Opinion
Letters to the Editor

by NCR Editorial Staff

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A Milwaukee priest has been urging state legislators to repeal the clergy-penitent privilege in mandatory reporting laws that exempt Catholic priests from notifying authorities of any sexual abuse they hear about in the confessional. Following are NCR readers responding to our reporting. The letters have been edited for length and clarity.

As a young teenager, I was sexually abused by my parish priest, several times a week for several years. The priest insisted I go to him for confession. That insistence was nothing more than a skilled predator ensuring I saw such actions as my complicity in the sexual contact. In other words, the sin was mine.

For a young teenager, these instances of sexual abuse infused by his attention, affection and emotional demands, trips and material gifts I could otherwise never have, caused mind bending conflict. It demanded a level of emotional response no young child could be equipped to comprehend, causing confusion and great emotional distress.



I began to go to confession to other priests, hoping my revelations of sexual contact by a priest would bring about assistance and put an end to the ongoing abuse. To my despair, no such assistance ever materialized. I tried telling other clergy, church officials and a bishop, outside of the confessional. Still, the priest was not removed from my parish, but was appointed Archbishop Theodore McCarrick's personal secretary.

In the confessional, I was not a child penitent and telling of my sins. I was a child reporting a crime; I was seeking help. Help that never came because of a manmade institutional rule of secrecy. Tell me, who was really being protected? If a child tells of his/her abuse, it cannot matter where, when or in what circumstance such is revealed, even if in the confessional, It must be reported to civil authorities.

MARK CRAWFORD, New Jersey State SNAP Leader
Avenel, New Jersey

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Please thank Brian Fraga for the article which highlights some questions around the seal of the confessional.

At the same time, we also need to take a step back from the heat around the subject to confront one very simple fact. Most of the time, no matter what is confessed, the priest has no information that has any forensic value at all.

All we do in the confessional is establish whether there was a sin, whether the penitent has remorse and that they are willing to undertake the penance. The

penance must also never be of such a nature that would reveal the sin and the sinner. The confessional is not a legal inquisition and has no value to the legal system with regard to grave sins which are also crimes. Digging for prurient details or forcing an anonymous penitent to reveal themselves is also an abuse.

This simple distinction should be more commonly known in my opinion, because using the confessional as a forensic instrument is bound to fail.

I realize that the case of the priest using the confessional to procure victims, especially in the situation of ministry to deaf children, where the protection and anonymity of the screen is not possible, bears further thought to put in place checks and balances. In terms of a circle of priest abusers absolving each other, canon law can address that very simply by broadening the categories of automatic excommunications (although if they are doing that in the first place, their obedience to canon law is already shattered and their consciences compromised).

And yes, the most unsettling and painful experience is to hear a child describe the abuse they go through as if they are the sinner. Here we need to really look more deeply at how we can encourage the abused individual to access help that can make a difference.

The quality of "evidence" we receive in the confessional would not satisfy any legal system seeking to establish facts beyond a reasonable doubt.

(Fr.) MARTIN BADENHORST, OP
Johannesburg, South Africa

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I don't tend to believe that secular states, such as this republic, have any reason to protect the sanctity of the confessional where the abuse of children is concerned. I am not a religious freedom absolutist.

For example, I support movements to ban the heinous act of non-consensual circumcision, regardless of how that would affect my siblings in Islam and Judaism. Now, if such bans came into place, it would be for Muslims and Jews to decide to

adapt their beliefs and practices to the secular law or not.

Likewise, if Catholics lost some legal protections for the seal of the confessional it would be up to those in the church to decide if canon law should be reformed as well. I don't believe it should be. Within the church, the seal should not be messed with. I don't see why the secular state should care about Catholic sacramental theology or be influenced by it in any way.

Abuse in the confessional is a separate issue. Also, I concluded the article having no idea whether the two affidavits mentioned in the article are from proven survivors or from alleged survivors. Fraga does not tell us either way, yet surely the distinction is an important one and not to be glossed over.

There's a discussion that should be had about the current legal exceptions made to confidentiality, such as for psychologists, when it comes to the abuse of children, the differently abled and old folk. It seems to me that if someone has raped an adult, that should also be reported. But that is a separate discussion.

JEFFREY JONES
Hamburg, New York

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In my understanding, restitution is an essential component of reconciliation. If a penitent confesses to having committed a crime, regardless of its nature, absolution should be contingent upon the penitent making realistic and, where warranted, legal restitution. That may involve surrender to the authorities and swearing a confession under the law in order to face the consequences.

If a priest offers to accompany the penitent to the police so much the better. Absolution could then be offered and the individual forgiven in the sacramental sense but the penalties under the secular law must also be enacted for the law to be carried out. No one should feel that confessing to a priest somehow obviates the need to face accountability under the law under any circumstances but in particular cases involving abuse.

As a society, we seem to have a reticence about limiting religious privileges and subordinating any religion, or even religious beliefs, to the needs of the state even at the expense of supporting someone's civil rights if those rights are in conflict with

someone else's assertion of religious freedom. The problem with this posturing is that we need to determine the sincerity of those beliefs, which is subjective to say the least.

If the church wishes to retain credibility, particularity in light of the abuse scandal which has been shown to be not only ongoing but honorific in its scope, then a compromise is essential to permit the sanctity of confession to persist but not allow church laws to supersede the necessary execution of our civil laws.

CHARLES A. LE GUERN
Granger, Indiana