



CALLEJA LAW

Excellence towards Justice

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25 September 2023

PIO C. ACLON

c/o MADULA LAW OFFICE

Unit 6 #61 Doña Soledad Avenue
Brgy. Don Bosco, Better Living
Parañaque City, Metro Manila,
Philippines 1711

*Re: Reply to the Demand Letter dated 18 September 2023 to
The Roman Catholic Bishop of Borongan, Samar Province*

Dear Mr. Aclon,

We write on behalf of our client, **THE ROMAN CATHOLIC BISHOP OF BORONGAN**, who referred to us for appropriate legal action the above-captioned matter.

In your *Demand for Production of Pio C. Aclon's Vatican Case Record* dated 18 September 2023, you stated that our client's publication of the *Informationis Causa*, without attaching the Vatican's decision or decree, purportedly violated your client's canonical and civil rights.

You likewise opined there was malicious imputation against your client because the publication mentioned that "PIO CULTURA ACLON has been dismissed from the clerical state by the Pope, and that he is no longer a cleric and cannot exercise priestly ministry in the Church."

Firstly, on the matter of the *Informationis Causa*, there is nothing libelous or slanderous about the notice. It is Information to the public on a matter of fact – that the priest in question has been laicized. The publication is a matter of church discipline that may not be inquired into by the courts.

Malice is not present because our client was echoing a factual report – the dismissal of Mr. Aclon from the clerical state. In the case of *Philippine Daily Inquirer, Inc., et al. vs. Juan Ponce Enrile, et al.*¹, the Supreme Court ruled that malice is only present if "**the author of the libelous remarks made such**

¹ G.R. No. 229440, 14 July 2021.

remarks with knowledge that it was false or with reckless disregard as to the truth or falsity thereof." (*Emphasis supplied*)

Our client acted on his canonical duty to inform the public of the Vatican's decision by issuing the *Informationis Causa*. He acted based on the existence and truth of the Vatican documents regarding the dismissal of Mr. Aclon from the clerical state, hence, malice cannot be imputed against him.

Secondly, on the demand for the documents from the Holy See: The letter in question is a letter from the Congregation for the Doctrine of the Faith to the bishop. Hence, it is private communication. The discipline of the Church treats with confidentiality communication between the Holy See and the Ordinaries or bishops.

Your client intimated that the publication of the *Informationis Causa* violated his civil and canonical rights for not having received the Vatican documents, thus, the failure on the part of the Church to serve the decision prior to the publication.

But this is not the case. The same Vatican report said there were several attempts as early as February 2020 to serve the decree to Mr. Aclon, to notify him of his dismissal but he vehemently refused to receive them, as he was hiding in Manila and nowhere to be found. Proof of notification was provided by means of a notarized document, which was signed by your client's sister, Ms. Leonora Aclon Parson, which under canon law, is considered served to your client.

Since your client is demanding for the document(s) that he vehemently refused to receive several times, it is but proper to attach the same in this Reply to prove its existence while preserving confidentiality. (*Kindly see the notice [in redacted form] from the Congregation for the Doctrine of the Faith dated 10 May 2023 marked as Annex "A".*)

We hope this Reply answers your allegations and demand(s) in your letter dated 18 September 2023.

For the firm,


COLLEEN I. CALLEJA



DICASTERO
PER LA DOTTRINA
DELLA FEDE

00120 Città del Vaticano
Palazzo del S. Uffizio

10 May 2023

PROT. N. 716/2018 – 94670

ANNEX “A”

CONFIDENTIAL

Your Excellency,

Recently, this office received your mailing concerning the case of the **Reverend Pio ACLON (Prot. N. 716/2018)**, a priest incardinated in the Diocese of Borongan.

Your Excellency related that the extrajudicial penal process that had been authorized by the then-Congregation for the Doctrine of the Faith had been completed but, given various issues, the status of the notification of the definitive decree to the cleric had never reached this Dicastery. This office would kindly note the following points, so as to assist you in bringing this matter to a just and canonical conclusion.

The provisions of this definitive decree stated that the decision was «*decretum condemnatorium* [...] Pio Aclon is dismissed from the clerical state»; a mandate to impose a perpetual expiatory, including dismissal from the clerical state, was granted by the then-Congregation for the Doctrine of the Faith, *ex art. 21 §2, 1° SST [2010]*.

Second, this office had requested an update on the notification of the aforementioned concluding decree. In your recent letter, Your Excellency indicated that the definitive decree was indeed notified to the cleric (after several attempts at communication) through his sister, as the cleric «was in hiding [in Manila] and was nowhere to be found» (cf. *Letter of 3 November 2020*, Prot. N. 716/2018 – 79488). Proof of notification was provided by means of a notarized document, which was signed and dated by the sister of the cleric, Ms. Leonora ACLON PARSON. As you related in your correspondence, Ms. Aclon Parson later «returned the decree [as the cleric had informed her] that the letter should go to his lawyers». As a result of these attempts, this Dicastery considers Mr. Aclon as having been notified of this decision (cf. *can. 56 CIC*).

His Excellency
The Most Reverend Crispin B. VARQUEZ
Bishop of Borongan
Bishop's Residence
Borongan City
6800 Eastern Samar
PHILIPPINES

Should the former cleric desire to request a dispensation from the obligation of celibacy, this Dicastery would be competent to present such a request to the Holy Father after receiving Your Excellency's *votum* on the matter. If the ex-cleric requests the dispensation or there is additional information about the case, please forward all such relevant items to this office. In the meantime, the *dossier* of this matter will be placed in the archives of the Dicastery.

With gratitude for your attention to this case and with prayerful support and fraternal best wishes, I remain

Sincerely yours in Christ,

John J. Kennedy

Mons. John J. KENNEDY

Secretary for the Disciplinary Section