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Three American men who were sexually abused by Catholic clergy have been allowed to name the Vatican as sole defendant in a lawsuit, a US appeals court has ruled. The men are hoping to force the Pope to give evidence in their case. The federal appeals court ruled that the men could proceed with their argument that Vatican officials were involved in a deliberate effort to cover up evidence of abuse by American priests.

Their case focuses on a 1962 directive from the Holy Office (now the Congregation for the Doctrine of the Faith),

Crimen Sollicitationis, that became public in 2002. The directive came to light because it was referred to in a footnote in a letter from Cardinal Joseph Ratzinger, then head of the CDF, to the world's bishops on required procedures for sex abuse cases.

The 1962 directive established a secret procedure for canonical cases in which priests were accused of abusing the confessional to sexually proposition penitents, but its concluding paragraphs extended the procedure to homosexual acts contrary to a priest's celibate commitment, which could be further extended to sexual abuse of minors.

The men's lawyer, William F. McMurray, alleges that the document makes the Vatican liable for crimes kept secret because of the directive. However, many in the Church have argued that most bishops were unaware of the existence of the 1962 document, and so they would not have been able to take cover under its imposition of secrecy.

19 December 2008
