the circumstances in which it was committed (place, time, etc.);
 - the characteristics of the perpetrator, his predispositions, motivations, psychological profile, awareness of the moral qualification of the act, reactions of conscience, conduct after the act, etc;
 - the characteristics of the victim (age, sex, type of relationship between the victim and the Church and the perpetrator), the sense of harm, injury, further consequences in the psychological sphere and in the relationship with the environment, etc;
 - the ways of dealing with such acts: reporting them to the church authorities by the victims or their relatives, the way the reporters are treated in the church institution, the way the church authorities

³⁶ S. Nowotny, W. Sadłoni, P. Studnicki, *Wyniki kwerendy dotyczącej wykorzystywania seksualnego osób małoletnich przez niektórych inkardynowanych do diecezji polskich duchownych oraz niektórych profesów wieczystych męskich zgromadzeń zakonnych i stowarzyszeń życia apostołskiego w Polsce. Zgłoszenia z okresu od 1 lipca 2018 do 31 grudnia 2020 dotyczące lat 1958 – 2020*, Warszawa 2019, http://iskk.pl/images/stories/Instytut/dokumenty/Wyniki_kwerendy_2021_etap_1.pdf (05.02.2022).

deal with the report (in particular, attempts to cover up the accusations and protect the perpetrator), the transmission of reports by the church authorities to the state authorities and the follow-up of these authorities, etc.

2. Sexual abuse in a logical sense has the character of a relationship: perpetrator – victim.³⁷ In addition to this “nuclear” relationship, however, it is possible to take into account some of its derivatives, that is, on the one hand the relationships into which the perpetrator actually enters by his act: with God,³⁸ the Church, his superiors, his parish community, his fellow priests or religious, community of the faithful at large, or with the family and relatives of the victim, and on the other hand, the future relationships of the victim with God, the faith, the Church, family and relatives, peers, etc. after the experience of sexual abuse.
3. The time dimension is important for the definition of the object of observation: while a single act can be considered as a point in time, there is the question of its consequences stretching over time, which to a certain extent overlaps with the scope of the elements indicated in the two previous paragraphs: the consequences of the act and the action taken towards it. A separate issue is the phenomenon of recidivism, i.e. the repetition of similar acts by the same offender against the same victim

³⁷ In studies or audits of the abuse of minors in the Church, attention is paid to the language of description and qualification of the elements of the phenomenon studied; in particular, due to the need to protect the interests of the victims, their stigmatisation is avoided, e.g. by replacing the term “victim” with “aggrieved person”. This seems to stem from a sense of moral responsibility on the part of those conducting such research in the Church, which is not taken into account, for example, in one of the fields of criminology, which already refers to the term “victim” in its name, namely victimology. However, also at a deeper conceptual level, despite the similarity between these research currents, which take as their object the harm inflicted by the perpetrators on the victims, the approach of the researchers of sexual abuse of minors avoids considering the typically victimological aspects: the role of the victim, vulnerability to harm, etc. However, it should be considered whether, as a next step, some victimological analysis of the observed cases of sexual abuse of minors in the Church would not be advisable for the identification of specific risk groups among minors in the Church, as well as for the needs of prevention, e.g. “pro-defence” education of potential victims.

³⁸ In different research approaches, the relationship between man and God may be differently framed or even excluded from the range of phenomena subject to scientific investigation. Certainly, however, in research conducted in the light of theology in its broadest sense, this relationship will be one of the most important dimensions in which to consider acts against the sixth commandment of the Decalogue (albeit in theological research rather than in institutional audits).

(i.e. a process of abuse rather than single instance of abuse) or against other people. As with any crime, recidivism is a particularly dangerous phenomenon of the multiplication of evil and an indicator of the weakness of the prevention, prosecution and justice system.

4. Another issue which must be decided is whether to include the role of the environment in the research area: both the environment of the perpetrator (formation environment, possible accomplices, helpers, structures protecting from responsibility, the behaviour of those who know or suspect the practices of the perpetrator) and that of the victim (family, relatives, colleagues, “companions in distress”, but also the parish community, sometimes defending the priest against the facts). Recognising the factors operating in the environment of the perpetrator and the victim can provide very important knowledge both about the determinants and circumstances facilitating the commission of the offence and about its consequences requiring appropriate intervention or assistance.
5. An important methodological issue is to unequivocally define the scope of the domain of the sexual abuse relation, i.e. the set of perpetrators. In the case of the Church, it is necessary to decide whether the population under study – the set of potential perpetrators – is constituted only by male clergy (diocesan priests and religious persons, i.e. persons under canonical jurisdiction), or whether it also includes other persons, e.g. lay people acting in the Church and under its mandate: nuns, lay catechists, sacristans, lay choir directors, guardians of children and young people, educators, etc.
6. It is also necessary to define the scope of the counter-domain of the abuse relation, i.e. the set of victims. In particular, it is necessary to decide what age range constitutes the qualification of sexual abuse as against minors. According to Polish state law this qualification applies to persons up to the 15th year of life, whereas according to canon law such an act against a person up to the age of 18 is a tort. Canon law also treats as a tort action against persons “equal to minors” because of their permanent incapacity to use reason. It must be decided in advance whether the examination or audit is to cover acts of abuse against such persons.

A separate set of decisions concerns the means and scope of the collection of information, i.e. methodological issues in a strict sense. These include in particular:

- The issue of voluntary participation, already mentioned above. In a scientific research, the principle of complete voluntariness of providing information is binding, which means that the researcher must take into account, both in planning the implementation of the research and in processing its results, the fact that some people asked to participate in the study may refuse to provide the information sought, which may significantly affect the representativeness of the results obtained. A particular risk is the possibility that the refusal to participate in the survey is not random, but correlated with the characteristics of the persons surveyed or the subject of the survey, which may directly skew the results: for example, certain types of incidents or certain types of victims may be underrepresented in the survey.³⁹ On the other hand, as mentioned above, in the audit the provision of information may be compulsory in an institutional mode, which does not necessarily guarantee a 100 per cent response return rate. Here, however, the issue of intra-institutional discipline comes into play, the enforcement of which requires institution-specific measures. In the Church, appropriate argumentation may refer to the good of the Church itself, properly understood, but also to the principles of Catholic morality.
- The issue of anonymity of informants is of a similar nature. As mentioned above, in a scientific study all respondents and persons concerned by the information are entitled to this right. In auditing, on the other hand, the institutional obligation to provide information means that the obliged parties are not protected by the principle of anonymity, and the rules on the protection of personal data apply only to those concerned by the records. In the case of an intra-church audit, this practically means anonymity for perpetrators and victims, but not for

³⁹ There is quite an extensive methodological literature available treating the problems of researching issues sensitive to respondents and the obstacles of accessing groups “difficult to reach” for research purposes. It is worth looking into this literature in search of ways to motivate respondents who are initially reluctant to participate in research, for example by arguing that it is possible to overcome the problems affecting them by learning more about them.

the diocesan curia officials providing the audited information. Ensuring anonymity, however, concerns not only the mode of data collection (no recording of personal data), but also the design of the tool for further analysis of the material collected with it. Care should be taken to ensure that it is not possible to identify certain individuals on the basis of a combination of some “non-personal” pieces of information about them. For example, if the record of status of perpetrator is to distinguish the level of ordination (deacon – presbyter – bishop), then the probability of identifying the bishop by name in combination with the name of the diocese is relatively high.⁴⁰

- In statistical surveys, designed to provide a quantitative picture of a phenomenon, two significantly different types are distinguished: the census survey (covering the entire population under scrutiny) and the representative survey. An example of the first one in public statistics is a national census covering, as a rule, all dwellings in the country and all their inhabitants. Typical representative surveys, on the other hand, are opinion polls conducted on appropriately selected representative samples of the population of all adult inhabitants of a country (identified as “public opinion”) on the assumption that the quantitative picture (in terms of statistical distribution) of opinions captured in a correctly selected sample represents well the unknown statistical distribution of opinion in the population as a whole. In this context, an audit by its very nature, should be a census, i.e. cover all institutionally registered cases of the audited phenomenon. In scientific research, on the other hand, various approaches are possible, depending on the research purpose. It may be a study of an appropriately selected sample of organisational units of an institution, aimed at estimating the scope of the phenomenon (which is concluded here with probabilistic methods, i.e. with a certain risk of statistical error) and its significant elements. A somewhat opposite approach is an exploratory study of all potential victims of sexual abuse (e.g. a representative sample of adults) in order to quantify the extent of the phenomenon. This approach is particularly appropriate for the purpose of identifying the occurrence of sexual abuse not so much

⁴⁰ For this reason, the early 2021 audit referred to in the section “Research on sexual abuse in Poland” did not collect data distinguishing between priests and bishops.

within a single institution, but in all possible situations, institutions and social groups.⁴¹

- In the study of the phenomenon of child sexual abuse – as in the case of research in other areas of social reality – before deciding to collect new data, the possibility of analytical use of existing data should always be considered. In the case of an audit in fact, what is collected is mainly data which is already registered in the local organisational units of the institution (e.g. in dioceses or religious jurisdictions) and which does not however exclude the possibility of additional probing for some unrecorded issues which may be important for research purposes. In scientific research, the spectrum of potential data sources is much wider and includes both existing data (subject to accessibility) and new data collected for the purposes of the study. Usually, however, due to the requirement of anonymity, data from these two sources cannot be combined for case-level analysis.⁴² What remains is the compilation of statistical conclusions from separate analyses of existing data and intentionally collected new data.
- Finally, it is worth remembering that the two research approaches considered here: the scientific type study and the institutional audit are not in competition with each other and are not mutually exclusive. On the contrary, in seeking to fully identify the phenomenon of child sexual abuse in an institution such as the Catholic Church, the complementarity of the two approaches should be taken into account: the audit provides a more reliable quantitative picture of the phenomenon, while the scientific study allows for a deeper analysis in terms of important factors such as the characteristics and motivation of the perpetrators or the effects on the victims.

In any cognitive procedure – be it a scientific study or an audit – the basic criterion for assessing its quality is the degree of reliability and completeness of the output information. The assessment in terms of these criteria seems to be all the more important, the greater the social importance of the phenomenon

⁴¹ Research of this kind yields, for example, information on the scale of the rarely publicly noticed but extremely dangerous phenomenon of child sexual abuse in families.

⁴² It is not possible, for example, to have the contact details of the victim of a particular reported case in order to obtain from him/her additional information not covered by diocesan records; the same applies to perpetrators.

studied. There is no doubt (and the intense discussion following successive media reports in many Western countries is empirical proof of this) that the phenomenon of child sexual abuse in the Catholic Church – as mentioned above – is definitely one of such highly significant public issues.⁴³

In the domain of scientific research, issues of credibility and reliability are regulated on the one hand by relevant branch self-regulation (e.g. codes of best practice in social research),⁴⁴ and on the other hand, there is an extensive methodological literature outlining ways of ensuring that the data collected and the inferences drawn from it are of appropriate value.

The credibility of an institutional audit depends to a large extent on the quality and completeness of the documentation kept in the organisational units of the audited institution. Since there is no way of estimating how many and what relevant cases of actual sexual abuse were not covered by the records of particular units (and thus will also not be included in the audit results), it is important that appropriate, possibly uniform, procedures for documenting each allegation exist in the entire institution, and that they are observed through in its units. The credibility of the audit is particularly reduced by deficiencies in records that are not random but systematic in nature such as when cases of a certain type are omitted from the records, e.g. the acts of a particular offender who enjoys special protection in a given curia.

A subject that is particularly difficult to examine reliably and completely in the institutional audit mode is the reaction of an institution to a notification of an allegation of sexual abuse and the way in which it is dealt with from then on. The importance of this area of activity within the Catholic Church is evidenced, on the one hand, by changes in the law of the Church, obliging Church organisational units to deal with such reports in the prescribed manner,⁴⁵ and on the other hand, by cases which are difficult to resolve but loud in the

⁴³ Cf. footnote 14. The fact that, to a large extent, the intensity of the public debate after successive media revelations (e.g. films by the Sekielski brothers) is due to the hostility towards the Church by some of its initiators, does not in any way weaken the assessment of the issue itself as being socially important and impossible to ignore by the Church.

⁴⁴ Cf. e.g. the International Code of Market and Opinion Research, Social Research and Data Analytics (https://www.ofbor.pl/images/stories/ESOMAR/ICCESOMAR_International_Code_tlum_WD_2017.pdf) or the Code of Ethics for Sociologists of the Polish Sociological Association (<https://pts.org.pl/wp-content/uploads/2016/04/kodeks.pdf>) (05.02.2022)

⁴⁵ One of the elements of these new rules in the Polish Church is the establishing in 2019 of the function of the Delegate of the Polish Bishops' Conference for the Protection of Children and Young People and entrusting this function to Archbishop Wojciech Polak, the chairman

media, of how particular hierarchs deal with particular cases and accuse them of ignoring and “sweeping under the carpet” reports made by victims. The difficulty of deciding which side of the dispute is right is, to some extent, due to the lack of adequate documentation, e.g. records of meetings of the bishop or his representative (delegate) with the complainant, the arrangements made during these discussions and the ways of further proceedings. It seems that the inclusion of this area of the institution’s activities into the scope of the audit could contribute to improving the standards of dealing with allegations of sexual abuse in the Church.⁴⁶

Finally, it is worth noting the possibility of repeating the institutional audit within the cycle at specific intervals or even conducting it on a continuous basis, as an ongoing monitoring of cases of child sexual abuse by priests.⁴⁷ There are several arguments in favour of such a solution. First of all, as long as this pathology does not disappear completely from the Church (and nothing indicates such a chance in the foreseeable future), it will be the duty of the Church authorities to monitor it. Secondly, such constant monitoring makes it possible to analyse the dynamics of the phenomenon and its components, which is valuable both for the scientific study of the issue and for the practical use of this knowledge in prevention, detection and education. Ongoing monitoring also minimises the errors of memory (both human and institutional) that occur in retrospective studies, concerning events that happened a long time ago, and therefore increases the reliability of the study results. Finally, the repeatability of the audit, as in the case of any repeatable measurement, makes it possible to observe the accuracy of the methodological solutions adopted and to improve them in subsequent editions.

of the KEP Clergy Commission, and the appointment of a delegate for the protection of children and young people in each diocese and religious jurisdiction.

⁴⁶ The audits mentioned in footnote 30 ordered by the French and German episcopates and the Polish province of the Dominicans also include an assessment of this area of phenomena. It is also worth noting that in such cases it is particularly desirable to entrust the audit to an external body, independent of ecclesiastical authority, since this limits the influence of informal structures and dependencies within the institution which can interfere with a reliable knowledge of the state of affairs.

⁴⁷ Which is technically entirely possible with the use of an electronic form of data collection – for example, it is the main technique in the audit conducted in Poland in 2021 by the Office of the Delegate of the KEP mentioned above.

5. Conclusion

The phenomenon of sexual abuse, although, one cannot state that it is new in human history, was on the top of public debate in the last decades, and has become a subject of some quite intense discussion. Even though in global media culture most topics on a public agenda grow stale quite quickly, the problem of sexual abuse seems to keep still a high position. Most likely the power of emotions and moral condemnation caused by this phenomenon in many people is one of the reasons for this fact. The political potential of the accusation of sexual abuse toward different groups, social circles or institutions is also an important factor. The fact that the accusation mostly covers the intimate sphere which is normally hidden from the sight of the audience, adds to the information the strong aspect of sensation, so valued by the media for its “sales power.”

So sketchy described circumstances might suggest that the very subject of the debate is clearly defined, that everyone knows what they are talking about and that they always talk about the same thing. However, the opposite is true. The focus on highly emotive aspects (moral, political, etc.), often deliberately provoked by the media, is not conducive to thinking about what “sexual abuse” is actually referring to. Certainly, the media discourse or political discourse (in the sense of politics, not policy) can do without a precise definition of the phenomenon, or even benefit from blurred meanings. However, the fact that the problem is first and foremost real, not media-related, and that it causes a lot of evil and harm, requires a thorough understanding of it in order to be able to develop any policy to counteract it and its effects.⁴⁸ It is therefore worth considering appropriate means of competent and reliable social recognition of the phenomenon of sexual abuse.

⁴⁸ The term “policy” has a wide meaning here – it can be both a state policy against paedophilia and an action programme of an institution (e.g. the Church) for the protection of children and young people.

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