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Investigation of Cardinal Intensifies Conflict Between Church and State

by LADB Staff
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The conflict between the Roman Catholic Church and the state flared up again in September when the Procuraduria General de la Republica (PGR) agreed to launch a money-laundering investigation against Cardinal Juan Sandoval Iniguez of Guadalajara. The relationship between the two entities was already tense because of complaints that several bishops were violating electoral laws by campaigning from the pulpit during this year's midterm congressional and gubernatorial elections (see SourceMex, 2003-06-04).

The PGR decision also represents the latest chapter in the very public feud between the cardinal and former attorney general Jorge Carpizo McGregor regarding the investigation into the assassination of Sandoval's predecessor, Cardinal Juan Jose Posadas Ocampo. Posadas was gunned down in 1993 while waiting in his limousine at the Miguel Hidalgo International Airport in Guadalajara (see SourceMex, 1994-03-30).

Sandoval contends that Carpizo covered up evidence that Posadas Ocampo's death may have been the result of a plot by high-level officials, including former President Carlos Salinas de Gortari (1988-1994), who were trying to cover up their involvement in the drug trade (see SourceMex, 2001-06-13).

Carpizo and other federal investigators say their investigations indicate that Posadas was the victim of mistaken identity and was murdered by drug traffickers. The former attorney general has not only denied the charges by the Guadalajara cardinal, but has gone as far as to accuse Sandoval of having some connections with notorious drug traffickers like Rafael Caro Quintero, Miguel Angel Felix Gallardo, and Ernesto Fonseca Carrillo. These drug traffickers, contends Carpizo, have donated some of their drug profits to the Archdiocese of Guadalajara.

Carpizo's charges apparently have been credible enough to merit the involvement of the PGR. Some newspaper reports have said that the PGR has subpoenaed bank records of the cardinal and several of his relatives and friends, including federal Deputy Fernando Guzman of the center-right Partido Accion Nacional (PAN). The PGR has not made any official comments on the investigation because formal charges have not yet been filed against Sandoval.

Church officials say investigation unwarranted

Catholic Church officials, meanwhile, are mystified as to why the PGR has agreed to conduct an investigation that they say carries very little weight. "We know the cardinal and know of his integrity and honor," the Mexican bishops conference (Conferencia del Episcopado Mexicano, CEM) said in a statement. Cardinal Norberto Rivera Carrera, Mexico's top Catholic Church official, said he did not question the PGR's right to conduct an investigation. But he expressed confidence that authorities would find no evidence to back Carpizo's claims.
Other bishops criticized the government for allowing the information about the investigation to be leaked to the press before any formal charges were filed. "What is bothersome is that the publicity surrounding the investigation has allowed Cardinal Sandoval to be tried in the press," said Bishop Jose Guadalupe Martin Rabago of the Diocese of Leon. Sandoval contends the investigation may be intended to undermine his campaign to prove Posadas Ocampo’s death was ordered by government officials. "Why are they allowing a complaint of this type to go forward, knowing ahead of time that they are not going to find any wrongdoing unless evidence is planted, which unfortunately is possible in Mexico?" Sandoval's office said in a news release.

The allegations that the PGR might plant evidence elicited an angry response from Attorney General Rafael Macedo de la Concha. "We do not fabricate evidence," Macedo de la Concha told reporters. "We will conduct an open, serious and responsible investigation." Carpizo denied that the case involved a personal vendetta against Sandoval, noting that his accusation is aimed at the Mexican Catholic Church "and doesn't directly accuse any one person." The former attorney general called on the Fox government not to put up any obstacles to the investigation. "If this case is blocked for political reasons, it would be catastrophic for Mexico," said Carpizo.

Sandoval has brought the matter to the Comision Nacional de Derechos Humanos (CNDH) and to the Office of the UN High Commissioner on Human Rights (UNHCHR). "We're not asking for special treatment," said the cardinal's attorney Jose Antonio Ortega. "But what we are asking for is that the investigation is not hidden and based on no evidence." A spokesperson for the UNHCHR said the UN agency would not take on the case but would offer any advice and assistance needed by Sandoval.

**Governing PAN defends cardinal**

The conflict has also drawn in some politicians, with the PAN the Catholic Church's strongest ally coming to Sandoval's defense. The PAN delegation in Jalisco state was responsible for organizing a huge march in Guadalajara at the end of September in support of Sandoval. Local authorities said the march drew as many as 20,000 participants. The PAN’s Jalisco state committee (Comite Directivo Estatal, CDE) has called on the PGR to investigate Carpizo, whom they say may be trying to cover up a possible role in the murder of Posadas. "Mr. Carpizo must stop putting up obstacles to a full investigation of the events that occurred in May 1993 at the Guadalajara airport," the Jalisco CDE said in a statement.

At the federal level, the PAN delegation in the Chamber of Deputies has created a special commission to look into the charges against Sandoval and also to follow through on the investigation about Posadas' assassination. "The PAN delegation in the Chamber of Deputies demands that the PGR conduct the investigation in a lawful manner and that the matter be resolved promptly," said German Martinez Caceres, one of the PAN leaders in the lower house. PAN legislators have also received support from Jalisco's PAN Gov. Francisco Ramirez and from his predecessor, Alberto Cardenas, who is now environment secretary. The PAN has found an easy target in the PGR because Macedo de la Concha is not a member of the party.

This strong advocacy of PAN legislators, however, has left President Vicente Fox, also a member of the PAN, in a very difficult position. The president, who has pledged not to interfere in the
investigation, came under strong criticism from the opposition parties for inviting Sandoval to a private lunch at his ranch in Guanajuato state.

Some members of opposition parties accused Fox of reaching an agreement to give Sandoval immunity from prosecution. "This would be taking us back to a stage in our history when high-level officials of the Catholic Church were awarded immunity," said Deputy Eliana Garcia Luna, a member of the center-left Partido de la Revolucion Democratica (PRD).

Other members of the PRD, however, were not so certain that the PGR case had any merit. Mexico City Mayor Andres Manuel Lopez Obrador, responding to a reporter's question on the case, said he thought the investigation might be a form of "reprisal" against Sandoval for his actions regarding the Posadas case. Statements were also mixed from legislators affiliated with the former governing Partido Revolucionario Institucional (PRI).

Deputy Roberto Campa Ciprian affirmed the right of Fox to meet with Sandoval and also supported the PGR investigation. "I am confident that the attorney general will comply with his mandate and conduct this investigation within the letter of the law," said Campa Ciprian. Senate Leader Enrique Jackson took a stronger tone, warning that no church official should be allowed to remain outside the law.

To appease critics, both the presidential press office and Interior Secretary Santiago Creel Miranda have issued statements that Sandoval would not be exempt from punishment if found guilty. "In a brief private conversation, President Fox and Cardinal Sandoval agreed that it is very important that the investigation launched by the Federal Attorney General's Office of the cardinal and other people strictly respect their rights," the office of the president said in a statement. (Sources: Notimex, 09/19/03, 09/22/03; El Sol de Mexico, 09/17/03, 09/23/03; Reforma, 09/18/03, 09/19/03, 09/23-26/03, Associated Press, 09/16/03, 09/17/03, 09/21/03, 09/27/03; Agencia de noticias Proceso, 09/17-19/03, 09/22- 24/03, 09/29/03; El Universal, 09/18/03, 09/22-26/03, 09/29/03; Unomasuno, 09/17/03, 09/22-24/03, 09/30/03; Milenio Diario, 09/17-19/03, 09/22-24/03, 09/26/03, 09/30/03; The Herald, 09/17/03, 09/19/03, 09/23/09, 09/24/09, 09/29/09, 09/30/03; La Cronica de Hoy, 09/17/03, 09/22-25/03, 09/29/03, 09/30/03; La Jornada, 09/19/03, 09/22/03, 09/24/03, 09/26/03, 09/29/03, 09/30/03, 10/01/03; The Washington Post, 10/01/03)

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