

July 21, 2007 - Questions Linger About L.A. Cardinal

By THE ASSOCIATED PRESS, The New York Times

Cardinal Roger Mahony approved a record clergy abuse payout, opened the files of the Roman Catholic priests involved and looked into the cameras and apologized last week for the victims' treatment. And it still might not be enough to satisfy some.

To fund the archdiocese's share of the \$660 million settlement, the cardinal will have to sell property, liquidate investments and cut spending, dismantling part of what he built in more than two decades as the city's archbishop.

Even so, critics question whether the cardinal should have done more to rein in predatory priests in the nation's largest archdiocese. Bishops answer only to the Vatican, which had to sign off on some funding of the settlement, but every church leader needs the trust of the parishioners.

"He acknowledged he made some mistakes, he apologized," said the Rev. Thomas Reese, a fellow at the Woodstock Theological Center at Georgetown University. "Now the people of Los Angeles are going to have to weigh the good that he's done over the last 22 years versus the bad things he did and decide whether they can continue to accept him as their bishop."

Last week's deal was made on the eve of a civil trial in which Mahony would have been grilled about why he left some abusive priests in churches without telling parents or police.

As part of the settlement, the archdiocese agreed to release the personnel files of accused clergymen, which could reveal any direct links between Mahony and the guilty priests he supervised. But each priest tied to the 508 Los Angeles cases can challenge his records' release -- another potential obstacle to full disclosure.

Mahony, 71, has acknowledged the suffering of victims. He was among only a handful of bishops who revealed the names of suspected clergy so the public could be protected from them.

At the same time, his lawyers fought disclosure of priests' files to prosecutors all the way to the U.S. Supreme Court. They also challenged California's one-year window that allowed abuse claims to be filed no matter how far back they dated. None of the maneuvers succeeded, but they contributed to delays in reaching a settlement, which took four years to negotiate.

Leon Panetta, a member of the original National Review Board, the lay watchdog panel bishops created to monitor their child protection reforms, said Mahony appeared to be "captured by his lawyers." Panetta recalled a board meeting with Mahony a few years ago where the cardinal was accompanied by his lawyers.

"There were more lawyers in the room than I'd ever seen," said Panetta, who served as chief of staff to President Clinton. "They were basically digging in, and as lawyers tend to do, basically saying, 'We're not going to cooperate. We're going to fight this out, we're not going to admit to anything and we're going to exhaust the legal process to the fullest.'"

Mahony was sincerely concerned about victims, but went on to let his lawyers "drag it out," Panetta said. "I think that is the mistake the cardinal made. They played for time. In the end they arrived at a settlement, but I think it's done tremendous damage to his reputation and the archdiocese."

However, attorney Pamela Hayes, a New York litigator who served on the board with Panetta, said Mahony had a dual role as pastoral leader of the archdiocese and as its chief executive, with financial obligations that go beyond the victims.

"This should have happened sooner rather than later, but they were doing what most defendants do. They fought back," Hayes said. "It might not sound nice, but do you know any multibillion-dollar organization that is going to fork out millions of dollars to people who say they were molested without any proof?"

After a California judge approved the settlement Monday, Mahony received support from an unlikely source -- a lead lawyer for the victims. Attorney Raymond Boucher praised Mahony for meeting with victims and for working to convince religious orders to sign onto the deal.

"We particularly appreciate the sensitivity and personal efforts of Cardinal Mahony in bringing important parts of this settlement together," Boucher said in a news release.

But some Catholic commentators, advocates for victims and editorial writers said the payout protected Mahony at the church's expense.

Phil Lawler, editor of the conservative Catholic World News, said Mahony should resign. Lawler called the cardinal's legal strategy "self-serving" and argued it was meant "to prevent the disclosure of embarrassing information."

The Boston Globe, whose 2002 investigation revealed the depth of the abuse problem in the church, also urged Mahony to step down, while newspapers throughout California said doubts remain about how Mahony responded when his priests were accused of wrongdoing.

Anne Barrett Doyle of BishopAccountability.org, a Massachusetts group that has amassed thousands of documents on abusive priests and their bishops, questioned how much would be accomplished if Mahony resigned as archbishop. She noted that Cardinal Bernard Law, the only church leader to resign as archbishop over how he responded to the abuse problem, was appointed by the Vatican as leader of a basilica in Rome.

"The only real way to hold Mahony accountable," Doyle said, "is to prosecute him through the courts."