



THE CALIFORNIA PROVINCE OF THE SOCIETY OF JESUS
JESUIT PROVINCIAL RESIDENCE

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PERSONAL AND CONFIDENTIAL

March 30, 1981

Very Reverend Leo J. Klein, S.J.
Provincial, Chicago Province
509 North Oak Park Avenue
Oak Park, Illinois 60302

Dear Leo: Pax Christi

Now that almost three months have passed since Don McGuire left the University of San Francisco and the California Province, I would like to review his situation from our perspective and make some observations. First of all, though I am hearing statements to the contrary, Don is not on a six months "leave" or "sabbatical" from U.S.F., with his return to that institution and community to be taken for granted.

It was not university officials but Jesuit superiors who decided that Don should withdraw from U.S.F. And it should be kept in mind that Don was never fully employed by U.S.F. He was hired from semester to semester on a minimal part time basis.

The genesis of the "six month leave" misconception was then-Rector Jim Torrens' attempt to deal fairly and compassionately with Don and not close the door definitely to his ever returning to the U.S.F. Jesuit community. Under great pressure from Don (and from others whom Don should not have involved in this personal matter between himself and religious superiors), Jim Torrens modified what was originally an unqualified decision for Don to leave U.S.F. The intent of the modification was to leave the door open for Don's possible return to the U.S.F. Jesuit community some day. And the period of six months was stipulated as a sort of trial period, at the end of which Don's return to the U.S.F. Jesuit community would be considered, if Don wanted to return and you, his Provincial, wanted to send him to U.S.F.

The following conditions for Don's return to U.S.F. were explicitly laid down (E) or implicitly to be understood from our Instituté (I):

1. (E) Don will have undergone serious psychological evaluation and any therapy recommended by the evaluation. And some sort of certification or assurance will be provided that Don is healthy and stable mentally and emotionally.

EXHIBIT 12

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2. (I) The Chicago Provincial wants to mission Don to U.S.F. (E) And the Chicago Provincial indicates a "clean bill of health" and his recommendation of Don for acceptance at U.S.F.
3. (E) The appropriate university official(s) offer Don full employment at U.S.F., or at least enough compensated employment to cover Don's support and expenses.
4. (E & I) Don's behavior demonstrates substantial reform in the areas indicated by Jim Torrens: e.g., regular hours, communication with superiors, proper permissions, bringing students to his room, outbursts of anger, participation in community life, etc.
5. (I) The U.S.F. Rector and the California Vice Provincial for Education agree to receive Don.

At the time that Jim Torrens was conceding to this "six months" clause, I made it clear that Jim could speak only for the Jesuit community, not for the university. I was conscious of several facts which make this distinction significant: The university has no legal or moral obligation or commitment to employ Don McGuire. The university had employed Don only on a minimal part time basis. The university is undergoing a financial crisis and responding by tightening its belt in every area. The university has contractual obligations to individuals qualified to teach in the areas of Don's expertise. And, finally, the university administration is not at all enthusiastic about having Don McGuire at U.S.F., even if they were not constrained by the factors just listed.

What is the current state of affairs with regard to condition #3 of Don's return to U.S.F.? The Dean has no job offer for Don McGuire. The university has no intention of employing Don either full time or part-time, though Joe Fessio is fighting this vigorously.

To put this into perspective, let me note that at least 12 other Jesuits, all Californians, are in the same or similar boats, a few by forced retirement, a few by the elimination of their positions in the reorganization, and a few for whom no part time or full time positions are being offered. One of these, by the way, is Jim Torrens himself who, along with several others, the university would very much like to keep or re-employ, but cannot, due to the financial crunch.

I am concerned to hear that Don McGuire has been back in the California Province several times since his departure, and that he is planning to be at U.S.F. in April. His prior trips have apparently been to conduct retreats, one in San Diego which several U.S.F. students participated in. I have given no authorization for him to do apostolic work in this province. And this office has not been contacted to request priestly faculties for him in any diocese. Such operating independently of the Society and appropriate superiors is precisely one of the serious concerns we have had about Don in the past.

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Moreover, I am still uneasy with the way Don conducted himself when Jim Torrens tried to deal with the problems and make a decision in the most loving, personally-concerned and confidential manner. Don took "his case," along with a private letter from Jim Torrens, not to his spiritual director or even a canon lawyer, but to the advisory board and staff of the St. Ignatius Institute. He spoke to students about it. (And there are indications that he is still talking to students and others about it in correspondence.) He talked about getting a lawyer and taking the case to court. He talked in messiah-complex terms of all the souls that would be lost, and all the vocations, if he were no longer to be at U.S.F. And the latter bordered very closely on intimidation as if he were threatening to turn young men away from the Society if he were made to leave U.S.F. And that is not all, but enough to explain my uneasiness.

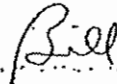
In conclusion, Leo, I see virtually no chance that Don McGuire will be accepted back at U.S.F. in July or September of 1981 (which is not to imply that he would be accepted in February of 1982 or some time thereafter). I strongly urge that he look to other apostolic vineyards.

And I do hope and pray that Don is getting and opening himself to the therapy and spiritual direction he so desperately needs. He is a good man, and talented, apparently an excellent teacher, though his shortcomings make his counselling abilities questionable. And I personally like him very much. Please assure him of my prayer and concern for him personally.

In case it's not clear, let me state unequivocally that Joe Fessio has no authority to hire personnel for the St. Ignatius Institute. Hiring in that area is done by the Dean of the College of Arts, Dr. David Harnett. I suspect, however, that Joe Fessio, counting his chickens before they are hatched, may be leading Don to believe that a position is or will be opened to him for Fall Semester, 1981.

Hoping this letter clarifies matters from my perspective and helps somewhat in your decision-making, Leo, I send it with warm personal regards.

Yours in Christ,



William J. Wood, S.J.
Vice Provincial for Education

cc: Reverend Paul F. Belcher, S.J., Rector, U.S.F. Jesuit Community

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