

Vatican to reopen case against Maciel

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A canon lawyer representing eight former members of the Legionaries of Christ who filed pedophilia charges in 1998 against the order's founder, Fr. Marcial Maciel Degollado, recently informed the men that a Vatican prosecutor has agreed to reopen the dormant case.

Martha Wegan, a canonist who works at the Holy See, informed Arturo Jurado and José Barba of Mexico, and Juan Vaca, of Holbrook, N.Y., of the development in a Dec. 2 letter, barely a week after Pope John Paul II publicly praised Maciel and entrusted the Legion with the administration of Jerusalem's Notre Dame Center.

"It seems to me that now the case is being taken seriously," Wegan wrote.

Jurado, Barba and Vaca are three of the men who for years have tried to get the Vatican to take action against Maciel. Wegan, an Austrian national in Rome licensed to practice in church courts, told the three petitioners that Fr. Charles Scicluna, a canon lawyer working as promoter of justice at the Vatican's Congregation for the Doctrine of the Faith, had asked if the men wished "to pursue the suit or not."

"After we received the letter, I telephoned Martha Wegan and said that of course, we wished the case to move forward," Barba, a professor of Latin American studies at Instituto Tecnológico Autónomo de Mexico, told NCR in a telephone interview from Mexico City.

"I also told her that we would not be bound by silence," added Barba -- referring to the congregation's insistence in 1998, when the case was filed, that the men not speak publicly about it. They abided by the agreement until late 1999, when Wegan informed them that Cardinal Joseph Ratzinger, head of the congregation, had tabled the case. Ratzinger later told a Mexican bishop that the charges created a "delicate" situation because Maciel in his view had done much good for the church (NCR, Dec. 7, 2001).

An attempt to obtain more information about the case from a congregation official was unsuccessful. Staffers of the Congregation for the Doctrine of the Faith take a pontifical vow of secrecy pledging not to discuss pending cases. Scicluna has been handling cases of clergy laicization, or defrocking, under a 2001 papal order that directed the congregation to hold penal trials.

Vaca has been pursuing his case against Maciel for nearly three decades. In 1976, as he left the order and became a member of the diocesan clergy in Rockville Centre, N.Y. Vaca, with the support of his bishop, the late John McGann, sent a detailed statement to the Vatican alleging years of sexual assaults by Maciel. Vaca identified 20 other alleged victims. Fr. Félix Alarcón, an ex-Legionary in the same diocese, informed Rome that he, too, was a victim of Maciel. The Holy See acknowledged receipt of the documents, but did not launch an investigation into the accusations.

Vaca made further attempts through church diplomatic channels in 1978 and 1989, culminating with a long letter to John Paul requesting a dispensation from the priesthood. He received the dispensation, but no Vatican official addressed the accusations.

In 1996, the group of accusers had expanded to nine men -- seven Mexicans and two Spaniards. They began giving media interviews, and in 1998 filed the canonical case against Maciel at the urging of the papal nuncio to Mexico City.

The central charge is that during the 1950s and '60s Maciel sexually assaulted seminarians in Rome and then provided absolution for the "sins" they committed with him. Were Maciel an American priest -- given

the nature of the charges and the number of accusers -- it is likely he would be suspended from the priesthood under the bishops' 2002 youth protection charter.

At the Nov. 30 ceremony when John Paul praised Maciel and gave the Legion control of the Jerusalem facility, he also approved statutes for Regnum Christi, the lay group under Legion auspices, and praised the group for fostering a "civilization of Christian justice and love."

Even as Maciel and the order were praised in Rome, they were chastised back in the States. In a Nov. 23 letter to pastors and parish administrators, Minneapolis-St. Paul Archbishop Harry Flynn ordered the Legion "not to be active in any way in the archdiocese." Flynn also ordered that Regnum Christi should be "kept completely separate from all activities of the parishes and the archdiocese."

Flynn's decision, first reported by Catholic News Service, came after several years of meetings with Legion officials and letters to them. In a letter to Fr. Anthony Bannon, the Legion's U.S. director (a position held previously by Maciel accusers Vaca and Alarcón), Flynn described the order's communications with him as "vague and ambiguous, characterized by generalizations about intent and policies. ... Our pastors continue to sense that a 'parallel church' is being encouraged, one that separates persons from the local parish and archdiocese and creates competing structures."

Flynn is at least the second American prelate to ban the Legion. In 2000 Bishop James A. Griffin of Columbus, Ohio, kicked the Legion out of his diocese. Although Griffin has since retired, his decision remains in effect, according to the diocese.

Jay Dunlap, communications director for the order, said in an e-mail response to questions that the Legion was unaware of any action by the Congregation for the Doctrine of the Faith, past or present, regarding Maciel. "It should be mentioned that Fr. Maciel and the Legionaries were thoroughly investigated by the Holy See from 1956 to 1959 regarding many accusations and nothing wrong was ever found. The Holy See can always review the records on file, the accusations and proofs of innocence," wrote Dunlap.

Dunlap confirmed Flynn's letter regarding Regnum Christi but said the archdiocese "has not made a public statement regarding this disposition. Others have posted Archbishop Flynn's letter in the Internet and have faxed it to several news agencies."

"The Legion and Regnum Christi will faithfully observe the archbishop's decisions with spirit of filial obedience." Both groups, he said, "wish to continue" a dialogue with Flynn.

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