

Sacramental Confession, Artistic Provocation, and Protection of Religious Feeling. Observations on the “Cattelan case”

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The recent initiative by artist Maurizio Cattelan—which involves setting up an international hotline through which users are invited to “confess their sins” in order to receive a symbolic public absolution¹—falls within the realm of contemporary artistic practices that reappropriate religious codes through semantic shifts². Beyond its stated performative dimension, however, the project raises significant questions from a canonical perspective, as it immediately and recognizably evokes the structure of the sacrament of penance³, while stripping it of its theological foundation, its sacramental content, and its legally defined form.

The remission of sins, in fact, belongs exclusively to a validly ordained priest endowed with the necessary faculty, in accordance with the provisions of canons 965 et seq. of the Code of Canon Law⁴. It does not consist in a symbolic, consolatory, or relational act, but in a sacramental action that involves the exercise of the *potestas clavium*, through which the minister acts *in persona Christi* and produces real effects in the order of grace. Moreover, what is learned in the sacrament of reconciliation is bound by the sacramental seal⁵, the violation of which entails *latae sententiae* excommunication reserved to the Apostolic See pursuant to can. 1381, §1, *C.i.c.* It follows that any attempt to reproduce this dynamic outside of this framework can only remain outside the sacramental horizon: one is not in the presence of a confession in the proper sense, but of an analogical evocation of it, entirely unsuitable for having any effect on the canonical level.

Precisely for this reason, Cattelan’s initiative can more accurately be interpreted as a form of “secular” confession, or rather as a mechanism for the psychological externalization of guilt, traceable to contemporary models of self-narration and the verbalization of lived experience⁶. In this context, the act of ‘confessing’ is removed from the sacramental sphere and transformed into

¹ The project allows participants to submit their confessions via a toll-free number or through WhatsApp. Cattelan himself will listen to the confessions and select some of the most meaningful ones to respond to directly and invite the participants to a live-streamed event: the news is available at the online address https://www.repubblica.it/cultura/2026/04/01/news/maurizio_cattelan_intervista_nona_ora_arte-425256037/.

² See ANDREA VESTRUCCI, *Metalanguage and Revelation: Rethinking Theology’s Language and Relevance*, in *Logica Universalis*, 4, 2019, p. 417 ff.

³ See BRUNO FABIO PIGHIN, *Il sacramento della penitenza*, in IDEM, *Diritto sacramentale*, Marcianum Press, Venezia, 2006, p. 257 ff.

⁴ See GIAN PAOLO MONTINI, *La tutela penale del sacramento della penitenza. I delitti nella celebrazione del sacramento*, in GRUPPO ITALIANO DOCENTI DI DIRITTO CANONICO (ed.), *Le sanzioni nella Chiesa. XXIII Incontro di Studio*, Abbazia di Maguzzano – Lonato (Brescia), 1-5 luglio 1996, Ancora, Milano, 1997, p. 218 ff.

⁵ See CONGREGATION FOR THE DOCTRINE OF THE FAITH, *Fondamenti e implicazioni teologiche del sacramento della riconciliazione*, 4 dicembre 2019, consultabile in www.vatican.va. See also CLAUDIO PAPALE, *Registrazione e divulgazione della confessione sacramentale*, in IDEM (ed.), *I delitti contro il sacramento della penitenza riservati alla Congregazione per la Dottrina della Fede*, Urbaniana University Press, Roma, 2016, p. 85 ff.

⁶ See JAN VAN DER LANS, PRZEMYSŁAW JABLONSKI, *Religious Language Interpretation: A Social Psychological Approach*, in *Archive for the Psychology of Religion*, 1, 1994, p. 208 ff.

a practice of self-exposure, in which the desire for inner liberation survives, but is separated from any reference to ecclesial mediation, sacramental absolution, and the normative structure that gives it meaning. The critical point of this operation thus lies in the reduction of the penitential rite to a general anthropological schema, stripped of its theological and juridical reality, which renders it irreducible to psychological or communicative models⁷.

The confessional, in fact, is not merely a space for listening, but a *locus iuridicus* in which a specific relationship is established between the penitent, the minister, and the ecclesiastical order. The artistic hotline retains its symbolic shell but radically alters its function: the inner forum gives way to the public stage, sacramental confidentiality is replaced by the performative logic of the performance, while the act of absolution is reduced to a mechanism of psychological restitution devoid of any inherent efficacy⁸. It is not, therefore, a simple linguistic variation or a free quotation from the religious repertoire, but a true semantic reconversion of the rite, which alters its nature and consumes its meaning through its spectacularization.

This issue is further complicated by the question of whether such conduct may have criminal implications. The matter should not be treated superficially or addressed mechanically, yet it cannot be ignored either. Although Italian law has progressively narrowed the scope of offenses protecting religious sentiment, it continues to provide for penalties against conduct that amounts to public denigration of religious practices or symbols. It follows that the performative reenactment of the sacrament of penance, if it takes on a meaning of trivialization or mockery, could theoretically be examined also from the perspective of contempt of religion under Article 403 of the Italian Criminal Code⁹. Of course, the assessment depends on the specific nature of the conduct and the balance with the freedom of artistic expression, but the distinction lies precisely in the transition from critical reinterpretation to the desecration of the religious symbol¹⁰.

The significance of the case in question therefore lies in this tension between freedom of expression and the protection of the sacred¹¹. The artistic intervention does not merely employ a religious symbol as readily available cultural material, but rather intervenes in a ritual form central to the Catholic experience, reusing it in a context that neutralizes its proper meaning and alters its public perception. The so-called “confession” proposed by the hotline does not, therefore, constitute a secularized variant of the sacrament, but rather a construction foreign to it, which

⁷ See FRANCESCO TARGONSKI, *Il sacramento della penitenza in prospettiva antropologica*, in *Miscellanea Francescana*, 3-4, 2015, p. 451 ff.

⁸ See LEO B. THOMAS, *Sacramental Confession and Some Clinical Concerns*, in *Journal of Religion and Health*, 4, 1965, p. 345 ff. For further information on the complex relationship between internal and external *forum*, please refer to PETER ERDÖ, *Foro interno e foro esterno nel diritto canonico*, in *Periodica de Re Canonica*, 1, 2006, p. 3 ff.

⁹ About this topic see ANGELO LICASTRO, *Il “nuovo” volto delle norme penali a tutela del sentimento religioso nella cornice dei così detti “reati di opinione”*, in *Stato, Chiesa e pluralismo confessionale*. Online Journal (www.statoechiese.it), 2, 2020, p. 49 ff.

¹⁰ Case law has clarified that—for the offense of contempt to be established—the conduct in question must be such that it constitutes an insult to the believer and an affront to the ethical values underlying the religious phenomenon: see ITALIAN COURT OF CASSATION, III Criminal Section, April 7, 2015, n. 41044. On this point see FABIO BALSAMO, *Recensire con toni sarcastici una funzione religiosa integra il delitto di vilipendio? Il caso del “TikToker” di Ravenna “Taylorismo”*, in *Diritto e Religioni – News Section*, April 2, 2026.

¹¹ See GIULIANA G. CARBONI, *Le forme di tutela della libertà artistica nel diritto comparato*, in *Diritto Pubblico Comparato ed Europeo*, 1, 2019, p. 37 ff.

derives its evocative power precisely from the recognizability of the sacramental model it imitates and simultaneously empties of meaning.

Viewed from another angle, this situation also reveals a further, in some ways paradoxical, aspect: in a highly secularized society, where the dimension of faith is often relegated to the margins of both the public and private spheres, deprived of its full cultural centrality, the religious phenomenon does not disappear, but reemerges in indirect forms that merely evoke its original meaning. What is no longer regarded as a lived experience and normatively relevant returns, in fact, as an available symbolic heritage, drawn upon to confer recognizability and communicative depth to endeavors oriented toward different ends. The sacred—though decontextualized—thus continues to function as a matrix of meaning, albeit reprogrammed according to linguistic and conceptual coordinates that profoundly transform its function and scope¹².

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¹² In argument, as remarked by MARIA D'ARIENZO, *Semiotica e pluralismo religioso nell'ordinamento giuridico italiano*, in *Diritto e Religioni*, 2, 2025, p. 491, «the transition from one linguistic and conceptual system to another [...] does not always fully capture the full range of nuances inherent in the original meaning of the fact through its own syntactic constructs and terminology [...]».