

## Vatican Quietly Scuttles Abuse Probe

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The Vatican announcement that no action will be taken against the founder of the Legionaries of Christ, a conservative religious order, has stunned those who accuse him of having sexually abused young seminarians in his charge years ago.

The decision announced by the Vatican Press Office short-circuits normal church procedures to reach a resolution in the case against the Rev. Marcial Maciel Degollado.

Neither the men making the accusations nor their canon lawyer in Rome had been told of the decision as of Monday, said one of the accusers, Juan Vaca, of Holbrooke, N.Y., a former Legionary priest who once headed the order in the United States.

Vaca, now an adjunct professor of psychology and sociology at Mercy College, Dobbs Ferry, N.Y., said he felt betrayed. "I am more than upset," he said. "I've lost all faith in the church."

Maciel, 85, the Mexican founder and recently retired head of the Legionaries of Christ, recently was the subject of an intense preliminary investigation by a high-level Vatican agency known as the Congregation for the Doctrine of the Faith, formerly headed by Cardinal Joseph Ratzinger, now Pope Benedict XVI.

The case against Maciel gained wider attention when Ratzinger became pope. As a cardinal, Ratzinger had been in charge of handling sexual abuse allegations, and observers were looking to this case as a test of how seriously the Vatican will pursue allegations such as those that have roiled the church in America.

Maciel now lives in Rome and enjoyed favored status under Pope John Paul II, who often praised him for his work in building an order of more than 600 priests, a reported 2,500 seminarians, a dozen major universities, and a network of elite schools. The Legionaries has its U.S. headquarters in Orange and a seminary in Cheshire.

Monsignor Charles J. Scicluna, a priest from Malta who is "permanent promoter of justice," a type of prosecutor for the congregation, gave new life to the canon law case against Maciel last December while Ratzinger was still in charge.

His orders were to help clean up the backlog of sex abuse cases. The case against Maciel had been lying dormant for nearly six years. Scicluna contacted Martha Wegan, the Vatican-approved canon lawyer who was an advocate for eight former Legion seminarians who alleged that Maciel had sexually abused them when they were teenagers in the 1940s, '50s and '60s.

Wegan wrote a letter on Dec. 2, 2004, to three of the leading accusers, saying that Scicluna "telephoned me asking if you ... want to pursue the suit or not." The men replied that they did.

On Jan. 23, the Legion announced that Maciel was retiring but that his retirement had nothing to do with the renewed investigation.

In April, Scicluna traveled to the United States and Mexico, where he personally interviewed more than 30 people, including seven of the eight men who made the accusations, as well as several others claiming abuse who had not publicly come forward before.

Vaca, one of Maciel's accusers, said Scicluna told him that he believed him and the others and that "the church owed us a public apology."

Vaca, who entered the order as a 10-year-old boy and was president of the Legion in the United States from 1971 to 1976, said he had been abused by Maciel for more than a decade. He submitted written complaints to Pope John Paul II in 1978 and again in 1989 but got no response. He had lost all trust in Vatican officials, he said, but had renewed hope when Scicluna appeared to be doing a serious investigation.

Jose Barba, a Harvard-trained professor of Latin American studies at Instituto Tecnológico Autónomo de México in Mexico City, who also made accusations against Maciel, told Jason Berry, reporting for the National Catholic Reporter: "We are the victims and we have been telling the truth. If the Holy See does not make a declaration of the truth, we stand in limbo. Is that justice?"

Announcement by the Vatican Press Office on Friday that there will be "no canonical process" against Maciel was never conveyed personally to the men making the charges nor to Wegan, their Vatican-approved lawyer in Rome.

It came about indirectly after the Italian newsweekly L'Espresso published an article in its May 20 edition by veteran religion writer Sandro Magister recapitulating the case against Maciel and reporting on Scicluna's visit to the United States and Mexico. In response, the Legionaries of Christ in Rome released a statement saying that "there is no canonical process under way into our founder ... nor will one be initiated."

Catholic News Service, an agency of the American bishops, reported on Friday that the Rev. Ciro Benedettini, a Vatican spokesman, confirmed the Legion statement after he was asked about it. The New York Times on Sunday quoted Benedettini as saying, "There is no investigation now, and it is not foreseeable that there will be another investigation in the future."

His statements to the Catholic News Service and the Times made no reference to Scicluna's interviewing more than 30 people or how that squared with his statement that there was no investigation. He did not say why the process was stopped and did not say that Maciel was exonerated.

Scicluna and others in the doctrinal office involved in the investigation, bound by a vow of secrecy, are not allowed to comment. Whether he was allowed to finish his report and whether Pope Benedict read it are unanswered questions. Wegan also is not permitted to comment as a condition of working as a Vatican-sanctioned lawyer.

The Legionaries' statement said: "We hold no grudge against those who accuse us; 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."

The statement also quoted Maciel as denying the accusations: "I can categorically state that the accusations brought against me are false. I never engaged in the sort of repulsive behavior these men accuse me of."

In church law, sexual abuse charges have an effective statute of limitations of 10 years, but that can be waived by the pope. The most serious charge against Maciel, however, has no limitation - that he absolved in confession some of the boys he is accused of abusing. That amounts in canon law to a sacrilege of the sacrament of penance, which incurs an automatic excommunication, or expulsion, from the Catholic Church.

The charges were made public for the first time in February 1997 in an article in The Courant. In 1998, the men - all professionals comprising five Mexicans, two Mexican-Americans and a

Spaniard - filed their case under church law. The Congregation for the Doctrine of the Faith accepted the complaint as credible for further investigation but never proceeded, and no investigation was made.

David Clohessy of St. Louis, director of Survivors Network of those Abused by Priests, which has long been agitating for Vatican attention to the accusations against Maciel, expressed outrage at the latest development.

"This transparent whitewash aborts the church's legal system to the benefit of a notorious pedophile and the harm of brave, persistent victims," he said in a statement. "Pope Benedict has forfeited all credibility on the single most serious crisis in the church."

He continued: "It borders on cruelty to inexplicably close, re-open years later, then suddenly and inexplicably close this Vatican sex abuse investigation again, while issuing no findings, taking no action."