

Published on *National Catholic Reporter* (<https://www.ncronline.org>)

June 15, 2012 at 12:49pm

Following dismissal vote, Bourgeois says Maryknoll's tone different

by Joshua J. McElwee

Roy Bourgeois

The tone of discussion between the Maryknoll Fathers and Brothers and Fr. Roy Bourgeois, a priest who has been threatened with excommunication and removal from the order for his support of women's ordination, has seemingly changed direction.

While the order has recently taken a number of formal moves to remove Bourgeois -- including holding an official vote of its leadership on the matter earlier this year -- the priest says a June 6 meeting between his superior general and him saw no discussion of his removal and instead focused on a discussion of the rights of conscience of Catholics.

"It was the first coming together for discussion," Bourgeois said. "I don't know what else to say. We didn't get into heavy issues of being silenced. I thought ... that at this meeting there would have to be negotiations, so to speak, where I would be asked to or told that I have to be silenced in order to stay. But that didn't happen."

Instead, Bourgeois said, the meeting, which lasted about two hours, focused on the issue of conscience and "the importance of people of faith and members of Maryknoll to be able to speak openly and freely without fear ... of being dismissed or excommunicated."

The meeting between Bourgeois and Maryknoll Superior General Fr. Edward Dougherty took place three months after the order confirmed that its leadership had taken an official vote to remove Bourgeois, who is also known widely for his peace activism.

Dominican Fr. Tom Doyle, a canon lawyer serving on Bourgeois' behalf, said in March that Maryknoll Fr.

Mike Duggan, the U.S. regional superior of the order, told him a vote of the order's general council took place in January.

Of five members present for the vote, Doyle said Duggan told him only two voted for dismissal while the other three abstained.

At the time, Doyle and Bourgeois said Duggan told them separately that the council had sent a letter to the Vatican with the results of the vote.

Bourgeois said there was no discussion of the vote in the June 6 meeting of Bourgeois, Doyle, Dougherty and a mediator, which took place at the order's headquarters in New York.

In an email Wednesday, a spokesperson with the Maryknoll Fathers and Brothers would only confirm that a meeting took place.

"As Maryknoll considers this a confidential matter between Fr. Roy and his church, additional information from Maryknoll is not available," wrote Mike Virgintino, the order's manager of communications.

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In a separate interview Tuesday, Doyle said the outcome of the meeting between the Maryknoll members was "far different than we expected and far more positive."

"We did not even get into any of the legalities, or the negativity, or the canonical issues at all," Doyle said.

Both Doyle and Bourgeois said the June 6 meeting ended without any formal understanding of the next steps in the process.

According to Bourgeois, those present decided to "think about it, pray over it, and get together later and speak some more."

Maryknoll's January vote over whether to remove Bourgeois followed more than three years of discussion regarding the priest's status with the order.

After Bourgeois participated in a women's ordination ceremony in 2008, the Vatican's Congregation for the Doctrine of the Faith gave Bourgeois 30 days to recant his "belief and public statements that support ordination of women" or face automatic excommunication. Bourgeois never recanted, saying he could not in good conscience do so.

Whether the priest was formally excommunicated is unclear because the Vatican never issued a public statement to that effect.

Last year, Bourgeois received two formal warnings from his order that if he continued his "campaign in favor of women priests and failed to recant publicly your position on the matter," he faced dismissal and laicization.

In an Aug. 16 letter to the order, Doyle asked that reputable theologians be brought in to examine the case "in order to look much more deeply" into two central issues: the church's claim that the teaching on women's ordination is infallible and the right of a Catholic "to act and think according to the dictates of

his conscience," even if the conclusions put one in conflict with the church's highest authorities.

Following news of the split decision between the Maryknoll leadership over whether to remove Bourgeois, several canon lawyers said at the time it was unclear whether the vote constituted a removal of Bourgeois, as canon law does not make provisions for abstentions in such cases.

Oblate Fr. Francis Morrisey, a prominent canon lawyer at Ottawa's Roman Catholic University of Saint Paul, said in March that the canons dealing with removal of members from religious orders "don't say anything" about abstentions, "just [that] there have to be at least five" votes.

Morrisey pointed to canon 127, which states that "an absolute majority of those present" is required in some cases where the law prescribes that a superior general "requires the consent or the advice of some college or group of persons" in taking certain actions.

While Morrisey said he was unclear about whether that canon would apply in this situation, he also said that "two out of five would not be a majority of those present."

Doyle said the June meeting didn't bring much clarity about the vote over Bourgeois' removal.

"As I said before, the results were sent to the Vatican, and there's been no response," Doyle continued. "And that was a long time ago, and if there's been no response, the issue is that if [the vote] was 2-3 the way it was taken, that's non-conclusive. So if they follow their own rules, they can't do anything right now about that."

Regardless of canonical issues, both Doyle and Bourgeois expressed optimism about what seems to be the evolving shape of discussion with Maryknoll.

"The tone now is positive, there's goodwill and I think that's the main thing," Doyle said. "That's pretty much where it is. It's not what people expected; it's surely not what we expected. I would have liked to have had some closure on the legal issues, but on the other hand I think this is the best way to go for now."

Bourgeois said, "What's clear is that I'm still a member of the community. I'm still a member. What can I say?"

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