

KENTUCKY AND NEW HAMPSHIRE TARGET CONFESSIONAL

Lawmakers in Kentucky and New Hampshire are debating whether to end the priest-penitent privilege as it currently exists in law.

Currently, both states respect the confidential nature of the confessional by allowing priests and other clergymen an exemption from mandated reporting laws. But the legislative bodies of Kentucky and New Hampshire may decide to end this exemption when it comes to communication relating to the neglect or abuse of a minor child. What gave rise to the bills was the sexual abuse scandal in the Catholic Church.

The Catholic League wasted no time charging that such a bill would cut to the core of church-state relations. The sanctity of the confessional, we maintained, is central to the Sacrament of Reconciliation. Indeed, it is impossible to fathom how the sacrament could operate if the government is permitted to penetrate the privacy of the priest-penitent relationship. We admonished the legislators in both states to consider the impact such a bill would have on the religious liberty clause of the First Amendment, as well as the establishment clause.

We also said that the timing of the bill is suspect. If it had been established that in Kentucky, and elsewhere, Catholic priests had learned of cases of child sexual molestation in the confessional and did not report them, then at least the motivation behind the legislation would make sense. But no one is making this charge. And with good reason—the cases of child sexual abuse that have come to light have had nothing to do with information learned in the confessional.

We could not help but notice that in the state of Washington,

where a similar measure was debated, lawmakers there decided to respect the inviolable nature of the seal of the confessional. We also did not fail to notice that the person most responsible for pushing the bill in New Hampshire, Ann Coughlin, is also an active member of Voice of the Faithful.

Coughlin proved to be a master of spin when she said her actions are “a defense of a Catholic institution.” She even admitted she has no evidence whatsoever to show that priests in New Hampshire are being told in the confessional of crimes against children: “I can’t prove that ever happened. But I’m absolutely convinced that it has.”

The Catholic League will continue to fight against these bills wherever they surface.