

New Legionaries intrigue: Statement on Maciel not issued by agency responsible for sex abuse cases

By John L. Allen, Jr.

National Catholic Reporter

Wednesday May 25, 2005

<http://nationalcatholicreporter.org/update/bn052505.htm>

Rome - In a potentially significant twist to the case involving the founder of the Legionaries of Christ, NCR has learned that the office that recently released a statement saying there is no case against Fr. Marcial Maciel regarding sex abuse accusations is not the office with responsibility for making that judgment.

On May 20, the Legionaries of Christ issued a news release stating that the "Holy See" had informed them that "at this time there is no canonical process underway regarding our Founder, Fr. Marcial Maciel, LC, nor will one be initiated." Subsequently, the Catholic News Service and other press agencies quoted the Vatican Press Office as confirming the statement.

That news startled some observers, since an official of the Congregation for the Doctrine of the Faith, the Vatican agency charged in 2001 by Pope John Paul II with responsibility for the sexual abuse of minors by clergy, traveled in early April to New York and Mexico City to collect testimony from alleged victims. Those efforts by Msgr. Charles Scicluna, the Promoter of Justice within the congregation, suggested that a preliminary investigation was underway.

Most observers assumed that the new communication to the Legionaries must have come from that congregation, the office once headed by Pope Benedict XVI.

In fact, however, the communication came from the Secretariat of State, the department that handles papal diplomacy and acts as a coordinator for the work of other Vatican agencies. It came in the form of a fax, which was unsigned but bore a seal from the Secretariat of State indicating official status. Italian Cardinal Angelo Sodano, the Vatican's Secretary of State, is a longtime supporter of Maciel and the Legionaries of Christ.

What this means is that the statement did not come from the Vatican agency that ultimately has responsibility for deciding Maciel's fate. Officials of the Congregation for the Doctrine of the Faith have refused to make any comment on the recent news reports, but a senior Vatican official told NCR May 25 that the congregation has made "no statement" on the Maciel case, even to the Secretariat of State.

The official stressed this does not mean that there eventually will be a canonical case against Maciel, merely that the agency charged with making that decision has not yet communicated its intentions. Given the preeminence of the Secretariat of State within the Vatican, at a minimum these recent developments suggest there are grave doubts within the Holy See about proceeding.

Asked for comment, a spokesperson for the Legionaries of Christ in New York said that he did not believe the distinction of which office issued the statement ultimately made any difference.

"We believe the Holy See is speaking with a unified voice on this issue," Jay Dunlap, the Legionaries' Communications Director for North America, told NCR May 25. "The way in which it was communicated was intended to make that clear."

In terms of what force the communication enjoys, the precise wording of the communication from the Secretariat of State is important. In Italian, it went as follows: "non vi e nessun procedimento canonico in corso ne e previsto per il futuro nei confronti di P. Maciel." Literally translated, it reads: "There is no canonical procedure in course nor is one foreseen for the future with regard to Fr. Maciel."

The communication thus did not say categorically "nor will one be initiated," but that one "is not foreseen for the future." The formula "is not foreseen" is sometimes used in Vatican argot for a development that is not officially in the works, but that is not completely outside the range of possibility. When papal trips are first rumored, for example, spokespersons sometimes say they are "not foreseen," only to have them eventually materialize.

The official who spoke to NCR stressed again that this does not mean there will be a procedure, only that such a procedure cannot be definitively ruled out until a statement is issued by the Congregation for the Doctrine of the Faith.

In 2000, Sodano went to the Regina Apostolorum, the Roman university sponsored by the Legionaries, to inaugurate a new facility. In 2003, he made another visit to the university, at which time he praised Maciel.

"Dear father, I've seen the great work that you do," Sodano said to Maciel while embracing him. "You're always young, always strong," Sodano said.

Maciel in turn thanked Sodano for his support, recalling his 2000 visit, which is marked by a plaque at the Regina Apostolorum.

"Three years later, you accepted our invitation with fraternal charity to return, and I'm very grateful," Maciel said. "You have always encouraged this university in its birth and growth."

The charges of sexual abuse against Maciel first surfaced in 1997, when eight former members brought a canonical complaint related to incidents that allegedly took place decades before. Maciel and the Legionaries have strenuously denied the charges.

"We hold no grudge against those who accuse us," the May 20 statement from the Legionaries said with regard to the accusers. "Rather, we keep them in our prayers while expressing our humblest gratitude to the countless people of good will who in these circumstances have reiterated to us their support and esteem."