

Reuters/CNS

Demonstrators protest outside the opening session of the World Conference Against Racism in Durban, South Africa, Aug. 31.

Vatican, religious regret U.S. action

DURBAN, South Africa (CNS) — The Vatican and members of U.S. religious orders expressed disappointment at the decision by the United States and Israel to pull out of the World Conference Against Racism.

Archbishop Diarmuid Martin, the Holy See's permanent observer to U.N. offices in Geneva, said he was sorry that U.S. government decided to withdraw.

"I personally feel very sorry that a country, a nation, which has had a unique experience in the fight against racism, something quite constructive from which we could all learn, and an ongoing experience, that it didn't feel it could serenely take part in the conference and bring up a positive contribution," he said.

"This (conference) wasn't a tribunal to judge any individual country. The aim

here was to stress the basic principles that would inspire a different co-existence among peoples," the archbishop said.

Archbishop Martin said the focus on the Mideast at the conference has overshadowed other equally essential topics of debate, such as the conflict in Sudan.

The U.S. and Israeli governments withdrew Sept. 3, claiming the conference was singling out Israel. Draft documents from the conference called Israel racist and an apartheid state.

An Israeli statement called the draft text "the most racist" international declaration in more than a half century.

U.S. Secretary of State Colin Powell stated that the United States withdrew from the conference because Israel was being singled out "for censure and abuse."

"You do not combat racism by confer-

ences that produce declarations containing hateful language," Powell said.

Franciscan Sister Bernadette Sullivan of the New York-based Franciscans International said the U.S. decision "was no surprise, but it's very sad. They should have come here ready to listen and to dialogue."

"Walking out this way only hurts the United States. One more time they lose credibility with the world community," said Sister Sullivan, a delegate to the U.N. conference who plans to stay.

Australian Mercy Sister Helen Kearns asked, "Can you really expect the governments responsible for racism to sit in honest judgment on themselves?"

She said the U.S. withdrawal seemed "like spoiling tactics" aimed at undermining the conference.



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Church-state cases highlight confidentiality of confessions

If you have to drive over the Erie Canal on your way to church to make a confession, you might want to say a prayer of thanks for the man who oversaw the waterway's construction. DeWitt Clinton helped secure your civic right to the seal of confession.

As mayor of New York City in 1813, Clinton served as chief jurist in a city court that ruled in a favor of a priest who refused to divulge the identity of a man who had confessed theft to him. The priest had returned the goods the man stole to their rightful owner. But the owner wanted the man prosecuted and had gone to city authorities hoping to compel the priest to reveal the penitent's identity.

British law — which influenced the formation of New York state law — compelled priests, when asked, to reveal what they heard in the sacrament of penance. But Clinton, a Protestant, worked to end legal discrimination against Catholics while he was in the legislature in the early 1800s. His fellow jurists who ruled in favor of the priest were all Protestants as well.

Eventually, the opinion of New York's future governor in this case became the law of the state, according to David Hosack's 1829 volume *Memoir of DeWitt Clinton*.

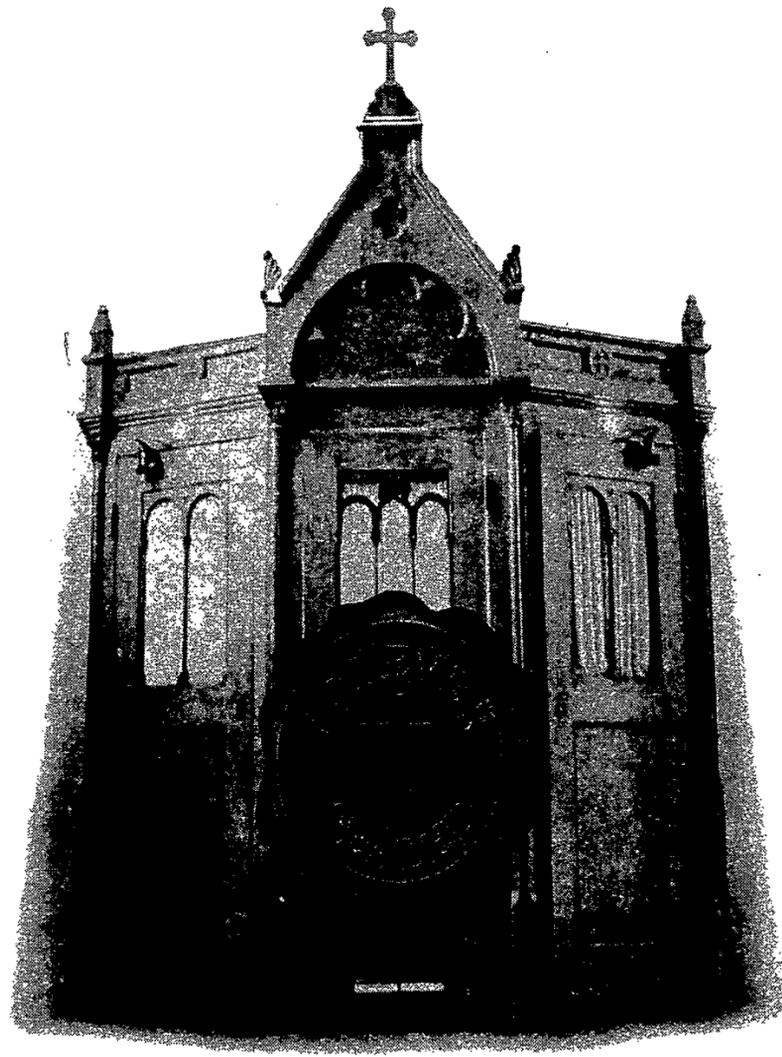
"By this law a numerous and most respectable religious denomination is relieved from the oppression of an arbitrary authority ... which would deprive them of the exercise of a paramount religious duty, enjoined upon them by the most positive obligations of their faith," Hosack wrote.

Priests and prisoners

Today, all 50 states and the federal government recognize the priest-penitent relationship as inviolate. And ministers, Catholic and non-Catholic alike, generally enjoy the same privileges of nondisclosure that lawyers and doctors do when having discussions with their clients, according to a number of experts. However, occasionally, civil authorities and clerics may clash when it comes to confidential discussions.

For example, in Eugene, Ore., in 1996, an inmate's sacramental confession was tape-recorded by county jail authorities without the knowledge or consent of the inmate and

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