

SUPREME COURT AFFIRMS CHURCH-STATE LINES



Catholic League president Bill Donohue comments on the decision by the U.S. Supreme Court not to accept a church-state case that involves the Archdiocese of St. Louis:

A man claims he was abused by another man back in 1971 when he was a teenager. The alleged offender is dead, and the alleged victim never knew what supposedly happened to him until one day in therapy ten years ago. Then, all of a sudden, it hit him like a ton of bricks—bingo, his memory was restored. Sound familiar? It happens all the time to priests. For some strange reason, this jarred-memory-phenomenon does not happen very often when the alleged molester is a school teacher.

Those issues, while important, were not at the heart of this case. The U.S. Supreme Court refused to hear this 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 internal affairs of the Church. Such a level of intrusion would cross church-state lines, and therefore violate the First Amendment.

This is a big loss for Marci Hamilton, an attorney who is notoriously partisan against the Catholic Church. It also signifies a loss for the editorial board of the *New York Times*; last week it 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.