

SEAL OF CONFESSION UNDER FIRE

Something sinister is going on, and it is not by coincidence. Within the course of one week, at the beginning of March, five states either heard testimony on a bill that would deny the priest-penitent privilege, or had bills of this nature introduced.

Vermont heard testimony from Burlington Bishop Christopher Coyne. Delaware, Kansas, Utah and Washington had bills to bust the seal of confession introduced. It looks like the one in Utah died a quick death, and the ones in Kansas and Washington are not likely to succeed.

In every case, the alleged proximate cause was gathering information about child sexual abuse cases as learned in the confessional.

We are used to doing battle with lawmakers who want to violate the seal of confession. In the last few years we succeeded in beating back attempts to vitiate the priest-penitent privilege in Utah and North Dakota. The same lawmaker we beat in Utah last year introduced a similar bill this year, but it got nowhere.

We wasted no time contacting the lawmakers in Vermont and Delaware. We asked them to reconsider that part of their bill that touched on the priest-penitent relationship. If the seal of the confession is broken, we stressed, it would vitiate its *raison d'être*. It is also unenforceable: no priest would ever violate his obligation to maintain confidentiality.

Whenever we have dealt with this matter, we always ask those who sponsor these bills the same question. "Where is the evidence that the priest-penitent privilege plays a role in the unfolding of the clergy sexual abuse scandal?" There is none.

It must be said that the scandal that rocked the Catholic

Church took place mostly between 1965 and 1985. Moreover, the reforms enacted over the past two decades have been a stunning success: the average number of credible accusations made against approximately 50,000 members of the clergy is in the single digits. The fact is that most of the molesters are either dead or have been kicked out of the priesthood.

Journalists will go to prison before giving up their sources. Psychologists would never divulge what they learn from their patients. Lawyers learn of things from their clients that must remain secret. Ditto for priests in the confessional.

There are some important steps that can be taken to curtail the abuse of children. They should be implemented. But not among them is busting the seal of the confessional.