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# Document dump doesn't stop wrangling in abuse case

John L. Allen Jr. | Aug. 30, 2011

(CNS/Paul Haring)

When the Vatican released documents in mid-August related to the case of Fr. Andrew Ronan, a Servite priest who was laicized in 1966 and died in 1992 and who now figures in a sex abuse lawsuit in Oregon, it amounted to a historic turn: the first time the Vatican has opened up its files in response to a court order.

Any hope that the release might quickly resolve the case, however, seemed to disappear amid dramatically differing interpretations of the documents between lawyers for the alleged victim and the Vatican -- not to mention wrangling over whether the Vatican has, in fact, fully come clean.

The case of *John V. Doe* v. *Holy See* was originally filed in federal court in 2002, on behalf of a Seattle man who claims that Ronan abused him in 1965. Ronan was in the United States at the time after being transferred from Ireland in 1959 by the Servites (formally, the Order of Servants of the Blessed Virgin Mary) in the wake of admitting to homosexual contact with seminarians at a Servite priory in Benburb, Ireland.

The case is one of a handful in American courts seeking to overcome the Vatican?s sovereign immunity, and to date the only one in which a judge has permitted lawyers to demand Vatican records. Its heart is the contention that Ronan was an ?agent? or ?employee? of the Vatican, something the Vatican and its American attorney vigorously dispute.

On Aug. 17, the Vatican released what it claimed were all documents in its possession specifically related to Ronan. They include a Vatican note of permission in 1953 for Ronan to serve as a novice master despite being below the age then established in church law, and several documents related to his 1966 laicization. Among them is a February 1966 letter from Ronan, acknowledging ?my repeated, admitted, documented homosexual tendencies and acts against the vow of chastity and celibacy.?

Notably, there are no documents suggesting that the Vatican authorized, or had knowledge of, Ronan?s 1959 transfer.

On Aug. 19, the Vatican released more documents -- thousands of pages -- related to its general policies on sexual abuse, much of which has already been in the public domain.

Attorney Jeffrey Lena, who represents the Vatican in American courts, said the documents prove that the Vatican was not involved in Ronan?s transfer, and that the Vatican became aware of any charges against him only in early 1966, after the alleged abuse cited in the *Doe* case had occurred.

Lena also noted that Ronan was laicized just weeks after those reports reached the Vatican.

?Given the lack of support for their accusations, the plaintiff?s lawyers should now do the right thing and dismiss their lawsuit against the Holy See voluntarily,? Lena said.

Attorney Jeffrey Anderson, who represents the plaintiff, said he not only has no intention of doing so, but insists that the documents buttress his position.

?All policies, all protocols, all laws pertaining to the control of priests and sexual abuse come from the top -- the top is the Holy See,? Anderson said in an Aug. 22 news conference.

?What these documents show is that the Vatican and the Holy See ... makes the decisions, interprets the protocols, establishes the policies, enforces the policies and the practices concerning every priest globally and this priest in particular, and requires two things: absolute secrecy and absolute avoidance of scandal,? Anderson said.

Anderson cited a 1963 letter from a Servite official that said Ronan?s misconduct in Ireland became known in 1959, prompting his transfer to the United States. (Ronan initially served in Chicago, moving to Portland as a retreat director in 1965.) A 1966 letter from a Servite provincial to the head of the order in Rome, supporting laicization, says that ?only a few men within the order and the province? knew of Ronan?s problems, and expresses hope that he can ?leave quietly and without any open scandal.?

?We fully realize the difficulties and complications that could arise from his release, especially on the part of malcontents who are dissatisfied with the priestly and religious life, but we sincerely hope that these will never know the circumstances of the case,? the letter says.

Lena said this paper trail does not support the claim that the Vatican had any direct supervisory responsibility over Ronan.

Anderson and other attorneys for the plaintiff, however, charged that the documents released by the Vatican do not represent all the available information. Lena disputed that claim, calling Anderson?s statements ?another unfortunate attempt to mislead the public.?

Since 2000, the Vatican or its officials, including Pope Benedict XVI himself twice, have been named as defendants in at least 10 American lawsuits, in cases ranging from commercial disputes, to Holocaust-era asset claims involving the Vatican Bank, to the sex abuse crisis. Six have been dismissed while four remain open, generally mired in disputes over whether American courts can claim jurisdiction over the Vatican despite its status as a sovereign entity in international law.

Last year, attorneys for another alleged sex abuse victim dropped a separate lawsuit against the Vatican, *O?Bryan* v. *Holy See*, citing the difficulties of overcoming sovereign immunity, as well as problems in finding other victims to join the suit. Some analysts had regarded that case as the more serious challenge, since it contended that bishops, not individual priests, are Vatican ?agents.?

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**ON THE WEB**
The Vatican made about 70 pages of the documents available online at
www.radiovaticana.va/pdf/documents_Doe_v_Holy_See.pdf.
It is a large file and may take some time to open.

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