

# SUPREME COURT AFFIRMS CHURCH-STATE LINES

The U.S. Supreme Court decided not to accept a church-state case that involved the Archdiocese of St. Louis.

A man claimed he was abused by another man back in 1971 when he was a teenager. The alleged offender is dead. The alleged victim never knew what supposedly happened to him until one day, in therapy ten years ago, his memory was restored. Sound familiar? It happens all the time to priests. Strangely enough, the jarred-memory-phenomenon does not often happen when the alleged molester is a school teacher.

The U.S. Supreme Court refused to hear the case because the Missouri Court of Appeals reached an eminently defensible conclusion in 2010: in order for the courts to determine whether the Archdiocese of St. Louis was negligent in its handling of the accused priest, Father Thomas Cooper, it necessarily had to involve itself in the Church's internal affairs. Such a level of intrusion would cross church-state lines, and therefore violate the First Amendment.

This was a big loss for Marci Hamilton, an attorney who is notoriously partisan against the Catholic Church. It also signified a loss for the editorial board of the *New York Times*, which called the Missouri decision "bizarre."

One more thing: It is wrong for the *Times*, and the media in general, to continue to discuss the "pedophile" problem in the Catholic Church. There never was such a problem—less than 5 percent of accused priests fit the description of a pedophile. In the lion's share of these cases, homosexuality was at work, not pedophilia. Indeed, in this particular case, the man who made the charges was also post-pubescent when the alleged offense took place more than 40 years ago. Failure to tell the

truth about this matter stands in the way of corrective action.